

**REGIONAL DISTRICT OF NANAIMO**

**BOARD MEETING  
TUESDAY, APRIL 24, 2007**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

**1. CALL TO ORDER**

**2. DELEGATIONS**

**Ralph Hutchinson, Nanaimo & District SPCA**, re Funding Request for Low Income Spay/Neuter Assistance Program.

**Peter van Dongen, Coombs Farmers' Institute**, re Formation of an Agricultural Advisory Committee. (back up information included as a separate enclosure.)

10 **Don French**, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

11 **Dave Watt, Qualicum Landing Developments Ltd.**, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.

**3. BOARD MINUTES**

12-23 Minutes of the Board meeting held March 27, 2007.

**4. BUSINESS ARISING FROM THE MINUTES**

**5. COMMUNICATIONS/CORRESPONDENCE**

**6. UNFINISHED BUSINESS**

**BYLAWS**

**For Adoption.**

24-27 **Bylaw Amendment Bylaw No. 500.334 – Abbott – Island Highway West – Area 'G'.**

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

**7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**

28-30 Minutes of the Electoral Area Planning Committee meeting held April 10, 2007.  
(for information)

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. 60649 –Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd – 5251 Island Highway West – Area H.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60638.**

*That Development Permit Application No. 60649, with variances to allow the construction of a 62 unit Resort Condominium development, be approved according to the terms outlined in Schedule No. 1 and subject to the notification requirements pursuant to the Local Government Act.*

*That the developer work with Mr. Hattle to consider the restrictions during construction proposed by Mr. Hattle during his presentation as follows:*

- a) Ensure that for the period of construction, all Qualicum Landing traffic use the south access road (inbound and outbound).*
- b) No parking on Van Isle Road.*
- c) Ensure that no construction related noise occurs other than from 7:30 am to 5:30 pm, Monday through Saturday.*
- d) Ensure that the developer provide the area residents with the name and phone number of an on-site representative to address immediate concerns.*

*That the RDN staff, the developer, and the Van Isle Road residents work with Ministry of Transportation to review the access to Qualicum Landing Development with a view to determining what it would take to have MOT approve a main entrance and exit of Highway 19A.*

**Development Permit Application No. 60706 – Anstey/Hamilton – 3748 Horne Lake Caves Road – Area H.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60701.**

*That Development Permit Application No. 60706, submitted by Murray Hamilton, on behalf of Mark and Patricia Anstey, to construct a recreational residence, temporary and permanent sheds, stairs, dock, driveway and retaining walls on the property legally described as Lot 34, District Lot 251, Alberni Land District, Strata Plan VIS5160 and designated within the Fish Habitat Protection Permit Area pursuant to Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003 be approved subject to the conditions outlined in Schedules No. 1, 2 and 3, and the notification procedure requirements of the Local Government Act.*

## FRONTAGE RELAXATION

**Request for Relaxation of the Minimum 10% Perimeter Requirement – JE Anderson & Associates on behalf of B. Kaspar – Morello & Alcott Roads – Area E.** (Electoral Area Directors except EA 'B' – One Vote)

*That the request to relax the minimum 10% frontage requirement for Proposed Lot 1, submitted by JE Anderson & Associates, BCLS on behalf of Bernard Kaspar in conjunction with the proposed subdivision of Lot 1, DL 35, Nanoose District, Plan 2230, Except Parts in Plans 8472, 1423-R and VIP56073, be approved.*

## 7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

31-37 Minutes of the Committee of the Whole meeting held April 10, 2007. (for information)

## COMMUNICATIONS/CORRESPONDENCE

**James Warren, Comox Strathcona Regional District, re Local Calling Area Expansion – Southern Baynes Sound and Northern Portions of the Regional District of Nanaimo.** (All Directors – One Vote)

*That the correspondence from the Comox Strathcona Regional District regarding support for the expansion of the CSRD local calling area be received.*

**Douglas Backhouse, Island Corridor Foundation, re Grand-in-Aid Application Request to Offset Property Taxes to RDN.** (All Directors – One Vote)

*That the correspondence from the Island Corridor Foundation regarding a request for funds to offset property taxes paid to the Regional District of Nanaimo in 2007 be received.*

## CORPORATE ADMINISTRATION SERVICES

### FINANCE & INFORMATION SERVICES

**2006 Consolidated Financial Statements.** (All Directors – One Vote)

*That the 2006 Consolidated Financial Statements and associated financial schedules be received.*

**Southern Community Sewer Service Area Capital Charge Bylaw No. 1257.**

(Electoral Areas 'A', 'C', City of Nanaimo, District of Lantzville – Weighted Vote)

1. *That "Southern Community Sewer Service Area Capital Charge Bylaw No. 1257, 2007" be introduced and read three times.*

(All Directors – 2/3)

2. *That "Southern Community Sewer Service Area Capital Charge Bylaw No. 1257, 2007" having received three readings be adopted.*

**District of Lantzville Sewer Benefiting Area Bylaw No. 1527.** (All Directors – One Vote)

*That "District of Lantzville Sewer Benefiting Area Bylaw No. 1527, 2007" be introduced for three readings and be forwarded to the District of Lantzville for consent.*

**City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03.** (All Directors – One Vote)

*That "City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03, 2007" be introduced for three readings and be forwarded to the City of Nanaimo for consent.*

**Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523.**

(All Directors – One Vote)

1. *That "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007" be introduced and read three times.*

(All Directors – 2/3)

2. *That "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007" having received three readings be adopted.*

## ***DEVELOPMENT SERVICES***

### **PLANNING**

**2006 Statistics Canada Census Information.** (All Directors – One Vote)

*That the 2006 Statistics Canada Census information be received for information.*

## ***ENVIRONMENTAL SERVICES***

### **SOLID WASTE**

**Rubber Tire Wheel Loader for Church Road Transfer Station - Tender.** (All Directors – Weighted Vote)

*That Great West Equipment be awarded the supply of a Volvo L70E Rubber Tire Wheel Loader for the Church Road Transfer Station for a net cost of \$146,800.*

## UTILITIES

**Water Service Areas – User Rate Review – Bylaw Nos. 1468.03, 619.14, 1172.08, 1383.04, 700.15, 1434.03 and 1097.10. (All Directors – 2/3 Vote)**

(All Directors – One Vote)

*That Bylaws No. 1468.03, 619.14, 1172.08, 1383.04, 700.15, 1434.03 and 1097.10 be rescinded at third reading.*

**Bylaw No. 1468.03.**

(All Directors – One Vote)

*That “Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.03, be given third reading as amended.*

(All Directors – 2/3)

*That “Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.03, 2007” be adopted.*

**Bylaw No. 619.14.**

(All Directors – One Vote)

*That “French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.14, 2007” be given third reading as amended.*

(All Directors – 2/3)

*That “French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.14, 2007” be adopted.*

**Bylaw No. 1172.08.**

(All Directors – One Vote)

*That “San Pareil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.08, 2007” be given third reading as amended.*

(All Directors – 2/3)

*That “San Pareil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.08, 2007” be adopted.*

**Bylaw No. 1383.04.**

(All Directors – One Vote)

*That “Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.04, 2007” be given third reading as amended.*

(All Directors – 2/3)

*That “Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.04, 2007” be adopted.*

**Bylaw No. 700.15.**

(All Directors – One Vote)

*That “Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.15, 2007” be given third reading as amended.*

(All Directors – 2/3)

*That “Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.15, 2007” be adopted.*

**Bylaw No. 1434.03.**

(All Directors – One Vote)

*That “Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.03, 2007” be given third reading as amended.*

(All Directors – 2/3)

*That “Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.03, 2007” be adopted.*

**Bylaw No. 1097.10.**

(All Directors – One Vote)

*That “Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.10, 2007” be given third reading as amended.*

(All Directors – 2/3)

*That “Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.10, 2007” be adopted.*

## **RECREATION AND PARKS SERVICES**

**Nanaimo and District Track and Field – Letter of Support.** (All Directors – One Vote)

*That the letter of support to the Nanaimo and District Track and Field Club for track upgrades at the Rotary Bowl be referred to the City of Nanaimo.*

## **TRANSPORTATION SERVICES**

**2007/2008 Annual Operating Agreement – RDN/BC Transit.** (All Directors – Weighted Vote)

*That the 2007/2008 Annual Operating Agreement (AOA) with BC Transit be approved.*

## **COMMISSION, ADVISORY & SELECT COMMITTEE**

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.** (All Directors – One Vote)

*That the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held March 15, 2007 be received for information.*

**Transit Select Committee.**

(All Directors – One Vote)

*That the minutes of the Transit Select Committee meeting held March 22, 2007 be received for information.*

(Nanaimo, Lantzville, Parksville, Qualicum Beach, Electoral Areas 'A', 'C', 'E', 'G' – Weighted Vote)

*That staff be directed to advise BC Transit that the RDN is interested in taking advantage of the increased funding for expansion and that staff be directed to bring back options to the Board that provide detailed information on the financial impacts to the participants.*

**Drinking Water Watershed Protection Stewardship Committee.** (All Directors – One Vote)

*That the minutes of the Drinking Water Watershed Protection Stewardship Committee meeting held February 7, 2007 be received for information.*

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

*That the minutes of the District 69 Recreation Commission meeting held March 15, 2007 be received for information.*

**Area 'A' Recreation and Culture Services Master Plan Project Advisory Committee.** (All Directors – One Vote)

*That the minutes of the Area 'A' Recreation and Culture Services Master Plan Project Advisory Committee meetings held March 12 and April 2, 2007 be received for information.*

**Area 'E' Parks and Open Spaces Advisory Committee.** (All Directors – One Vote)

*That the minutes of the Area 'E' Parks and Open Spaces Advisory Committee meeting held February 5, 2007 be received for information.*

**Area 'H' Parks and Open Spaces Advisory Committee.** (All Directors – One Vote)

*That the minutes of the Area 'H' Parks and Open Spaces Advisory Committee meeting held February 16, 2007 be received for information.*

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Island Scallops Proposal.** (All Directors – One Vote)

*That RDN Staff be directed to send a letter to Provincial and Federal authorities acknowledging that although it is outside local government jurisdiction, we request that a full environmental assessment of Island Scallops' proposal to farm scallops off the east coast of Vancouver Island be carried out and that we be advised of the results.*

**Comox Strathcona Regional District Local Calling Area Expansion.** (All Directors – One Vote)

*That the RDN support the CSRD in determining the cost of expanding a local calling area to include southern Baynes Sound and northern portions of the Regional District of Nanaimo and that staff advise the CSRD Board of the RDN Board's decision.*

**Request to Offset Property Taxes to RDN – Island Corridor Foundation.** (All Directors – One Vote)

*That the Island Corridor Foundation's request for a grant-in-aid to offset property taxes paid to the Regional District of Nanaimo in 2007 be referred to the Regional Parks and Trails Advisory Committee and further that the Island Corridor Foundation submit a business plan.*

**Procedure Bylaw. (All Directors – One Vote)**

*That staff review the procedure bylaw with particular emphasis on the Electoral Area Planning Committee time allotment for delegations and report back to the Board.*

**7.3 EXECUTIVE STANDING COMMITTEE**

**7.4 COMMISSIONS**

**7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS**

**Regional Parks and Trails Advisory Committee. (All Directors – One Vote)**

38-54 Minutes of the Regional Parks and Trails Advisory Committee meeting held April 10, 2007. (for information)

*That the Regional Board approve the terms of reference and issue a request for consultant services in regard to the preparation of the first management plan for Englishman River Regional Park.*

*That the Board request staff investigate establishing a volunteer part warden/host program for the Regional Parks Trails System.*

**8. ADMINISTRATOR'S REPORTS**

55-58 A Bylaw to Amend the Requisition Limit for the Electoral Area 'A' Community Parks Service. (All Directors – One Vote)

59-90 Bylaws to Establish Services for the Repayment of Debt for the Construction of Sewer Services in Electoral Area 'A'. (All Directors – 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 90(1) (e) and (g) of the Community Charter the Board proceed to an In Camera meeting to consider items related to legal issues.*

**Burgoyne, Linda**

**From:** Don French [don2219@telus.net]  
**Sent:** Wednesday, April 11, 2007 11:14 AM  
**To:** Burgoyne, Linda  
**Cc:** Verdec  
**Subject:** RDN Board of Directors meeting April 24, 2007

RDN	
CAO	GMESIS
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APR 17 2007	
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To: RDN

Dear sirs:

Please hereby take notice of my intention to speak as a delegate for 10 minutes at the above meeting concerning the application #60649 Qualicum Landing Development Ltd. I would appreciate your confirmation and info on the time of the meeting.

Thanking you in advance,

Don French  
604-9222219 or 604-3299667

**Burgoyne, Linda**

**From:** Keller, Greg  
**Sent:** Friday, April 13, 2007 4:27 PM  
**To:** Burgoyne, Linda  
**Subject:** FW: Apr 24 Qualicum Landing Delegation

RDN			
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APR 17 2007			
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CHAIR		BOARD	

-----Original Message-----

**From:** Dave Watt [mailto:wdavewatt@telus.net]  
**Sent:** April 13, 2007 5:20 PM  
**To:** Keller, Greg  
**Cc:** Ray Raffard  
**Subject:** Apr 24 Qualicum Landing Delegation

Greg,  
Please accept this email, as our formal request to appear at the RDN BOD meeting on April 24, 2007

Please confirm receipt of this email.

Than You  
Dave Watt  
Qualicum Landing Developments Ltd.

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, MARCH 27, 2007, AT 7:03 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director S. Herle	City of Parksville
Alternate	
Director J. Wilson	Town of Qualicum Beach
Director L. McNabb	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director J. Manhas	City of Nanaimo

**Also in Attendance:**

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr. of Corporate Administration
T. Osborne	Gen. Mgr. of Recreation & Parks
S. DePol	A/Gen. Mgr. of Environmental Services
N. Avery	Gen. Mgr. of Finance & Information Services
D. Trudeau	Gen. Mgr. of Transportation Services
P. ThorkeIsson	Gen. Mgr. of Development Services
N. Tomn	Recording Secretary

**CALL TO ORDER**

The Chairperson welcomed Alternate Director Wilson to the Board meeting.

**SPECIAL PRESENTATION**

**Al Stanley, re Provincial Board of Examiners Certificate in Local Government Service Delivery.**

The Chairperson presented Al Stanley, Zero Waste Coordinator, with a Certificate in Local Government Service Delivery and commended him on this achievement which recognizes both his academic qualifications and work experience in local government.

**DELEGATIONS**

**Brian Kingzett, re Centre for Shellfish Field Station – Deep Bay – Area H.**

Mr. Kingzett presented a visual overview of the Centre for Shellfish Research, Malaspina University College, and requested the Board's support to seek funding for the sustainable design green energy demonstration aspects.

**Bob Hansen, re Trade Investment and Labour Mobility Agreement (TILMA).**

Mr. Hansen spoke in opposition to the Trade Investment and Labour Mobility Agreement and requested that the Board reject TILMA, notify other members of UBCM of the rejection, convey the concerns of the District and other provincial municipalities to FCM and request that the Province put the implementation of TILMA on hold until further discussion is held with all parties concerned.

