

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, APRIL 8, 2003
7:30 PM**

(RDN Board Room)

A G E N D A

PAGES

1. **CALL TO ORDER**
2. **DELEGATIONS**
3. **BOARD MINUTES**
8-19 Minutes of the Board meeting held on Tuesday, March 11, 2003.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
20-28 **Al Litynsky, Telus**, re Local Calling Area Expansion.
29 **Jan Thomas**, re French Creek Residents' Association Delegations.
30-31 **Alberto S. De Feo, Township of Langley**, re Farm Property Classifications Within Residential Areas
6. **UNFINISHED BUSINESS**
From the Board meeting held March 11, 2003.
FRONTAGE RELAXATION
32-37 Request for Cash in Lieu of Park Land Dedication & Relaxation of the Minimum 10% Frontage Requirement – WR Hutchinson, BCLS on behalf of A. Cochran & J. Radzuil – Grieco Road – Area A. (Electoral Area Directors except EA 'B' – One Vote)
BYLAWS
Public Hearing.
38-44 Report of Public Hearing held March 26, 2003 with respect to Bylaw No. 500.290 Haylock Bros/Sims – Melrose Road – Area G. (Electoral Area Directors except EA 'B' – One Vote)

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

7.1 **ELECTORAL AREA PLANNING STANDING COMMITTEE**

45-47 Minutes of the Electoral Area Planning Committee meeting held Tuesday, March 25, 2003. (for information)

PLANNING

AMENDMENT APPLICATIONS

Proposed OCP & Zoning Amendment Application No. AA0304 – Michael Rosen & Associates on behalf of Englishman River Land Holdings Ltd. – Kaye Road – Area G. (Electoral Area Directors except EA 'B' – One Vote)

1. *That the proposed public consultation strategy for the proposed amendment to the Englishman River Official Community Plan and Bylaw No. 500, 1987 for the Remainder of Block 564, Nanoose District, be approved with amendments as follows:*
 - *to recognize consideration of 1st and 2nd reading at the April 8, 2003 Board meeting.*
 - *notice of the Public Hearing to proceed in mid April.*
 - *a Public Hearing to be held in late April or early May.*
 - *consideration of 3rd reading in May.*
 - *application forwarded to the Ministries of Transportation and Community, Aboriginal and Women's Services in May.*
 - *consideration of adoptions following completion of the conditions of approval.*
2. *That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" amending the land use designation for a portion of the Remainder of Block 564 Nanoose District from Resource Management to Rural Residential, be given 1st and 2nd reading and referred to agencies in accordance with the Local Government Act.*
3. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003" be given 1st and 2nd reading, subject to the completion of the conditions and undertaking outlined in Schedule No. 1 of the staff report.*
4. *That May 1, 2003 be set as the date for the public hearing and Director Stanhope, or his alternate, be appointed to Chair the hearing.*

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60307 – Heringa – Lot 1, Miller Road – Area G. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60307 by Connie and Hans Heringa, to construct a dwelling unit in a Sensitive Lands Development Permit Area pursuant to the "Regional District of Nanaimo French Creek Official Community Plan Bylaw No. 1115, 1998" on the property legally described as Strata Lot 1, District Lot 28, Nanoose District, Plan VIS4363 be approved, subject to the conditions outlined in Schedule Nos. 1 to 3 of the corresponding staff report.

DP Application No. 60308 – Palleson/Allen – 931 McFeely Drive – Area G. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60308, submitted by Walter Allen on behalf of Palleson to vary the maximum building height for a proposed dwelling unit from 8.0 metres to 8.3 metres on the subject property legally described as Lot 6, District Lot 9, Newcastle District, Plan VIP69413 be approved, subject to the requirements outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

DP Application No. 60312 – Guy (Pecora Holdings/Coast Distributors) – 6855 Mart Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60312 by Jack Anderson of Anderson Greenplan on behalf of Pecora Holdings Coast Distributor Ltd. with a variance to relax the minimum 'other lot lines' setback requirement from 5.0 metres to 0 metres for the property legally described as Lot 11, District Lot 44, Wellington District, (situated in Nanoose District), Plan 15245 to accommodate an addition to a warehouse, be approved subject to Schedule Nos. 1 and 2 and the notification requirements pursuant to the Local Government Act.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

48-54 Minutes of the special and regular Committee of the Whole meetings held March 25, 2003. (for information)

COMMUNITY SERVICES

RECREATION AND PARKS

Horne Lake Regional Park – Draft Management Plan. (All Directors – Weighted)

1. *That the Horne Lake Regional Park Draft Management Plan be endorsed subject to the following amendments:*
 - (a) *That the required liability coverage be reduced from \$5,000,000 to \$2,000,000.*
 - (b) *That items 'B' and 'C', Section 5 of Schedule 4 be deleted.*

2. *That staff be directed to negotiate a five year operating contract with the Horne Lake Strata Corporation, pursuant to their option to operate the Park, or if declined, to advertise a request for proposal to operate the Park.*

CORPORATE SERVICES

FINANCE

2002 Audited Financial Statements. (All Directors – One Vote)

That the report on the audited financial statements for the year ended December 31, 2002 be received.

2002 Directors Remuneration and Expenses. (All Directors – One Vote)

That the 2002 report on remuneration and expenses for Board and committee members be received.

HOSPITAL

2002 Audited Financial Statements. (All Directors – One Vote)

That the report on the 2002 audited financial statements of the Nanaimo Regional Hospital District be received.

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings. (All Directors One Vote)

That a notice be filed against the title of the properties listed, pursuant to Section 700 of the Local Government Act and that if the infractions are not rectified within ninety (90) days, legal action will be pursued:

- (a) *Lot 1, Section 1, Nanaimo Lund District, Gabriola Island, Plan 42198, 2010 Price Road, Electoral Area 'B', owned by E. Willoughby;*
- (b) *Lot 13, District Lot 181, Nanoose Land District, Plan 15551, 830 Mariner Way, Electoral Area 'G', owned by H. and B. Osenjak;*
- (c) *Lot 11, Block 8, District Lot 11, Newcastle Land District, Plan 1223, 1129 Centre Road, Electoral Area 'G', owned by G. and P. Fissler.*

BYLAW ENFORCEMENT

Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – Richard Beaven – 3030 Barnes Road – Area A. (All Directors – One Vote)

That should the property maintenance concerns not be rectified by April 8, 2003, pursuant to the "Unsightly Premises Regulatory Bylaw No. 1073, 1996", the Board direct the owner of the property legally described as Lot 12, Section 18, Range 5, Cedar Lund District, Plan 15220, to remove from the premises, those items as set out in the resolution attached to the staff report within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owner's cost.

PLANNING

Road Name Change Concerning Ingram Road and Ingram Road East – Area A. (All Directors except EA 'B' One Vote)

- 1. That this report be received for information.*
- 2. That Ingram Road residents be encouraged to proceed with their application to the Ministry of Transportation to change the name of Ingram Road.*

ENVIRONMENTAL SERVICES

LIQUID WASTE

Malaspina University-College – GNPCC Biosolids Composting Update. (All Directors – One Vote)

That the Board receive the report on the update of the Greater Nanaimo Pollution Control Centre's biosolids composting contract with Malaspina University-College for information.

SOLID WASTE

Landfill & Transfer Station Yard Waste Composting – Tender Award. (All Directors – Weighted)

That Meadowlark Construction be awarded the contract for composting yard waste from the Regional Landfill and that Qualicum Farms be awarded the contract for composting yard waste from Church Road Transfer Station for \$38.50 and \$29.93 per tonne respectively.

UTILITIES

Nanoose Water Service Area – Enos Creek Watermain Construction – Tender Award. (All Directors – Weighted)

That the Regional District of Nanaimo award the Enos Creek Watermain project to Chikangus Enterprises for the tendered amount of \$116,583.87.

French Creek Sewer LSA Capital Charge Bylaw No. 1330.

(All Directors – One Vote)

That “French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003” be introduced for first three readings.

(All Directors – 2/3)

That “French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003” having received three readings be adopted.

Northern Community Sewer LSA Capital Charge Bylaw No. 1331.

(Electoral Areas ‘E’, ‘F’, ‘G’, ‘H’, Parksville, Qualicum Beach – Weighted)

That “Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003” be introduced for first three readings.

(All Directors – 2/3)

That “Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003” having received three readings be adopted.

COMMISSION, ADVISORY & SELECT COMMITTEE

Lantzville Parks & Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held February 3, 2003, be received for information.

Electoral Area ‘G’ Parks & Open Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area ‘G’ Parks & Open Space Advisory Committee meeting held March 5, 2003, be received for information.

District 69 Recreation Commission. (All Directors – One Vote)

That the minutes of the District 69 Recreation Commission meeting held March 13, 2003, be received for information.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Intergovernmental Advisory Committee. (All Directors -- One Vote)

55-65 Minutes from the meetings of the Intergovernmental Advisory Committee held January 9, February 6, February 12, March 14, March 20 & March 27, 2003. (for information)

Board Selection Committee. (All Directors – One Vote)

8. ADMINISTRATOR'S REPORT

66-67 Fairwinds Well No. 3 Construction – Tender Award. (All Directors – Weighted)

68-76 Sewer User Rate Amendments – French Creek Sewer Regulations & Rates Amendment Bylaw No. 422.12, Fairwinds Sewerage Facilities Specified Area Rates Bylaw No. 765.10, and Surfside Sewer Regulations & Rates Amendment Bylaw No. 1241.02. (All Directors – One Vote)

77-102 Parcel Tax Rate Bylaws No. 1180.03, 1181.03, 1182.03, 1183.02, 1184.03, 1185.03, 1186.03, 1187.03, 1188.03, 1189.03, 1190.02, 1191.03, 1192.03, 1193.03, 1194.03, 1206.02, 1336. (All Directors – One Vote)

103-112 Growth Management Plan Review Update - Regional Growth Strategy Bylaw No. 1309. (All Directors except EA 'B' – One Vote)

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

That pursuant to Section 242.2(1) of the Local Government Act the Committee proceed to an In Camera meeting to consider items pertaining to personnel issues.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MARCH 11, 2003, AT 7:40 PM IN THE
NANAIMO CITY COUNCIL CHAMBERS**

Present:

Director J. Stanhope Alternate	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir Alternate	City of Parksville
Director A. Kruyt Alternate	Town of Qualicum Beach
Director D. Tyndall	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director T. Krall	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	Gen. Mgr. of Corporate Services
J. Finnie	Gen. Mgr. of Environmental Services
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
M. Pearce	Manager of Administrative Services

DELEGATIONS

MOVED Director Hamilton, SECONDED Director Cantelon, that five late delegations be permitted to address the Board.

CARRIED

Charles Pinker, Mountain Fire Protection District, re Lantzville Incorporation & the Future of Electoral Area 'D'.

Mr. Pinker requested that the Mountain Fire Protection Board be involved in any discussions the Board may have with respect to the options available for the remainder of Electoral Area D following the incorporation of Lantzville.

Gord Shoquist, re Lantzville Incorporation & the Future of Electoral Area 'D'.

Mr. Shoquist raised his concerns about representation for the remainder of Electoral Area D and requested that the Mountain Fire Protection District be included when examining the options available.

Randy O'Donnell, re Future Representation for the Remainder of Electoral Area 'D'.

Mr. O'Donnell expressed his concerns with Area D possibly amalgamating with Area C and requested further consultation with area residents before any decisions are made.

Thomas McArthur, re Request for Land Exchange – Fern Road Consulting Ltd., on behalf of R & L Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

Mr. Thomas spoke in opposition of the land exchange proposal and requested that the Board deny the application.

Helen Sims, re Request for Land Exchange – Fern Road Consulting Ltd., on behalf of R & L Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

Ms. Sims outlined her clients agreement with the recommendations included in the staff report and requested the Board to allow the application to go forward to the public.

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Bartram, that the minutes of the regular Board meeting held on February 11, 2003 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

T.V. Boag, President, Parksville Curling Club, re Memorandum of Understanding Between the Regional District of Nanaimo and the Parksville Curling Club.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from the Parksville Curling Club with respect to Item 2.1(c) Preconditions, of the Memorandum of Understanding between Regional District of Nanaimo and the Parksville Curling Club, be received.

CARRIED

Steve New, BC Transit, re Transit Fuel Cost Increases.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from BC Transit with respect to an increase in transit fuel costs, be received.

CARRIED

Peter Wightman, Ministry of Transportation, re Rights-of-Way and Rest Area Commercialization.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from the Ministry of Transportation with respect to Rights-of-Way and Rest Area commercialization, be received.

CARRIED

Ruth Wahlgren, re DP Application No. 0301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from Ruth Wahlgren with respect to DP Application No. 0301 be received.

CARRIED

Andre Rowland, re DP Application No. 0306 – Yorke/Rowland – 1435 Private Road – Area G.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from Andre Rowland with respect to DP Application No. 0306 be received.

CARRIED

John Debolt, re DVP Application No. 0304 – Melvyn– Seaview Drive – Area H.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from John Debolt with respect to DP Application No. 0304 be received.

CARRIED

Anne Copas, re DVP Application No. 0304 – Melvyn– Seaview Drive – Area H.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from Anne Copas with respect to DP Application No. 0304 be received.

CARRIED

Greta Taylor, re DVP Application No. 0304 – Melvyn– Seaview Drive – Area H.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from Greta Taylor with respect to DP Application No. 0304 be received.

CARRIED

Dianne Eddy, Mapleguard Ratepayers' Association, re DVP Application No. 0304 – Melvyn– Seaview Drive – Area H.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from Dianne Eddy with respect to DP Application No. 0304 be received.

CARRIED

Kathyanne Quadfass, re Proposed Cuts in Transit Service.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from Kathyanne Quadfass with respect to the proposed cuts in transit service be received.

CARRIED

George Abbot, Minister of Community, Aboriginal and Women's Services, re Incorporation of Lantzville.

MOVED Director McNabb, SECONDED Director Krall, that the correspondence from the Minister of Community, Aboriginal and Women's Services requesting the Board's views on the electoral area structure of the remaining portion of Electoral Area D upon Lantzville's incorporation, be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Haine, that the Board set up a Committee to review the proposal for the remaining portion of Electoral Area D put forward by Minister Abbot.

CARRIED

UNFINISHED BUSINESS

From the Board meeting held February 11, 2003.

Transit Business Plan Update 2003-2005 – Terms of Reference.

MOVED Director Krall, SECONDED Director Bartram,:

That the Terms of Reference for the Transit Business Plan Update – 2003 to 2005 be approved.

That appointments to the Select Committee for the Transit Business Plan Update be made by the Board Chairperson.

CARRIED

MOVED Director Holdom, SECONDED Director Cantelon, that the majority of members on the Select Committee be from the City of Nanaimo.

CARRIED

Evaluation Report – Take 5 Express – Malaspina University College/Downtown Nanaimo.

MOVED Director Cantelon, SECONDED Director Krall, that the Take 5 Express be expanded to Monday to Friday beginning in the Spring of 2003 as part of an overall service review and adjustment scheduled for 2003.

CARRIED

BYLAWS

Bylaw No. 1170.03.

MOVED Director Sherry, SECONDED Director Bibby, that “San Pareil Water Supply Local Service Area Amendment Bylaw No. 1170.03, 2003” be adopted.

CARRIED

Bylaw No. 791.06.

MOVED Director Sherry, SECONDED Director Cantelon, that “Rural Streetlighting Local Service Area Boundary Amendment Bylaw No. 791.06, 2003” be adopted.

CARRIED

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Hamilton, SECONDED Director Bibby, that the minutes of the Electoral Area Planning Committee meeting held February 25, 2003 be received for information.

CARRIED

COMMUNICATION/CORRESPONDENCE

Thomas McArthur, French Creek Residents Association, re Request for Land Exchange – Fern Road Consulting Ltd. on behalf of R & I. Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Hamilton, SECONDED Director Sherry, that the correspondence received from the French Creek Residents Association with respect to Fern Road Consulting Limited’s request for land exchange, be received.

CARRIED

Dennis & Anita Lawrence, re Request for Land Exchange – Fern Road Consulting Ltd. on behalf of R & L Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Hamilton, SECONDED Director Sherry, that the correspondence received from Dennis and Anita Lawrence with respect to the subdivision proposal for the land legally described as Remainder of Lot 1, DL 49, Nanoose District, Plan 19351, be received.

CARRIED

Hawthorne Rise Area Residents, re Request for Land Exchange – Fern Road Consulting Ltd. on behalf of R & L Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Hamilton, SECONDED Director Sherry, that the correspondence received from the Hawthorne Rise Area Residents with respect to the parkland contained within the proposed development in the French Creek area, be received.

CARRIED

David & Ros Ross, re Request for Land Exchange – Fern Road Consulting Ltd. on behalf of R & I. Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Hamilton, SECONDED Director Sherry, that the correspondence received from David and Ros Ross with respect to the application for an exchange of land for property legally described as the Remainder of Lot 1, DL 49, Nanoose LD, Plan 19351, be received.

CARRIED

Gareth Rees, re Request for Land Exchange – Fern Road Consulting Ltd. on behalf of R & I. Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Hamilton, SECONDED Director Sherry, that the correspondence received from Gareth Rees with respect to the proposed changes to the boundary of the existing park located in the St. Evar subdivision, be received.

CARRIED

R.A. and Anna K. Bloxham, re Request for Land Exchange – Fern Road Consulting Ltd. on behalf of R & I. Todsén & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Hamilton, SECONDED Director Sherry, that the correspondence received from R.A. and Anna Bloxham with respect to the proposed park boundary changes requested by the developer for the land legally described as Lot 1, District Lot 49, Nanoose District, Plan 19351, be received.

CARRIED

UNFINISHED BUSINESS

DP Application No. 0301 – Juthans/Murphy – 5489 Deep Bay Drive – Area H.

MOVED Director Hamilton, SECONDED Director Bartram, that this application be referred back to the Electoral Area Planning Committee.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0303 – Haylock Bros./Sims – Melrose Road – Area G.

MOVED Director Hamilton, SECONDED Director Biggemann, that the minutes from the Public Information Meeting be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.290, 2002” be given 1st and 2nd reading.

CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.290, 2002” proceed to Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Haimc, that the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.290, 2002” be delegated to Director Stanhope or his alternate.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 0305 – Thiessen & Marshall/Kyler – 1272 Seadog Road – Area E.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Permit Application No. 0305, submitted by Ken Kyler on behalf of Thiessen and Marshall to permit the construction of a stormwater drain pipe within the Watercourse Protection Development Permit Area on the property legally described as Lot 21, Block C, District Lot 38, Nanoose District, Plan 10777, be approved subject to the requirements outlined in Schedule Nos. 1, 2 and 3.

CARRIED

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DP Application No. 0306 – Yorke/Rowland – 1435 Private Road – Area G.

MOVED Director Hamilton, SECONDED Director Haime, that Development Permit Application No. 0306, submitted by Yorke/Rowland to facilitate the construction of a single residential dwelling unit, retention wall and drainage rock pit, on the property legally described as Lot 1, District Lot 80, Newcastle District, Plan 15785 be approved subject to the requirements outlined in Schedules No. 1 and 3 and revised schedule 2 as outlined in the correspondence on the Addendum from Andre Rowland.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS**DVP Application No. 0303 – Buchanan – 5012 Seaview Drive – Area H.**

Ms. Buchanan spoke in support of her application.

MOVED Director Hamilton, SECONDED Director Bartram, that Development Variance Permit Application No. 0303, submitted by Susan Buchanan, to facilitate the construction of a dwelling unit and vary the minimum permitted setbacks within a Residential 2 (RS2) zone from 8.0 metres to 5.36 metres for the front lot line, from 5.0 metres to 3.81 metres for an other lot line located along Seaview Drive, and from 18.0 metres from a stream centerline to 6.58 metres from a stream centerline for setbacks from a watercourse for the property legally described as Lot 22, District Lot 28, Newcastle District, Plan 22249, be approved subject to the notification requirements pursuant to the Local Government Act.

CARRIED

DVP Application No. 0304 – Melvyn – Seaview Drive – Area H.

MOVED Director Hamilton, SECONDED Director Bartram, that this application be referred back to Committee.

CARRIED

DVP Application No. 0305 – H & F Ventures Ltd. – 2980 Matthew Road – Area E.

MOVED Director Hamilton, SECONDED Director Bibby, that Development Variance Permit Application No. 0305, submitted by Norman Evans, agent on behalf of H & F Ventures Ltd., to facilitate the development of a single dwelling unit and vary the maximum permitted dwelling unit height within the Rural 5 (RUS) zone from 9.0 metres to 13.0 metres for the property legally described as Lot 12, Block 668, Nanoose Land District, Plan VIP62598, be approved as submitted subject to the notification procedures pursuant to the Local Government Act.

CARRIED

DVP Application No. 0306 – Balance – 2830 Benson View Road – Area D.

MOVED Director Hamilton, SECONDED Director Haime, that Development Variance Permit Application No. 0306 by Stanley Neville Balance to vary the 'all lot lines' setback requirement from 8.0 metres to 4.0 metres for the west interior side lot line to allow for the construction of a two-car garage with loft for the property legally described as Lot 8, Sections 9 and 10, Range 4, Mountain District, Plan 36191 be approved, subject to Schedules No. 1, 2 and 3 and to the notification requirements pursuant to the Local Government Act.

CARRIED

FRONTAGE RELAXATION

Request for Cash in Lieu of Park Land Dedication & Relaxation of the Minimum 10% Frontage Requirement – WR Hutchinson, BCLS on behalf of A. Cochran & J. Radzvil – Grieve Road – Area A.

MOVED Director Hamilton, SECONDED Director Kreiberg, that this application be deferred for one month.