**BOARD MINUTES**

MOVED Director McNabb, SECONDED Director Manhas, that the minutes of the regular Board meeting held February 27, 2007 be adopted.

CARRIED

MOVED Director McNabb, SECONDED Director Brennan, that the minutes of the special Board meeting held March 13, 2007 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Murray Cree, re Development Variance Permit No. 90701 – Pickard – Lot 2, VIP80706, DL 11, Newcastle Land District – Island Highway West – Area G.**

MOVED Director Korpan, SECONDED Director McNabb, that the correspondence from Murray Cree regarding Development Variance Permit Application No. 90701 be received.

CARRIED

**Brian and Greer Pasquill, re Development Variance Permit No. 90701 – Pickard – Lot 2, VIP80706, DL 11, Newcastle Land District – Island Highway West – Area G.**

MOVED Director Korpan, SECONDED Director McNabb, that the correspondence from Brian and Greer Pasquill regarding Development Variance Permit Application No. 90701 be received.

CARRIED

**UNFINISHED BUSINESS**

**BYLAWS**

**Bylaw No. 867.04.**

MOVED Director Holme, SECONDED Director McNabb, that Nanoose Bay Peninsula Water Service Area Amendment Bylaw No. 867.04, 2007” be adopted.

CARRIED

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

**ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Bartram, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held March 13, 2007 be received for information.

CARRIED

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. 60638 – Pt. Ellice Properties Ltd./Budget Steel – 2079 Main Road – Area A.**

MOVED Director Burnett, SECONDED Director Bartram, that Development Permit Application No. 60638, to recognize an existing metal recycling transfer station and associated improvements on the properties legally described as Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Block 7, Sections 12 and 13, Range 7, Cranberry District, Plan 1643 located at 2079 Main Road, be approved subject to the terms outlined in Schedule No. 1.

CARRIED

**Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60649 be deferred back to staff for further information.

CARRIED

**Development Permit Application No. 60701 – Fern Road Consulting Ltd., on behalf of Maureen Oliver – Noonday & Stead Roads – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60701 submitted by Fern Road Consulting Ltd., on behalf of Fern Road Consulting Ltd., on behalf of Maureen Oliver, in conjunction with the subdivision on the parcel legally described as Lot 2, District Lot 85, Newcastle District, Plan VIP64727 and designated within the Environmentally Sensitive Areas Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report and further that the Section 219 covenant listed on Schedule No. 1 be removed.

CARRIED

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit No. 90701 – Pickard – Lot 2, VIP80706, DL 11, Newcastle Land District – Island Highway West – Area G.**

Mr. Brian Pasquill raised his concerns with the increase of three feet in height of the proposed dwelling and its impact on the aesthetic and market value of neighbouring properties.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Variance Permit Application No. 90701, to permit the height of a single family residence located at Lot 2, District Lot 11, Newcastle District, Plan VIP80706 to a maximum of 9 metres be approved, according to the terms outlined in Schedule No. 1, and subject to the Board's consideration of comments received, as a result of public notification and further that the Section 219 covenant listed on Schedule be removed.

CARRIED

**FRONTAGE RELAXATION**

**Request for Relaxation of the Minimum 10% Perimeter Requirement – Chris Everett on behalf of P & V King – 1565 Graham Place – Area A.**

MOVED Director Burnett, SECONDED Director Bartram, that the request to relax the minimum 10% frontage requirement for Proposed Lot A, submitted by Chris Everett, BCLS on behalf of P & V King in conjunction with the proposed subdivision of Lot 3, District Lot 7, Bright District, Plan 41360, be approved.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Holme, SECONDED Director Biggemann, that the minutes of the Committee of the Whole meeting held March 13, 2007 be received for information.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Charles Pinker, Mountain Fire Protection Improvement District, re Property Requirements for Fire Hall.**

MOVED Director Young, SECONDED Director Holdom, that the correspondence received from the Mountain Fire Protection Improvement District regarding the use of Lot 12, Section 14, Range 4, Mountain Land District, Plan VIP800 for fire department purposes, be received.

CARRIED

**Carole Wright, Nanaimo Search and Rescue, re Property for Nanaimo Search and Rescue.**

MOVED Director Holme, SECONDED Director McNabb, that the correspondence received from Nanaimo Search and Rescue regarding assistance in locating property for the construction of a building for Nanaimo Search and Rescue be received.

CARRIED

***CORPORATE SERVICES***

**ADMINISTRATION**

**Meeting Schedule for the Remainder of 2007.**

MOVED Director Holme, SECONDED Director Herle, that the information attached to the staff report on meeting dates for Board members for the remainder of 2007 be received for information.

CARRIED

**Electronic Meetings Regulation.**

MOVED Director McNabb, SECONDED Director Holme, that the information on the Regional District Electronic Meetings Regulation be received for information.

CARRIED

**FINANCE & INFORMATION SERVICES**

**Regional District of Nanaimo 2007 to 2012 Financial Plan Bylaw No. 1526.**

MOVED Director Holdom, SECONDED Director Brennan, that “Regional District of Nanaimo Financial Plan 2007 to 2012 Bylaw No. 1526, 2007” be introduced and read three times.

CARRIED

MOVED Director Holdom, SECONDED Director Wilson, that "Regional District of Nanaimo Financial Plan 2007 to 2012 Bylaw No. 1526, 2007" having received three readings be adopted.

CARRIED

**2007 Parcel Tax Rate Bylaws – Water and Sewer Utility Services – Bylaws No. 1481.01, 1181.07, 1182.07, 1184.07, 1185.07, 1186.07, 1188.07, 1189.07, 1190.06, 1191.07, 1192.07, 1193.07, 1336.04, 1371.03, 1482.01, 1483.01 and 1525.**

*Bylaw No. 1481.01.*

MOVED Director McNabb, SECONDED Director Sperling, that "Nanoose Bay Peninsula Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1481.01, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Nanoose Bay Peninsula Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1481.01, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1181.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Decourcey Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1181.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1182.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Fairwinds Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1182.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1184.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "French Creek Sewerage Facilities Local Service Area Parcel Tax Rate Amendment Bylaw No. 1184.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1185.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "French Creek Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1185.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1186.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "French Creek Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1186.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1188.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "Nanose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Nanose Bay Bulk Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1188.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1189.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "Nanose Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1189.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Nanose Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1189.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1190.06.*

MOVED Director McNabb, SECONDED Director Sperling, that "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.06, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Pacific Shores Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1190.06, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1191.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "San Parcel Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "San Parcel Water Local Service Area Parcel Tax Rate Amendment Bylaw No. 1191.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1192.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Surfside Sewer Local Service Area Parcel Tax Rate Amendment Bylaw No. 1192.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1193.07.*

MOVED Director McNabb, SECONDED Director Sperling, that "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.07, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Surfside Properties Water Supply Specified Area Parcel Tax Rate Amendment Bylaw No. 1193.07, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1336.04.*

MOVED Director McNabb, SECONDED Director Sperling, that "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.04, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Driftwood Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1336.04, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1371.03.*

MOVED Director McNabb, SECONDED Director Sperling, that "Englishman River Community Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1371.03, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Englishman River Community Water Supply Service Area Parcel Tax Rate Amendment Bylaw No. 1371.03, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1482.01.*

MOVED Director McNabb, SECONDED Director Sperling, that "Melrose Terrace Community Water Service Area Parcel Tax Rate Amendment Bylaw No. 1482.01, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Melrose Terrace Community Water Service Area Parcel Tax Rate Amendment Bylaw No. 1482.01, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1483.01.*

MOVED Director McNabb, SECONDED Director Sperling, that "Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.01, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Barclay Crescent Sewer Service Area Parcel Tax Rate Amendment Bylaw No. 1483.01, 2007" having received three readings be adopted.

CARRIED

*Bylaw No. 1525.*

MOVED Director McNabb, SECONDED Director Sperling, that "Crime Prevention and Community Justice Support Service Parcel Tax Rate Bylaw No. 1525, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Sperling, that "Crime Prevention and Community Justice Support Service Parcel Tax Rate Bylaw No 1525, 2007" having received three readings be adopted.

CARRIED

**Funding Request – Qualicum Beach Lawn Bowling Club.**

MOVED Director Bartram, SECONDED Director Herle, that staff advise the Qualicum Beach Lawn Bowling Club that their application for financial assistance does not qualify under our grants-in-aid policy at this time.

CARRIED

**Funding Request – North Island Film Commission.**

MOVED Director Manhas, SECONDED Director Herle, that staff advise the Vancouver Island North Film Commission that their request for financial assistance does not qualify under our grants-in-aid policy at this time.

CARRIED

**DEVELOPMENT SERVICES**

**PLANNING**

**Proposed Work Plan and Consultation Plan for the Regional Growth Strategy Review.**

MOVED Director Holdom, SECONDED Director Holme, that the Regional District of Nanaimo proceed with a review of the Regional Growth Strategy.

CARRIED

MOVED Director Holdom, SECONDED Director Holme, that the Regional District of Nanaimo endorse the proposed four phase work plan as outlined in Attachment 1 titled "Regional Growth Strategy Review Proposed Work Plan, March 1, 2007".

CARRIED

***ENVIRONMENTAL SERVICES***

**LIQUID WASTE**

**Greater Nanaimo Pollution Control Centre – Gravity Thickeners Project – Tender Award.**

MOVED Director McNabb, SECONDED Director Manhas, that the revised project estimate of \$3,400,000 be approved and that Associated Engineering be confirmed as the project engineer as part of their service contract.

CARRIED

MOVED Director McNabb, SECONDED Director Manhas, that Southern Community Development Cost Charge funds in the amount of \$100,000 be approved as a source of funds for this project.

CARRIED

MOVED Director McNabb, SECONDED Director Manhas, that CMF Construction Ltd. be awarded the construction phase of the GNPCC Gravity Thickeners project for the tendered amount of \$2,818,658.

CARRIED

***TRANSPORTATION SERVICES***

**District 69 – Friday Night Movie Service to Nanaimo.**

MOVED Director Holme, SECONDED Director Herle, that staff be directed to continue the Friday night movie service for District 69 for the remainder of 2007.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held February 15, 2007 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the District 69 Recreation Community and Youth Grants be approved as follows:

CARRIED

***Community Grants***

Bard to Broadway Theatre Society – Pacific Vocal Institute materials and venue rentals	\$ 2,500
Errington Therapeutic Riding Association – program expenses and equipment	\$ 2,500
Lighthouse Recreation Commission – Newcomers Night – event hall rental and event costs	\$ 645
Lighthouse Recreation Commission – program costs	\$ 2,500
Oceanside Floor Curlers – equipment	\$ 2,000
Parksville Association for Community Living – Christmas Party 2007	\$ 1,500
Parksville Seniors Athletic Group – slo-pitch equipment	\$ 932

***Youth Grants***

Bard to Broadway Theatre Society – Sr. Teen Acting Group – venue rental, materials and supplies	\$ 2,500	
Erick Goetzinger BMX Society – rebuilding and resurfacing of track	\$ 3,500	
Nanoose Bay Parent’s Advisory Council – Camp at Hornby Island for at risk youth	\$ 1,500	
Qualicum Beach Fire Department – Boot Camp program costs	\$ 2,500	
Young Life Oceanside – purchase sound equipment	\$ 2,500	
		CARRIED

***Qualicum Beach Indoor Lawn Bowling Green.***

MOVED Director Bartram, SECONDED Director Herle, that District 69 Recreation Commission would not support providing funding out of the Regional District’s tax requisition for the Qualicum Beach Indoor Lawn Bowling Green.

CARRIED

**Area ‘A’ Parks and Greenspace Advisory Committee.**

MOVED Director Burnett, SECONDED Director McNabb, that the minutes of the Area ‘A’ Parks and Greenspace Advisory Committee meeting held January 25, 2007 be received for information.

CARRIED

**East Wellington and Pleasant Valley Parks and Open Space Advisory Committee.**

MOVED Director Young, SECONDED Director Manhas, that the minutes of the East Wellington and Pleasant Valley Parks and Open Space Advisory Committee meeting held January 8, 2007 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the Area ‘G’ Parks and Open Space Advisory Committee meeting held January 11, 2007 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director McNabb, that the minutes of the Area ‘H’ Parks and Open Space Advisory Committee meeting held January 5, 2007 be received for information.

CARRIED

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.**

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held February 8, 2007 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATION**

**Mountain Fire Protection Improvement District Property Requirements for Fire Hall.**

MOVED Director Young, SECONDED Director Burnett, that the Mountain Fire Protection Improvement District’s request for a portion of park property to be used for a fire hall be referred to staff.

CARRIED

**Nanaimo Search and Rescue – Request for Property.**

MOVED Director Hofme, SECONDED Director Young, that the Nanaimo Search and Rescue's request for property for construction of a building for use as an operational base be referred to staff.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Property Management Services Contract.**

MOVED Director Korpan, SECONDED Director Manhas, that the Regional District of Nanaimo award a contract for property management services to JJ Barnicke Nanaimo Ltd. for a 2 year period with an option to renew for a further two years subject to a favourable annual evaluation.

CARRIED

**Extension and District Recreation Commission Services Agreement.**

MOVED Director Young, SECONDED Director Bartram, that the agreement with the Extension and District Recreation Commission be renewed for a five year term from January 1, 2007 until December 31, 2011.

CARRIED

**Fair Compensation from BC Hydro for Transmission and Distribution Lines.**

MOVED Director Korpan, SECONDED Director Young, that the Board approve the following resolution and that staff advise the Regional District of Central Kootenay of our support:

*"The Board of the Regional District of Nanaimo supports the findings of the January 19, 2007 report titled "Fair Compensation from BC Hydro for Transmission and Distribution Lines", namely - that Regional Districts are not receiving benefits from the 55,000 kilometers of distribution lines, and 17, 533 kilometers of transmission lines in the rural areas of the province, while all other forms of government are receiving a benefit - and urges the Minister of Finance, the Honourable Carole Taylor, to implement a fair method of compensation to Regional Districts in the province based on her stated strong belief that Crown Corporations, wherever possible, should compete on a level playing field.*

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Centre for Shellfish Field Station.**

MOVED Director Bartram, SECONDED Director Holdom, that staff investigate possible partnerships regarding a green building project with Malaspina University/College Centre for Shellfish Research.

CARRIED

**Trade Investment and Labour Mobility Agreement (TILMA).**

MOVED Director Holdom, SECONDED Director Brennan, that the Regional District of Nanaimo ask the Provincial Government to put the implementation of TILMA on hold until there is discussion in the UBCM, the Legislature and the public.

MOVED Director Korpan, SECONDED Director Manhas, that this motion be postponed to the next Board meeting.

CARRIED

**NEW BUSINESS**

**North Island Coastal Economic Trust.**

Director Korpan provided a progress report from the North Island Coastal Economic Trust, noting that the economic strategy is complete, and information and applications may be found on their website at "islandcoastaltrust.ca".