CARRIED

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OTHER

Request for Park Land Exchange – Fern Road Consulting Ltd. on behalf of R & L Tolsen & McTay Holdings Ltd. – Hawthorne Rise & White Pine Way – Area G.

MOVED Director Stanhope, SECONDED Director Haime, that this request be deferred for 2 weeks.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Sherry, SECONDED Director Cantelon, that the minutes of the Committee of the Whole meeting held February 25, 2003 be received for information.

CARRIED

COMMUNICATION/CORRESPONDENCE

Rich Coleman, Solicitor General, re Police Financing in Municipalities Under 5,000 Population and Unincorporated Areas.

MOVED Director Sherry, SECONDED Director Biggemann, that the correspondence received from Solicitor General Rich Coleman with respect to an update on the restructuring of police financing in municipalities under 5,000 population and unincorporated areas, be received.

CARRIED

UNFINISHED BUSINESS

From the meeting of the Committee of the Whole held January 28, 2003.

Watershed & Drinking Water Protection Initiatives.

MOVED Director Krall, SECONDED Director Holdom, that this item be referred back to Committee to allow an opportunity to consult with staff from the municipalities and the Greater Nanaimo Water District.

CARRIED

MOVED Director McNabb, SECONDED Director Bartram, that, as groundwater legislation is an important aspect of groundwater and drinking water protection, the Board advance the following resolution to AVICC:

WHEREAS the provincial government has developed an Action Plan for Safe Drinking water in British Columbia that commits to the development of groundwater protection legislation;

AND WHEREAS groundwater protection, legislation and regulation is a priority for all areas of British Columbia, is of multi-jurisdictional interest and does not conform to political or local government boundaries;

THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island Coastal Communities express to the Province its support for new groundwater protection legislation and further that the province must provide the resources and initiative to implement its legislative responsibility and authority for the Province's groundwater resource.

CARRIED

COMMUNITY SERVICES

RECREATION AND PARKS

Purchase of Old Errington School – Area F.

MOVED Director Biggemann, SECONDED Director McNabb, that the Regional District obtain an independent, comprehensive assessment of the old Errington School building, to identify the state of the building and all building deficiencies and the estimated cost of the work required to fix the identified deficiencies to a recognized standard, before making a decision to enter into an agreement with School District No. 69 to purchase the school.

CARRIED

REGIONAL GROWTH MANAGEMENT

Regional Growth Strategy Function – Electoral Area ‘B’ Participation.

MOVED Director Krall, SECONDED Director Lund, that Electoral Area ‘B’ be excluded from the Regional Growth Strategy function.

CARRIED

Regional Growth Management Plan Review – Completion Phase – Terms of Reference and Consultation Plan.

MOVED Director Krall, SECONDED Director Holdom, that the Terms of Reference and Consultation Plan for the Growth Management Plan Review Completion Phase be approved as presented in the staff report, with the projected date for referral of May 1, 2003 and third reading of the RGS bylaw of June 10, 2003.

CARRIED

TRANSIT

2003 District 68 Transit Budget Issues.

MOVED Director Cantelon, SECONDED Director Krall, that the 2003 District 68 Transit budget issues be accommodated with a combination of Transit service adjustments for March as outlined in Schedule ‘A’, projected June service reductions.

CARRIED

MOVED Director Holdom, SECONDED Director Cantelon, that the tax requisition increase and offset options be referred back to Committee for further discussion.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

BC Hydro Power Smart Partner Program.

MOVED Director Cantelon, SECONDED Director Longmuir, that the Board support RDN participation in the BC Hydro Power Smart Partner Program and direct staff to execute the BC Hydro Power Smart Partner Program Agreement with BC Hydro.

CARRIED

Greater Nanaimo Pollution Control Centre Headworks Upgrade – Tender Award.

MOVED Director Sherry, SECONDED Director McNabb, that the Regional District of Nanaimo award supply of influent screens for the GNPCC Headworks upgrade for the tendered amount of \$308,736.00 to Waste Tech Inc.

CARRIED

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Madrona/Wall Beach Sewer Pre-Design Study.

MOVED Director Sherry, SECONDED Director Bibby, that the Board approve using existing feasibility study funds available to supplement the \$10,000 Infrastructure Planning Grant for a sewer pre-design study for the Madrona/Wall Beach area.

CARRIED

Northern Community Sewer LSA DCC Expenditure Amendment Bylaw No. 1328.

MOVED Director Longmuir, SECONDED Director Kruyt, that "Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1328.01, 2003", which will release \$250,000 to complete the Bay Avenue and trickling filter pump upgrades, be introduced and given three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Krall, that "Northern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Amendment Bylaw No. 1328.01, 2003" be adopted.

CARRIED

SOLID WASTE**Regional Landfill Surface and Groundwater Monitoring Program – Contract Extension.**

MOVED Director Sherry, SECONDED Director Biggemann, that the Board extend the contract with Morrow Environmental Consultants for the regional landfill surface and groundwater monitoring program for an additional two year period.

CARRIED

COMMISSION, ADVISORY AND SELECT COMMITTEES**District 69 Recreation Commission.**

MOVED Director Longmuir, SECONDED Director Kruyt, that the minutes of the District 69 Recreation Commission meeting held February 13, 2003, be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Kruyt, that the Board endorse the following:

Community Grants:

Arrowsmith Cricket and Sports Association – score board (funds to be matched by the club)	\$ 500
Errington Therapeutic Riding Association – operating costs	\$ 2,500
Mid-Island Wildlife Watch Society – Brant Festival insurance	\$ 1,000

Youth Grants

Ballenas Dry Grad Committee – insurance and advertising	\$ 800
Fuzion Youth Centre start up costs & initial operating cost	\$ 2,500
Nanoose Bay Elementary PAC – outdoor education trip (funds to be matched by PAC groups)	\$ 1,000
V.I. Adrenalin Games – equipment rentals	\$ 1,500
Vicious Vacant Productions – Jan and Feb 2003 event cost	\$ 825

That the Regional District of Nanaimo Board initiate a facility-naming contest for the Arena Multiplex, establish a Facility Naming Sub-committee appointed by the District 69 Recreation Commission consisting of five Commissioners, and issue a Request for Proposal for selling the name rights for Rinks 1 and 2, Leisure Ice Sheet and the Multipurpose Room. In addition, contest entries may include a suggested logo with the suggested name.

That the revenue-sharing program for arena advertising in the Arena Multiplex includes a revenue split of 30% for a sales representative, 20% for Occanside Minor Hockey, 20% for the Junior 'B' Generals, 10% for the Sandy Shores Skating Club and 20% for the Regional District, be approved.

CARRIED

Lantzville Parks & Open Space Advisory Committee.

MOVED Director Haime, SECONDED Director Hamilton, that the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held December 2, 2002, be received for information.

CARRIED

Nanoose Bay Parks & Open Space Advisory Committee.

MOVED Director Bibby, SECONDED Director Hamilton, that the minutes of the Nanoose Bay Parks & Open Space Advisory Committee meetings held October 21, 2002 and February 5, 2003, be received for information.

CARRIED

Electoral Area 'A' Parks & Green Spaces Advisory Committee.

MOVED Director Kreiberg, SECONDED Director Hamilton, that the minutes of the Electoral Area 'A' Parks & Green Spaces Advisory Committee meetings held January 16, 2003 and February 6, 2003, be received for information.

CARRIED

Electoral Area 'G' Parks & Open Space Advisory Committee.

MOVED Director Hamilton, SECONDED Director Sherry, that the minutes of the Electoral Area 'G' Parks & Open Space Advisory Committee meetings held October 3, 2002 and January 16, 2003, be received for information.

CARRIED

ADMINISTRATOR'S REPORT

Electoral Area 'A' By-Election.

MOVED Director McNabb, SECONDED Director Kreiberg, that, effective March 14, 2003, Carol Mason, General Manager, Corporate Services, be appointed as the Chief Election Officer and Maureen Pearse, Manager of Administrative Services, be appointed as the Deputy Chief Election Officer for the purpose of conducting the Electoral Area 'A' By-Election to be held on May 31, 2003.

CARRIED

Animal Control Contracts.

MOVED Director Hamilton, SECONDED Director Longmuir, that the Chairperson and the General Manager of Corporate Services be authorized to sign the Animal Contract on behalf of the Regional District of Nanaimo to engage the services of Parksville-Qualicum SPCA and Nanaimo Animal Shelter Ltd. to provide animal control services for the term of March 1, 2003 to February 28, 2004.

CARRIED

2003 Annual Budget and 2003-2008 Financial Plan.

MOVED Director Krall, SECONDED Director Cantelon, that the report on the 2003 annual budget and 2003 to 2008 financial plan be forwarded to the Committee of the Whole for review and discussion.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Peter Wightman, Ministry of Transportation, re Rights-of-Way and Rest Area Commercialization.

MOVED Director Bibby, SECONDED Director Holdom, that:

WHEREAS the Regional District of Nanaimo was advised by letter of February 21, 2003 that the Ministry of Transportation intends to advertise for proposals to commercialize various locations within the highway right-of-way and highway rest areas in March 2003;

AND WHEREAS this action is being taken without regard for local planning and zoning regulations and without any consultation with local governments or the public;

AND WHEREAS this action gives no recognition to the investments made by landowners or existing businesses in legitimately locating on approved commercial sites or to the investments made by municipalities and taxpayers in commercial infrastructure within planned urban and town centers;

AND WHEREAS the Province, the Regional District of Nanaimo and its three member municipalities (Nanaimo, Parksville and Qualicum Beach) signed a Vancouver Island Highway Agreement in 1998 and agreed to various highway access and land use management objectives that would protect the Highway and its aesthetic qualities;

NOW THEREFORE BE IT RESOLVED that the Minister of Transportation be advised that the actions by the Ministry of Transportation to commercialize the highway corridor are in conflict with many of the shared objectives of the Vancouver Island Highway Agreement, the Regional District of Nanaimo Growth Strategy, local official community plans and land use bylaws;

AND FURTHER that the Minister of Transportation be respectfully requested to immediately suspend the initiative to commercialize highway right-of-ways and rest stops and consult with local governments.

CARRIED

MOVED Director Bibby, SECONDED Director Holdom, that this resolution be forwarded to AVICC, the Ministry of Community, Aboriginal and Women's Services, the Premier, local MLA's and all regional districts and municipalities.

CARRIED

NEW BUSINESS

RCMP Island Division Headquarters.

MOVED Director Biggemann, SECONDED Director Cantelon, that if the RCMP Island Division Headquarters moves from Courtenay, BC that the Regional District of Nanaimo strongly supports the Island Sub/Division move to within the Regional District of Nanaimo area; and further that a copy of this resolution be sent to the Solicitor General, appropriate ministries and RCMP personnel.

CARRIED
UNANIMOUSLY

IN CAMERA

MOVED Director Sherry, SECONDED Director Krall, that pursuant to Section 242.2 2(e) and (j) of the *Local Government Act* the Board proceed to an In Camera meeting to consider items pertaining to the acquisition of land and information that is prohibited from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

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16

ADJOURNMENT

MOVED Director Sherry, SECONDED Director Cantclon, that this meeting be adjourned to allow for an In Camera meeting.

CARRIED

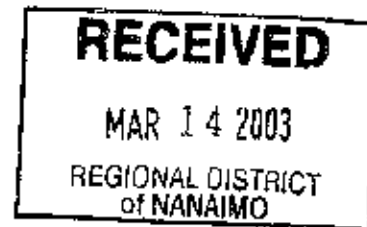
TIME: 9:00 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES



REGIONAL DISTRICT OF NANAIMO			
MAR 20 2003			
CHAIR		GMCRS	
CAO		GMOS	
GMCMS		GMES	
			<input checked="" type="checkbox"/>



March 3, 2003

Ms. N. Avery
Manager of Financial Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Dear Ms. Avery,

Subject: Local Calling Area Expansion

Thank you for your letter of February 18th requesting costs for expanding the local calling area within the Regional District of Nanaimo.

This letter is to acknowledge that we have received the request and that it has been placed in priority order. TELUS will not be in the position to immediately respond until the certain process issues related to the new CRTC local calling area expansion decision are resolved and additional CRTC directives are issued

When TELUS is in the position to provide you with the requested information, we will contact your office to schedule a presentation to the appropriate forum.

I would like to bring to your attention that the Cowichan Region Economic Development Commission has also asked TELUS to work with them to establish local calling within the Cowichan Valley Regional District.

As you may be aware, although Ladysmith is part of the Cowichan Valley Regional District, the Ladysmith telephone exchange currently has local calling capability to other telephone exchanges that serve Nanaimo and area. Although the Ladysmith exchange primarily serves customers in the Cowichan Valley, this exchange also serves a portion of Subdivision A in the Nanaimo Regional District. Attached for your reference is a map illustrating telephone exchange & municipal boundaries. This circumstance creates a situation where the two Regional Districts may wish to consider several different alternatives for expanding local calling. I have defined several alternatives following:

- A. Establish a single large Regional Local Calling Area that covers both Regional Districts and establishes local calling between all customers in both regions
- B. Establish 2 Regional Local Calling Areas, one for each Regional District

- Ladysmith exchange customers to be provided with expanded local calling to both regions.
- C. Establish 2 Regional Local Calling Areas with no overlap between the two.
 - Ladysmith joins the Nanaimo regional local calling area instead of the one serving the Cowichan Valley
- D. Establish 2 regional Local Calling Areas with no overlap between the two.
 - Calls between Ladysmith and the Nanaimo Regional District would be billed as long distance calls, but calls from Ladysmith to other areas of the Cowichan Valley would become local calls

Each of the above alternatives has various strengths and weaknesses that each Regional District will want to carefully consider. Although alternatives A & B may provide the greatest flexibility and local calling reach, we expect these alternatives to be considerable more expensive for customers within both regions. Alternatives C & D will require a difficult choice to be made on behalf of customers served by the Ladysmith telephone exchange.

When TELUS acts on your request, we will prepare cost quotation for each of the four alternatives listed above in order to provide you with the most complete information before a recommendation is developed for your Board. In the interim, I would like to also recommend that the Nanaimo Regional District establish a dialogue with the Cowichan Valley Regional District so that both regions can together develop optimal solutions for your local calling area requirements.

For your reference, I have also attached recent correspondence that I have exchanged with the Cowichan Valley Economic Development Commission.

If you have any questions in the interim, please feel free to contact me at 604-663-7200 at anytime.

Sincerely yours,



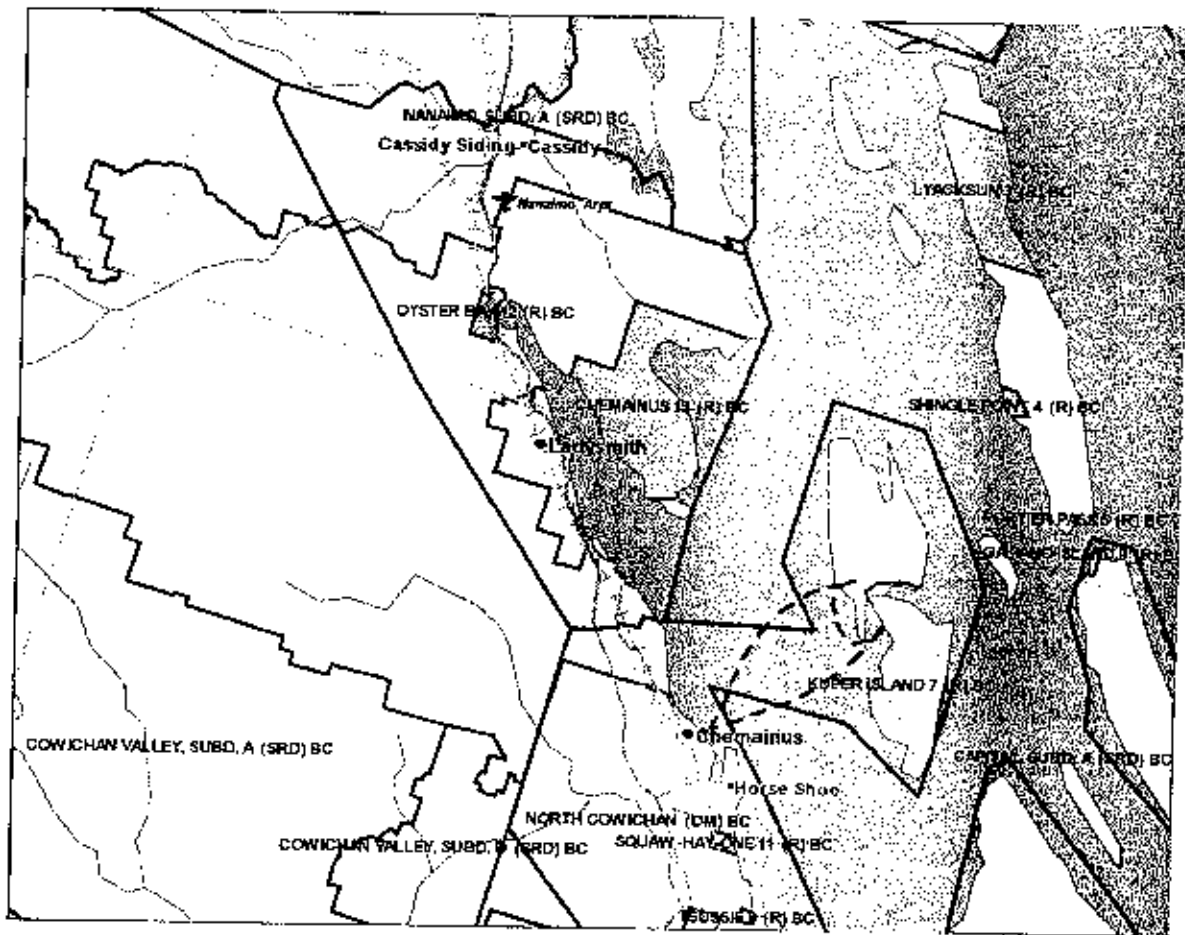
Al Litynsky
Senior Product Manager
Consumer Local Services
Al.Litynsky@telus.com

TELUS Communications
11th Floor
3777 Kingsway
Burnaby, BC
V5H 3Z7

C - Ed Clark

PAGE

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REGIONAL
DISTRICT
OF NANAIMO

February 18, 2003

Mr. A. Litynsky
Senior Product Manager
Telus Communications
11th floor, 3777 Kingsway
Burnaby, B.C. V5H 3Z7

Dear Mr. Litynsky:

RE: Local Calling Area Expansion

You may recall that some time ago you met with myself and representatives from the municipalities of Nanaimo, Ladysmith, Parksville, Qualicum Beach and the Cowichan Valley Regional District to explore the opportunity of expanding the local calling area in this part of Vancouver Island. On September 26th, 2002 you kindly forwarded to our chairperson news of the CRTC's decision regarding the process to be followed to bring about any further expansions of a local calling area.

On February 11th, 2003 the Board of the Regional District of Nanaimo passed the following motion:

That the Board of the Regional District of Nanaimo express its support for an expanded local calling area in the Regional District of Nanaimo and request Telus to undertake an analysis to establish the financial implications of implementing an expanded local calling area.

I look forward to meeting with yourself and my municipal colleagues to continue this initiative for the Regional District of Nanaimo.

Sincerely,

N. Avery
Manager of Financial Services

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4113
Toll Free: 1-877-607-4113
Fax: (250)390-4163

RDN Website: www.rdn.bc.ca

AGE
23

March 3, 2003

Mr. Geoff Millar
Economic Development Manager
Cowichan Region Economic Development Commission
137 Evans Street
Duncan, BC
V9L 1P5

Dear Mr. Millar,

Subject: Local Calling Area Expansion

Thank you for your letter of February 11th requesting information for expanding the local calling area within the Cowichan Valley Regional District.

This letter is to acknowledge that we have received the request and that it has been placed in priority order. TELUS will not be in the position to immediately respond until the certain process issues related to the new CRTC local calling area expansion decision are resolved and additional CRTC directives are issued.

When TELUS is in the position to provide you with the cost estimates for an expanded local calling area in the Cowichan Valley, we will contact your office to schedule a presentation to the appropriate forum.

With respect to the motion passed by the Committee, I regret to inform you that TELUS does not provide details of our telecommunications traffic to any third party other than the CRTC. Such information would be very valuable to our competitors. As such, TELUS maintains strict confidentiality over such calling data. Our obligations under Telecom Decision CRTC 2002-56 are to provide you with cost estimates that detail the monthly surcharge that would have to be applied to customers in the region. In addition we will outline a cost estimate for conducting a referendum if one is required.

Specific detail concerning calling patterns in the region will be submitted to the CRTC, in confidence, as part of any application that the Region may request for expanded local calling. It is the CRTC's responsibility to examine the calling data to confirm the appropriateness of the

cost estimates provided. The CRTC has processes in place to maintain confidentiality for the competitively sensitive data needed to support such applications.

I would also like to bring to your attention that the Nanaimo Regional District has also asked TELUS to work with them to establish an expanded local calling area.

As you may be aware, although Ladysmith is part of the Cowichan Valley Regional District, the Ladysmith telephone exchange currently has local calling capability to other telephone exchanges that serve Nanaimo and area. Although the Ladysmith exchange primarily serves customers in the Cowichan Valley, this exchange also serves a portion of Subdivision A in the Nanaimo Regional District. Attached for your reference is a map illustrating telephone exchange & municipal boundaries near Ladysmith. This circumstance creates a situation where the two Regional Districts may wish to consider several different alternatives for expanding local calling, as follows:

- A. Establish a single large Regional Local Calling Area that covers both Regional Districts and establishes local calling between all customers in both regions.
- B. Establish 2 Regional Local Calling Areas, one for each Regional District
 - Ladysmith exchange customers to be provided with expanded local calling to both regions.
- C. Establish 2 Regional Local Calling Areas with no overlap between the two.
 - Ladysmith joins the Nanaimo regional local calling area instead of the one serving the Cowichan Valley
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 - Calls between Ladysmith and the Nanaimo Regional District would be billed as long distance calls, but calls from Ladysmith to other areas of the Cowichan Valley would become local calls

Each of the above alternatives has various strengths and weaknesses that each Regional District will want to carefully consider. Although alternatives A & B may provide the greatest flexibility and local calling reach, we expect these alternatives to be considerable more expensive for customers within both regions. Alternatives C or D will require a difficult choice to be made on behalf of customers served by the Ladysmith telephone exchange.

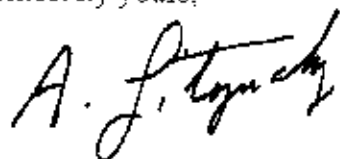
When TELUS acts on your request for cost estimates, we will prepare cost quotations for each of the four alternatives listed above in order to provide you with the most complete information before a recommendation is developed for your Board. In the interim, I would like to also recommend that you establish a dialogue with the Nanaimo Regional District so that both regions can together develop optimal solutions for your local calling area requirements.

For your reference, I have also attached recent correspondence that I have exchanged with the Nanaimo Regional District.

AGE
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If you have any questions in the interim, please feel free to contact me at 604-663-7200 at anytime.

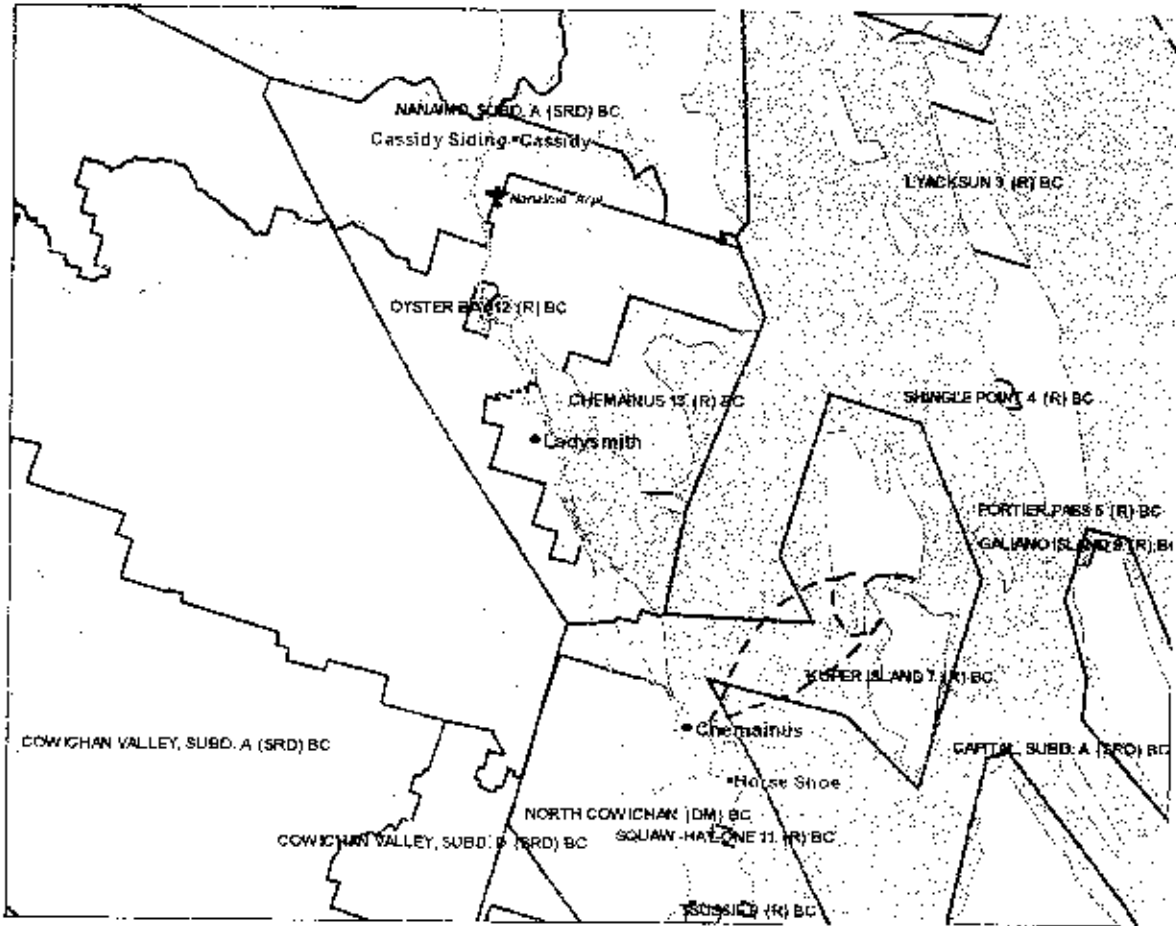
Sincerely yours,

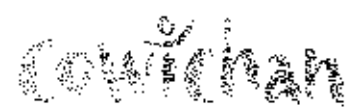


Al Litynsky
Senior Product Manager
Consumer Local Services
Al.Litynsky@telus.com

TELUS Communications
11th Floor
3777 Kingsway
Burnaby, BC
V5H 3Z7

C - Ed Clark





February 11, 2003

File No: LCAC

Mr. Al Litynsky
Senior Product Manager
TELUS Communications
11th Floor, 3777 Kingsway
BURNABY, BC V5H 3Z7

Dear Mr. Litynsky,

Re: Traffic Study for Cowichan Valley Regional District Local Area Calling

Further to your letter dated September 26, 2002 to then CVRD Chair Tom Walker, a *Special Purpose Standing Committee* was appointed by the CVRD Board January 2003. This committee, the Local Calling Area Committee met on February 4, 2003 to determine what steps, if any, should be taken in pursuing the matter of region-wide local area calling.

The Committee adopted the following resolution:

"That the CVRD request TELUS carry out a traffic study/count that is time dated specifying morning, afternoon and evening, that the base rate area for the study is defined; and further, that TELUS be asked to provide the CVRD with a copy of the "TARIFF" and CRTC regulations relating to routing".

Please let me know how quickly this information can be made available to the CVRD.

If you have any questions, please do not hesitate to contact either Rosa Johnston or myself at 250.746.2509.

Yours truly,

Geoff Millar
Economic Development Manager
Cowichan Region Economic Development Commission

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REGIONAL DISTRICT OF NANAIMO			
APR - 1 2003			
CHAIR	<i>[Signature]</i>	GMCrs	
CAO	<i>[Signature]</i>	GMDS	
GMCrs		GMES	
<i>Ed Comm</i> ✓			

1027 Windsor Drive
Qualicum Beach, BC V9P
March 29, 2003

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

Ladies and Gentlemen:

It is my understanding that a delegation representing the French Creek Residents' Association appeared before the Board on March 25, 2003 and that one of their delegates, Mr. Jack Ellison, made a request to establish a Water Board which would manage and control the French Creek Water Local Service Area (JFWLSA).

While Mr. Ellison has a right to make such a request, RDN Board members should know that the residents of Chartwell and Sandpiper have never voted on this matter, nor have the members of FCRA, and no survey of our neighbourhood has ever taken place to determine the wishes of the residents. Furthermore, there are approximately 1400 adult residents living in Sandpiper and Chartwell, and no more than 200 are members of FCRA. It is my personal feeling that a system managed by a group of unpaid, amateur volunteers would be disastrous.

As a member of the original FCRA Water Committee and chair of the Chartwell Residents' Association Water Committee, I have had the opportunity to work with both John Finnie and Wayne Moorman rather closely, and to observe their manner of dealing with some very difficult situations. When attacked both publicly and privately, they manage to maintain their composure and, I truly believe, try to answer all questions truthfully, to the best of their ability. I have, at times, asked some very tough questions of Mr. Finnie, particularly with respect to the Joint Venture Agreement of 1996 and Arrowsmith Dam. I have noticed that, when providing information of a delicate nature, he chooses his words carefully so as not to put RDN in jeopardy and I respect him for this. In my opinion, both Mr. Finnie and Mr. Moorman are highly intelligent, articulate and hardworking men who do not deserve the vicious and relentless attacks heaped upon them by the French Creek Residents' Association.

Mr. Ellison is, admittedly, a very eloquent and persuasive speaker and may have some influence in our community. I trust that our residents will question what he says, demand proof of all accusations and examine carefully the direction he is attempting to take them.

Sincerely,

Jan Thomas

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Township
of Langley



Est. 1873

REGIONAL DISTRICT OF NANAIMO			
MAR 31 2003			
CHAIR	<input checked="" type="checkbox"/>	GMCrs	
CAO	<input checked="" type="checkbox"/>	GMDS	
GMCms		GMES	
Bob Corcoran ✓			
File No. 3000 F02			

March 21, 2003

UBCM Members

Attention: Mayor, Council, Chair and Board Members,

Re: Farm Property Classifications Within Residential Areas

After receiving a delegation from the public and a report from staff, the Township of Langley Council, at a Special Meeting held on March 17, 2003 passed the following resolutions with respect to the abovementioned matter:

"That the Township send a letter to the UBCM and local MLAs confirming the Township's support for the 1995 UBCM resolution B36 on the Assessment Act Farm Classification;

That a letter be sent to all UBCM members requesting that each Council pass a resolution confirming support for the 1995 UBCM resolution B36, and that each Council in turn advise the UBCM and their local MLAs of their resolution;

That staff be directed to determine the financial impact of farm classification for Township of Langley properties not within the Agricultural Land Reserve.

The UBCM resolution B36 is attached for ease of reference. The Township of Langley would like the Province to undertake amendments to the *Assessment Act* to change the Farm Property class to ensure that the tax assessment system is fair. The Act and regulations need to be amended to set specific and meaningful criteria for when non-ALR properties qualify for farm status. For this matter to receive a higher priority with the provincial government it will need additional support from local governments throughout the province.

If you have any questions you may contact the undersigned at 604.533-6003.

Yours truly,

for Alberto S. De Feo, Ph.D. Law
TOWNSHIP CLERK

enclosures

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30

1995 UBCM RESOLUTION NO. B36

RESOLUTION: ASSESSMENT ACT - FARM CLASSIFICATION

"WHEREAS property taxation is stated to be based on market value assessments and the exempting or reducing a portion of a class puts a strain on the other classes and creates an unfair system of taxation;

AND WHEREAS the existing Assessment Act and regulations adopted thereto encourage minimal activities and integrated use as proof of a farming operation and, in some instances, without consideration of municipal land use bylaws:

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities petition the Province of British Columbia to make changes to the Assessment Act and regulations adopted thereto to amend the Farm Property class:

1. to include a "home and home site" provision that would classify the home and land surrounding the home as Residential Class 1;
2. to ensure that Farm Class would not be permitted on properties where the municipal zoning does not permit agricultural uses;
3. to ensure that where a Farm Class is granted because of an "integrated use", it be so only on the basis that the secondary parcel provides a "reasonable" contribution to the overall integrated operation; and
4. that the list of qualifying uses for Farm Class be examined due to the generous property tax benefits that Farm Class provides."

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REGIONAL DISTRICT OF NANAIMO			
FEB 14 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMDS		GMES	
		EAP	✓

MEMORANDUM

TO: Pamela Shaw Manager of Community Planning DATE: February 14, 2003

FROM: Susan Cormic Senior Planner FILE: 3320 30 24929

SUBJECT: Request for Cash in-Lieu-of Park Land Dedication & Relaxation of The Minimum 10% Frontage Requirement Applicant: WR Hutchinson, BCLS on behalf of A. Cochran & J. Radzvil Electoral Area 'A' - Greive Road

PURPOSE

To consider a request to accept cash in-lieu-of dedication of park land and to relax the minimum 10% perimeter frontage requirement as part of a proposed five-lot subdivision development.

BACKGROUND

The applicants' agent, WR Hutchinson, BCLS, has requested that cash in-lieu-of park land dedication be accepted as part of a 17-lot subdivision proposal for the 4.05 hectare sized properties legally described as Lot 7 & 8, Section 12, Range 2, Cedar District, Plan VIP53334 and located on Greive Road within Electoral Area 'A' (see Attachment No. 1 for location). The applicants are also requesting that the minimum 10% perimeter frontage requirement be relaxed for 4 of the proposed parcels within the proposed subdivision.

The subject property is currently zoned Residential 2 (RS2) and is within Subdivision District 'M' (minimum 2000 m2 with community water) pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. The applicants are proposing to subdivide the parcel into 17 lots, all of which are greater than 2000 m2 in size, therefore meeting the minimum parcel size requirements of Bylaw No. 500 (see Attachment No. 2 for proposed subdivision). The parcels are proposed to be serviced by individual private septic disposal systems and community water supplied by the North Cedar Improvement District.

Park Land Requirements

Pursuant to section 941 of the Local Government Act, the owner of the subject property has the option of:

- a. providing 5% of the gross site area as park land; or
b. paying cash in-lieu-of providing park land; or
c. providing a combination of both park land with the balance of 5% given in cash.

Where an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land or cash. In this case, the "Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001" specifies that park land dedication may be considered at the time of subdivision subject to meeting the preferred park land criteria

specified in the Plan. The maximum amount of park land the Regional District may request for this property is 5% or 2006 m² of the total site area.

Minimum 10% Perimeter Frontage Requirements

Four of the proposed parcels do not meet the minimum 10% frontage perimeter requirement pursuant to section 944 of the *Local Government Act*. These include:

Proposed Parcel Number	Required Frontage	Proposed Frontage	Perimeter %
5	23.8m	7.02 m	3.01%
6	20.8m	12.57 m	6.03%
7	20.1 m	9.12 m	4.52%
13	19.1m	10.79 m	5.63%

Therefore, as these proposed parcels do not meet the minimum 10% parcel frontage requirement, approval of the Regional Board of Directors is required.

ALTERNATIVES

1. To accept the request by the applicants for cash in-lieu-of park land and approve the request for the relaxation of the minimum 10% frontage requirement for proposed Lots 5, 6, 7, and 13.
2. To deny the request for cash in-lieu-of park land and require the applicants to dedicate park land and approve the request for the relaxation of the minimum 10% frontage requirement for proposed Lots 5, 6, 7, and 13.
3. To deny the requests for cash in-lieu-of dedication of park land and relaxation of the minimum 10% frontage requirement for proposed Lots 5, 6, 7, and 13.

DEVELOPMENT IMPLICATIONS

Official Community Plan Implications

Where the official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land or cash or a combination of both. In this case, Electoral Area 'A' the Official Community Plan Bylaw No. 1240, 2001, contains park land related policies which stipulates that park land is desirable where preferred criteria may be met such as waterfront access, environmentally sensitive areas, providing trail linkages, or preserving viewpoints. As the subject property does not contain a preferred park and trail element, the OCP supports cash in-lieu-of park land.

Area 'A' Parks, Recreation and Green Space Advisory Committee Implications

The Area 'A' Parks, Recreation and Green Space Advisory Committee reviewed the proposal and have recommended that the offer to give cash in-lieu-of park land be accepted as there is no preferred park and trail element pursuant to the OCP or the Electoral Area 'A' Community Trails Study within the subject property.

Park and Recreation Implications

Parks and Recreation staff have reviewed this request for cash in-lieu-of park land and recommend that the request for cash in-lieu-of park land be supported.

Lot Configuration Implications

The requested variances for all the proposed parcels are necessary as these parcels are proposed to front cul-de-sac roads. The applicants' agent has provided a site plan that shows buildable site areas are available for each of the parcels requiring frontage relaxation. Therefore, these cul-de-sac parcels, despite the narrower frontages, will be able to support the intended residential use.

Ministry of Transportation

Ministry of Transportation staff has indicated that they have no objection to the request for relaxation of the minimum 10% frontage requirement.

ENVIRONMENTAL IMPLICATIONS

The Regional District of Nanaimo Environmentally Sensitive Areas Atlas indicates that there are no environmentally sensitive areas within the subject property.

FINANCIAL IMPLICATIONS

The subject property has an assessed value of \$363,000.00 according to the 2003 authenticated assessment roll. The valuation of the property for 5% cash-in-lieu of park land charges will be based on a certified appraisal of the land at the time of preliminary subdivision approval (PLA). Therefore, it is anticipated that the appraised market value would result in an approximately \$18,150.00 contribution to Electoral Area 'A' community parks fund.

VOTING

Electoral Area Directors – one vote, except Electoral Area 'B'.

SUMMARY

This is a request to provide cash in-lieu-of park land pursuant to section 941 of the *Local Government Act* as part of a 17-lot subdivision development and to relax of the minimum 10% perimeter frontage requirement for 4 of the proposed parcels pursuant to section 944 of the *Local Government Act*. With respect to the minimum 10% perimeter frontage requirement, the applicants' agent has supplied information supporting buildable site areas for these proposed parcels. The Ministry of Transportation staff has indicated that they have no objection to the request for the proposed minimum 10% frontage relaxations.

With respect to the park land requirement, the subject parcel does not contain a preferred park acquisition element as set out in the OCP. The Area 'A' Parks, Recreation and Green Space Advisory Committee support the applicants' request to give cash in-lieu-of park land.

Therefore, given that the Ministry of Transportation has no objections to the frontage relaxation request, that the OCP and Area 'A' Advisory Recreation and Parks Advisory Committee supports cash in-lieu-of park land dedication, staff recommend Alternative No. 1, to accept cash in-lieu-of park land and approve the 10% frontage relaxation on proposed Lots 5, 6, 7, and 13.

RECOMMENDATION

That the requests, submitted by WR Hutchinson, BCLS, on behalf of James Radzvil and Agnes Cochran, for cash in-lieu of park land dedication be accepted and to relax the minimum 10% frontage requirement for proposed Lots 5, 6, 7, and 13, as shown on the plan of subdivision of Lot 7 & 8, Section 12, Range 2, Cedar District, Plan VIPS3334, be approved.



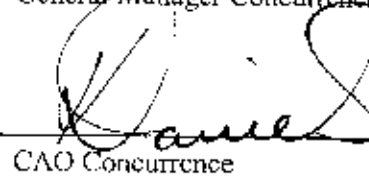
Report Writer



General Manager Concurrence



Manager Concurrence

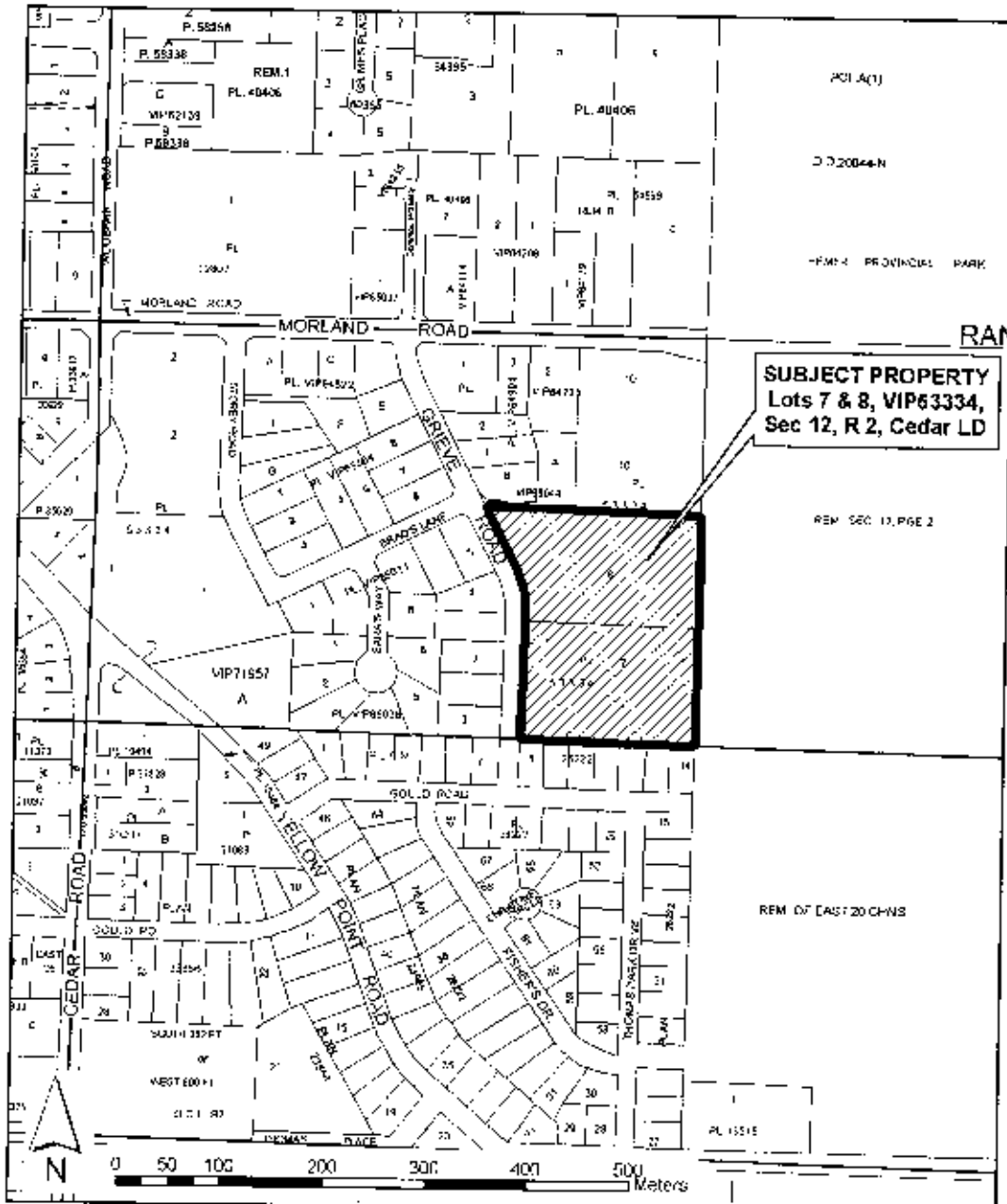


CAO Concurrence

COMMENTS:

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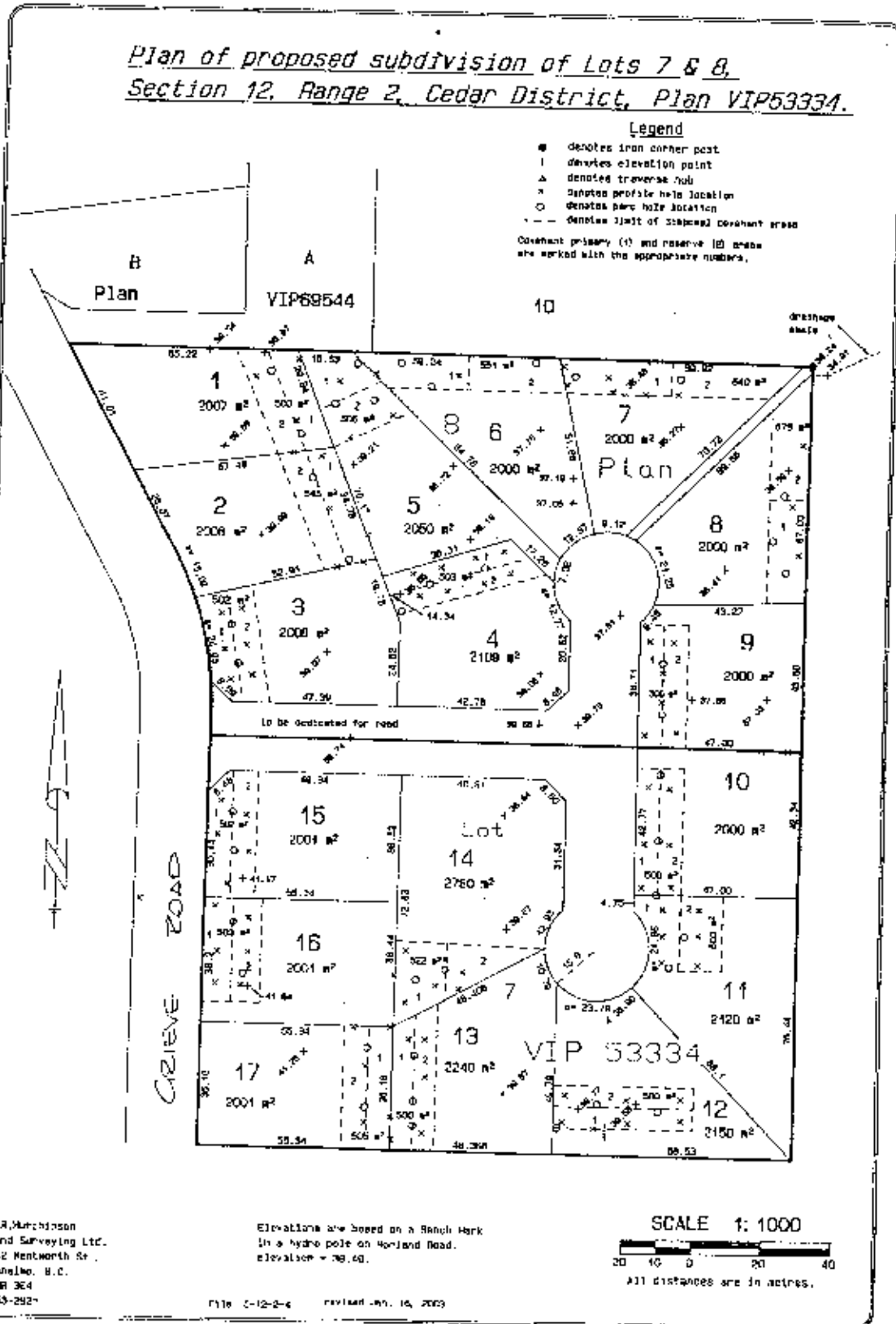
ATTACHMENT NO. 1
SUBJECT PROPERTY LOCATION



3023 Map Sheet No. 92G 001 4 4

**ATTACHMENT NO. 2
 PROPOSED SUBDIVISION
 (as submitted by applicant)**

Plan of proposed subdivision of Lots 7 & 8,
 Section 12, Range 2, Cedar District, Plan VIP53334.





REGIONAL DISTRICT OF NANAIMO			
MAR 31 2003			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>Br</i>	<input checked="" type="checkbox"/>

MEMORANDUM

TO: Pamela Shaw
Manager of Community Planning

DATE: March 28, 2003

FROM: Geoff Garbutt
Senior Planner

FILE: 3360 30 0303

SUBJECT: Zoning Amendment Application ZA 0303
Bylaw No. 500.290 – Haylock Bros/Sims
Electoral Area 'G', Part of Block 232 Newcastle District (Melrose Road)

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held March 26, 2003 with respect to Bylaw No. 500.290, and further, to consider Bylaw 500.290 for 3rd reading and adoption.

BACKGROUND

Bylaw No. 500.290 was considered by the Board and given 1st and 2nd reading on March 11, 2003.

Bylaw 500.290 is the result of an amendment application submitted by Fern Road Consulting on behalf of Haylock Bros. Paving Ltd to rezone approximately 15.2 ha of the property legally described as Block 232, Newcastle District, containing 602 acres more or less except part outline in red on Plan 514 RW and except in Plan VIP 67313 from Rural 1 (RU1) Subdivision District 'D' to Resource Management 1 (RM1), Subdivision District 'D' (see Attachment No. 2). The purpose of this amendment application is to facilitate the expansion of an existing aggregate extraction and processing operation.

The subject property is owned by the Provincial Crown and as a condition of the lease of the parcel to the applicant, Land and Water BC has requested that the parcel be rezoned to ensure that the proposed use is in conformity with local land use regulations. The applicant has a permit (issued in 1992) to extract and process gravel for the existing pit area. Following this amendment application, Haylock Bros will be required to apply for an amended Ministry of Mines Permit to accommodate the expansion.

The Public Hearing concerning the proposed amendment was held Wednesday March 26, 2003. A summary of the proceedings is attached for the Board's consideration. (see Attachment No. 1)

ALTERNATIVES

1. To receive the Report of the Public Hearing on Zoning Amendment Application No. 0303, then give 3rd reading and adopt Bylaw No. 500.290.
2. To receive the Report of the Public Hearing on Zoning Amendment Application No. 0303 and abandon Bylaw No. 500.290.

INTERGOVERNMENTAL IMPLICATIONS

A referral with respect to this application was sent to the Ministry of Mines for comment. The Ministry of Mines indicated that they do not have any concerns with the proposed application and indicated that the groundwater and drainage studies prepared by the applicant would be included as a condition of the amended Ministry of Mines Permit as per the request of the Regional District and the applicant.

PUBLIC CONSULTATION IMPLICATIONS

Six area residents attended the Public Hearing for Bylaw No. 500.290. There was discussion surrounding the location of the applicant's pit, the route that gravel trucks would take leaving the Haylock pit area and the potential for any additional truck traffic on Corcan Road. Pursuant to the application, the access route for the Haylock Pit comes via Melrose Road to the Old Alberni Highway and does not have an impact on the Corcan Road area. Referrals with respect to this application were sent to the Oceanside Construction and Development Association. The RDN Committee of this Association indicated they had no concerns with the amendment application and further indicated that the applicant had addressed all relevant issues.

VOTING

Electoral Area Directors – one vote, except Electoral Area 'B'.

SUMMARY

The applicant is requesting consideration of a zoning amendment in order to facilitate the expansion of an existing aggregate operation. The Public Hearing was held on March 26, 2003 and the summary of the minutes and submissions are attached. Given the site location, OCP Policies that support the proposed use, and conditions to be incorporated into the Mines Permit, staff are of the opinion that relevant issues have been addressed and recommend that the Board consider this bylaw for 3rd reading and adoption.

RECOMMENDATIONS

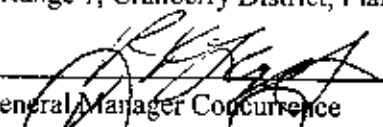
1. That the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held March 26, 2003 on "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500.290, 2003", be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500.290, 2003" amending the zoning from Rural 1 (RU1) to Resource Management 1 (RM 1) be given 3rd reading and adopted for the property legally described as Lot 9, Section 12, Range 7, Cranberry District, Plan 27070.



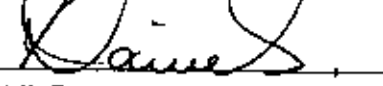
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2003/za3360 30 0303 Haylock Bros 3rd and Adopc.doc

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ATTACHMENT NO. 1
Summary of the Minutes and Submissions of the Public Hearing

REGIONAL DISTRICT OF NANAIMO

**REPORT OF THE PUBLIC HEARING HELD WEDNESDAY, MARCH 26, 2003 AT 6:00 PM AT
LIGHTHOUSE COMMUNITY CENTRE 240 LIONS WAY, QUALICUM BAY, BC
TO CONSIDER REGIONAL DISTRICT OF NANAIMO BYLAW NO. 500.290, 2003**

SUMMARY OF THE MINUTES AND SUBMISSIONS

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

Present for the Regional District of Nanaimo:

Mable Klee	Chair, Alternate Director, Electoral Area 'G'
Dave Bartram	Director, Electoral Area 'H'
Geoff Garbutt	Senior Planner

There were 6 people in attendance at the Public Hearing.

There are 2 written submissions attached to and forming part of the minutes of the Public Hearing.

The Chair, Alternate Director Klee opened the meeting at 6:00 pm, introduce those attending the meeting from the RDN.

The Chair stated the purpose of the Public Hearing and requested that staff explain the bylaw that was the subject of the Public Hearing.

The Senior Planner provided a description of the Bylaw.

The Chair outlined the public hearing procedures invited submissions with respect to the proposed bylaw from the audience.

Vic and Clarice Courquin, 523 Corcan Road asked if the proposal would add additional traffic to the Corcan Road area.

The Senior Planner clarified that the proposal has no link to Corcan Road.

Eugenie Hird, 520 Corcan Road, indicated that she lived on Corcan Road and was concerned with truck traffic on Corcan Road associate with gravel pits in the area but recognized that this bylaw did not impact their area.

A resident (no address given) asked if there was to be a future link between the area and Corcan Road.

Frank Haylock, the applicant, stated the proposal for the pit expansion, indicated that materials were for their own use at their plant in Errington, outlined the access route to the pit on Melrose Road and indicated that they were not planning on hauling materials through the Corcan area.

The Chair asked if there were any other comments or submissions.

The Chair asked for a second time if there were any other comments or submissions.

The Chair asked for a third time if there were any other comments or submissions.

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Hearing none, the Chair thanked those in attendance and announced that the public hearing was closed. The Chair indicated that the Board of the Regional District would consider Bylaw No. 500.290 at their regular board meeting to be held Tuesday, April 8, 2003 at the new Regional District Board chambers at 6300 Hammond Bay Road in Nanaimo.

The meeting concluded at 6:20 pm

Geoff Garbutt

Geoff Garbutt
Recording Secretary

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Oceanside Development & Construction Association
P.O. Box 636, Parksville, BC V9P 2G7
E-mail: odca@oceanside.net

March 26, 2003

Mr. Geoff Garbutt, Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Rd.
Nanaimo, BC V9T 6N2

Via fax: 390-4163

Dear Geoff Garbutt,

**RE: Zoning Amendment Application No. ZA 0303 – Haylock Bros/Sinas
Part of Block 232, Newcastle District
Electoral Area 'G'**

Thank you for referring the Amendment Application No. ZA 0303 to our Association for review prior to the staff report submission to the Regional Board of Directors.

Our RDN Committee have reviewed the zoning amendment application and found that all issues have been addressed concerning the application. Therefore we recommend that this application proceed to public hearing.

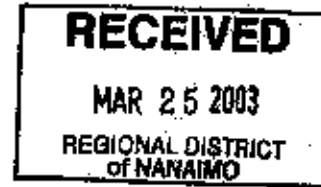
Please feel free to refer any future applications to our Association for review. This approach amplifies how the community and the RDN Planning Department can work together reviewing development plans in the Oceanside area. We look forward to working with the Planning Department in this manner.

Sincerely,

Manley Lafoy
President

Rob Hill
Past President

Michelle Jones
Secretary/Treasurer



March 21, 2003

file: VTSGHAYL
14675-30

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

Attention: Mr. Geoff Garbutt

Dear Sir;

RE: RDN Zoning Amendment Application, Haylock Bros, Melrose Pit

Thank you for the opportunity for the Ministry of Energy and Mines (MEM) to respond to the above noted application to rezone the subject property to RM1 in order to facilitate the expansion of the existing gravel pit. MEM has no objection to this rezoning request.

Further to our telephone conversation of March 19, 2003 regarding recommendations made in reports by Koers & Associates Engineering Ltd. and EBA Engineering Consultants Ltd. for surface and groundwater protection, MEM is prepared to include adherence to these reports as a permit condition.

Should you have any questions, I can be reached directly through our Nanaimo office at (250)-751-7374.

Sincerely

A handwritten signature in cursive script that reads "Bruce Reid".

Bruce Reid, P. Geo
Inspector of Mines

Ministry of
Energy and Mines

Southwest Regional Office
Mining Division
Energy and Minerals Division

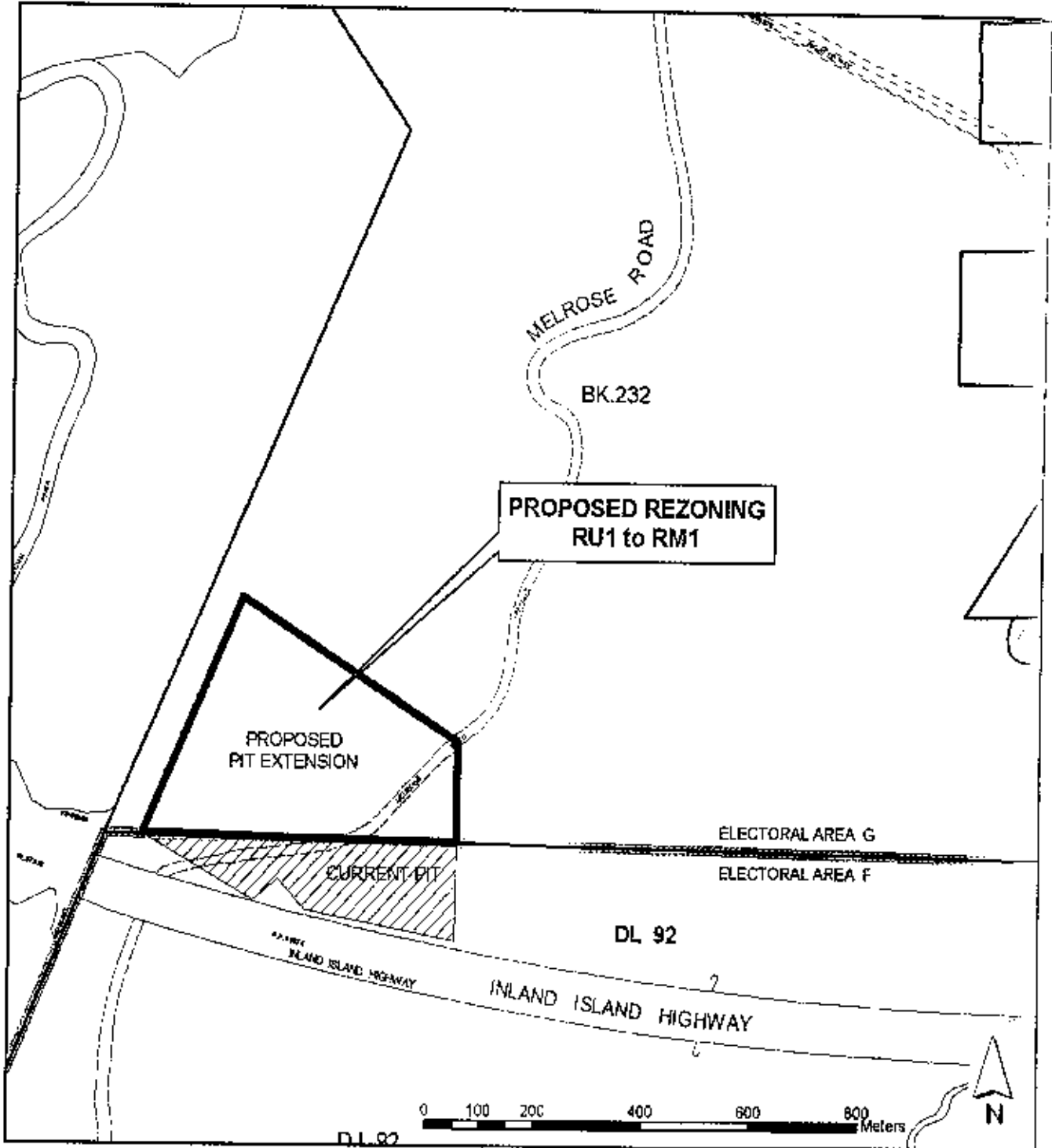
Mailing Address:
20808 Labieux Road
Nanaimo BC V9T 6J9

Telephone: (250) 751-7240
or (804) 860-9383
Facsimile: (250) 751-7373

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ATTACHMENT NO. 2
Location of Subject Property



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING HELD ON TUESDAY, MARCH 25, 2003, AT 7:00 PM IN THE CITY OF NANAIMO COUNCIL CHAMBERS, 455 WALLACE STREET, NANAIMO, BC

Present:

Director E. Hamilton Alternate	Chairperson
Director H. Kreiberg	Electoral Area A
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G
Director D. Bartram	Electoral Area H
Director R. Longmuir Alternate	City of Parksville
Director A. Kruyt	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo

Also in Attendance:

B. Lapham	General Manager, Development Services
N. Connelly	General Manager, Community Services
P. Shaw	Manager of Community Planning
N. Tonn	Recording Secretary

DELEGATIONS

Jerry Bordian, Englishman River Land Corporation, re Block 564.

Mr. Bordian presented the Englishman River Land Corporation's concept plan with respect to Block 564 and requested that the Electoral Area Planning Committee recommend to the Board that the approval process be advanced to allow for final consideration of the bylaws in May.

MINUTES

MOVED Director Haime, SECONDED Director Kreiberg, that the minutes of the Electoral Area Planning Committee meeting held February 25, 2003 be adopted.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Proposed OCP & Zoning Amendment Application No. AA0304 – Michael Rosen & Associates on behalf of Englishman River Land Holdings Ltd. – Kaye Road – Area G.

MOVED Director Stanhope, SECONDED Director Bibby,:

1. That the proposed public consultation strategy for the proposed amendment to the Englishman River Official Community Plan and Bylaw No. 500, 1987 for the Remainder of Block 564, Nanoose District, be approved with amendments as follows:

- ◆ to recognize consideration of 1st and 2nd reading at the April 8, 2003 Board meeting.
 - ◆ notice of the Public Hearing to proceed in mid April.
 - ◆ a Public Hearing to be held in late April or early May.
 - ◆ consideration of 3rd reading in May.
 - ◆ application forwarded to the Ministries of Transportation and Community, Aboriginal and Women's Services in May.
 - ◆ consideration of adoptions following completion of the conditions of approval.
2. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.08, 2003" amending the land use designation for a portion of the Remainder of Block 564 Nanoose District from Resource Management to Rural Residential, be given 1st and 2nd reading and referred to agencies in accordance with the *Local Government Act*.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.291, 2003" be given 1st and 2nd reading, subject to the completion of the conditions and undertaking outlined in Schedule No. 1 of the staff report.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 60307 – Heringa – Lot 1, Miller Road – Area G.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit Application No. 60307 by Connie and Hans Heringa, to construct a dwelling unit in a Sensitive Lands Development Permit Area pursuant to the "Regional District of Nanaimo French Creek Official Community Plan Bylaw No. 1115, 1998" on the property legally described as Strata Lot 1, District Lot 28, Nanoose District, Plan VIS4363 be approved, subject to the conditions outlined in Schedule Nos. 1 to 3 of the corresponding staff report.

CARRIED

DP Application No. 60308 – Palleson/Allen – 931 McFeely Drive – Area G.

MOVED Director Stanhope, SECONDED Director Bartram, that Development Permit Application No. 60308, submitted by Walter Allen on behalf of Palleson to vary the maximum building height for a proposed dwelling unit from 8.0 metres to 8.3 metres on the subject property legally described as Lot 6, District Lot 9, Newcastle District, Plan VIP69413 be approved, subject to the requirements outlined in Schedule Nos. 1, 2, 3 and 4 and subject to notification requirements pursuant to the *Local Government Act*.

CARRIED

DP Application No. 60312 – Guy (Pecora Holdings/Coast Distributors) – 6855 Mart Road – Area D.

MOVED Director Haime, SECONDED Director Stanhope, that Development Permit Application No. 60312 by Jack Anderson of Anderson Greenplan on behalf of Pecora Holdings – Coast Distributor Ltd. with a variance to relax the minimum 'other lot lines' setback requirement from 5.0 metres to 0 metres for the property legally described as Lot 11, District Lot 44, Wellington District, (situated in Nanoose District), Plan 15245 to accommodate an addition to a warehouse, be approved subject to Schedule Nos. 1 and 2 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

ADJOURNMENT

MOVED Director Bartram, SECONDED Director Biggemann, that this meeting terminate.