**IN CAMERA**

MOVED Director Holme, SECONDED Director McNabb, that pursuant to Sections 90(1)(g) of the *Community Charter* the Board proceed to an In Camera meeting to consider items related to legal issues.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director McNabb, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:03 PM

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION



RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMIS
APR 17 2007	
SMCA	
CHAIR	BOARD

MEMORANDUM

TO: Geoff Garbutt
Manager Current Planning

DATE: April 12, 2007

FROM: Greg Keller
Planner

FILE: 3360 30 0602

SUBJECT: Bylaw Amendment Bylaw No. 500.334 - Abbott
Electoral Area 'G' - Island Highway West

PURPOSE

To consider Bylaw 500.334 for adoption.

BACKGROUND

Bylaw No. 500.334, 2006, was introduced and given 1st and 2nd reading on May 23, 2006. This was followed by a Public Hearing held on June 28, 2006. The Board granted 3rd reading for the bylaw on July 25, 2006.

The purpose of this amendment bylaw is to rezone the property legally described as Lot A (DD FB22984), Section 11, Range 7, Cranberry District, Plan VIP76453 and formally known as Lots 1 and 2, District Lot 80, Newcastle District, Plan VIP64106 and located on the Island Highway West in the Dashwood Area of Electoral Area 'G' (see Attachment No. 1 for location of subject property) from Public 1 Subdivision District 'M' (PU1M) to Residential 2 Subdivision District 'M' (RS2M) in order to facilitate the future construction of two dwelling units.

At 3rd reading of this bylaw, the Board directed a Section 219 covenant be registered on title requiring all development on the subject property to be conducted in accordance with the applicant's Geotechnical Engineer's Report. In addition the applicants were required to consolidate the subject parcels and provide proof that the subject properties are serviced with an adequate supply of water and approved means of septic disposal. These conditions, to be completed or secured prior to consideration of 4th reading of the corresponding bylaw, are outlined in Schedule No. 1.

The applicants have registered the required covenant and have satisfied the conditions of Schedule No. 1.

Ministry of Transportation sign off was also required after 3rd reading. This approval has been received.

ALTERNATIVES

- 1. To adopt Bylaw No. 500.334, 2006.
2. To not adopt Bylaw No. 500.334, 2006.

VOTING

All Electoral Area Directors - one vote except Electoral Area 'B'.

**SUMMARY**

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.334, 2006," was considered by the Board and given 1<sup>st</sup> and 2<sup>nd</sup> reading on May 23, 2006. Subsequent to that, a Public Hearing was held on June 28, 2006, and the Board granted 3<sup>rd</sup> reading on July 25, 2006.

In staff's opinion, the applicant has adequately satisfied the conditions of approval; therefore, this bylaw may now be considered by the Board for adoption.

The following recommendation is provided for consideration by the Board.

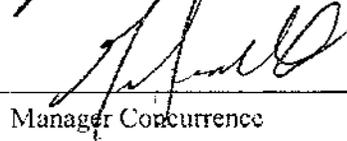
**RECOMMENDATION**

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.334, 2006," be adopted.



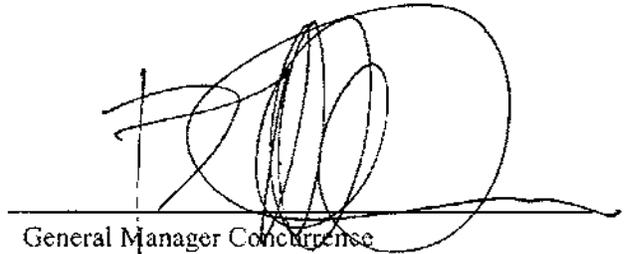
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Report Writer



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Manager Concurrence



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General Manager Concurrence



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CAO Concurrence

**COMMENTS:**

*devs/reports/2006/za up 3360 30 0602 Abbott 4<sup>th</sup> Adoption Report*

**Schedule No. 1**  
**Conditions for Approval for**  
**Zoning Amendment Application No. ZA0602**  
**Amendment Bylaw No. 500.334**  
**Lots 1 & 2, District Lot 80, Newcastle District, Plan VIP64106**

The following conditions are to be completed prior to consideration of Amendment Bylaw No. 500.334, 2006, for final reading:

1. The applicant shall, at their expense and to the satisfaction of the Regional District, register a Section 219 covenant that registers the geotechnical report prepared by Lewkowich Geotechnical Engineering Ltd. dated January 27, 2006, on title and requires the applicant to adhere to all conditions contained in the report.
2. The applicant shall, at their expense and to the satisfaction of the Ministry of Transportation and the Regional District of Nanaimo, consolidate Lots 1 and 2, District Lot 80, Newcastle District, Plan VIP64106.
3. The applicant shall submit written proof from the Ministry of Transportation that all conditions imposed by the Ministry of Transportation have been met to the satisfaction of the Ministry of Transportation.
4. The applicant shall submit a report from a registered practitioner or registered professional assessing on-site sewage disposal and the ability of the site to accommodate two dwelling units.
5. The applicant shall submit reasonable proof that a minimum year-round potable water supply of 3.5 m<sup>3</sup> per day can be provided and that such water meets or exceeds the Canadian Drinking Water Standards.



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, APRIL 10, 2007, AT 6:30 PM  
IN THE RDN BOARD CHAMBERS

**Present:**

Director D. Bartram	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G

**Also in Attendance:**

C. Mason	Chief Administrative Officer
M. Pearce	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
G. Garbutt	Manager, Current Planning
N. Tonn	Recording Secretary

**DELEGATIONS**

**Dave Watt, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

Mr. Watt, representing Qualicum Landing Developments Ltd., provided background information with respect to Development Permit Application No. 60649 and proposed additional compensation to remaining tenants of the property.

**Don French, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

Mr. French spoke in opposition to Development Permit Application No. 60649 based upon the decision to make Van Isle Road the main entrance/exit to the proposed development.

**Vern Hattle, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

Mr. Hattle raised his concerns with respect to Development Permit Application No. 60649 and noted possible traffic safety and construction related noise problems relative to the application's approval.

**Miroslav Danielka, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

Mr. Danielka reiterated the previous delegations' concerns with traffic and construction noise and requested that the permit be amended to have all construction traffic enter/exit from Highway 19A rather than from Van Isle Road.

## LATE DELEGATIONS

MOVED Director Stanhope, SECONDED Director Biggemann, that a late delegation be permitted to address the Committee.

CARRIED

**Richard Verdec, re Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

Mr. Verdec spoke in opposition to Development Permit Application No. 60649 with respect to the increased traffic on Van Isle Road and requested that the application be referred to Ministry of Transportation for a further review.

## MINUTES

MOVED Director Holme, SECONDED Director Stanhope, that the minutes of the Electoral Area Planning Committee meeting held March 13, 2007 be adopted.

CARRIED

## PLANNING

### DEVELOPMENT PERMIT APPLICATIONS

**Development Permit Application No. 60649 – Downs Archambault and Partners on behalf of Qualicum Landing Developments Ltd. – 5251 Island Highway West – Area H.**

MOVED Director Holme, SECONDED Director Young,:

1. That Development Permit Application No. 60649, with variances to allow the construction of a 62 unit Resort Condominium development, be approved according to the terms outlined in Schedule No. 1 and subject to the notification requirements pursuant to the *Local Government Act*.
2. That the developer work with Mr. Hattle to consider the restrictions during construction proposed by Mr. Hattle during his presentation as follows:
  - a) Ensure that for the period of construction, all Qualicum Landing traffic use the south access road (inbound and outbound).
  - b) No parking on Van Isle Road.
  - c) Ensure that no construction related noise occurs other than from 7:30 am to 5:30 pm, Monday through Saturday.
  - d) Ensure that the developer provide the area residents with the name and phone number of an on-site representative to address immediate concerns.
3. That the RDN staff, the developer, and the Van Isle Road residents work with Ministry of Transportation to review the access to Qualicum Landing Development with a view to determining what it would take to have MOI approve a main entrance and exit of Highway 19A.

CARRIED

**Development Permit Application No. 60706 – Anstey/Hamilton – 3748 Horne Lake Caves Road – Area H.**

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 60706, submitted by Murray Hamilton, on behalf of Mark and Patricia Anstey, to construct a recreational residence, temporary and permanent sheds, stairs, dock, driveway and retaining walls on the property legally described as Lot 34, District Lot 251, Alberni Land District, Strata Plan VIS5160 and designated within the Fish Habitat Protection Development Permit Area pursuant to Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003 be approved subject to the conditions outlined in Schedules No. 1, 2 and 3, and the notification procedure requirements of the *Local Government Act*.

CARRIED

**FRONTAGE RELAXATION**

**Request for Relaxation of the Minimum 10% Perimeter Requirement – JE Anderson & Associates on behalf of B. Kaspar – Morello & Alcott Roads – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that the request to relax the minimum 10% frontage requirement for Proposed Lot 1, submitted by JE Anderson & Associates, BCLS on behalf of Bernard Kaspar in conjunction with the proposed subdivision of Lot 1, DL 35, Nanoose District, Plan 2230, Except Parts in Plans 8472, 1423-R and VIP56073, be approved.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Stanhope, that this meeting terminate.

CARRIED

TIME: 7:20 PM

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CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, APRIL 10, 2007 AT 7:25 PM  
IN THE RDN BOARD CHAMBERS

**Present:**

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director S. Herle	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Alternate	
Director M. Unger	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director J. Manhas	City of Nanaimo

**Also in Attendance:**

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
J. Finnie	General Manager of Environmental Services
D. Trudeau	General Manager of Transportation Services
N. Avery	General Manager of Finance & Information Services
T. Osborne	General Manager of Recreation & Parks
G. Garbutt	Manager of Current Planning
N. Tonn	Recording Secretary

**CALL TO ORDER**

The Chairperson welcomed Alternate Director Unger to the meeting.

**DELEGATIONS**

**Tom Bird, Brian Dane, Ian Birtwell, re Island Scallops Proposal.**

Mr. K. Kirkwood presented an overview of the Nile Creek Enhancement Society and their efforts to restore fish habitat areas within the Regional District and formally invited the Board to visit their site. Mr. Bird raised the Society's concerns with respect to the Island Scallops proposal and its impact on biological, environmental, commercial resources and community socio-economics and requested a letter of support to have a full review done by Transport Canada of the proposal.

**LATE DELEGATIONS**

MOVED Director Bartram, SECONDED Director Holme, that a late delegation be permitted to address the Committee.

CARRIED

**Barb Bunting, re Island Scallops Proposal.**

Ms. Bunting provided information on their proposal to change the method of farming for Island Scallops within their existing license.

MOVED Director Bartram, SECONDED Director Westbroek, that RDN staff be directed to send a letter to Provincial and Federal authorities acknowledging that although it is outside local government jurisdiction, we request that a full environmental assessment of Island Scallops' proposal to farm scallops off the east coast of Vancouver Island be carried out and that we be advised of the results.

CARRIED

**MINUTES**

MOVED Director Manhas, SECONDED Director Young, that the minutes of the Committee of the Whole meeting held March 13, 2007 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**James Warren, Comox Strathcona Regional District, re Local Calling Area Expansion – Southern Baynes Sound and Northern Portions of the Regional District of Nanaimo.**

MOVED Director Bartram, SECONDED Director Brennan, that the correspondence from the Comox Strathcona Regional District regarding support for the expansion of the CSRD local calling area be received.

CARRIED

**Douglas Backhouse, Island Corridor Foundation, re Grant-in-Aid Application Request to Offset Property Taxes to RDN.**

MOVED Director Bartram, SECONDED Director Brennan, that the correspondence from the Island Corridor Foundation regarding a request for funds to offset property taxes paid to the Regional District of Nanaimo in 2007 be received.

CARRIED

**CORPORATE ADMINISTRATION SERVICES**

**FINANCE & INFORMATION SERVICES**

**2006 Consolidated Financial Statements.**

MOVED Director Manhas, SECONDED Director Bartram, that the 2006 Consolidated Financial Statements and associated financial schedules be received.

CARRIED

**Southern Community Sewer Service Area Capital Charge Bylaw No. 1257.**

MOVED Director McNabb, SECONDED Director Holdom, that "Southern Community Sewer Service Area Capital Charge Bylaw No. 1257, 2007" be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Holdom, that "Southern Community Sewer Service Area Capital Charge Bylaw No. 1257, 2007" having received three readings be adopted.

CARRIED

**District of Lantzville Sewer Benefiting Area Bylaw No. 1527.**

MOVED Director McNabb, SECONDED Director Herle, that "District of Lantzville Sewer Benefiting Area Bylaw No. 1527, 2007" be introduced for three readings and be forwarded to the District of Lantzville for consent.

CARRIED

**City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03.**

MOVED Director Holdom, SECONDED Director Brennan, that "City of Nanaimo Municipal Benefiting Area Amendment Bylaw No. 1216.03, 2007" be introduced for three readings and be forwarded to the City of Nanaimo for consent.

CARRIED

**Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523.**

MOVED Director Brennan, SECONDED Director Holdom, that "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007" be introduced and read three times.

CARRIED

MOVED Director Brennan, SECONDED Director Holdom, that "Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1523, 2007" having received three readings be adopted.

CARRIED

***DEVELOPMENT SERVICES***

**PLANNING**

**2006 Statistics Canada Census Information.**

MOVED Director McNabb, SECONDED Director Bartram, that the 2006 Statistics Canada Census information be received for information.

CARRIED

***ENVIRONMENTAL SERVICES***

**SOLID WASTE**

**Rubber Tire Wheel Loader for Church Road Transfer Station – Tender.**

MOVED Director McNabb, SECONDED Director Biggemann, that Great West Equipment be awarded the supply of a Volvo L70E Rubber Tire Wheel Loader for the Church Road Transfer Station for a net cost of \$146,800.

CARRIED

**UTILITIES**

**Water Service Areas – User Rate Review – Bylaw Nos. 1468.03, 619.14, 1172.08, 1383.04, 700.15, 1434.03 and 1097.10.**

MOVED Director Holme, SECONDED Director McNabb, that Bylaws No. 1468.03, 619.14, 1172.08, 1383.04, 700.15, 1434.03 and 1097.10 be rescinded at third reading.

CARRIED

***Bylaw No. 1468.03.***

MOVED Director Holme, SECONDED Director McNabb, that "Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.03, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "Nanoose Bay Peninsula Water Supply Service Area Regulations and Rates Amendment Bylaw No. 1468.03, 2007" be adopted.

CARRIED

***Bylaw No. 619.14.***

MOVED Director Holme, SECONDED Director McNabb, that "French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.14, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "French Creek Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 619.14, 2007" be adopted.

CARRIED

***Bylaw No. 1172.08.***

MOVED Director Holme, SECONDED Director McNabb, that "San Pareil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.08, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "San Pareil Specified Area Water Regulations and Rates Amendment Bylaw No. 1172.08, 2007" be adopted.

CARRIED

***Bylaw No. 1383.04.***

MOVED Director Holme, SECONDED Director McNabb, that "Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.04, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "Englishman River Specified Area Water Regulations and Rates Amendment Bylaw No. 1383.04, 2007" be adopted.