CARRIED

TIME: 7:36 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, MARCH 25, 2003, AT 5:00 PM IN THE CITY OF NANAIMO COUNCIL CHAMBERS, 455 WALLACE STREET, NANAIMO, BC

Present:

Director J. Stanhope Alternate	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir Alternate	City of Parksville
Director A. Krutz	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director T. Krall	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
B. Lapham	General Manager of Development Services
N. Avery	Manager of Financial Services
D. Trudeau	Manager of Liquid Waste
N. Tonn	Recording Secretary

PRESENTATION

2003 District 68 Transit Budget Issues.

The Chief Administrative Officer provided a verbal and visual update of the 2003 District 68 transit memo including tax requisition impacts on the municipalities and electoral areas. He also highlighted the new legislation requiring five year operating budgets, and explained some of the changes between the Provisional and Annual Budget.

The meeting recessed at 5:30 pm for dinner.

The meeting reconvened at 6:05 pm.

2003 – 2008 Financial Plan.

The General Manager of Corporate Services and the Manager of Financial Services presented a visual and verbal overview of the 2003 to 2008 financial plan, including highlights from each budget area.

ADJOURNMENT

MOVED Director Krall, SECONDED Director Bibby, that the meeting be recessed and reconvened immediately following the regular Committee of the Whole meeting.

CARRIED

TIME: 6:56 PM

The meeting reconvened at 9:20 pm.

The General Manager of Corporate Services summarized the 2003 to 2008 financial plan overview.

ADJOURNMENT

MOVED Director Sherry, SECONDED Director Holdom, that the meeting adjourn to allow for the reconvening of the Special Board meeting.

CARRIED

TIME: 9:33 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, MARCH 25, 2003, AT 7:48 PM IN THE CITY OF NANAIMO COUNCIL CHAMBERS, 455 WALLACE STREET, NANAIMO, BC

Present:

Director J. Stanhope Alternate	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director P. Bibby	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir Alternate	City of Parksville
Director A. Kruyt	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director R. Cantelon	City of Nanaimo
Director T. Krall	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
J. Finnie	General Manager of Environmental Services
N. Connelly	General Manager of Community Services
B. Lapham	General Manager of Development Services
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection and Enforcement
N. Tomm	Recording Secretary

DELEGATIONS

Mike Proudfoot and Dave Bing, Ministry of Transportation, re Rights-of-Way and Rest Area Commercialization.

Mr. Proudfoot and Mr. Bing presented an overview of the proposed accommodation of smaller vending and service concessions at various rest areas within the Province and commented that the private sector will be invited to put forward their proposals for small scale, seasonal and/or temporary vendors at rest stops.

French Creek Residents Association:

Michael Jessen, re Sandpiper/Chartwell Water System – Pressure, Volume, Storage.

Mr. Jessen spoke on the present inadequacies in the pressure, volume and storage of water within the French Creek Water Local Service Area, specifically the Chartwell and Sandpiper water systems and urged the Board to find a solution to these problems. Mr. Jessen provided Committee members with a copy of his presentation.

John Gayton, re Sandpiper/Chartwell Water System – Water Quality.

Mr. Gayton addressed the poor water quality within the Sandpiper/Chartwell water system and provided Committee members with a written data summary of a survey distributed to Chartwell residents by the French Creek Residents Association in January, 2002.

Jack Ellison, re Sandpiper/Chartwell Water System – Request to Establish a Water Board.

Mr. Ellison provided a verbal and written chronological background of the ongoing communication between the French Creek Residents Association and the RDN with respect to the Sandpiper/Chartwell water system and urged the Board to approve the formation of a water board.

MOVED Director Haime, SECONDED Director Cantelon, that delegation issues be addressed at this time.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Sandpiper/Chartwell Water System.

The Chief Administrative Officer addressed items which were brought forward during the presentations by members of the French Creek Residents Association and then introduced the Manager of Environmental Services, Mr. Dave Walker of Dayton and Knight and Mr. A. Koers of Koers and Associates to address some of the more serious issues.

MOVED Director Bibby, SECONDED Director Cantelon, that staff prepare a report addressing the concerns raised by the French Creek Residents Association with respect to the Chartwell/Sandpiper water system and report back as soon as possible to the April meeting.

CARRIED

MINUTES

MOVED Director Krall, SECONDED Director Cantelon, that the minutes of the Committee of the Whole meeting held February 25, 2003, be adopted.

CARRIED

COMMUNITY SERVICES

RECREATION AND PARKS

Horne Lake Regional Park – Draft Management Plan.

MOVED Director Bartram, SECONDED Director Biggemann,:

1. That the Horne Lake Regional Park Draft Management Plan be endorsed subject to the following amendments:
 - (a) That the required liability coverage be reduced from \$5,000,000 to \$2,000,000.
 - (b) That items 'B' and 'C', Section 5 of Schedule 4 be deleted.

2. That staff be directed to negotiate a five year operating contract with the Home Lake Strata Corporation, pursuant to their option to operate the Park, or if declined, to advertise a request for proposal to operate the Park.

CARRIED

CORPORATE SERVICES

FINANCE

2002 Audited Financial Statements.

MOVED Director Korpan, SECONDED Director Krall, that the report on the audited financial statements for the year ended December 31, 2002 be received.

CARRIED

2002 Directors Remuneration and Expenses.

MOVED Director Sherry, SECONDED Director McNabb, that the 2002 report on remuneration and expenses for Board and committee members be received.

CARRIED

HOSPITAL

2002 Audited Financial Statements.

MOVED Director Korpan, SECONDED Director Sherry, that the report on the 2002 audited financial statements of the Nanaimo Regional Hospital District be received.

CARRIED

DEVELOPMENT SERVICES

BUILDING INSPECTION

Section 700 Filings.

The Chairperson listed each filing and asked that any property owner in the audience wishing to address the Committee come forward when their name was called.

MOVED Director Bartram, SECONDED Director Hamilton, that a notice be filed against the title of the properties listed, pursuant to Section 700 of the *Local Government Act* and that if the infractions are not rectified within ninety (90) days, legal action will be pursued:

- (a) Lot 1, Section 1, Nanaimo Land District, Gabriola Island, Plan 42198, 2010 Price Road, Electoral Area 'B', owned by E. Willoughby;
- (b) Lot 13, District Lot 181, Nanoose Land District, Plan 15551, 830 Mariner Way, Electoral Area 'G', owned by H. and B. Osenjak;
- (c) Lot 11, Block 8, District Lot 11, Newcastle Land District, Plan 1223, 1129 Centre Road, Electoral Area 'G', owned by G. and P. Fissler.

CARRIED

BYLAW ENFORCEMENT

Contravention of Unsightly Premises Regulatory Bylaw No. 1073 – Richard Beaven – 3030 Barnes Road – Area A.

MOVED Director Kreiberg, SECONDED Director Bartram, that should the property maintenance concerns not be rectified by April 8, 2003, pursuant to the "Unsightly Premises Regulatory Bylaw No. 1073, 1996", the Board direct the owner of the property legally described as Lot 12, Section 18, Range 5, Cedar Land District, Plan 15220, to remove from the premises, those items as set out in the resolution attached to the staff report within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owner's cost.

CARRIED

PLANNING

Road Name Change Concerning Ingram Road and Ingram Road East – Area A.

MOVED Director Kreiberg, SECONDED Director Krall,:

1. That this report be received for information.
2. That Ingram Road residents be encouraged to proceed with their application to the Ministry of Transportation to change the name of Ingram Road.

CARRIED

Director Sherry requested that a copy of the staff report be forwarded to the North Cedar Improvement District for information.

ENVIRONMENTAL SERVICES

LIQUID WASTE

Malaspina University-College – GNPCC Biosolids Composting Update.

MOVED Director Korpan, SECONDED Director Holdom, that the Board receive the report on the update of the Greater Nanaimo Pollution Control Centre's biosolids composting contract with Malaspina University-College for information.

CARRIED

SOLID WASTE

Landfill & Transfer Station Yard Waste Composting – Tender Award.

MOVED Director McNabb, SECONDED Director Sherry, that Meadowlark Construction be awarded the contract for composting yard waste from the Regional Landfill and that Qualicum Farms be awarded the contract for composting yard waste from Church Road Transfer Station for \$38.50 and \$29.93 per tonne respectively.

CARRIED

UTILITIES

Nanoose Water Service Area – Enos Creek Watermain Construction – Tender Award.

MOVED Director Cantelon, SECONDED Director Biggemann, that the Regional District of Nanaimo award the Enos Creek Watermain project to Chikangus Enterprises for the tendered amount of \$116,583.87.

CARRIED

French Creek Sewer LSA Capital Charge Bylaw No. 1330.

MOVED Director Krall, SECONDED Director Bartram, that "French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003" be introduced for first three readings.

CARRIED

MOVED Director Krall, SECONDED Director McNabb, that "French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003" having received three readings be adopted.

CARRIED

Northern Community Sewer LSA Capital Charge Bylaw No. 1331.

MOVED Director McNabb, SECONDED Director Cantelon, that "Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003" be introduced for first three readings.

CARRIED

MOVED Director Cantelon, SECONDED Director Krall, that "Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003" having received three readings be adopted.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Lantzville Parks & Open Space Advisory Committee.

MOVED Director Haime, SECONDED Director Holdom, that the minutes of the Lantzville Parks & Open Space Advisory Committee meeting held February 3, 2003, be received for information.

CARRIED

Electoral Area 'G' Parks & Open Space Advisory Committee.

MOVED Director Hamilton, SECONDED Director Bibby, that the minutes of the Electoral Area 'G' Parks & Open Space Advisory Committee meeting held March 5, 2003, be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Longmuir, that the minutes of the District 69 Recreation Commission meeting held March 13, 2003, be received for information.

CARRIED

ADJOURNMENT

MOVED Director Sherry, SECONDED Director Korpan, that this meeting be adjourned and the Special Committee of the Whole meeting be reconvened.

CARRIED

TIME: 9:20 PM

CHAIRPERSON

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**Minutes for the Meeting held:
Thursday, January 9, 2003
City of Nanaimo, Board Room
455 Wallace Street, Nanaimo, BC**

Present:

Neil Connelly, RDN
Christina Thomas, RDN
Bob Lapham, RDN
Gayle Jackson, Parksville
Sharon Fletcher, Nanaimo

Cynthia Hawksworth, MCWAS
Roger Cheetham, ALC
Ted Hall, MEM
Sharon Erickson, MWLAP

Absent:

Dan Biggs, MF
Wayne Haddow, MA
Paul Butler, Qualicum Beach
David Coombe, VIHA
John Finnie, RDN
Dave Edgar, MT

Item

1. Call to order

N. Connelly called the meeting to order at approximately 1:30 PM.

2. Minutes from the Last Meeting (Nov. 26, 2002)

The minutes were approved as presented. R. Cheetham noted that the Land Reserve Commission recently changed its name back to the Provincial Agricultural Land Commission.

S. Fletcher requested an update about the status of the idea that an implementation agreement be developed to establish more specific direction regarding the minimum permitted parcel size supported on land outside the Urban Containment Boundary, for the interim period between now and when a revised regional growth strategy bylaw that contains that direction is adopted.

B. Lapham responded that the RDN Board had considered the creation of such an agreement as a part of a recent decision about how to address applications to exclude land from the Agriculture Land Reserve, and decided not to pursue such an agreement at that time. B. Lapham indicated that the idea could be further discussed with the RDN Board as a part of the Board's upcoming strategic planning process.

S. Fletcher indicated that there was an interpretation that the Vancouver Island Highway Implementation Agreement (VIHA) was scheduled to expire in the near future, and that the City has concerns about aspects of the Agreement that it believes might have financial implications for the City.

There was general discussion regarding the obligations placed upon the parties to the VIHA by the VIHA. It was noted that the VIHA is more of a protocol agreement rather than one that binds the parties to particular decisions, projects and expenditures.

C. Thomas stated that the VIHA is not set to expire; rather that it is to be reviewed to consider whether changes are necessary, in conjunction with the current Growth Management Plan Review. C. Thomas noted that, as discussed at the November 26th meeting, the RDN would be arranging a meeting of the IAC to discuss the VIHA early in 2003.

The Committee reconfirmed its interest in discussing the Vancouver Island Highway Implementation Agreement at a meeting in the near future, for the purpose of discussing progress towards the action items established in the Agreement, identifying issues, and developing solutions for any identified issues.

3. Growth Management Plan Review 2001-2002

C. Thomas updated the Committee about the status of the Terms of Reference for the Growth Management Plan Review Completion Phase. It was noted that:

- draft Terms of Reference for the project had been distributed to the IAC at the November 26th IAC meeting and discussed in a preliminary way at the meeting;
- that IAC comments are invited about the draft Terms of Reference;
- that the comments received from individual IAC members about the draft Terms of Reference at the November 26, 2002 IAC meeting included the suggestions that:
 - Step #5 (the Council of Council meeting) be broken into two steps, in which the first step would be comprised of a Council of Council meeting where RDN staff would provide an overview of the revised regional growth strategy to the member municipality councils and the Electoral Area Planning Committee, and the second step would involve each member municipality council and the Electoral Area Planning Committee each considering whether it would recommend that the RDN Board grant the revised regional growth strategy bylaw 1st and 2nd reading;
 - the RDN Board consider granting a revised regional growth strategy bylaw 1st and 2nd reading at separate meetings;
- that the Terms of Reference were to be finalized by RDN staff during the next four weeks with the view to submitting them to the RDN Committee of the Whole for consideration at its February 25, 2003 meeting and to the RDN Board for consideration at its March 11, 2003 meeting;
- that RDN staff propose to adjust the project timeframe, in response to a later scheduled RDN Board approval of the project terms of reference and the concerns expressed by individual IAC members, to provide more time to work with the IAC, member municipality staff, member municipality councils and the Electoral Area Planning Committee in the initial stages of developing adjustments to the draft regional growth strategy bylaw to respond to the identified issues. To this effect, a revised draft timetable was distributed to the IAC for comment.

Individual IAC members provided the following comments about the draft Terms of Reference for the Growth Management Plan Review:

- consideration should be given to obtaining the input of the IAC prior to obtaining the input of member municipality staff in steps #1 and #4;
- consideration should be given to meeting with member municipality staff individually and or collectively in steps #1 and #4;
- the proposal to obtain input from the IAC and member municipalities separately, as a part of steps #1 and #4, combined with the review of the draft regional growth strategy bylaw with member municipality councils and the Electoral Area Planning Committee as a part of Step #2, the Council of Councils meeting and decision by individual councils and the electoral area directors regarding their individual council/group recommendations that the revised bylaw is ready for consideration by the RDN Board as a part of Step #5, address concerns regarding the role of the IAC versus the role of member municipality staff in developing the revised regional growth strategy bylaw that were expressed about the process for the first four phases of the Growth Management Plan Review Project;
- improvement districts should be consulted as a part of the Growth Management Plan Review since they are bound to make decisions consistent with regional growth strategies pursuant to the *Local Government Act*;
- the revised timetable provides an appropriate amount of time to discuss and resolve outstanding issues related to the draft regional growth strategy bylaw.

One IAC member asked how the Provincial Agricultural Land Commission's (ALC) concern about the policy position to forward all applications to exclude land from the Agriculture Land Reserve directly to the ALC without a RDN position about the application (as contained in the draft regional

growth strategy) would be addressed. B. Lapham indicated that the RDN Board had recently considered the issue and decided to forward all ALR exclusion and inclusion applications directly to the Province.

C. Thomas requested clarification about the suggestion that 1st and 2nd reading of the revised regional growth strategy bylaw be considered at two separate RDN Board meetings, for the purpose of understanding whether the IAC as a whole felt this was important or whether only one member felt it was important. It was noted that a process in which the RDN Board grants the bylaw 1st reading at one meeting and 2nd reading at another meeting would add an additional month to a process that is already quite lengthy, and that no bylaw changes were anticipated between 1st and 2nd reading given the comprehensive process proposed to develop the bylaw changes prior to the consideration of 1st and 2nd reading. The IAC members in attendance indicated that they had no objection to the revised regional growth strategy bylaw being given 1st and 2nd reading at the same meeting, given that the proposed process in the terms of references provides for the early resolution of issues pertaining to the draft regional growth strategy bylaw, such that no changes should be required to the bylaw between 1st and 2nd reading. [Given that P. Butler was not in attendance at the January 9, 2003 IAC meeting and had raised the suggestion, C. Thomas requested P. Butler to provide clarification, in a later telephone call, regarding his opinion that the revised regional growth strategy should be granted 1st and 2nd readings at separate meetings of the Board. P. Butler indicated that he felt strongly about the separation of the two readings given that it is the Town's standard operating practice to do so and the fact that the Board might want to make some adjustments to the revised regional growth strategy bylaw in between 1st and 2nd reading.]

4. IAC Terms of Reference

C. Thomas provided an overview of the current IAC Terms of Reference and the *Local Government Act* direction regarding IACs. The Committee had a general discussion about the IAC Terms of Reference and there was general agreement that no changes were necessary at this time. It was noted by some IAC members that many of the provisions contained in the draft Terms of Reference for the Growth Management Plan Review Completion Phase (e.g. separate consultation with the IAC and each member municipality early in the bylaw development process) should ensure that the issue that had arisen as a part of the previous phases of Growth Management Plan Review work, regarding the IAC role versus member municipality staff role, would not arise again.

S. Fletcher suggested that the IAC spend more time discussing general topics of importance to managing growth in the region in the future, once the Growth Management Plan Review is complete, such as transportation, nodal development, population, housing, density, and services.

It was noted that staff representatives from other Provincial ministries, the federal government, First Nations and others could be invited to attend IAC meetings at the discretion of the RDN.

5. Next Meeting.

The next meeting is **Thursday, February 6, 2003 at 1:30 PM** at the City of Nanaimo offices. The key discussion topic will be the Urban Containment and Fringe Area Management Implementation Agreement. Another meeting will be set for a date after that to discuss the Vancouver Island Highway Implementation Agreement.

Committee members were invited to provide any additional comments they might have about the draft Terms of Reference for the Growth Management Plan Review Completion Phase to C. Thomas before February 14, 2003.

C. Thomas indicated that the terms of reference for the State of Sustainability Project (essentially the Regional Growth Strategy Monitoring Program) and associated citizen committee are scheduled to be considered at the January 28, 2003 Committee of the Whole Meeting. It was noted that the issue had been discussed by the IAC at its September 5, 2002 meeting, that the draft project proposal was recirculated in early December of 2002 to solicit any remaining IAC comments, and that any

PAGE 52

additional IAC comments about the project should be forwarded to C. Thomas by January 15th so that amendments to the project proposal could be considered prior to forwarding it to the Committee of the Whole and the Board for approval. C. Thomas noted that the timeframe of the project is proposed to be extended from 2 to 3 years given that it is anticipated that the Growth Management Plan Review Completion Project would require most of the Regional Development Services resources and staff time in 2003, and that the focus of the 2003 work program for the citizen committee would be orientation and planning for the first public event that would be conducted in January of 2004.

6. **Adjournment**

N. Connelly adjourned the meeting at approximately 4:30 PM.



Neil Connelly, Chair

**Minutes for the Meeting held:
Thursday, February 6, 2003 @ 1:30 PM
City of Nanaimo, Board Room
455 Wallace Street, Nanaimo, BC**

Present:

Neil Connelly, RDN
Christina Thomas, RDN
John Finnie, RDN
Sharon Fletcher, Nanaimo
Cynthia Hawksworth, MCWAS
Paul Butler, Qualicum Beach
Dan Biggs, MF

Absent:

Ted Hall, MEM
Roger Chceatham, LRC
Sharon Erickson, MWLAP
Dave Edgar, MT
Wayne Haddow, MA

Gayle Jackson, Parksville
David Coombe, VIHA
Bob Lapham, RDN

Item

1. Call to order.

N. Connelly called the meeting to order at 1:45 PM.

2. Minutes from the Last Meeting (Jan.9/03).

The minutes were approved as presented.

3. Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA)

N. Connelly described the historical background regarding the development of the UFAMIA. It was noted that UCFAMIA was developed, in part, for the following reasons:

- to follow-up on a commitment in the 1997 Master Implementation Agreement between the RDN and Province, to undertake further work on urban containment and fringe area issues between the municipalities and electoral areas, particularly in the Parksville area;
- to accommodate differences in Urban Containment Boundary (UCB) adjustment intervals, given that the regional growth strategy enabled UCB adjustments once every five years whereas the official community plans for two member municipalities enabled adjustments to the UCB once every three years; and
- to ensure compatible development standards between urban developments on land inside the UCB in electoral areas and urban developments on land inside the UCB in municipalities.

There was general discussion about: [1] how the UCFAMIA relates to current proposals to include specific parcels of land within a municipality; [2] the relationship between municipal boundaries and the UCB as it relates to urban development; and [3] nodal designations as it relates to the viability of servicing. Three issues were identified for future discussion: [1] the interval between UCB changes; [2] the urban fringe municipal boundary extension candidate areas; and [3] the idea of making UCB changes all at once versus "one-off" changes. It was noted that there appears to be a desire to make the regional growth strategy more flexible, including enabling the consideration of UCB changes at

an interval of less than five years.

IAC members in attendance agreed to postpone the more detailed, systematic discussion of the UFAMIA intended for the Feb.9/03 meeting to a later meeting given that not all of the member municipality planners were in attendance. It was agreed that RDN staff would contact each municipal planner to identify a mutually convenient meeting time.

4. Old Business – Updates

C. Thomas indicated that it is anticipated that terms of reference and consultation plan for the Completion of the Growth Management Plan Review will be forwarded to the Committee of the Whole for consideration on Feb. 25/03 and the Board on March 11/03. It was noted that this item had been discussed by the IAC at two previous IAC meetings, and that any remaining IAC comments about the document should be forwarded to RDN staff by Feb.14/03.

C. Thomas indicated that the State of Sustainability Project Description and Citizen Committee Terms of Reference, reviewed and discussed by the IAC at several meetings last year, were considered by the Committee of the Whole on Jan.28/03 and approved as presented, and are anticipated to receive final approval at the Board meeting on Feb.11/03.

C. Thomas indicated that she had been in telephone contact with each of the member municipality planning representatives on the IAC to coordinate input into the development of the 2001-2002 Regional Growth Strategy Implementation Progress Report, as discussed at previous IAC meetings.

C. Thomas indicated that discussions were underway with C. Hawksworth to arrange a joint IAC/Vancouver Island Highway Implementation Agreement Liaison Committee meeting to discuss the Agreement, in response to the IAC interest in discussing it. C. Hawksworth is currently trying to identify Ministry of Highways staff that should be in attendance at the meeting, with the assistance of D. Edgar of the Ministry.

5. Next Meeting.

The next meeting is scheduled for Wednesday, February 12, 2003 at 1:30 PM at the Long Lake Inn. Ken Balmer, RETHINK GROUP, will be facilitating a discussion as background to the Regional Board's session to develop strategic priorities for the RDN.

Two other meetings are in the process of being arranged: one to discuss the Urban Containment and Fringe Area Management Implementation Agreement; one to discuss the Vancouver Island Highway Implementation Agreement. The IAC will be informed of the arrangements for these meetings once the details are available.

6. Other Business

No other business items were raised.

7. Adjournment.

N. Connelly adjourned the meeting at 4:00 PM.



N. Connelly, Chair

**Minutes for the Meeting held:
Wednesday, February 12, 2003 @ 1:30 PM
Ramada Inn at Long Lake
4700 North Island Highway, Nanaimo, BC**

Present:

Neil Connelly, RDN
Christina Thomas, RDN
John Finnie, RDN
Sharon Fletcher, Nanaimo
Gayle Jackson, Parksville
Paul Butler, Qualicum Beach

David Coombe, VIHA
Roger Cheetham, LRC
Sharon Erickson, MWLAP
Cynthia Hawksworth, MCWAS
Consultant:
Ken Balmer, RETHINK Group

Absent:

Ted Hall, MEM
Dave Edgar, MT
Wayne Haddow, MA
Bob Lapham, RDN
Dan Biggs, MF

Item

1. **Call to order.**


N. Connelly called the meeting to order at approximately 1:30 PM., and indicated that Ken Balmer, RETHINK GROUP, was in attendance to facilitate a discussion about the Board's strategic directions for the Regional District of Nanaimo.

2. **Regional District of Nanaimo Strategic Plan**

K. Balmer indicated that he had helped the Board develop previous strategic plans, and that as a part of his current work with the Board on the strategic directions for 2003-2006 he had been asked to consult with a variety of people (including the IAC) to obtain a wide variety of perspectives regarding potential strategic priorities for the region. K. Balmer facilitated a discussion to obtain IAC member's perspectives and ideas regarding strategic priorities.

3. **Adjournment.**

The meeting was adjourned at approximately 4:00 PM.



Chair, Neil Connelly



**Minutes for the Meeting held:
Thursday, March 14, 2003 @ 2:00 PM
Regional District of Nanaimo Administration Office – Committee Room
6300 Hammond Bay Road, Nanaimo, BC**

Present:

Neil Connelly, RDN
Bob Lapham, RDN (3:45)
Sharon Fletcher, Nanaimo
Gayle Jackson, Parksville
Paul Butler, Qualicum Beach

Absent:

David Coombe, VIHA
Roger Cheetham, LRC
Sharon Erickson, MWLAP
John Finnie, RDN
Ted Hall, MEM

Dan Biggs, MF
Dave Edgar, MT
Wayne Haddow, MA
Christina Thomas, RDN
Cynthia Hawksworth, MCWAS

Item

1. Call to order.

N. Connelly called the meeting to order at approximately 2:00 PM.

2. Growth Management Plan Review

N. Connelly provided an update regarding the status of the project. It was noted that the RDN Board approved terms of reference for the completion phase of the project at on March 11, 2003. Copies of the terms of reference were circulated to the IAC along with the notice for the March 14, 2003 IAC meeting, and hardcopies were made available at the meeting. The terms of reference establish a 6 step process to complete the project by June 10, 2003.

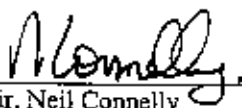
There was general discussion regarding the status of previously identified member municipality issues regarding the regional growth strategy. G. Jackson and P. Butler provided an update regarding their municipality's recent discussions about the issues.

N. Connelly distributed and reviewed a list of outstanding issues related to the regional growth strategy.

There was substantial discussion regarding the UCB location in the vicinity of Parksville. It was noted that the City of Parksville continues to propose that the UCB be moved to include more land inside the UCB in the Parksville area, either to match the City's municipal boundary or to extend to the railway line. RDN staff noted that the land is largely either in the Agriculture Land Reserve (ALR) or in Electoral Area G.

3. Adjournment.

The meeting was adjourned at approximately 4:30 PM. The next IAC meeting to discuss and resolve outstanding issues related to the regional growth strategy was scheduled for Thursday, March 21, 2003 at 1:30 PM at the RDN offices.



Chair, Neil Connelly



Minutes for the Meeting held:
Thursday, March 20, 2003 @ 1:30 PM
Regional District of Nanaimo Administration Office – Committee Room
6300 Hammond Bay Road, Nanaimo, BC

Present:

Neil Connelly, RDN
Christina Thomas, RDN
Sharon Fletcher, Nanaimo
Gayle Jackson, Parksville
Paul Butler, Qualicum Beach
Cynthia Hawksworth, MCWAS

Absent:

David Coombe, VIHA
Roger Cheetham, LRC
Sharon Erickson, MWLAP
John Finnie, RDN
Ted Hall, MEM

Dan Biggs, MF
Dave Edgar, MT
Wayne Haddow, MA
Bob Lapham, RDN

Item

1. Call to order.

N. Connelly called the meeting to order at approximately 1:30 PM.

2. Growth Management Plan Review

There was general discussion regarding opportunities to discuss the regional growth strategy with member municipality councils.

C. Hawksworth indicated that there was a concern regarding the involvement of the Agriculture Land Commission (ALC) in the finalization of the new regional growth strategy, particularly as it regards to the City of Parksville interest to see areas of Agriculture Land Reserve (ALR) land be included inside the Urban Containment Boundary (UCB). RDN staff indicated that it was not proposing to include ALR inside the UCB adjacent to the City.

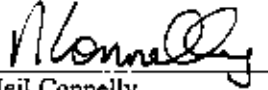
C. Hawksworth indicated that her role within the Ministry of Community, Aboriginal and Women's Services would be changing as a result of reorganization of the Ministry, and consequently that her involvement in RDN regional growth strategy related business would be reduced. Alan LeFevre will be the Ministry's key contact regarding such business on Vancouver Island in the future. C. Hawksworth indicated that the Provincial government staff involvement in local government business, such as regional growth strategy development and implementation, would be reduced, but that the Province would still be involved in issue resolution.

C. Thomas provided a review of outstanding issues, as confirmed at the March 14, 2003 IAC meeting, and possible solutions for each issue. Issues include: the Urban Containment Boundary (UCB) location, UCB change interval, the City of Parksville Boundary Study, the Urban Containment and Fringe Area Management Implementation Agreement, big box stores, and issues related to rural development. There was general discussion regarding the issues and potential solutions. Refinements were suggested for the possible solutions.

C. Thomas distributed a copy of the regional growth strategy bylaw with proposed adjustments, current to March 14, 2003, for review and consideration.

3. **Adjournment.**

The meeting was adjourned at approximately 5:00 PM. The next and last IAC meeting to discuss and resolve outstanding issues related to the regional growth strategy is scheduled for Thursday, March 27, 2003 at 1:30 PM at the RDN offices. An updated, revised regional growth strategy is scheduled to be considered by the RDN Board on April 8, 2003.



Chair, Neil Connelly



Minutes for the Meeting held:

Thursday, March 27, 2003 @ 1:30 PM

**Regional District of Nanaimo Administration Office – Committee Room
6300 Hammond Bay Road, Nanaimo, BC**

Present:

Neil Connelly, RDN
Christina Thomas, RDN
Bob Lapham, RDN
Sharon Fletcher, Nanaimo
Paul Butler, Qualicum Beach
David Coombe, VIHA

Absent:

Ted Hall, MEM
Cynthia Hawksworth, MCWAS
Roger Cheetham, LRC
Sharon Erickson, MWLAP
John Finnie, RDN
Gayle Jackson, Parksville

Dan Biggs, MF
Dave Edgar, MT
Wayne Haddow, MA

Item

1. Call to order.

N. Connelly called the meeting to order at approximately 1:30 PM.

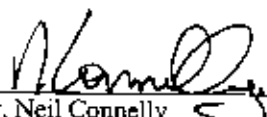
2. Growth Management Plan Review

C. Thomas distributed and reviewed the following materials: a copy of the regional growth strategy bylaw with proposed adjustments (current to March 27, 2003); a summary of recommended solutions for the outstanding issues; a more detailed table that describes possible solutions for the outstanding issues (current to March 27, 2003); a letter to the RDN from the Agricultural Land Commission received on March 24, 2003 regarding the Commission opposition to any RGS Urban Containment Boundaries (UCB) adjustments that would include Agriculture Land Reserve inside the UCB in the Parksville area; a Town of Qualicum Beach staff report regarding RGS perspectives regarding outstanding issues received by the Town Council on March 26, 2003; and a summary that illustrates the RGS changes proposed by the Town.

There was substantial discussion regarding each of the outstanding issues, the recommended solutions and possible refinements to the recommended solutions. Issues include: the Urban Containment Boundary (UCB) location, UCB change interval, the City of Parksville Boundary Study, the Urban Containment and Fringe Area Management Implementation Agreement, big box stores, and issues related to rural development. It was noted that regional growth strategy and corresponding staff report need to be complete by April 1, 2003 so that the Board can consider the RGS Bylaw on April 8, 2003.

3. Adjournment.

The meeting was adjourned at approximately 4:30 PM. An updated, revised regional growth strategy is scheduled to be considered by the RDN Board at the April 8, 2003 Regular Meeting.


Chair, Neil Connelly



REGIONAL DISTRICT OF NANAIMO			
APR - 1 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	

MEMORANDUM

TO: Wayne Moorman, P.Eng. **DATE:** March 12, 2003
 Manager of Engineering and Utilities

FROM: Natalie Cielanga, ASCT **FILE:** 5500-22-FW-09-03
 Engineering Technologist

SUBJECT: Fairwinds Water Service Area
 Fairwinds Well No. 3 Construction Contract Award

PURPOSE

To consider the tender award for the Fairwinds Well No. 3 construction.

BACKGROUND

The Fairwinds Water Service Area currently has two wells supplying water. The capacity of these wells has been declining over the years, yet demand has risen from the increase in properties connecting to the system.

The developer is required to provide water supply for a new development as per Bylaw 500. Fairwinds Development supplied the RDN with a third well and the funds for connecting the well. This contract includes the installation of a well pump and riser pipe, control piping, valves, fittings and other related appurtenances, supply and installation of approximately 380 m of 150 mm diameter supply main and other related incidental work.

Tenders were received on March 6, 2003 for the Fairwinds Well No. 3 project. Tenders were received as follows:

J. Milner Trucking Ltd.	\$114,052.93
Fournier Excavating Ltd.	\$118,188.92
Chet Construction Ltd.	\$120,983.80
Shoreline Equipment	\$121,317.99
Hub Excavating	\$121,437.00
Hazelwood Construction Services (1999) Inc.	\$127,393.26
Windley Contracting Ltd.	\$156,697.62

All tenders are complete and considered valid. The engineer's pre-bid estimate for construction was \$144,982.25. J. Milner Trucking was the lowest bidder and they met all requirements of the bid

documents. Our consultant has evaluated the tenders and recommends award to J. Milner Trucking for \$114,052.93.

ALTERNATIVES

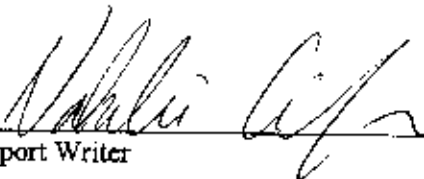
1. Not award the contract.
2. Award the contract to J. Milner Trucking for the tendered price of \$114,052.93.

FINANCIAL IMPLICATIONS

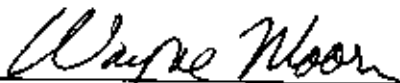
The tender results are within the engineer's estimate for construction and the funds are available in the 2003 budget to complete this project.

RECOMMENDATION

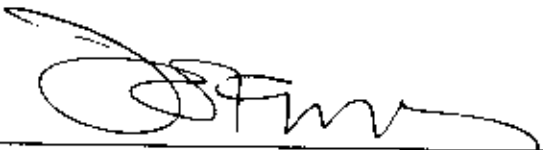
1. That the Regional District of Nanaimo award the Fairwinds Well No. 3 project to J. Milner Trucking for the tendered amount of \$114,052.93.




Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
APR - 1 2003	
CHAIR	GMCrS
CAO	GMDS
GMCrS	GMES

MEMORANDUM

TO: Wayne Moorman, P.Eng. DATE: April 1, 2003
 Manager of Engineering & Utilities

FROM: Natalie Cielanga, AScT FILE: 1830-00
 Engineering Technologist

SUBJECT: Utilities
 Amendment to Sewer User Rates in 2003

PURPOSE

To introduce for adoption bylaw amendments for the French Creek, Fairwinds and Surfside sewer service areas to increase sewer user fees in accordance with the 2003 annual budget, incorporate changes to the definition of a group of plumbing fixtures, and revise the Capital Charges from the French Creek Sewer Local Service Area (FCSLSA) user fees so they may be incorporated into other new bylaws.

BACKGROUND

The 2003 annual budget incorporates an increase to all sewer utility user fees of 2%. Staff also proposes amending the definition of 'Group of Plumbing Fixtures' defined in the sewer service area bylaws from:

'means two or more hand basins, sinks, toilets, urinals, baths or showers, located in a separate area of a building and each dishwasher or glasswasher shall be construed as a group of plumbing fixtures'

to:

'means any combination of three fixtures (sinks, toilets, urinals, bidets, wash tubs, showers, bathtubs, shower/tub combinations, fountains or other similar devices that are supplied with water and connected to the sewer system directly or through a floor drain) shall be construed as a group of plumbing fixtures. A single dishwasher, glasswasher or clotheswasher shall also be construed as a group of plumbing fixtures.'

Changing the definition this way will not affect user fees for existing businesses/facilities since the user fees have historically been charged based on the proposed definition. Therefore this bylaw amendment is to clarify the definition and bring our bylaw in line with current practices. The current definition is difficult to administer and is not in line with current practices for sewer user fees in other jurisdictions.

Staff have also reviewed the Capital Charge component of the French Creek user fees and recommend new bylaws to charge these fees.

ALTERNATIVES

1. Adopt the bylaw amendments as presented.
2. Propose amendments to the user fees and adopt amended bylaws accordingly.
3. Make no changes in 2003 to user fees.

FINANCIAL IMPLICATIONS

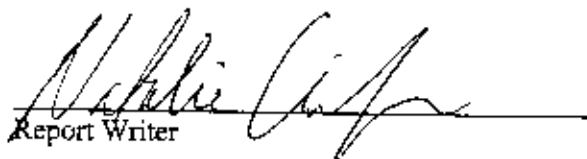
Increasing the user fees by 2% is consistent with the 2003 budget and will allow for the existing level of service to be maintained. The definition change will not affect the user fees.

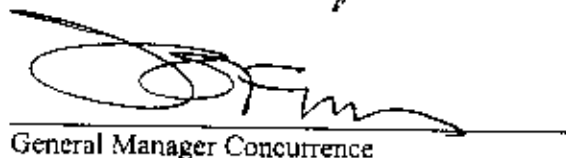
SUMMARY

The 2003 final budget incorporates a 2% increase in sewer user rates. Staff are also proposing a housekeeping amendment to the definition of "Group of Plumbing Fixtures" defined in the sewer service area bylaws and a transfer of FCSLSA Capital Charges to new bylaws. Staff have prepared new bylaws with these amendments and recommend adoption of the bylaws as presented.

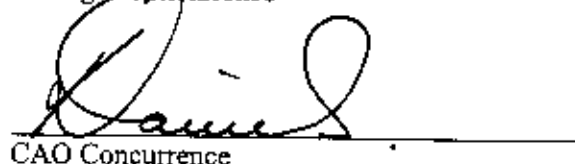
RECOMMENDATIONS

1. That Regional District of Nanaimo, "French Creek Sewer Regulations and Rates Amendment Bylaw No. 422.12, 2003", be introduced for first three readings.
2. That Regional District of Nanaimo, "French Creek Sewer Regulations and Rates Amendment Bylaw No. 422.12, 2003", having received first three readings be adopted.
3. That Regional District of Nanaimo, "Fairwinds Sewerage Facilities Specified Area Rates Bylaw No. 765.10, 2003", be introduced for first three readings.
4. That Regional District of Nanaimo, "Fairwinds Sewerage Facilities Specified Area Rates Bylaw No. 765.10, 2003", having received first three readings be adopted.
5. That Regional District of Nanaimo, "Surfside Sewer Regulations and Rates Amendment Bylaw No. 1241.02, 2003", be introduced for first three readings.
6. That Regional District of Nanaimo, "Surfside Sewer Regulations and Rates Amendment Bylaw No. 1241.02, 2003", having received first three readings be adopted.


Report Writer


General Manager Concurrence


Manager Concurrence


CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 422.12

A BYLAW TO AMEND THE REGIONAL
DISTRICT OF NANAIMO FRENCH CREEK
SEWER RATES AND REGULATION BYLAW
NO. 422

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

1. Deleting Section 1 (d) and replacing it with the following:
 - (d) **"Group of Plumbing Fixtures"** - A group of plumbing fixtures is equivalent to any combination of three fixtures as defined in Section 1(f). A single dishwasher, glasswasher or clothes washer is also construed as a group of plumbing fixtures. When calculating the number of groups, rounding to the nearest whole number will occur. A fraction of 0.5 will be rounded to the next higher whole number. Any fraction less than 1.0 will be rounded to 1.
2. Adding Section 1 (f) as follows:
 - (f) **"Fixtures"** - A fixture is defined as a sink, toilet, urinal, bidet, wash tub, shower, bathtub, shower/tub combination, fountain or other similar device that is supplied with water and connected to the sewer system directly or through a floor drain.
3. Schedules 'A' and 'A-1' of Bylaw No. 422 are hereby repealed and Schedules 'A' and 'A-1' attached hereto and forming part of this bylaw are substituted therefore.
4. This bylaw may be cited for all purposes as the "Regional District of Nanaimo French Creek Sewer Local Service Area Regulation and Rates Amendment Bylaw No. 422.12, 2003".

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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 Chairperson

 General Manager, Corporate Services

FRENCH CREEK SEWER USER RATES

Classification	Annual Rate
(a) Single Family Residence - up to 12 fixtures	\$ 148.60
- each additional fixture	\$ 12.40
(b) Apartments, Suites or Duplex - Each Unit	\$ 148.60
(c) Cafes and Restaurants - for each group of plumbing fixtures	\$ 148.60
(d) Garage or Service Station	\$ 148.60
(e) Store or Business Premises - for each group of plumbing fixtures	\$ 148.60
(f) Mobile Homes (whether situated in a mobile Home park or not) - per unit	\$ 148.60
(g) Office Buildings - for each group of plumbing fixtures	\$ 148.60
(h) Churches and Public Halls - for each group of plumbing fixtures	\$ 90.00
(i) Licensed Premises - for each group of plumbing fixtures	\$ 148.60
(j) Motels - per unit - including residential manager's or owner's unit	\$ 148.60
(k) Hotels - per room	\$ 148.60
(l) Camping - for each group of plumbing fixtures	\$ 148.60
- for each space with a sewer connection	\$ 38.25
(m) Marinas - for each group of plumbing fixtures	\$ 148.60
(n) Laundry, Laundromat or Dry Cleaners - per washer	\$ 77.85
(o) Schools - per connection	\$ 286.00
- plus for each group of plumbing fixtures	\$ 111.45
(p) Swimming Pool	\$ 111.45

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Chairperson

Secretary

FRENCH CREEK SEWER SERVICE CONNECTION CHARGES

- | | | | |
|-----|-------------------------|----|---------|
| (a) | 4" Connection | \$ | 153.00 |
| (b) | 6" Connection or Larger | | At Cost |

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 765.10

**A BYLAW TO AMEND THE FAIRWINDS
SEWERAGE FACILITIES SPECIFIED AREA
RATES BYLAW NO. 765**

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

1. Deleting Section 1 (d) and replacing it with the following:
 - (d) **"Group of Plumbing Fixtures"** – A group of plumbing fixtures is equivalent to any combination of three fixtures as defined in Section 1(f). A single dishwasher, glasswasher or clothes washer is also construed as a group of plumbing fixtures. When calculating the number of groups, rounding to the nearest whole number will occur. A fraction of 0.5 will be rounded to the next higher whole number. Any fraction less than 1.0 will be rounded to 1.
2. Adding Section 1 (f) as follows:
 - (f) **"Fixtures"** – A fixture is defined as a sink, toilet, urinal, bidet, wash tub, shower, bathtub, shower/tub combination, fountain or other similar device that is supplied with water and connected to the sewer system directly or through a floor drain.
3. Schedule 'B' of Bylaw No. 765 is hereby repealed and Schedule 'B' attached hereto and forming part of this bylaw is substituted therefore.
4. This bylaw may be cited for all purposes as the "Fairwinds Sewerage Facilities Specified Area Rates Amendment Bylaw No. 765.10, 2003".