CARRIED

***Bylaw No. 700.15.***

MOVED Director Holme, SECONDED Director McNabb, that "Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.15, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "Surfside Properties Specified Area Water Regulations and Rates Amendment Bylaw No. 700.15, 2007" be adopted.

CARRIED

***Bylaw No. 1434.03.***

MOVED Director Holme, SECONDED Director McNabb, that "Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.03, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "Melrose Specified Area Water Regulations and Rates Amendment Bylaw No. 1434.03, 2007" be adopted.

CARRIED

*Bylaw No. 1097.10.*

MOVED Director Holme, SECONDED Director McNabb, that "Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.10, 2007" be given third reading as amended.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that "Decourcey Water Supply Local Service Area Regulations and Rates Amendment Bylaw No. 1097.10, 2007" be adopted.

CARRIED

### ***RECREATION AND PARKS SERVICES***

**Nanaimo and District Track and Field – Letter of Support.**

MOVED Director McNabb, SECONDED Director Herle, that the letter of support to the Nanaimo and District Track and Field Club for track upgrades at the Rotary Bowl be referred to the City of Nanaimo.

CARRIED

### ***TRANSPORTATION SERVICES***

**2007/2008 Annual Operating Agreement – RDN/BC Transit.**

MOVED Director McNabb, SECONDED Director Brennan, that the 2007/2008 Annual Operating Agreement (AOA) with BC Transit be approved.

CARRIED

### **COMMISSION, ADVISORY & SELECT COMMITTEE**

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.**

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held March 15, 2007 be received for information.

CARRIED

**Transit Select Committee.**

MOVED Director McNabb, SECONDED Director Herle, that the minutes of the Transit Select Committee meeting held March 22, 2007 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Herle, that staff be directed to advise BC Transit that the RDN is interested in taking advantage of the increased funding for expansion and that staff be directed to bring back options to the Board that provide detailed information on the financial impacts to the participants.

CARRIED

**Drinking Water Watershed Protection Stewardship Committee.**

MOVED Director Bartram, SECONDED Director Westbroek, that the minutes of the Drinking Water Watershed Protection Stewardship Committee meeting held February 7, 2007 be received for information.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Herle, that the minutes of the District 69 Recreation Commission meeting held March 15, 2007 be received for information.

CARRIED

**Area 'A' Recreation and Culture Services Master Plan Project Advisory Committee.**

MOVED Director Burnett, SECONDED Director Young, that the minutes of the Area 'A' Recreation and Culture Services Master Plan Project Advisory Committee meetings held March 12 and April 2, 2007 be received for information.

CARRIED

**Area 'E' Parks and Open Spaces Advisory Committee.**

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the Area 'E' Parks and Open Spaces Advisory Committee meeting held February 5, 2007 be received for information.

CARRIED

**Area 'H' Parks and Open Spaces Advisory Committee.**

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the Area 'H' Parks and Open Spaces Advisory Committee meeting held February 16, 2007 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Comox Strathcona Regional District Local Calling Area Expansion.**

MOVED Director Bartram, SECONDED Director Herle, that the RDN support the CSRD in determining the cost of expanding a local calling area to include southern Baynes Sound and northern portions of the Regional District of Nanaimo and that staff advise the CSRD Board of the RDN Board's decision.

CARRIED

**Request to Offset Property Taxes to RDN – Island Corridor Foundation.**

MOVED Director Westbroek, SECONDED Director Brennan, that the Island Corridor Foundation's request for a grant-in-aid to offset property taxes paid to the Regional District of Nanaimo in 2007 be referred to the Regional Parks and Trails Advisory Committee and further that the Island Corridor Foundation submit a business plan.

CARRIED

The Chairperson was requested to bring forward an update verbal report on the Island Corridor Foundation. Mr. Backhouse, Executive Director of Island Corridor Foundation will be invited to attend an upcoming Committee of the Whole meeting.

**Volunteer Appreciation Week.**

The Chairperson thanked on behalf of the Board, all the volunteers who dedicate their time to numerous tasks within the Regional District of Nanaimo and encouraged others to come forward.

**Procedure Bylaw.**

MOVED Director McNabb, SECONDED Director Manhas, that staff review the procedure bylaw with particular emphasis on the Electoral Area Planning Committee time allotment for delegations and report back to the Board.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Unger, that this meeting terminate.

CARRIED

TIME: 8:17 PM

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CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**  
**MINUTES OF THE**  
**REGIONAL PARKS AND TRAILS ADVISORY COMMITTEE MEETING**  
**HELD ON TUESDAY, APRIL 10, 2007**

**Attendance:**

Director Larry McNabb, Chair  
Director Maureen Young  
Director Joe Stanhope  
Director Dave Bartram

Director Sandy Herle  
Harriet Rueggeberg  
Frank Van Eynde  
Peter Rothermel

**Staff:**

Tom Osborne, General Manager of Recreation and Parks  
Wendy Marshall, Manager of Parks Services  
Marilynn Newsted, Recording Secretary

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**CALL TO ORDER**

1 Director McNabb called the meeting to order at 12:00pm.

**MINUTES**

3 MOVED D. Bartram, SECONDED J. Stanhope, that the Minutes of the Regional Parks and Trails Advisory Committee Meeting held on February 20, 2007, be approved.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

5 MOVED D. Bartram, SECONDED M. Young, that the following correspondence be received:

- C. Zala, Alpine Club of Canada re: Support Park Status Mt. Arrowsmith Massif
- W. Marshall letter to E. Morrison, Ministry of Environment re: Co-Sponsorship Nominal Rent Tenure

CARRIED

**REPORTS**

8.1 **Community and Regional Parks and Regional Trail Function Update for February 2007.**

Ms. Marshall provided a summary overview of the report noting the following:

- Staff have been busy cleaning up parks and trails, repairing bridges and dealing with hazard trees following the winter storm season.
- At Lighthouse Country Regional Trail staff the trail is being cleared. It was the hope of the woodlot owner to salvage some of the fallen timber however unauthorized chain sawing was done to clear the trail thus rendering the wood of no value for harvesting. Staff have cleaned up the remaining debris on the north loop of the trail.

- Staff will be preparing additional information with regard to the two bridges for the grant application, as requested by the Canada-BC Municipal Rural Infrastructure Fund.
- At Englishman River Regional Park staff will be repairing portions of the hatchery trail and replacing the bridge. Discussions are ongoing with regard to the extension of the hatchery trail, how long the process will be and when work will get underway.

MOVED D. Bartram, SECONDED J. Stanhope, that the Community and Regional Parks and Regional Trail Function Update Report for February 2007, be received.

CARRIED

## 8.2 **ERRPCA Management Plan Report**

Harriet Rueggeberg left the meeting citing a conflict of interest in relation to her work as a land use consultant.

Ms. Marshall reviewed the Terms of Reference for the Management Plan for Englishman River Regional Park.

MOVED D. Bartram, SECONDED F. Van Eynde, that the Regional Board approve the terms of reference and issue a request for consultant services in regard to the preparation of the first management plan for Englishman River Regional Park.

CARRIED

Harriet Rueggeberg returned to the meeting.

## 8.3 **Mount Benson Report**

Ms. Marshall reported repair work is required on the road up Mt. Benson, as it is currently impassable for the heavy equipment required to do the slash burn. A hoe operator will begin work on Thursday April 12 repairing the road and restacking some of the debris which has been scattered about. The burn will take place shortly after the road and restacking work is complete.

MOVED D. Bartram, SECONDED J. Stanhope, that the Mount Benson Report be received as presented.

CARRIED

#### 8.4 **Top Bridge Report**

Ms. Marshall reported the required permits are now in place and work is to resume on the Top Bridge Crossing on April 23, 2007. An archeologist has been hired and will be on site during the work.

Ms. Marshall noted that even though a formal reply has not been received from the Nanoose First Nation in response to the Regional District offer to the band to provide some archeological assistance at the site, now that all required permits in place work will resume on the bridge construction starting April 23.

MOVED D. Bartram, SECONDED M. Young, that the Top Bridge Report be received as presented.

CARRIED

#### **NEW BUSINESS**

##### 9.1 **Land Acquisition Process Policy**

Mr. Osborne reviewed the RDN Land Acquisition Process Policy A1.21, established by the Board in 1998, reminding Committee and Board Members of the process in place for the purchase of land.

##### 9.2 **Park Wardens**

Ms. Marshall reviewed the e-mail received from P. Rothermel with regard to the establishment of a volunteer park warden system in the RDN to assist staff with the management of the larger park areas.

Mr. Rothermel noted that the park warden system could work well in any of the Regional Parks observing and noting issues that would be of concern and report back to staff. He suggested a team of volunteers making a time commitment of perhaps one year with a required visit possibly every three to four weeks through the designated park would suffice. Mr. Rothermel suggested polling the regular users of the parks to see if anyone would be interested in training for the volunteer positions.

Mr. Osborne reported that the City of Nanaimo and the Capital Regional District both have a similar type of program established in their parks. He also noted the establishment of a volunteer coordinator was a recommendation of the Regional Parks and Trail Plan, so the establishment of a park warden system would fit in well.

MOVED H. Rueggeberg, SECONDED D. Bartram, that the Board request staff investigate establishing a volunteer park warden / host program for the Regional Parks and Trails System.

CARRIED

**9.3 Greg McRae Letter re: Canada's First Provincial Mountain Bike Park**

Mr. Osborne reviewed the late information regarding the establishment of the Canada's First Provincial Mountain Bike Park.

MOVED D. Bartram, SECONDED J. Stanhope, that the correspondence from Greg McRae regarding Canada's First Provincial Mountain Bike Park on forest lands near Mount Benson, be received.

CARRIED

**NEXT MEETING**

Tuesday, June 5, 2007, 12:00 Noon, RDN Committee Room

**ADJOURNMENT**

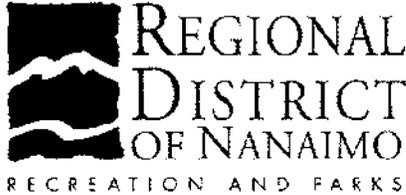
12 MOVED J. Stanhope, SECONDED D. Bartram, that pursuant to Section (90) (12) E of the Community Charter the Committee proceed to an In Camera meeting to consider land issues.

CARRIED

The Regular Meeting was adjourned at 12:45pm.

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Chair



RDN	
CAO	GMF&IS
CMDS	GMR&PS
GMES	GMTS
MAR 30 2007	
SMCA	
CHAIR	BOARD
RPTC	

**MEMORANDUM**

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

**DATE:** March 30, 2007

**FROM:** Joan Michel  
Parks and Trails Coordinator

**FILE:**

**SUBJECT:** Terms of Reference - Management Plan for Englishman River Regional Park

**PURPOSE**

To provide the terms of reference for Board approval for the first management plan for Englishman River Regional Park.

**BACKGROUND**

In January 2005, the Regional Board authorized the execution of a 25-year lease with the Province for the management and operation of that part of Englishman River Regional Park legally described as Lot 1, Block 602, Nanoose District, Plan VIP76721. In July 2006, the Regional Board authorized the execution of a 99-year lease with The Nature Trust of BC and its conservation partners for the management and operation of the balance of Englishman River Regional Park, legally described as Block 602, Nanoose District except Part in Plan VIP76721. Taken together, the two leases complete the acquisition phase for Englishman River Regional Park and permit initiation of management planning.

The 99-year lease with The Nature Trust of BC (TNT) establishes the basic timing and requirements of a park management plan including that the property be referred to in the plan as "Englishman River Regional Park – a Conservation Area along the River Corridor." The RDN will apply the management plan to both Provincial and TNT parcels while respecting the conditions of the Provincial lease. The Province has not committed to abide by such a management plan though it has recognized that the process will occur and indicated that Provincial staff will participate at their discretion as determined necessary. RDN staff will proceed on the basis that all park stakeholders have an interest in participating in the management planning process and one plan should serve the entire park.

Attached are the draft terms of reference for a first management plan for Englishman River Regional Park. According to the schedule contained therein, a completed plan is due to be submitted for approval to the Regional Board in March 2008. TNT concurs with the attached terms of reference and looks forward to participating in the process outlined. The total budget for the first management planning process is \$30,000 with the RDN and TNT each contributing \$15,000. The RDN and TNT have also applied for a further \$5,000 from the BC Conservation Land Forum but have not yet been advised of

results. The request for consultant services will be broadly advertised and TNT will participate in the selection of a consultant.

#### ALTERNATIVES

1. To approve the attached management plan terms of reference.
2. To provide direction as to alternative terms of reference for the management plan.

#### FINANCIAL IMPLICATIONS

The \$15,000 RDN commitment to the park management planning process is contained in the Five Year Financial Plan under year 2007. Adjustments will be made as required to reflect a final project payment taking place in 2008.

#### INTERGOVERNMENTAL IMPLICATIONS

As a key land and stakeholder in the Regional Park, the Province will be invited to participate in all stages of the management planning process and kept apprised of progress regardless of whether they participate.

#### CITIZEN IMPLICATIONS

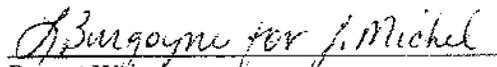
The RDN's public consultation policy has been stated clearly in the terms of reference and adherence to the policy will be emphasized with the successful consultant.

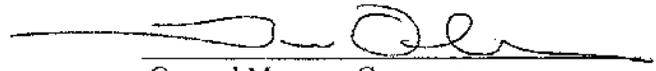
#### SUMMARY

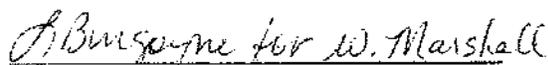
Acquisition of Englishman River Regional Park concluded in July 2006 with the Regional Board's approval of a 99-year lease with The Nature Trust of BC (TNT) for the 137 hectare main portion of the Park. In January 2005, the Board had agreed to a 25-year renewable lease with the Province for their 34 hectare portion of the Park. Preparation of a management plan for the entire Park can now begin. Attached are draft terms of reference for a request for consultant services regarding the preparation of the first management plan for Englishman River Regional Park – a Conservation Area along the River Corridor. The RDN and TNT are each offering \$15,000 to fund the planning process for a total consultant budget of \$30,000, and have an application out with the BC Conservation Land Forum for a further \$5,000. The draft terms are supported by TNT and they look forward to undertaking the planning process with the RDN.

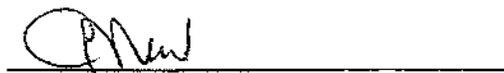
#### RECOMMENDATION

That the Regional Board approve the attached terms of reference and issue a request for consultant services in regard to the preparation of the first management plan for Englishman River Regional Park.

  
Report Writer

  
General Manager Concurrence

  
Manager Concurrence

  
CAO Concurrence



## Request for Consultant Services

### Management Plan for Englishman River Regional Park

#### *A Conservation Area along the River Corridor*

## Terms of Reference

### 1. Introduction

The Regional District of Nanaimo is seeking proposals from qualified consultants interested in preparing a management plan for Englishman River Regional Park, a conservation area along the river corridor. This will be the Regional Park and conservation area's first management plan. It will guide the conservation, operations, development, and stewardship of the property based on comprehensive analysis of property values and public and stakeholder consultation. The plan will confirm the long-term vision and goals for the Englishman River Regional Park and conservation area and identify shorter term management strategies and actions for the period 2008-2012. The plan is to be reviewed annually by a management steering committee and updated formally at five-year intervals.