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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Chairperson

General Manager, Corporate Services

FAIRWINDS SEWERAGE FACILITIES USER RATES

Classification	Annual Rate
(a) Private Residential – Single Family Dwelling	
Up to 12 fixtures	\$ 70.85
Each additional fixture	\$ 5.90
(b) Apartments, Condominiums, Duplexes, Hotels, Suites or Strata Title Units – per unit	\$ 70.85
(c) Campground (see item (d) for restrooms or laundry facilities) – per space with sewer connection	\$ 70.85
(d) Commercial	
(i) General, per group of fixtures	\$ 84.90
(ii) Laundry, Laundromat or Dry Cleaners – per washer	\$ 42.45
(e) Sani-dump – per vehicle connection	\$ 424.50
(f) Swimming pool	\$ 53.15
(g) Department of National Defense By Agreement.	

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1241.02

A BYLAW TO AMEND THE SURFSIDE
SEWER RATES AND REGULATIONS
BYLAW NO. 1241

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

1. Adding the following definitions under Section 2.0:
 - (d) **"Group of Plumbing Fixtures"** – A group of plumbing fixtures is equivalent to any combination of three fixtures as defined in Section 1(f). A single dishwasher, glasswasher or clothes washer is also construed as a group of plumbing fixtures. When calculating the number of groups, rounding to the nearest whole number will occur. A fraction of 0.5 will be rounded to the next higher whole number. Any fraction less than 1.0 will be rounded to 1.
 - (f) **"Fixtures"** – A fixture is defined as a sink, toilet, urinal, bidet, wash tub, shower, bathtub, shower/tub combination, fountain or other similar device that is supplied with water and connected to the sewer system directly or through a floor drain.
2. Schedule 'D' of Bylaw 1241 is hereby repealed and Schedule 'D' attached to and forming a part of this bylaw is substituted therefore.
3. This bylaw may be cited for all purposes as "Surfside Sewer Rates and Regulations Amendment Bylaw No. 1241.02, 2003".

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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Chairperson

General Manager, Corporate Services

SCHEDULE 'D'
{Section 19.1}

USER CHARGE
[if applicable]

1. Billing and Payment:

(a) Annual sewer rates as invoiced by the Regional District are due and payable on presentation. A ten (10%) percent discount will be applied if payment of all outstanding charges in effect from time to time is received on or before the discount date shown on the invoice.

(b) Amounts unpaid on the 31st of December in any year shall be deemed to be taxes in arrears and will be transferred to property taxes as prescribed under Section 797.2 of the *Local Government Act*.

(c) All payments received will be applied firstly against arrears and then to current balances.

2. Rates Payable:

(a) User Charge:

Classification	Annual Rate
(a) Single Family Residence - up to 12 fixtures	\$ 133.85
- each additional fixture	\$ 11.15
(b) Apartments, Suites or Duplex - Each Unit	\$ 133.85
(c) Cafes and Restaurants -- for each group of plumbing fixtures	\$ 133.85
(d) Garage or Service Station	\$ 133.85
(e) Store or Business Premises -- for each group of plumbing fixtures	\$ 133.85
(f) Mobile Homes (whether situated in a mobile Home park or not) -- per unit	\$ 133.85
(g) Office Building -- for each group of plumbing fixtures	\$ 133.85
(h) Churches and Public Halls -- for each group of plumbing fixtures	\$ 80.30
(i) Licenses Premises -- for each group of plumbing fixtures	\$ 133.85
(j) Motels -- per unit -- including residential managers' or owners' units	\$ 1.05
(k) Hotels -- per room	\$ 1.05
(l) Camping -- for each group of plumbing fixtures	\$ 1.05
- for each space with a sewer connection	\$ 1.05
(m) Marinas -- for each group of plumbing fixtures	\$ 133.85
(n) Laundry, Laundromat or Dry Cleaners -- per washer	\$ 76.30
(o) Sani Dump (per connection)	\$ 416.20
(p) Swimming Pool	\$ 100.40



REGIONAL DISTRICT OF NANAIMO			
MAR 18 2003			
CHAIR		GMCrS	
CAO		GMDS	
GMCmB		GMES	

MEMORANDUM

TO: C. Mason
General Manager, Corporate Services

DATE: March 11, 2003

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Parcel Tax Rate Bylaws for 2003

PURPOSE:

To introduce for three readings and adoption parcel tax rate bylaws for water and sewer utility functions in connection with the year 2003 annual budget.

BACKGROUND:

Section 360(1) requires that parcel tax rates be established by bylaw and that the report describing the basis of calculation be made available to the public upon request. Parcel taxes are levied within the water and sewer utility functions of the Regional District on the basis of a single amount for each parcel. For budgeting purposes, parcel tax revenues are determined as the amount required, after deducting user fees and prior year surpluses, to meet current expenditures and ensure a reasonable operating surplus. The annual revenue provided for in the budget is divided by the number of parcels established by the annual assessment roll to determine a rate per parcel.

Two exceptions from the one rate per parcel model occur in the French Creek Sewer and Driftwood Water Service Areas. The Local Government Act provides that a parcel tax rate may be waived or reduced where the local government is able to determine that an owner has paid for part of the construction of the works and services in the service area. In the French Creek Sewer Local Service Area a \$100 reduction is granted to 1,830 (out of a total of 1,940) properties for this purpose. In the newly established Driftwood Water Service Area 15 of 31 properties paid in advance a proportionate share of construction of the distribution system in recognition. The total parcel tax rate in Driftwood is calculated as \$1,075, with a reduction of \$785 for the properties which prepaid the capital cost. Finally, since the Driftwood Service is brand new, a commuted charge has been calculated which offers property owners a continuing opportunity to prepay the debt associated with the construction costs, after which the annual parcel tax rate would be reduced by \$785. (See Bylaw 1336 attached).

Most of the revenue changes are in the range of 2%. Changes above 2% are the result of specific items in the budgets as described during the provisional budget presentations. Examples include increases to absorb new debt payments. In the case of the San Pareil service area, a significant revenue shortfall is being partly by an increase in parcel taxes.

ALTERNATIVES:

1. Give the bylaws three readings and adoption.
2. Amend the budget(s) and adopt amended bylaws as necessary.

FINANCIAL IMPLICATIONS:

The following table summarizes the calculation of parcel tax rates for 2003:

SERVICE AREA NAME (Water)	BYLAW	PARCEL TAX REVENUES BUDGETED	NO. OF PARCELS CERTIFIED	PARCEL	PARCEL	\$ Change
				TAX RATE Year 2003	TAX RATE Year 2002	
Arbutus Park Estates Water	1180.03	\$53,960	138	\$391.01	\$384.00	\$7.01
Decourcey Water	1181.03	\$ 2,880	5	\$576.00	\$565.00	\$11.00
Fairwinds Water	1183.02	\$96,720	625	\$154.75	\$152.00	\$2.75
French Creek Bulk Water	1185.03	\$79,000	2,271	\$34.79	\$35.17	(\$.38)
French Creek Community Water	1186.04	\$121,720	714	\$170.48	\$150.07	\$20.41
Madrona Point Water	1187.03	\$75,480	296	\$255.00	\$250.00	\$5.00
Nanoose Bay Bulk Water	1188.03	\$350,000	2237	\$156.46	\$116.00	\$40.46
Nanoose Bay Community Water	1189.03	\$254,975	996	\$256.00	\$250.50	\$5.50
San Pareil Water	1191.03	\$72,000	288	\$250.00	\$136.00	\$114.00
Surfside Water	1193.03	\$16,500	39	\$423.08	\$366.00	\$57.08
West Bay Estates Water	1194.03	\$40,580	168	\$241.55	\$238.00	\$3.55
Driftwood Water	1336	\$19,125	13 18	\$1,075 \$ 290	New	
Fairwinds Community Sewer	1182.03	\$182,360	628	\$290.38	\$274.51	\$15.87
French Creek Community Sewer	1184.03	\$366,855	110 1,804	\$284.00 \$184.00	\$277.05 \$177.05	\$6.95 \$6.95
Pacific Shores Community Sewer	1190.02	\$17,265	80	\$215.81	\$210.00	\$5.81
Surfside Community Sewer	1192.03	\$11,280	16	\$705.00	\$1,117.25	\$(412.25)

SUMMARY/CONCLUSIONS:

Section 360(1) requires parcel tax rates to be established by bylaw and that the Board consider a report describing the basis of calculation. Parcel taxes are currently levied within the water and sewer utility service areas of the Regional District on the basis of a single amount for each parcel. The number of parcels established by the annual assessment roll is divided into the budgeted revenue requirement to determine a rate per parcel.

Two exceptions from the one rate per parcel model occur in the French Creek Sewer and Driftwood Water Service Areas in consideration of whether the property owner has directly paid for the cost of constructing the supply infrastructure. In the French Creek Sewer Local Service Area a \$100 reduction is granted to 1,830 (out of a total of 1,940) properties for this purpose. In the newly established Driftwood Water Service Area the total parcel tax rate is calculated as \$1,075, with a reduction of \$785 for 15 properties which prepaid the capital cost. Finally, since the Driftwood Service is brand new, a commuted charge has been calculated which offers property owners a continuing opportunity to prepay the debt associated with the construction costs, after which the annual parcel tax rate would be reduced by \$785. (See Bylaw 1336 attached).

RECOMMENDATION:

Bylaw No. 1180.03

1. That "Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.03, 2003" be introduced and read three times.
2. That "Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.03,2003" having received three readings be adopted.

Bylaw No. 1181.03

1. That "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.03, 2003" be introduced and read three times.
2. That "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.03, 2003" having received three readings be adopted.

Bylaw No. 1182.03

1. That "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.03, 2003" be introduced and read three times.
2. That "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.03, 2003" having received three readings be adopted.

Bylaw No. 1183.02

1. That "Fairwinds Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1183.02, 2003" be introduced and read three times.
2. That "Fairwinds Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1183.02, 2003" having received three readings be adopted.

Bylaw No. 1184.03

1. That "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.03, 2003" be introduced and read three times.
2. That "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.03, 2003" having received three readings be adopted.

Bylaw No. 1185.03

1. That "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.03, 2003" be introduced and read three times.
2. That "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.03, 2003" having received three readings be adopted.

Bylaw No. 1186.03

1. That "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.03, 2003" be introduced and read three times.
2. That "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.03, 2003" having received three readings be adopted.

Bylaw No. 1187.03

1. That "Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.03, 2003" be introduced and read three times.
2. That "Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.03, 2003" having received three readings be adopted.

Bylaw No. 1188.03

1. That "Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.03, 2003" be introduced and read three times.
2. That "Nanoose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.03, 2003" having received three readings be adopted.

Bylaw No. 1189.03

1. That "Nanoose Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1189.03, 2003" be introduced and read three times.
2. That "Nanoose Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1189.03, 2003" having received three readings be adopted.

Bylaw No. 1190.02

1. That "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.02, 2003" be introduced and read three times.
2. That "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.02, 2003" having received three readings be adopted.

Bylaw No. 1191.03

1. That "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.03, 2003" be introduced and read three times.
2. That "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.03, 2003" having received three readings be adopted.

Bylaw No. 1192.03

1. That "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.03, 2003" be introduced and read three times.
2. That "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.03, 2003" having received three readings be adopted.

Bylaw No. 1193.03

1. That "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.03, 2003" be introduced and read three times.
2. That "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.03, 2003" having received three readings be adopted.

Bylaw No. 1194.03

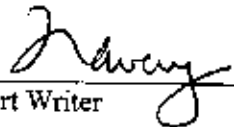
1. That "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.03, 2003" be introduced and read three times.
2. That "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.03, 2003" having received three readings be adopted.

Bylaw No. 1206.02


1. That "Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.02, 2003" be introduced and read three times.
2. That "Morningstar Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1206.02, 2003" having received three readings be adopted.

Bylaw No. 1336

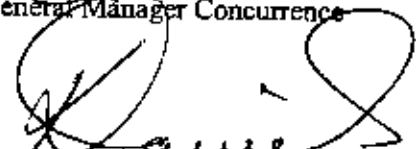
1. That "Driftwood Water Supply Service Area Parcel Tax Rate Bylaw No. 1336,2003 be introduced for first three readings.
2. That "Driftwood Water Supply Service Area Parcel Tax Rate Bylaw No. 1336,2003 be introduced for first three readings.



Report Writer



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1180.03

**A BYLAW TO AMEND THE PARCEL TAX
RATE WITHIN THE ARBUTUS
PARK ESTATES WATER LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Conversion Bylaw No. 930, 1994, levy a parcel tax to meet the annual costs of the Arbutus Park Estates Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Arbutus Park Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1180.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Arbutus Park Estates Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$53,960 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$391.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1181.03

**A BYLAW TO AMEND THE PARCEL TAX
RATE WITHIN THE DECOURCEY
WATER LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1096, 1998, levy a parcel tax to meet the annual costs of the Decourcey Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Decourcey Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$2,880 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$576.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1182.03

**A BYLAW TO AMEND THE PARCEL TAX
RATE WITHIN THE FAIRWINDS
SEWERAGE FACILITIES LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Conversion Bylaw No. 947, 1994, levy a parcel tax to meet the annual costs of the Fairwinds Sewerage Facilities Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Fairwinds Sewerage Facilities Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$182,360 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$289.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1183.02

**A BYLAW TO AMEND THE PARCEL TAX
WITHIN THE FAIRWINDS WATER
SUPPLY SPECIFIED AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 753, 1988, levy a parcel tax to meet the annual costs of the Fairwinds Water Supply Specified Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Fairwinds Water Supply Specified Area Parcel Tax Amendment Bylaw No. 1183.02, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Fairwinds Water Supply Specified Area.
4. The rate per parcel tax shall be the amount obtained by dividing the sum of \$96,720 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$155.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1184.03

A BYLAW TO AMEND THE PARCEL TAX
RATE WITHIN THE FRENCH CREEK
SEWERAGE FACILITIES LOCAL
SERVICE AREA

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Bylaw No. 813, 1990, levy a parcel tax to meet the annual costs of the French Creek Sewerage Facilities Local Service Area;

AND WHEREAS parcel tax levies may be waived or lessened pursuant to Section 360(4) of the *Local Government Act*;

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the French Creek Sewerage Facilities Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$366,855 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$284.00).
5. A reduction in the tax levied under paragraph four (4) shall be granted to each parcel of land, the present or previous owner of which has constructed at their own expense any portion of the sewerage or drainage system of the local service area.
6. The annual reduction in parcel tax levies referred to in paragraph five (5) shall be One Hundred Dollars (\$100.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1185.03

**A BYLAW TO AMEND THE PARCEL TAX
RATE WITHIN THE FRENCH CREEK
BULK WATER LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1050, 1996, levy a parcel tax to meet the annual costs of the French Creek Bulk Water Supply Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "French Creek Bulk Water Supply Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the French Creek Bulk Water Supply Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$79,000 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$35.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1186.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
FRENCH CREEK WATER LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Conversion Bylaw No. 874, 1992, levy a parcel tax to meet the annual costs of the French Creek Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the French Creek Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$121,720 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$170.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1187.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
MADRONA POINT WATER LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Conversion Bylaw No. 788, 1989, levy a parcel tax to meet the annual costs of the Madrona Point Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Madrona Point Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1187.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Madrona Point Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$75,480 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$255.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1188.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
NANOOSE BAY BULK WATER SUPPLY
LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1049, 1996, levy a parcel tax to meet the annual costs of the Nanoose Bay Bulk Water Supply Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Nanoose Bay Bulk Water Supply Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Nanoose Bay Bulk Water Supply Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$350,000 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$158.00).

Introduced and read three times this 8th day of May, 2003.

Adopted this 8th day of May, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1189.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
NANOOSE WATER SUPPLY
SPECIFIED AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 482, 1980, levy a parcel tax to meet the annual costs of the Nanoose Water Supply Specified Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Nanoose Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1189.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Nanoose Water Supply Specified Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$254,975 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$256.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1190.02

**A BYLAW TO AMEND THE PARCEL TAX
WITHIN THE PACIFIC SHORES SEWER
LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1021, 1996, levy a parcel tax to meet the annual costs of the Pacific Shores Sewer Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Pacific Shores Sewer Local Service Area Parcel Tax Amendment Bylaw No. 1190.02, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Pacific Shores Sewer Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing \$17,265 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to \$219.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1191.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
SAN PAREIL WATER LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1170, 1999, levy a parcel tax to meet the annual costs of the San Pareil Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "San Pareil Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the San Pareil Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$72,000 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$250.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1192.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
SURFSIDE SEWER LOCAL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1124, 1998, levy a parcel tax to meet the annual costs of the Surfside Sewer Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Surfside Sewer Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$11,280 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$705.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1193.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
SURFSIDE PROPERTIES WATER
SUPPLY SPECIFIED AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 694, 1985, levy a parcel tax to meet the annual costs of the Surfside Properties Water Supply Specified Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Surfside Properties Water Supply Specified Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$16,500 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$423.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1194.03

**A BYLAW TO AMEND THE
PARCEL TAX RATE WITHIN THE
WEST BAY ESTATES WATER
LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Conversion Bylaw No. 929, 1994, levy a parcel tax to meet the annual costs of the West Bay Estates Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "West Bay Estates Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1194.03, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the West Bay Estates Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$40,580 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$243.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1206.02

**A BYLAW TO AMEND THE PARCEL TAX
WITHIN THE MORNINGSTAR WATER
LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1125, 1998 levy a parcel tax to meet the annual costs of the Morningstar Water Local Service Area.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Morningstar Water Local Service Area Parcel Tax Amendment Bylaw No. 1206.02, 2003"
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Morningstar Water Local Service Area.
4. The rate per parcel shall be the amount obtained by dividing the sum of \$1,000 by the number of parcels certified on the 2003 annual assessment roll prepared under (3) above (estimated to be \$143.00).

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1336

A BYLAW TO ESTABLISH PARCEL TAX
RATES WITHIN THE DRIFTWOOD WATER
SUPPLY SERVICE AREA

WHEREAS the Board of the Regional District of Nanaimo may, pursuant to its Establishing Bylaw No. 1255, 2001, levy a parcel tax to meet the annual costs of the Driftwood Water Supply Service Area;

AND WHEREAS the Board wishes to provide for the reduction of a parcel tax where a property prepays or pays toward the cost of constructing the works authorized under "Driftwood Water Supply Loan Authorization Bylaw No. 1256, 2001";

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts pursuant to Section 360 of the *Local Government Act*, as follows:

1. This bylaw may be cited as "Driftwood Water Supply Service Area Parcel Tax Rate Bylaw No. 1336, 2003".
2. In this bylaw, unless the context otherwise requires, "Parcel" means any lot, block or other area in which land is held or into which land is subdivided.
3. The parcel tax rate in this bylaw shall be levied commencing in the year 2003 on each parcel recorded on the annual assessment roll prepared for the Driftwood Water Supply Service Area.
4. The rate per parcel shall be \$1,075.
5. The parcel tax rate in (4) above shall be reduced by \$785.00 for those properties listed on Schedule 'A' to this bylaw in consideration of the prepayment of costs under "Driftwood Water Supply Loan Authorization Bylaw No. 1256, 2001".
6. The parcel tax rate in (4) above shall be reduced by \$785.00 for those properties listed on Schedule 'C' in the year following the year in which payment of the charges listed on Schedule 'B' to this bylaw is made, in relation to costs incurred under "Driftwood Water Supply Loan Authorization Bylaw No. 1256, 2001".

Introduced and read three times this 8th day of April, 2003.

Adopted this 8th day of April, 2003.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

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Chairperson

General Manager, Corporate Services

The following properties shall have the parcel tax established herein reduced pursuant to Clause (5) commencing in 2003, in consideration of the prepayment of the cost of works and services authorized under "Driftwood Water Supply Loan Authorization Bylaw No. 1256, 2001".

Folio 769-10029.601	Lot A, Plan 47448, DL 102, LD 33
Folio 769-10029.650	Lot 1, Plan 21022, DL 102, LD 33
Folio 769-10029.656	Lot 4, Plan 21022, DL 102, LD 33
Folio 769-10029.658	Lot 5, Plan 21022, DL 102, LD 33
Folio 769-10029.660	Lot 6, Plan 21022, DL 102, LD 33
Folio 769-10029.664	Lot 8, Plan 21022, DL 102, LD 33
Folio 769-10029.666	Lot 9, Plan 21022, DL 102, LD 33
Folio 769-10029.670	Lot 11, Plan 21022, DL 102, LD 33
Folio 769-10029.672	Lot 12, Plan 21022, DL 102, LD 33
Folio 769-10029.680	Lot A, Plan 23437, LD 33
Folio 769-10029.690	Lot C, Plan 23437, LD 33
Folio 769-10029.692	Lot D, Plan 23437, LD 33
Folio 769-10029.694	Lot E, Plan 23437, LD 33
Folio 769-10029.696	Lot F, Plan 23437, LD 33
Folio 769-10029.700	Lot 1, Plan 25462, DL 102, LD 33

Chairperson

General Manager, Corporate Services

Where a property listed on Schedule 'C', after January 31, 2003, pays the following charges related to "Driftwood Water Supply Loan Authorization Bylaw No. 1256, 2001", the parcel tax rate shall be reduced pursuant to Clause (6) in consideration of the prepayment of the cost of works and services authorized under "Driftwood Water Supply Loan Authorization Bylaw No. 1256, 2001".