### 2. Background

Englishman River Regional Park and conservation area (ERRPCA) is located southeast of the City of Parksville on Vancouver Island, about five kilometres upriver from the estuary; see Map 1. In total, ERRPCA represents 171 hectares (423 acres) of Englishman River floodplain, largely forested, and includes almost five kilometres of river frontage. In the past, the property was used primarily as managed forest; private landowners also permitted minor gravel extraction, salmon habitat enhancement and informal passive recreation to take place there. As shown detailed in Map 1, ERRPCA forms part of a series of conservation and park lands stretching about 20 kilometres along the Englishman River from the estuary to the falls.

ERRPCA was acquired in October 2003 from TimberWest by a conservation partnership led by The Nature Trust of BC and including Ducks Unlimited, the Nature

Conservancy of Canada and the Regional District of Nanaimo amongst others. The property was subdivided into two pieces to allow the Province of BC to contribute to the acquisition. In late 2004, the Regional District and the Ministry of the Environment concluded a 25-year management lease on the 34 hectare Provincial parcel along with a Sec. 219 conservation covenant and a statutory right of way regarding future potential use of the lands for long-term drinking water supply infrastructure. In 2006, the Regional District concluded a 99-year lease on the 137 hectare main parcel with The Nature Trust of BC, Ducks Unlimited and the Nature Conservancy of Canada. The two parcels making up ERRPCA are to be managed together as one regional park and conservation area.

The Regional District of Nanaimo (RDN) manages about 650 hectares of regional park, trail and conservation lands in the mid-Vancouver Island area along with another 250 hectares of neighbourhood or community park and trail. A Regional Parks and Trails Plan completed in 2005 sets out the goals of the RDN in respect to land management, stewardship and recreational use of regionally significant properties. As is the case with ERRPCA, when managing such properties the RDN is often acting in partnership with major conservation and trust organizations and the Province. Together, the RDN and its partners seek to protect and steward the lands while at the same time provide for rewarding and educational outdoor recreational experiences. A primary management goal for these lands will always be to strike a sustainable balance between protection and human use.

### **3. Scope of Work**

The framework to be used for the ERRPCA management plan is contained in Appendix A. In preparing the plan, the consultant shall undertake the following tasks:

#### **A. Establish Baseline Information**

##### **Describe the Property**

Relay the following information using charts, maps and photos; leave detail to annexes.

- Size and location
- Legal status, permitted land uses, applicable official community plan and land and park use regulations.
- Leases, covenants, right-of-ways, encumbrances.
- History of land use to acquisition and since acquisition.
- Property improvements including the fish channel and hatchery works; support with GPS or survey data.
- Neighbouring land uses; nearest connection to power grid; applicable fire protection services.

### **Inventory and Study Natural Values**

Using the Sensitive Ecosystems Inventory (SEI) framework, undertake studies as required to produce a comprehensive inventory of all natural values at ERRPCA. The inventory protocols used should be suitable for re-use at five-year intervals and support the monitoring regime recommended in the management plan (see part E below). Describe vegetation and wildlife habitat values by property sub-area; identify any red and blue listed species; assess the extent of invasive species. Describe water sources on the property, shoreline stability and wetlands; make use of available air photo time series to show changes in the course of the Englishman at ERRPCA. Present summary information in tables and as mapped polygons; use annexes for detailed data. Situate ERRPCA in the larger context of the Englishman River Watershed Recovery Plan (ERWRP) and Englishman River conservation corridor. Identify ways to increase natural values at ERRPCA, e.g., regenerative forest thinning to enhance under-story shrub growth for ungulate habitat. In respect of salmonids and the channel system, rely on existing information, studies and enhancement proposals available from Fisheries and Oceans Canada (DFO), the BC Conservation Foundation (BCCF) and the Community Fisheries Development Centre (CFDC); include all fish works and main stem habitat enhancement structures in the natural values inventory.

### **Assess Old and New Resource Values**

Review procedures for decommissioning the gravel pit as relate to treatment of the land and revegetation; evaluate redevelopment options for the gravel pit area including new wetland habitat. Investigate the potential for locating small scale specialty forest operations at ERRPCA, e.g., a maple bush or Christmas tree plantation, which could generate revenue to help operate the property. Provide a summary description of the potential future use of ERRPCA as a site for drinking water supply infrastructure.

### **Document Recreation Values**

Present ERRPCA as part of the Regional Parks and Trail System. Show how users approach the property. Inventory and map all existing and proposed trail routes into and within ERRPCA; show related improvements. Provide detail on use by user type, i.e., pedestrian, cyclist and equestrian (individuals through to large groups), unauthorized motorized vehicles, and special event holders. Undertake an on-site user survey as to type, usage and recreational needs and wants on the property. Examine the value of ERRPCA for regional tourism; present statistical evidence of demand for trails and outdoor nature and park experiences on Vancouver Island and in Oceanside.

### **Explore Educational Values**

Review how ERRPCA has been used for educational purposes in the field of environmental studies by external agencies, e.g., by District 69 schools, streamkeeper and other community groups. Identify past and continuing research activities, e.g., ERWRP, Audubon bird count, carried out at ERRPCA. Investigate opportunities for formal integration of the site into area school and university-college curriculum for either education or research purposes; provide examples from elsewhere. Outline the minimum facilities and services, e.g., toilets, fixed roof building, power, storage, that

would likely be required to support formal or informal community educational program delivery at ERRPCA during the term of this management plan.

### **Confirm Cultural Values**

Identify any registered archaeological sites or sites of heritage interest situated within or proximate to ERRPCA. Assess the extent to which the property is a known 'place' within the Regional District, particularly the Oceanside area, and characterize the nature of human attachment to it.

## **B. Consult with Stakeholders**

Consultation with RDN Park staff will carry on throughout the project. Specific consultation will take place as follows:

### ***The Nature Trust of BC (TNT), Ministry of Environment (MoE), Regional Parks and Trails Advisory Committee (RPTAC)***

- Confirm vision, management principles and goals.
- Meetings.

### ***DFO, MoE, CFDC, BCCF, ERWRP Steering Committee, neighbours, user groups, schools and university-college, emergency personnel, tourism sector.***

- Collect baseline information.
- Interviews, meetings, questionnaire.

### ***General Public and All Specific Stakeholders***

- Seek out issues and ideas.
- Open House in Parksville and at ERRPCA on BC Rivers Day (September 30<sup>th</sup>).  
NB: RDN Public Consultation Policy states that (a) the style of consultation must be inclusive; (b) opportunities for providing input and participating in consultation must be meaningful; (c) process surrounding consultation must be transparent; (d) presentations must be clear; (e) all input must be accurately and objectively recorded and interpreted; and (f) all public input provided must be made available for public review.

### ***TNT, Ducks Unlimited, Nature Conservancy of Canada, MoE, RPTAC; DFO, CFDC, BCCF, ERWRP Steering Committee, neighbours, user groups; City of Parksville, Town of Qualicum Beach; public***

- Disseminate draft plan for comment; make available on RDN web site.
- Hard copy referral; follow-up as required.

### **C. Confirm Vision, Principles and Goals**

Based on the terms of the RDN's management leases for ERRPCA, RDN regional park management policy, the conservation aims of the principal acquisition partners, and existing development commitments for the property, draft and confirm through consultation as directed above a simple vision statement, a short list of management principles and a set of broad goals to direct the management of ERRPCA.

### **D. Seek out Issues and Ideas**

Through research on baseline information and consultation with stakeholders and the public, identify the main issues facing the managers of ERRPCA and elicit ideas for its successful management. Organize the issues and ideas by subject or theme, reflect their relative weight and categorize according to ERRPCA goal. Examples of issues likely to be put forward include:

- achieving an appropriate balance between the interests of conservation and recreation as well as between salmon and other wildlife;
- dealing with a river and water flow that are changeable;
- finding acceptable revenue generating activities that will support conservation and the provision of educational programs and services;
- establishing a program for monitoring the state of natural values and using the information on a regular basis to guide property management and ensure a healthy environment is attained and sustained; and
- settling on a name for ERRPCA that is not confusing for the public.

### **E. Develop Strategies for Achieving Goals and Meeting Vision and Principles**

Using the goals as the primary organizing tool, develop management strategies to guide actions to be taken 2008 to 2012. It is accepted that more than five years may be required to complete any one strategy. All strategies should be described and evaluated in terms of potential cost and resource requirements. The strategies should address the following areas of general management concern:

#### **Use**

Break ERRPCA into zones that reflect a continuum of human use. Use the following general scheme:

- Conservation zone where protection, conservation and enhancement of the natural landscape and wildlife habitat takes precedence over human activities.
- Natural environment zone where low-impact human use is suitable if the impact on the natural environment is low to moderate, dispersed over a large area and involves limited development only.
- Development zone where human use and development of the land is concentrated.

**Public Accessibility**

Intended users, how they will be served; fees; persons with disabilities.

**Public Safety and Security**

Requirements, applicable regulations, emergency planning.

**Partnerships**

Functional arrangements for management, conservation and operating partnerships that take full advantage of partner skills and resources, respect fundamental partner aims, accord with the terms of the RDN's leases at ERRPCA and are supportable financially.

**Environment**

Protection, conservation and enhancement; establishing good baseline data and instituting a robust monitoring protocol to inform management at least annually.

**Recreation, Education and Culture**

Improvements for typical and special uses; volunteer stewardship; tourism.

**Resource Development**

Viability and operations.

**Development**

A site development plan for the 2008-2012 period including both recreation and conservation elements.

**Standards**

Best management practices, permits as required, innovative design, smart waste and energy practices, regular evaluation of management plan achievement.

**F. Identify Targets and Actions**

Given the organizing framework based on goals, specify what is to be accomplished within the 2008-2012 period in order of priority. Identify what parties are accountable for each action, when the actions are to be completed, how much they will cost to undertake and the source of funding. Include monitoring and evaluation points. Use tables and time line charts to convey material.

**4. Deliverables**

The primary deliverable is a document reflecting the outcome of the first management planning process for ERPCA and providing clear directions for the management of the property over the period 2008-2012. The main section of the plan should be no more than 50 to 60 pages, including maps, photos and charts. Detailed background information should be contained in appendixes if directly relevant to the understanding

of the main document and otherwise placed in separate annexes. Use of tables, matrices, charts, maps and photographs is encouraged.

Other deliverables include the successful completion of a public and stakeholder consultation process; the researching and compilation of baseline information on the current state of ERRPCA that will anchor future measurement of environmental capital and serve the robust monitoring protocol to be developed as part of this plan; and the presentation of a clear and concise set of operational strategies and actions.

All material presented by the contractor must be submitted in triplicate hard copy as well as in suitable digital format. At least some photographs should be of presentation quality and useful in the promotion of ERRPCA; videos may be used to document the current state of the property.

## **5. Budget, Level of Effort and Available Resources**

The budget for this work is \$30,000 [NB: waiting to hear about an additional \$5K from BC Conservation Land Forum; to be used to support comprehensive baseline data collection and set of monitoring protocols] and is expected to cover all fees, expenses, sub-contractor services, consultation and applicable taxes. Expenditure of the budget should reflect the following priorities:

Data collection and study	40%
Consultation	20%
Development of strategies and action plan	<u>40%</u>
	100%

The RDN will provide support for the development and production of essential maps. The contractor will be provided with copies of legal documents relating to ERRPCA and available property studies and related documents including: property appraisals; initial bio-physical inventory; plans, reports and proposals relating to fish enhancement works being carried out at ERRPCA and to ERWRP; RDN's Regional Parks and Trail Plan, Sustainability Plan, regulatory bylaws; and background documents from ERRPCA partners on their conservation goals.

## **6. Request for Proposals and Project Management Process**

A mandatory site visit will be held at ERRPCA Wednesday, 9 May 2007 at 09:30:00 hours. Consultants wishing to submit a proposal for consultant services must attend the site visit and pre-register by 16:30:00 hours Tuesday, 8 May 2007 with Joan Michel.

Consultant services proposals submitted by the specified due date must include the following:

- (a) credentials and history for the project manager, firm and team including sub-contractors;
- (b) information regarding previous work on the development of management plans for conservation and recreational properties;
- (c) references;
- (d) a draft work program that shows how the proponent intends to achieve the work specified in this request for consultant services and use team members and sub-contractors, and the timing for each component of the program;
- (e) a total consultant services fee (not including GST) for the work specified in this request for consultant services along with a breakdown by type of project personnel and stage of work completed; and
- (f) a commitment to undertake and complete the work in accordance with the project schedule set out below in section 7.

Proposals received by the specified due date will be reviewed and evaluated by a selection committee comprised of staff from RDN Parks and The Nature Trust of BC. Both this request for proposals and the winning proposal will form part of the project contract. Proposals will be rated as follows:

Maximum Score	Criteria
2	credentials and references are strong;
2	experience is relevant and extensive;
2 2 2 2 2	the draft work program presented: <ul style="list-style-type: none"> <li>• reflects the scope of work detailed in section 3 above</li> <li>• presents an appropriate mix of team members and sub-contractors</li> <li>• involves a clear plan to collect data, carry out analysis, integrate consultation input and produce strategies and actions</li> <li>• shows an understanding of continuous monitoring and improvement issues and associated requirements of a first management plan</li> <li>• reveals an appreciation of the kind of management strategies and actions called for when multiple operators and jurisdictions will be involved with implementation</li> </ul>
2	the fee breakdown supports the work program presented and the total fee provides good value.
<b>16</b>	<b>Total</b>

The RDN will attempt to contact the successful proponent by telephone no later than 16:00:00 hours Wednesday, 30 May 2007. All proponents will be notified of selection results by telephone and mail. A first meeting with the successful proponent will be held Friday, 1 June 2007 at the RDN Recreation and Parks Offices in Parksville. RDN Parks staff will manage the project in consultation with staff from The Nature Trust of BC. Draft and final management plans will be reviewed by the RDN's Regional Parks and Trails Advisory Committee along with The Nature Trust of BC, Ducks Unlimited and the Nature Conservancy. The RDN Board will provide final management plan approval.

Given the proposed project schedule shown below, the RDN will make three equal payments to the contractor as generally follows: (a) 31 August 2007, (b) 10 December 2007 and (c) 31 March 2008.

## 7. Proposed Project Schedule

### 2007

30 April	Request for consultant services issued.
8 May	Registration for mandatory site visit by 16:30:00 hours .
9 May	Mandatory site visit 09:30:00 hours, ERRPCA.
28 May	Proposals due by 16:30:00 hours.
30 May	Successful proponent contacted by 16:00:00 hours.
1 June	First meeting between contractor and RDN Park staff.
June-August	Data collection, stakeholder consultation, confirmation of vision and goals; strategizing.
September	Public consultation.
October	Complete strategies, targets and actions.
Mid-November	Circulate draft management plan.

### 2008

End of January	Submit revised draft plan.
February	Undertake final changes.
17 March	Submit final plan for RDN Board approval.

## 8. Contact

For all information about this request for consultant services, contact Joan Michel, RDN Parks and Trails Coordinator, phone 250-248-3252 or 1-888-828-2069, fax 250-248-3159 or [jmichel@rdn.bc.ca](mailto:jmichel@rdn.bc.ca).

30 April 2007

## Appendix A

# Management Plan Framework

Cover  
Title Page  
Acknowledgements  
Approvals Page  
Executive Summary (two pages maximum)  
Table of Contents  
Table of Maps and Figures

## 1. Introduction

- **The Property**  
Brief description of property location and size; when acquired for park and conservation; key stakeholders involved; and context within park and conservation realms mid-Vancouver Island.
- **Purpose of Management Plan**  
To confirm the long-term vision, policies and goals for the property and to provide specific strategies and actions for the management and stewardship of the lands for the period 2008-2012. This is the first management plan for the property and the intention is to set in motion a management process to be carried out over time, and not just prepare a stand-alone document.
- **Management Planning Process**  
Description of the process used to develop the management plan, including background information reviewed and consultations conducted with key stakeholders and the public.
- **Management Plan Organization**  
Brief description of how the report is organized.

## 2. Background

- **Property Information and History**  
Summary display involving charts, maps and photos, with detail placed in annexes.
- **Critical Values**  
Natural values  
Resource values

Recreation values  
Education values  
Cultural values

- **Relationships**

Who has an interest in this management plan, why and how the plan will be accountable to them.

### **3. Vision, Principles and Goals**

- **Vision**

An image, a state of affairs that expresses simply what all stakeholders want to see realized in the long-term; one to three sentences.

- **Principles**

Fundamental operating rules or policies that provide the context within which the management plan must be developed and which cannot be altered through the management planning process.

- **Goals**

Broad ranked management aims that will take time to achieve, e.g., 25 years, but which clearly support the vision. The goals will need to be reconfirmed every five years at plan update time.

### **4. Issues and Ideas**

Results of consultation, organized as per goals and displaying themes and relative weight.

### **5. Strategies for Achieving Goals and Meeting Vision and Principles**

Presented in tabular form, organized by goal, ranked in terms of priority and costed.

### **6. Operational Targets and Actions 2008-2012**

Presented in tabular form, organized by goal and strategy, costed, ranked in terms of priority and with timelines and responsible party identified.

### **Appendices and Annexes**



RDW	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
APR 17 2007	
SMCA	
CHAIR	BOARD

MEMORANDUM

**TO:** C. Mason  
Chief Administrative Officer

**DATE:** April 9, 2007

**FROM:** N. Avery  
General Manager, Finance & Information Services

**FILE:**

**SUBJECT:** A Bylaw to Amend the Requisition Limit for the Electoral Area 'A' Community Parks Service

**PURPOSE:**

To introduce "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.07, 2007" for first three readings.

**BACKGROUND:**

The Electoral Area 'A' Community Parks service has a fixed requisition limit of \$75,000. The approved annual budget requisitions \$76,500 and projects that by 2012 \$94,000 will be requisitioned to support the budgeted initiatives. Bylaw 798.06 will establish a revised limit consistent with the financial plan.

**ALTERNATIVES:**

1. Approve the bylaw as presented.
2. Amend the bylaw for a lower requisition limit and approve an amended bylaw.

**FINANCIAL IMPLICATIONS:**

Alternative 1

The requisition limit must be amended at this time to match the approved budget. The recommended limit approach reflects the current financial plan and is consistent with similar requisition limit amendments which have been brought forward by staff over the last year or two. The limit does not obligate the Board to adopt budgets with the maximum amount noted in the bylaw - it does however provide the ability to draft future budgets which reflect the wishes of the community with respect to the acquisition, development and management of community parks.

Alternative 2

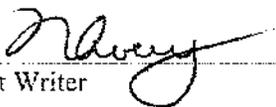
A reduced requisition limit has no immediate financial implications. If a future budget approval exceeded the bylaw limit it can be amended at that time. The proposed limit is consistent with the recently adopted financial plan and staff recommend adopting the bylaw as presented.

**SUMMARY/CONCLUSIONS:**

It has come to staff's attention that the amount to be requisitioned in 2007 for the Electoral Area A Community Parks Service slightly exceeds the current bylaw limit (\$76,500 approved versus \$75,000 authorized). A bylaw amendment is required and staff recommend revising the bylaw to equal the amount reflected in the most recently adopted financial plan. The bylaw would be amended to raise the greater of \$94,000 or the amount resulting from multiplying a rate of \$.11 per thousand dollars of assessment in the service area.

**RECOMMENDATION:**

That "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.07, 2007" be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.

  
Report Writer

  
C.A.O. Concurrence

**COMMENTS:**

**REGIONAL DISTRICT OF NANAIMO  
FINANCIAL PLAN**

**Community Parks-A  
Revenues**

	2006 Final	2007 Proposed	2008	2009	2010	2011	2012	SubTotal
Property taxes	(75,000)	2% (75,500)	4.0% (79,580)	4.0% (82,742)	4.0% (83,052)	5.2% (90,494)	4.0% (94,114)	(508,462)
Prior year (surplus)/deficit	(151,330)	(105,875)	(19,115)	(10,360)	(4,055)	(258)	(89)	(142,782)

<b>Total Revenues</b>	<b>(226,330)</b>	<b>(181,375)</b>	<b>(98,675)</b>	<b>(93,122)</b>	<b>(89,107)</b>	<b>(90,752)</b>	<b>(94,213)</b>	<b>(655,245)</b>
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**Expenditures**

Administration	2,785	3,755	3,755	3,755	3,755	3,755	3,755	22,530
Professional fees	5,000	11,000	11,000	11,000	11,000	11,000	11,000	66,000
Building Ops	100	150	152	154	156	158	160	930
Veh & Equip ops	1,500	2,000	2,020	2,040	2,060	2,081	2,102	12,303
Operating Costs	23,833	28,735	29,022	29,022	29,022	29,022	29,022	173,845
Wages & Benefits	26,401	36,617	37,345	38,096	38,856	39,635	40,428	230,935
Transfer to other gov/org	0	0	0	0	0	0	0	0
Debt financing	0	0	0	0	0	0	0	0
Contributions to reserve funds	75,000	70,000	5,000	5,000	5,000	5,000	5,000	95,000
Capital	15,000	15,000	0	0	0	0	0	15,000
<b>SubTotal</b>	<b>180,419</b>	<b>187,257</b>	<b>88,293</b>	<b>89,067</b>	<b>89,651</b>	<b>90,651</b>	<b>91,467</b>	<b>616,591</b>

<b>Total expenditures</b>	<b>180,419</b>	<b>187,257</b>	<b>88,293</b>	<b>89,067</b>	<b>89,651</b>	<b>90,651</b>	<b>91,467</b>	<b>616,591</b>
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<b>(Surplus)/deficit</b>	<b>(75,911)</b>	<b>(19,115)</b>	<b>(10,360)</b>	<b>(4,055)</b>	<b>(256)</b>	<b>(99)</b>	<b>(2,746)</b>	<b>(35,654)</b>
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**Source and Application of Funds**

**Capital Fund**

<b>Source of Funds</b>								
Transfers from Operating	(15,000)	(15,000)	0	0	0	0	0	(15,000)
Transfers from Reserve Funds								
Borrowed Funds								
Bylaw funds on hand								
Other sources								
<b>Total Sources of Funds</b>	<b>(15,000)</b>	<b>(15,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(15,000)</b>

**Funds Applied**

Operating capital	15,000	15,000	0	0	0	0	0	15,000
Unexpended capital funds								
Loan authorizations	0	0	0	0	0	0	0	0
<b>Total Funds Applied</b>	<b>15,000</b>	<b>15,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,000</b>

**Reserve Funds**

Transfers from Operating Fund	(75,000)	(70,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(95,000)
Other sources(OCC's etc)								0
Transfers to Capital Fund								0
Transfers to Operating Fund	0	0	0	0	0	0	0	0
<b>Reserve Fund Transactions</b>	<b>(75,000)</b>	<b>(70,000)</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(95,000)</b>

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 798.07**

**A BYLAW TO AMEND ELECTORAL AREA 'A'  
COMMUNITY PARKS LOCAL SERVICE  
ESTABLISHMENT BYLAW NO. 798, 1990**

WHEREAS the annual requisition for the service of "Community Parks" for Electoral Area 'A' is currently a fixed value;

AND WHEREAS, the Board of the Regional District of Nanaimo considers it reasonable to apply a formula for the requisition on the assessed values for land and improvement in the service area;

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

1. Electoral Area 'A' Community Parks Bylaw No. 798, 1990 is amended by:

Deleting Section 4 and the substituting the following:

4. The maximum amount that may be requisitioned for this service shall be the greater of:
  - (i) Ninety Four Thousand Dollars (\$94,000); or
  - (ii) the amount obtained by multiplying the net taxable value of land and improvements in the service area by a tax rate of \$0.11 per thousand dollars of assessment.
2. This bylaw may be cited as "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.07, 2007".

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR., CORPORATE ADMINISTRATION



MEMORANDUM 2007

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GMES		GMTS	
APR 18 2007			
SMCA			
CHAIR		BOARD	
Beard Agenda			

**TO:** C. Mason  
Chief Administrative Officer

**DATE:** April 16, 2007

**FROM:** N. Avery  
Gen. Mgr., Finance & Information Services

**FILE:**

**SUBJECT:** Bylaws to Establish Services for the Repayment of Debt for the Construction of Sewer Services in Electoral Area 'A'

**PURPOSE:**

To introduce for first three readings, bylaws to establish services for the repayment of debt for the construction of sewer services in Electoral Area 'A'.

**BACKGROUND:**

The developer of the Cedar Estates site has, with staff's assistance, solicited neighboring properties which will benefit from the installation of a sewer collector system from the intersection at the Cedar Secondary School to the Cedar Estates property.

All of the properties will be included within the overall boundaries of the Cedar Sewer (collection) and the Duke Point Sewer (treatment) service areas. Through the annual budget of the Cedar Sewer Service Area all of the properties will pay for the operating costs of the new collector system as well as a proportionate share of the Duke Point treatment plant operations. These costs will be recovered by a "user fee" billed directly to the property owner.

Each group noted above has been presented with different portions of the capital cost and different methods for paying for those costs. Property owners have been grouped into "small residential", "large residential", a "sportsfield" and "commercial" property groups. Each group of properties requires two bylaws. The first bylaw establishes a service area so that the annual debt financing costs can be apportioned to each property as agreed. The second bylaw authorizes the Regional District to borrow the share of capital costs attributed to that property group. Parcel taxes will be levied within each group, however in the commercial group the rate will be based on the size of the property whereas for the other property groups the charge will be a standard fixed amount per property.

Some of the properties require covenants in order to restrict the number of connections (3 owners) and all of the properties must pay latecomer charges according to an agreement between the Regional District and School District 68. These actions should be completed prior to adopting the bylaws and staff have begun invoicing for the latecomer fee as well as forwarding information to our legal counsel for the registration of the covenants.

In addition to the establishing and loan authorization bylaws for each property group, two other bylaws will be amended. Both the Duke Point Sewer and current Cedar Sewer service bylaws must be amended to include these new properties as future taxpayers for the operating costs of these services.

**ALTERNATIVES:**

1. Introduce the bylaws as presented.
2. Amend the bylaws and introduce amended bylaws.

**FINANCIAL IMPLICATIONS:**Alternative 1

Under this alternative ten bylaws are introduced. While the initial bylaw preparation is relatively complex the result is that each property owner clearly understands how much their capital commitment is and what their expected property tax cost will be. The following summarizes the projected costs for each property group:

Bylaw Group	Projected share of capital costs (includes debt issuing costs)	Annual cost to finance capital	Annual operating cost for sewer collection and treatment	Estimated annual cost
Commercial Properties Bylaws 1513/1514	\$1,034,355	\$19,120 per hectare	\$600	\$19,720
Large Residential Properties - Bylaws 1517/1518	\$83,030	\$4,630 per property	\$600	\$5,230
Sportsfield - Bylaws 1519/1520	\$62,070	\$5,190	\$600	\$5,790
Small Residential Properties- Bylaws 1521/1522	\$124,545	\$1,160 per connection	\$600	\$1,760

Alternative 2

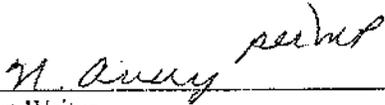
The property owners have been consulted both as a group and staff have dealt with a number of owners individually to explain the structure of the cost recovery for the Cedar Sewer Service. This service is one of the most complex to date, however, it also afforded staff an opportunity to work on innovative approaches with an enthusiastic and committed developer. Staff recommend introducing the bylaws as presented.

**SUMMARY/CONCLUSIONS:**

Staff are introducing ten bylaws related to the construction of a sewer collector system in the Cedar village core. Working with the developer and property owners has resulted in an innovative approach to capital financing which will achieve a significant milestone in the Cedar village area – the connection of approximately 38 properties to a community sewer collector system with the capability of servicing the remainder of the urban containment boundary at a later date. All properties will be included within the Cedar Sewer (collection) and Duke Point Sewer (treatment) service areas for the purposes of annual operating costs. Four separate service areas will be created for debt financing and repayment purposes only. For capital financing purposes properties have been grouped as “commercial”, small residential”, “large residential” and a “sportsfield” property. Only those owners who have signed petitions are included in the capital financing reflecting 100% agreement to this innovative cost recovery concept. Staff recommend approving the bylaws at first three readings as presented.

**RECOMMENDATIONS:**

1. That "Cedar Sewer Commercial Properties Capital Financing Service Establishment Bylaw No. 1513, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
2. That "Cedar Sewer Commercial Properties Capital Financing Service Loan Authorization Bylaw No. 1514, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
3. That "Cedar Sewer Large Residential Properties Capital Financing Service Establishment Bylaw No. 1517, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
4. That "Cedar Sewer Large Residential Properties Capital Financing Service Loan Authorization Bylaw No. 1518, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
5. That "Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
6. That "Cedar Sewer Sportsfield Capital Financing Service Loan Authorization Bylaw No. 1520, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
7. That "Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
8. That "Cedar Sewer Small Residential Properties Capital Financing Service Loan Authorization Bylaw No. 1522, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
9. That "Cedar Sewer Service Area Amendment Bylaw No. 1445.01, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.
10. That "Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.03, 2007" be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

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

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

**COMMENTS:**

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1513

A BYLAW TO ESTABLISH A SERVICE FOR  
THE REPAYMENT OF DEBT TO CONSTRUCT  
A SEWER COLLECTOR SYSTEM

WHEREAS, the Board has established a sewer collection service area under "Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005" and has by subsequent amendments included the properties which are the subject of this bylaw within the boundaries of the "Cedar Sewer Service Area";

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of financing the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area;

AND WHEREAS a sufficient petition for this service has been received by the Regional District;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

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

1. **CITATION**

This bylaw may be cited for all purposes as the "Cedar Sewer Commercial Properties Capital Financing Service Establishment Bylaw No. 1513, 2007".