2003	\$ 11,104.10
2004	10,731.20
2005	10,343.39
2006	9,940.07
2007	9,520.61
2008	9,084.38
2009	8,630.69
2010	8,158.86
2011	7,668.16
2012	7,157.83
2013	6,627.08
2014	6,075.10
2015	5,501.05
2016	4,904.03
2017	4,283.13
2018	3,637.40
2019	2,965.84
2020	2,267.41
2021	1,541.05
2022	785.63
2023	0.00

Chairperson

General Manager, Corporate Services

The following properties are identified for the purposes of Clause (6):

Folio 769-10029.611	Lot 1, Plan VIS3905, DL 102, LD 33
Folio 769-10029.612	Lot 2, Plan VIS3905, DL 102, LD 33
Folio 769-10029.613	Lot 3, Plan VIS3905, DL 102, LD 33
Folio 769-10029.620	Lot 1, Plan 37193, DL 102, LD 33
Folio 769-10029.625	Lot 2, Plan 37193, DL 102, LD 33
Folio 769-10029.652	Lot 2, Plan 21022, DL 102, LD 33
Folio 769-10029.654	Lot 3, Plan 21022, DL 102, LD 33
Folio 769-10029.662	Lot 7, Plan 21022, DL 102, LD 33
Folio 769-10029.668	Lot 10, Plan 21022, DL 102, LD 33
Folio 769-10029.674	Lot 13, Plan 21022, DL 102, LD 33
Folio 769-10029.676	Lot 14, Plan 21022, DL 102, LD 33
Folio 769-10029.678	Lot 15, Plan 21022, DL 102, LD 33
Folio 769-10029.685	Lot B, Plan 23437, DL 84 & 102, LD 33

REGIONAL DISTRICT OF NANAIMO	
APR - 1 2003	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
<i>Board</i> ✓	
DATE:	
FILE:	

MEMORANDUM

TO: Neil Connelly
General Manager, Community Services

FROM: Christina Thomas
Senior Planner, Community Services

SUBJECT: **GROWTH MANAGEMENT PLAN REVIEW UPDATE
REGIONAL GROWTH STRATEGY BYLAW 1309
CONSIDERATION OF 1ST AND 2ND READING**

March 28, 2003

6780 30

PURPOSE

To consider a regional growth strategy bylaw ("Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002") for 1st and 2nd reading and advancement to public hearing.

BACKGROUND

A revised regional growth strategy bylaw (Bylaw No. 1309) is provided for consideration of 1st and 2nd reading and advancement to public hearing (*Attachment #1, separate enclosure*), as directed by the Board with the approval of terms of reference for the 'Completion Phase' of the Growth Management Plan Review Project.

Public Consultation

The revised regional growth strategy bylaw is the product of 27 months of public consultation and technical analysis, initiated by the Board in January of 2001. At each stage of the project, numerous public events were held to solicit public feedback, as outlined in Table #1.

TABLE #1: GROWTH MANAGEMENT PLAN REVIEW: PUBLIC EVENTS CONDUCTED		
Project Phase	Public Events	Dates of Events
1	Workshop to discuss economic development opportunities	June 7, 2001
1	Workshop to discuss village centre / nodal development	Sept. 22, 2001
1	Workshop to discuss environmental protection	Sept. 27, 2001
2	Workshop series to discuss growth management issues that may require a response in a revised regional growth strategy	Oct. 24, 2001 Oct. 25, 2001 Nov. 1, 2001 Nov. 3, 2001
3	Workshop series to discuss possible ways of amending the regional growth strategy to respond to issues	March 13, 2002 March 14, 2002 March 19, 2002 March 20, 2002
3	Board Forum to provide individuals an opportunity to express opinions directly to Board members about possible changes to the regional growth strategy to respond to issues	April 2, 2002
4	Public information session about Regional Growth Strategy Bylaw No. 1309	Sept. 11, 2002 Sept. 12, 2002
4	Public hearing about Regional Growth Strategy Bylaw No. 1309	Sept. 11, 2002 Sept. 12, 2002

On October 8, 2002, the Board repealed the 1st and 2nd reading it had granted the revised regional growth strategy bylaw and referred it back to staff for additional public consultation, primarily in response to public concern about a proposed development on Block 564 in Electoral Area G. Since that time, the RDN obtained public input about the Block 564 development proposal at a public information meeting on January 30, 2003, and the developer also conducted a 'stakeholders' meeting on December 11, 2002. (The Electoral Area Planning Committee granted 1st and 2nd reading to the Block 564 development application on March 28, 2003, and the Board is scheduled to ratify the Committee resolution at its April 8, 2003 meeting. The application is proceeding based on the current regional growth strategy, Bylaw No. 985.01). The Board subsequently approved terms of reference to resolve the relatively few outstanding issues and finalize the new regional growth strategy bylaw at the March 11, 2003 Regular Meeting.

Resolution of Outstanding Issues

Following the Board approval of terms of reference for the 'Completion Phase' of the Growth Management Plan Review on March 11, 2003, RDN staff worked with member municipality staff to resolve the outstanding municipal issues related to the regional growth strategy bylaw, raised as a part of the formal referral of the bylaw last September. The outstanding issues, and adjustments proposed to respond to the issues in the regional growth strategy provided for the Board's consideration, are described below:

Urban Containment Boundary (UCB) Location

The location of the UCB around the City of Parksville was one of the reasons the City did not accept RGS Bylaw No. 1309 as a part of the formal bylaw referral process last September. New RGS Bylaw No. 1309 proposes to retain the current RGS Bylaw No. 985.01 UCB designation. The City proposes that more land be included inside the UCB in the Parksville area. Specifically, the City proposed that all of the land east of the railway, or all land within the City boundary, be included inside the UCB, citing that there is insufficient lands inside the UCB in the Parksville area and the lands proposed for inclusion inside the UCB are under the influence of the City and are therefore urban in nature. RDN staff have not proposed such an amendment to the UCB because the lands the City would like included inside the UCB are either in the Agriculture Land Reserve (ALR) or in Electoral Area G and in the Englishman River Official Community Plan Area. It should be noted that the Agriculture Land Commission (ALC) is opposed to any UCB amendments that would include ALR land inside the UCB, and has forwarded correspondence to the RDN to this effect (*see Attachment 2*). It is anticipated that the RDN and the City of Parksville can reach an understanding that the location of the UCB is acceptable given that the Urban Containment and Fringe Area Management Implementation Agreement establishes a process and criteria which would allow the City to advance UCB changes in the future, in conjunction with amendments to the City's official community plan. To this end, the RDN Board Chair has made arrangements to speak with the City of Parksville Council about the issue at an upcoming meeting.

Urban Containment Boundary Change Interval

The City of Parksville and the Town of Qualicum Beach were concerned that RGS Bylaw No. 1309 considered last Fall provides too much flexibility regarding the UCB change interval. It specified that UCB amendments should only be considered once every five years, in conjunction with a review of the RGS, or in between RGS reviews where there are cases that warrant amendments. RGS Bylaw No. 1309 provided for the Board's consideration has been adjusted to respond to this concern, by specifying that UCB amendments should only be considered once every five years, in conjunction with a review of the RGS, or at an interval specified in an official community plan. This allows each community to proactively

determine how often it is willing to consider UCB amendments, as opposed to potentially subjecting communities to random and intermittent UCB amendment requests.

City of Parksville Boundary Study

The lack of reference to the City of Parksville Municipal Boundary Study in Policy 1D as a guiding document for decisions about the incorporation of land surrounding the City into the City was another reason the City refused the RGS bylaw last fall as a part of the formal bylaw referral process. Policy 1D of RGS Bylaw No. 1309 considered last fall stated that "The RDN and member municipalities agree that boundary extensions and incorporations may be considered in accordance with the Urban Containment and Fringe Area Management Implementation Agreement". The RGS Bylaw No. 1309 provided for the Board's consideration has been changed to not include this policy, in response to the City's concerns and based on the fact that the RGS is boundary neutral and the RDN Board has no jurisdiction in municipal boundary extension decisions. Municipalities may apply to the Province at any time to include land into their jurisdiction, irrespective of such guiding documents as RGSs.

Urban Containment and Fringe Area Management Implementation Agreement

As a part the Board's recent process to develop its Strategic Plan for 2003 to 2005 it indicated an interest in re-visiting the "Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA)" to better coordinate between jurisdictions land use decisions. In response to this interest, the RGS Bylaw No. 1309 provided for the Board's consideration includes two new policies, 1D and 3E. Policy 1E commits the RDN and member municipalities to a review of the UFAMIA to address issues regarding the level and type of development that warrants consideration as an urban development on land inside the UCB and to better coordinate between jurisdictions development on land inside the UCB. Policy 3E commits the RDN and member municipalities to the development of an implementation agreement to address issues regarding development on rural land and to better coordinate between jurisdictions rural land use and development outside the UCB. It is anticipated the both of these agreements will enable municipalities to influence land use decision in electoral areas and vice versa.

Big Box Stores and Commercial Development

The Town of Qualicum Beach Council met on March 26, 2003 to discuss the RGS and requested that a series of changes be made to the RGS to reduce the potential for big-box commercial development in the region. Key changes that have been made in response to these concerns in the RGS Bylaw provided for the Board's consideration include:

- a new provision in Policy 2B, that states " the scale of development in nodes should be linked to the needs of the community and house desired levels of population";
- rewording Goal 6, Vibrant and Sustainable Economy to state, "To support strategic economic development and to link commercial and industrial strategies to the land use and rural and environmental protection priorities of the region"; and
- rewording Goal 2, Nodal Structure, to state, "To encourage mixed-use communities that include places to live, work, learn, play, shop and access services";

The Town suggested that the following policy be included in the RGS: "The RDN and member municipalities agree that further automobile dependent retail developments that serve a regional market, such as malls and big-box stores, should be discouraged. The scale of retail developments should be linked to the needs of the community where it is located". The RGS provided for the Board's consideration does not include such a policy. Agreement could not be reached regarding how the policy

should be reworded to respect the interests of all the member municipalities and electoral areas. A level of uncertainty also exists regarding what constitutes 'big-box' commercial development and with the overall intent of the policy. However, Policy 6B was amended to specify that the RDN and member municipalities will limit the scale of retail development to the needs of the community. This amendment was developed in consultation with, and is agreeable to, Town staff.

Other Changes

Block 564 References

Policy 3A in the RGS Bylaw No. 1309 considered by the Board last Fall was intended to enable the consideration of the development of Block 564 under the new RGS. References to Block 564 have been removed from the policy in the RGS Bylaw provided for the Board's consideration in recognition of the fact that there is an active application to develop the land based on the current RGS Bylaw No. 985.01. As a result there is no need to include provisions in the new RGS to enable the consideration of the development in the new RGS Bylaw No. 1309.

Provisions for New Lantzville Municipality

Policy 8F was included in the RGS Bylaw No. 1309 considered by the Board last fall. The RGS Bylaw No. 1309 provided for the Board's consideration still includes the Policy, but it has been adjusted to reflect the fact that Lantzville is, in fact, incorporating and will be a municipality.

Key Aspects of Regional Growth Strategy

The new RGS (Bylaw No. 1309) re-affirms the direction established in the existing RGS (Bylaw No. 985.01). The purpose of both bylaws is the same: to establish a more sustainable pattern of population growth and development in the region. Both are based on the concept of encouraging population growth and new development on land designated for urban development (i.e. land designated Urban inside Urban Containment Boundaries and land designated Sub-Urban Area), and limiting population growth and development on land not designated for urban development (i.e. land designated Rural Residential or Resource Lands and Open Space). The new RGS is substantially shorter than the old RGS (30 pages versus 120 pages). The policy statements in the new RGS are worded to establish consistency between policies, and to make it easier to read and understand. Of particular note, the new RGS:

- establishes minimum parcel sizes for land designated Rural Residential and Resource Lands and Open Space consistent with official community plans,
- provides an ability for land to be excluded from the Agriculture Land Reserve (ALR), as well as a decision-making process in which the Province has sole responsibility for determining whether ALR land is suitable or needed for agriculture and the RDN remains the decision making body regarding the ultimate use of the land if it is removed from the ALR;
- enables the consideration of destination resort developments;
- reaffirms a servicing strategy in which the servicing of land designated for urban development is a priority;
- allows for the provision of community water and community sewer services to land not designated for urban development where the RDN identifies there is an environmental or public health risk and the provision of the service will not result in more development than supported by the RGS.

ALTERNATIVES

1. To grant Bylaw No. 1309 1st and 2nd reading, as amended, and advance it to public hearing.
2. To direct staff to make further changes to Bylaw No. 1309 for the Board's consideration prior to granting the Bylaw 1st and 2nd reading.

FINANCIAL IMPLICATIONS

The Community Services budget provides for the budgetary requirements to complete the project as defined by the Terms of Reference for the project endorsed by the Board in January of 2001 and amended in March 2003. Any additional study or public consultation not included in the terms of reference would require the allocation of additional resources.

INTERGOVERNMENTAL IMPLICATIONS

After RGS Bylaw No. 1309 is granted 1st and 2nd reading and the public hearing has been conducted about the Bylaw, the Bylaw must be referred to the member municipalities and adjacent regional districts for consideration of acceptance. The RDN Board will not be able to consider adoption of the Bylaw until all of these local governments have accepted the Bylaw by resolution, or the maximum 120-day period elapses and no response is received. It is hoped that the affected local governments will be able to accept the bylaw by June 6, 2003, at the very latest, so that the RGS Bylaw can be considered for 3rd reading and adoption on June 10, 2003, as per the terms of reference approved by the Board on March 11, 2003. The RDN Board Chair has scheduled meetings with the municipal councils in Nanaimo, Parksville and Qualicum Beach in April to speak to the RGS and the Regional District's proposed schedule for Bylaw adoption.

It should be noted that RGS Bylaw No. 1309 will not require the acceptance of the new Lantzville municipality since it is scheduled to be adopted prior to the official incorporation of the municipality. Consequently, the RGS Bylaw provides an opportunity (in Policy 8F) for the new municipality of Lantzville to review its official community plan and propose amendments to the RGS Bylaw, if necessary, as a part of an "Interim Update" of the RGS Bylaw that would be conducted upon completion of the Lantzville official community plan review and prior to the next full review of the RGS.

It would appear that all but one of the outstanding member municipality issues have been addressed through changes to the regional growth strategy bylaw. The only potentially outstanding issue is the location of the Urban Containment Boundary (UCB) adjacent to the City of Parksville. It is anticipated that the RDN and the City of Parksville can reach an agreement that the location of the UCB proposed in Bylaw No. 1309 is acceptable during the formal bylaw referral process. To this end, the RDN Board Chair has made arrangements to speak with the City of Parksville Council about the issue at an upcoming meeting.

Staff from the member municipalities and various ministries of the provincial government have been involved in the Growth Management Plan Review Project and the development of RGS Bylaw No. 1309 through their participation in the Intergovernmental Advisory Committee (IAC) and invitation to all project public events. The IAC met 22 times since the project was initiated in January of 2001, to review, discuss, and provide guidance regarding the preparation of technical reports, to review public feedback, and to discuss specific changes to the RGS. The *Local Government Act* does not require regional growth strategy bylaws to be formally referred to any provincial agencies for consideration of acceptance as a part of the bylaw approval process (unlike official community plan bylaws); it only requires regional districts to refer RGS Bylaws to the Minister of Community, Aboriginal and Women's Services for information.

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PUBLIC CONSULTATION IMPLICATIONS

The revised regional growth strategy bylaw has been developed in compliance with the public consultation requirements of the *Local Government Act* and the RDN consultation policy, "Coordinated Public Consultation/Communications Framework". The terms of reference for the project established how the public would be involved in the development of the bylaw in accordance with the *Act* and RDN consultation policy: The terms of reference have been fully implemented to date. The next scheduled public consultation component regarding the RGS Bylaw are the public information meetings (scheduled for April 23rd and 24th) and the public hearing (scheduled for April 29th and 30th), once the Bylaw has been granted 1st and 2nd reading.

SUMMARY

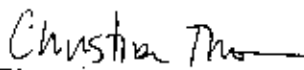
A revised, updated regional growth strategy bylaw (Bylaw No. 1309) is provided for the Board's consideration of 1st and 2nd reading and advancement to public hearing, as a part of the "Completion Phase" of the Growth Management Plan Review Project.

The Project was undertaken in response to a *Local Government Act* requirement for regional districts with regional growth strategies to consider whether amendments need to be made to the strategy once every five years. The revised bylaw provided for the Board's consideration for the most part re-affirms the current strategy, with some key refinements to respond to public comments and municipal council input.

It is recommended that the Board grant Bylaw No. 1309 first and second reading, and advance the Bylaw to public hearing. After the public hearing on Bylaw No. 1309, the Bylaw will be referred to the member municipalities and adjacent regional districts for consideration of acceptance. Once the parties have accepted the Bylaw, the Board may consider it for 3rd reading and adoption.

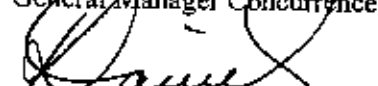
RECOMMENDATIONS

1. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002, as amended, be received.
2. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be granted 1st and 2nd reading.
3. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" proceed to public hearing.
4. That the holding of the public hearing with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be delegated to the Board Chair Director Joe Stanhope, Board Deputy Chair Director Larry McNabb, and Electoral Area Planning Committee Chair Director Elaine Hamilton, or their alternates.



Report Writer


General Manager Concurrence


CAO Concurrence

ATTACHMENT #1
REGIONAL GROWTH STRATEGY BYLAW NO. 1309

(see separate enclosure)

ATTACHMENT #2
AGRICULTURE LAND COMMISSION LETTER



Land Reserve Commission
Working Farms, Working Forests

March 24, 2003

Reply to the attention of Roger Cheatham

Ms. Christina Thomas, Senior Planner
Nanaimo Regional District
8300 Hammond Bay Road
Nanaimo, BC V8T 6N2

Dear Madam:

Re: Nanaimo Regional Growth Strategy: Urban Containment Boundary: Parksville

Our Ref: 5 - 29259

With reference to your telephone conversation last with Roger Cheatham the position of the Commission with regard to the positioning of the Urban Containment Boundary is explained in our letter dated 24th April 2002, a copy of which is enclosed herewith. This position was confirmed in Commission Resolution Number 185/2002 conveyed in our letter dated 4th June 2002.

In the event that the draft of the revised Regional Growth Strategy is changed to reflect a new position for the boundary that affects land within the ALR the Commission would appreciate being informed of such change. It would also appreciate an opportunity to comment thereon before the plan is finalized.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

PER: *RH Cheatham*

f Kirk Miller, Chief Executive Officer

Co. Cynthia Hawkenworth, Ministry of Community, Aboriginal and Women's Services
Wayne Heddow, Regional Agriologist, Duncan

RCW/End.

April 24, 2002

Reply to the attention of Roger Cheetham

Ms. Christina Thomas, Senior Planner
Nanaimo Regional District
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Madam:

Re: Nanaimo Regional Growth Strategy: Urban Containment Boundaries: Parksville

Our Ref: S - 29259

With reference to the agenda for the next meeting of the IAC we would like to comment on Item 3. c), relating to the submission of the City of Parksville regarding changes to the Urban Containment Boundary in Parksville. The proposal is of significance to the Land Reserve Commission in that the bulk of the area (approximately 100 ha out of an approximate total of 125 ha.) lies within the ALR. The submission argues for the extension of the Urban Containment Boundary to include the ALR block on the grounds of an anticipated need for additional land to cater for future residential or community demand. Mention is made of existing and future pressure on the land for such development.

We agree that the case for including such land within the UCB rests primarily on a recognition of the future use of this area for urban development. Given that land speculation at urban interfaces is very sensitive to changes of this nature it would be counter productive in our view to include the area within a UCB if its future long term use was seen as being for agriculture. As mentioned in the submission, development pressure already exists and a change in the UCB would be another signal that the long-term future of this area was for urban development. This would not be desirable for agriculture in that land values would be likely to increase making it less economic to farm and investment in agricultural infrastructure would be discouraged.

The area in question comprises land that has generally very high improved agricultural capability ratings. The Commission has consistently refused applications for exclusions and non-farm land uses in this ALR block and it can be expected to continue to do so in the future. The case for releasing the land to accommodate future residential needs would appear to be weak in that there does not appear to be sufficient evidence of a serious shortfall in the residential capacity of the region as a whole that would override agricultural considerations. The justification for the use of the area for community facilities could be stronger but even if a case were to be substantiated that overrode agricultural considerations it would be likely to involve only a small part of the land within the ALR. We also recognize the potential for negative impact on farming within the ALR block resulting from the generally poor buffering and the close proximity of urban development. However, this situation is not greatly different to many other areas on Vancouver Island, the Lower Mainland and elsewhere in the Province and we do not consider that these pressures are sufficient to justify the exclusion of land from the ALR on these grounds. To do so would increase the pressure for the Commission to do likewise in other areas with consequences that would be in conflict with the objectives of the ALR Act.

Accordingly the Commission requests that the proposal of the City of Parksville not be acceded to and the UCB remain where it is at present located. We suggest that consideration of a change in the UCB be made contingent upon the release of the area within the ALR for residential or community use. The time to consider a change in the UCB is after and not before the land has been released for urban development in terms of the application processes of the ALR Act.

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We would also like to take this opportunity to comment on the issue raised by Parksville relating to the challenge of attaining the anticipated residential densities contemplated in the Parksville OCP, a consequence of which is an anticipated future shortfall in the supply of residential land. In our letter of 17th April 1996 when commenting upon the goals and objectives of the initial growth management plan we drew attention to the lack of specificity in the plan regarding population and density targets for communities. We expressed a concern that the possible consequences of this might be a failure of the plan to achieve its main goals of strong urban containment, and the protection of rural integrity. This example in Parksville draws attention to this weakness and we suggest that it is of sufficient importance to justify it being identified as a specific action step to be explored during the next 5-year period of the plan.

Yours truly,

LAND RESERVE COMMISSION

per:

K. B. Miller, Chief Executive Officer

Cc: Wayne Haddow, Ministry of Agriculture, Food and Fisheries, Duncan
Cynthia Hawkerworth, Ministry of Community, Aboriginal and Women's Services

RC/eg

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