2. **SERVICE**

The service established by this bylaw is for the financing of the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area.

3. **BOUNDARIES**

(a) The properties to be included in the Service Area are listed on Schedule 'A' attached to this bylaw.

(b) The boundaries of the Service Area are shown on Schedule 'B' attached to this bylaw.

4. **PARTICIPATING AREAS**

The "Participating Area" is a portion of Electoral Area 'A'.

5. **COST RECOVERY**

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) fees and charges imposed under Section 363 of the *Community Charter*;
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (d) revenues raised by way of agreement, enterprises, gift, grant or otherwise.

For the purposes of this bylaw the annual costs will be recovered by a parcel tax based on the size of each property.

**6. MAXIMUM REQUISITION**

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) \$86,455 (Eighty Six Thousand, Four Hundred and Fifty Five Dollars), or;
- (b) the product obtained by multiplying the net taxable value of land and improvements within the Service Area by a property tax value rate of \$17.65 per thousand dollars of assessment.

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR.MGR., CORPORATE ADMINISTRATION

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Chairperson

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Sr. Mgr., Corporate Administration

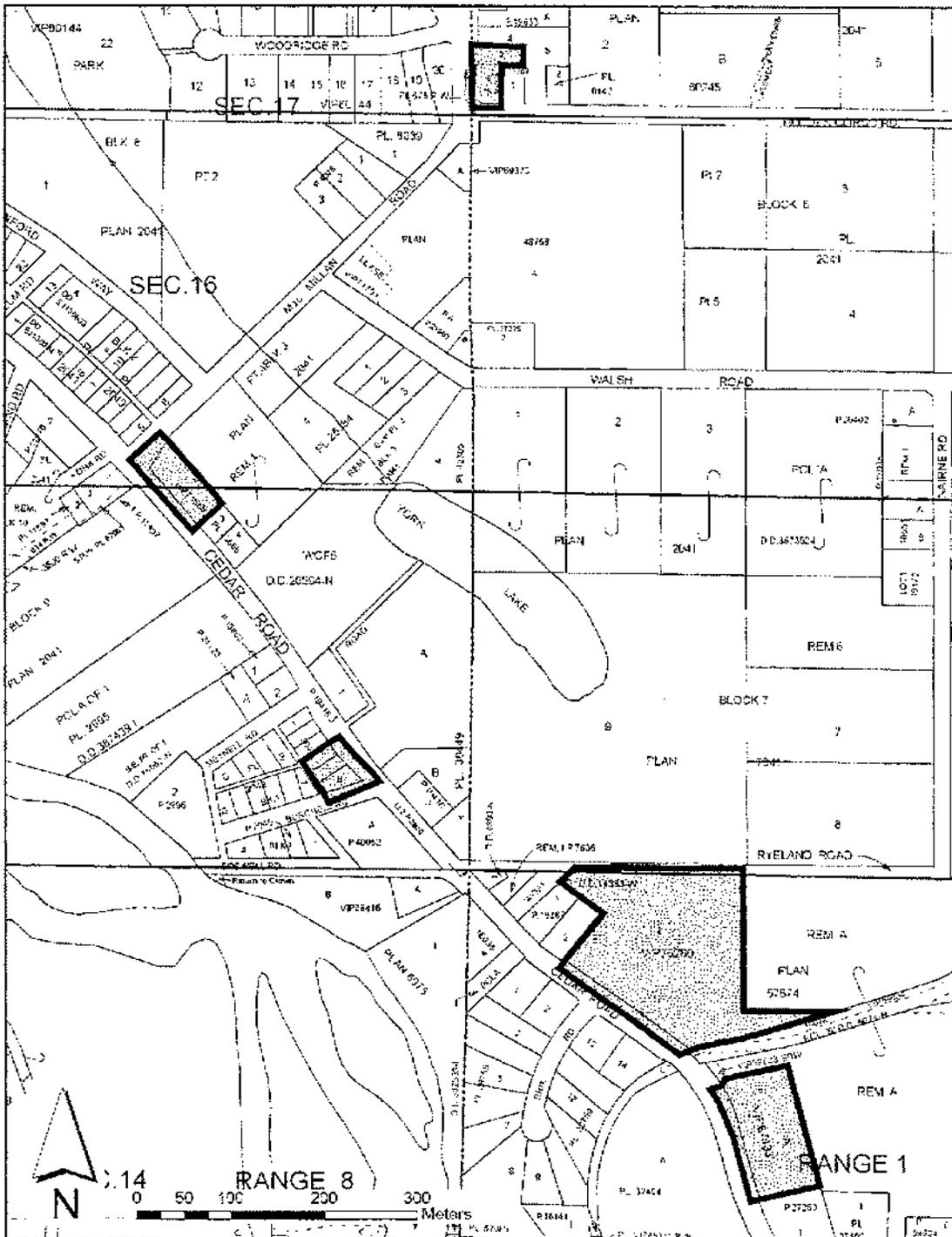
### SCHEDULE 'A'

768 3121.080	Lot A, Range 8, Plan VIP 71569
768 3089.002	Lot 1, Section 14, Range 1, Plan VIP 76260
768 3090.425	Lot A, Section 14, Range 1, Plan VIP 67433
768 4645.000	Lots 4 & 5, Blk 1, Plan 2045
768 3134.000	Lot 3, Section 17, Range 1, Plan 11369
768 3136.100	Lot A, Section 17, Range 1, Plan 46766
768 4646.000	Lot 6, Blk 1, Section 15, Range 8, Plan 2045

Schedule 'B' to accompany "Cedar Sewer Commercial Properties  
Capital Financing Service Establishment Bylaw No. 1513, 2007

Chairperson

Sr. Mgr., Corporate Administration



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1514**

**A BYLAW TO AUTHORIZE BORROWING FOR THE PURPOSE  
OF CONSTRUCTING, ACQUIRING AND UPGRADING  
SEWER COLLECTION FACILITIES**

WHEREAS Regional District of Nanaimo Bylaw No.1513, 2007 established the “Cedar Sewer Commercial Properties Capital Financing Service”;

AND WHEREAS the Board wishes to finance the construction, acquisition and improvement of sewage collections facilities;

AND WHEREAS the estimated cost of acquiring, constructing or otherwise obtaining land, building or equipment is the sum of \$1,034,335;

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

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

1. The Board is hereby empowered and authorized to acquire and carry out or cause to be carried out the following capital program:  

Construction of sewer collection system	\$1,034,335
---	-------------
2. To borrow upon the credit of the Regional District a sum not exceeding \$1,034,335
3. To acquire all such real and personal property, rights or authorities as may be requisite or desirable for, or in connection with, the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under “Cedar Sewer Commercial Properties Capital Financing Service Establishment Bylaw No.1513, 2007.
4. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.

5. This bylaw may be cited for all purposes as "Cedar Sewer Commercial Properties Capital Financing Service Loan Authorization Bylaw No. 1514, 2007".

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR., CORPORATE ADMINISTRATION

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1517**

**A BYLAW TO ESTABLISH A SERVICE FOR  
THE REPAYMENT OF DEBT TO CONSTRUCT  
A SEWER COLLECTOR SYSTEM**

WHEREAS the Board has established a sewer collection service area under “Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005” and has by subsequent amendments included the properties which are the subject of this bylaw within the boundaries of the “Cedar Sewer Service Area”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of financing the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area;

AND WHEREAS a sufficient petition for this service has been received by the Regional District;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

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

**1. CITATION**

This bylaw may be cited for all purposes as the “Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2007”.

**2. SERVICE**

The service established by this bylaw is for the financing of the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area.

**3. BOUNDARIES**

The properties to be included in the Service are listed on Schedule ‘A’ attached to this bylaw.

4. The boundaries of the Service are outlined on Schedule ‘B’ attached to this bylaw.

**5. PARTICIPATING AREAS**

The “Participating Area” is a portion of Electoral Area ‘A’.

**6. COST RECOVERY**

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) fees and charges imposed under Section 363 of the *Community Charter*;
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (d) revenues raised by way of agreement, enterprises, gift, grant or otherwise.

**7. MAXIMUM REQUISITION**

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) \$6,940 (Six thousand, Nine Hundred and Forty Dollars), or;
- (b) the product obtained by multiplying the net taxable value of lands and improvements within the Service Area by a property tax value rate of \$7.34 per thousand dollars of assessment.

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR, CORPORATE ADMINISTRATION

Schedule 'A' to accompany "Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2007"

\_\_\_\_\_  
Chairperson

.....  
Sr. Mgt., Corporate Administration

### SCHEDULE 'A'

Properties included in the Service:

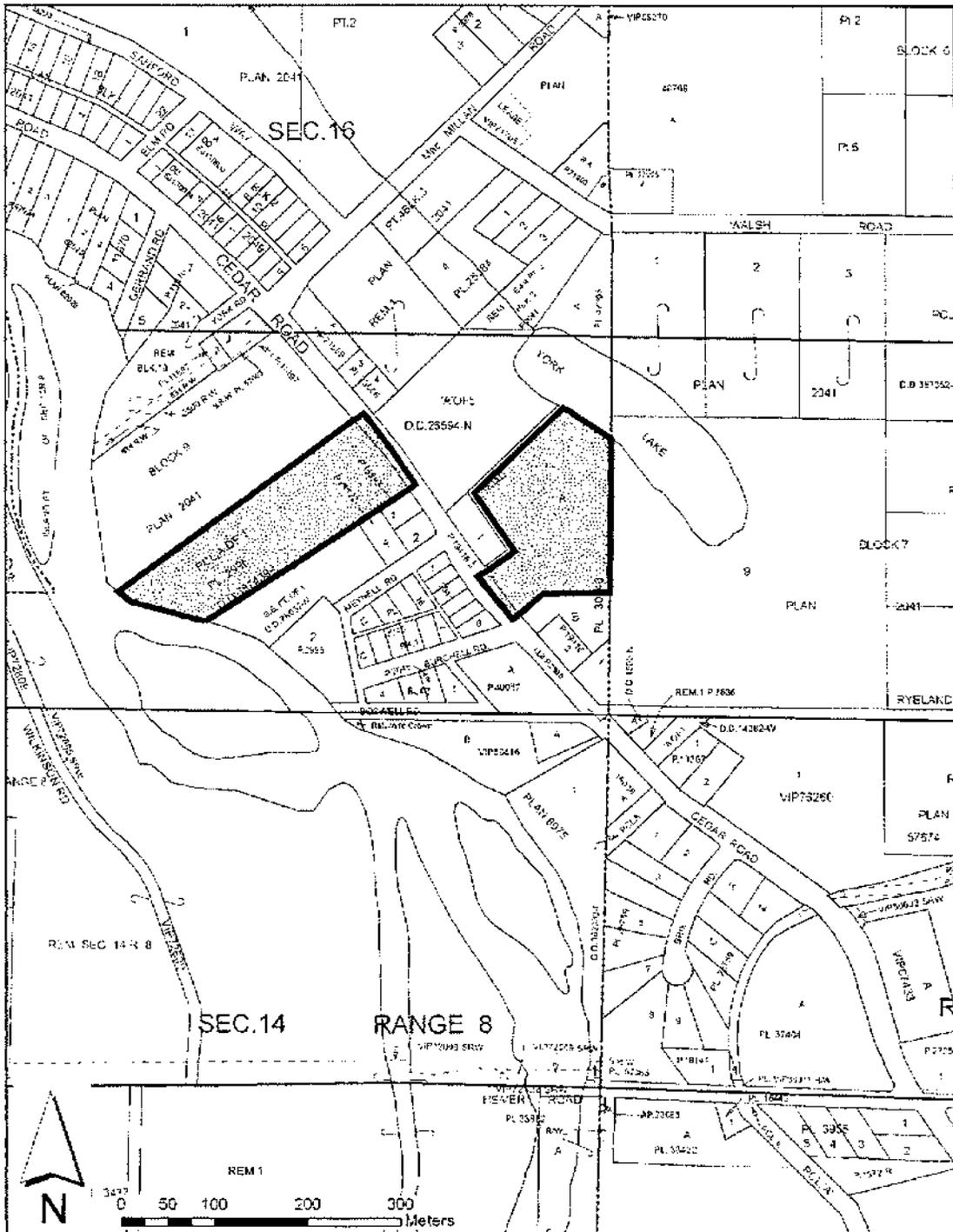
768 4655.000  
768 3128.030

Lot 1, Plan 2995, Section 15, Range 8  
Lot A, Plan 30449

Schedule 'B' to accompany "Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2507"

Chairperson

Sr. Mgr., Corporate Administration



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1518**

**A BYLAW TO AUTHORIZE BORROWING FOR THE  
PURPOSE OF CONSTRUCTING, ACQUIRING AND  
UPGRADING SEWER COLLECTION FACILITIES**

WHEREAS Regional District of Nanaimo Bylaw No.1517, 2007 established the “Cedar Sewer Large Residential Properties Capital Financing Service”;

AND WHEREAS the Board wishes to finance the construction, acquisition and improvement of sewage collections facilities;

AND WHEREAS the estimated cost of acquiring, constructing or otherwise obtaining land, building or equipment is the sum of \$83,030;

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

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

1. The Board is hereby empowered and authorized to acquire and carry out or cause to be carried out the following capital program:  

Construction of sewer collection system	\$83,030
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2. To borrow upon the credit of the Regional District a sum not exceeding \$83,030.
3. To acquire all such real and personal property, rights or authorities as may be requisite or desirable for, or in connection with, the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under “Cedar Sewer Large Residential Properties Capital Financing Service Establishment Bylaw No.1517, 2007”.
4. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.

5. This bylaw may be cited for all purposes as "Cedar Sewer Large Residential Properties Capital Financing Service Loan Authorization Bylaw No. 1518, 2007".

Introduced and read three times this 24th day of , April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR, CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1519

**A BYLAW TO ESTABLISH A SERVICE FOR  
THE REPAYMENT OF DEBT TO CONSTRUCT  
A SEWER COLLECTOR SYSTEM**

WHEREAS the Board has established a sewer collection service area under “Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005” and has by subsequent amendments included the properties which are the subject of this bylaw within the boundaries of the “Cedar Sewer Service Area”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of financing the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area;

AND WHEREAS a sufficient petition for this service has been received by the Regional District;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

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

1. **CITATION**

This bylaw may be cited for all purposes as the “Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007”.

2. **SERVICE**

The service established by this bylaw is for the financing of the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area.

3. **BOUNDARIES**

The boundaries of the Service Area are shown on Schedule ‘A’ attached to this bylaw.

4. **PARTICIPATING AREAS**

The “Participating Area” is a portion of Electoral Area ‘A’.

5. **COST RECOVERY**

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;

- (b) fees and charges imposed under Section 363 of the *Community Charter*;
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (d) revenues raised by way of agreement, enterprises, gift, grant or otherwise.

6. **MAXIMUM REQUISITION**

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) \$5,190 (Five Thousand, One Hundred and Ninety Dollars), or;
- (b) the product obtained by multiplying the net taxable value of lands and improvements within the Service Area by a property tax value rate of \$17.75 per thousand dollars of assessment.

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2007.

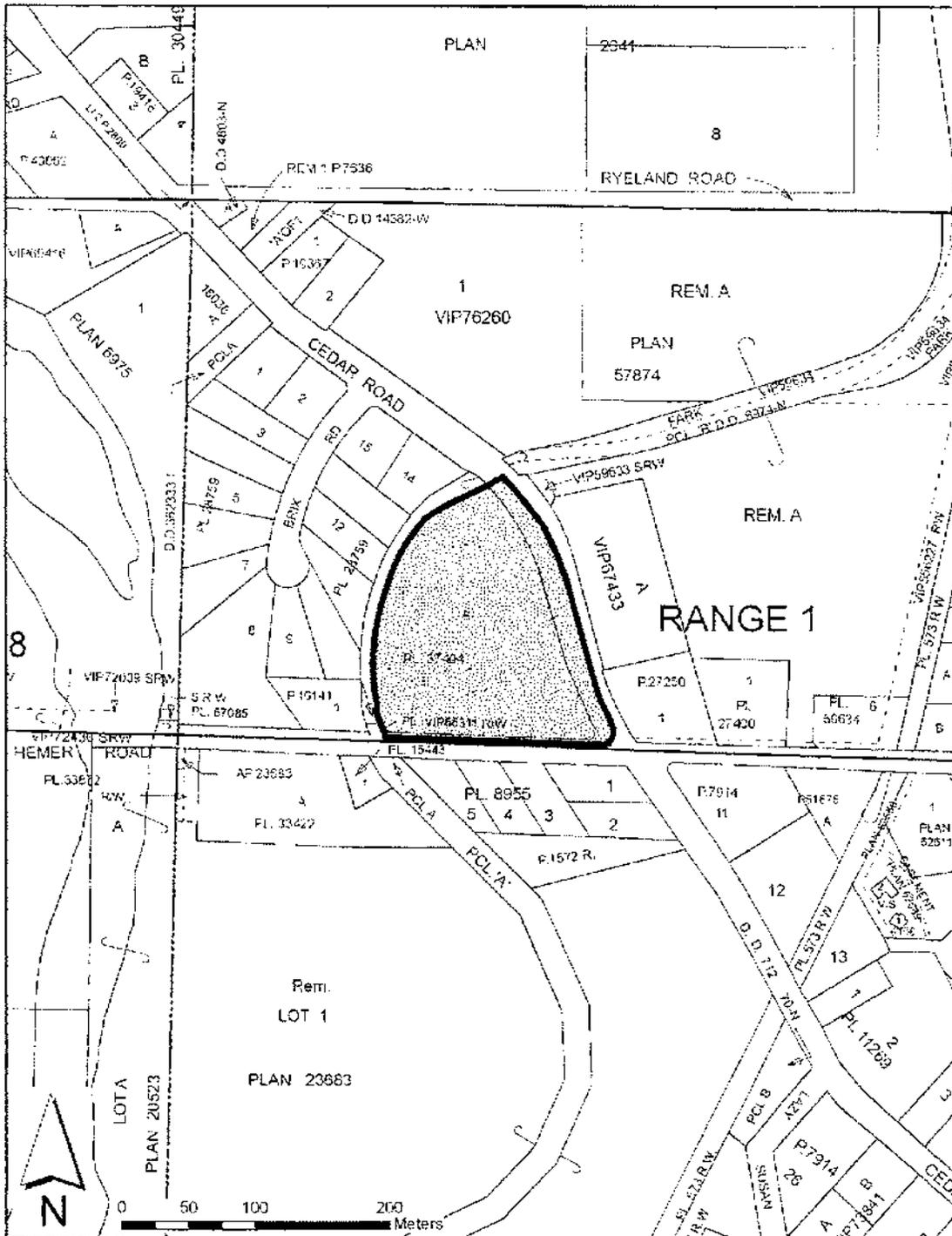
Adopted this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR, CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1520**

**A BYLAW TO AUTHORIZE BORROWING FOR THE PURPOSE  
OF CONSTRUCTING, ACQUIRING AND UPGRADING  
SEWER COLLECTION FACILITIES**

WHEREAS Regional District of Nanaimo Bylaw No.1519, 2007 established the "Cedar Sewer Sportsfield Capital Financing Service";

AND WHEREAS the Board wishes to finance the construction, acquisition and improvement of sewage collections facilities;

AND WHEREAS the estimated cost of acquiring, constructing or otherwise obtaining land, building or equipment is the sum of \$62,070;

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

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

1. The Board is hereby empowered and authorized to acquire and carry out or cause to be carried out the following capital program:

Construction of sewer collection system	\$62,070
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2. To borrow upon the credit of the Regional District a sum not exceeding \$62,070.
3. To acquire all such real and personal property, rights or authorities as may be requisite or desirable for, or in connection with, the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under "Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No.1519, 2007".
4. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.

5. This bylaw may be cited for all purposes as "Cedar Sewer Sportsfield Capital Financing Service Loan Authorization Bylaw No. 1520, 2007".

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR.MGR, CORPORATE ADMINISTRATION

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1521**

**A BYLAW TO ESTABLISH A SERVICE FOR  
THE REPAYMENT OF DEBT TO CONSTRUCT  
A SEWER COLLECTOR SYSTEM**

WHEREAS, the Board has established a sewer collection service area under “Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005” and has by subsequent amendments included the properties which are the subject of this bylaw within the boundaries of the “Cedar Sewer Service Area”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of financing the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area;

AND WHEREAS a sufficient petition for this service has been received by the Regional District;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

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

**1. CITATION**

This bylaw may be cited for all purposes as the “Cedar Sewer Small Residential Properties Service Area Establishment Bylaw No. 1521, 2007”.

**2. SERVICE**

The service established by this bylaw is for the financing of the construction, acquisition and improvement of sewage collection facilities within the Cedar Sewer Service Area.

**3. BOUNDARIES**

(a) The boundaries of the Service Area shown on Schedule ‘A’ attached to this bylaw.

(b) The properties included in the boundaries are listed on Schedule ‘B’ attached to this bylaw.

**4. PARTICIPATING AREAS**

The “Participating Area” is a portion of Electoral Area ‘A’.

**5. COST RECOVERY**

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service may be recovered by one or more of the following:

- (a) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) fees and charges imposed under Section 363 of the *Community Charter*
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (d) revenues raised by way of agreement, enterprises, gift, grant or otherwise.

6. **MAXIMUM REQUISITION**

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) \$10,410 (Ten Thousand, Four Hundred and Ten Dollars), or;
- (b) the product obtained by multiplying the net taxable value of lands and improvements within the Service Area by a property tax value rate of \$7.55 per thousand dollars of assessment.

Introduced and read three times this 24th day of April, 2007

Received the approval of the Inspector of Municipalities this day of , 2007.

Adopted this day of , 2007.

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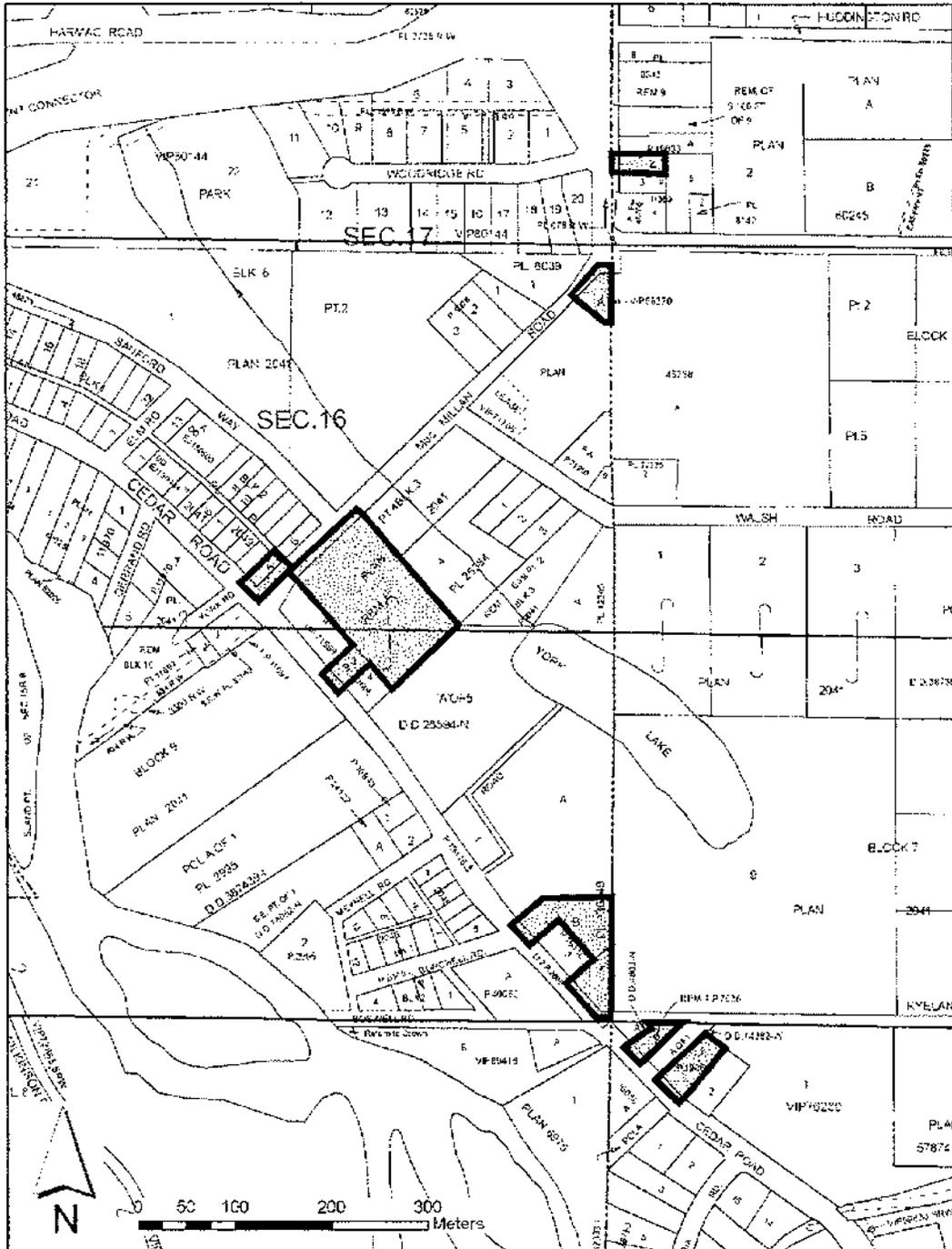
CHAIRPERSON

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SR. MGR. CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration



Schedule 'B' to accompany " Cedar Sewer Small Residential  
Properties Capital Financing Service Establishing Bylaw No. 1521,  
2907"

Chairperson

Sr.Mgr., Corporate Administration

Properties included within the Service Area:

Folio	Legal Description
768 3121.065	Lot 4, PI 23666
768 3128.000	Lot 1 PI 19416
768 3128.050	Lot B, PI 36449
768 3128.300	Lot 3, PI 19416
768 3128.325	Lot 4, PI 19416
768 3087.000	PeJA (DD4803N), Sec 14, Range 1
768 3091.100	Lot 1, PI 7636 Excl Pel A (DD14382N)
768 3091.000	Pel A (DD 14382W) , Lot 1, PI 7636
768 3090.500	Lot 1, PI 19367
768 3090.520	Lot 2, PI 19367
768 3180.000	Lot 5, PI 2049, Sec 16, Range 8
768 3158.000	Lot 2, PI 9378, Sec 16, Range 8
768 3157.000	Lot 1, PI 9378, Sec 16, Range 8
768 3126.000	Lot 4, Blk 3, PI 2041, Sec 16, Range 8
768 3131.010	Lot 1, PI 69370
768 4667.000	Lot 1, PI 7978
768 3160.000	Lot 1, PI 8039
768 3121.000	Lot 1, Blk 3, PI 2041
768 3121.085	Lot 3, PI 23666
768 3135.000	Lot 4, PI 11369

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1522**

**A BYLAW TO AUTHORIZE BORROWING FOR THE PURPOSE  
OF CONSTRUCTING, ACQUIRING AND UPGRADING  
SEWER COLLECTION FACILITIES**

WHEREAS Regional District of Nanaimo Bylaw No.1521, 2007 established the “Cedar Sewer Small Residential Properties Capital Financing Service Area”;

AND WHEREAS the Board wishes to finance the construction, acquisition and improvement of sewage collection facilities;

AND WHEREAS the estimated cost of acquiring, constructing or otherwise obtaining land, building or equipment is the sum of \$124,545.

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

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

1. The Board is hereby empowered and authorized to acquire and carry out or cause to be carried out the following capital program:

Construction of sewer collection system	\$124,545
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2. To borrow upon the credit of the Regional District a sum not exceeding \$124,545.
3. To acquire all such real and personal property, rights or authorities as may be requisite or desirable for, or in connection with, the foregoing capital program, and all related ancillary works and equipment deemed necessary by the Board for the management of the service authorized under “Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No.1521, 2007”.
4. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.

5. This bylaw may be cited for all purposes as “Cedar Sewer Small Residential Properties Capital Financing Service Loan Authorization Bylaw No. 1522, 2007.

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR. CORPORATE ADMINISTRATION

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1445.01**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE CEDAR SEWER SERVICE AREA**

WHEREAS Regional District of Nanaimo Bylaw No. 1445 established the Cedar Sewer Service Area;

AND WHEREAS the Board has received petitions requesting that the boundaries of the service be amended;

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

“Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005” is hereby amended as follows:

1. The boundaries of the Cedar Sewer Service Area are revised to include the properties listed on Schedule ‘B’ attached hereto and forming part of this bylaw.
2. Schedule ‘C’ attached hereto outlines the properties included by this boundary amendment.
3. Schedule ‘A’ of Bylaw No. 1445 is hereby repealed and replaced by a revised Schedule ‘A’ attached to this bylaw.
4. This bylaw may be cited as “Cedar Sewer Service Area Amendment Bylaw No. 1445.01, 2007”.

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2007.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR., CORPORATE ADMINISTRATION

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Chairperson

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Sr.Mgr., Corporate Administration

Properties included in boundary amendment:

**Commercial Properties ( see also Cedar Sewer Commercial Properties Capital Financing Service  
Establishing Bylaw No. 1513, 2007)**

768 3121.080	Lot A, Range 8, Plan VIP 71569
768 3089.002	Lot 1, Section 14, Range 1, Plan VIP 76260
768 3090.425	Lot A, Section 14, Range 1, Plan VIP 67433
768 4645.000	Lots 4 & 5, Blk 1, Plan 2045
768 3134.000	Lot 3, Section 17, Range 1, Plan 11369
768 3136.100	Lot A, Section 17, Range 1, Plan 46766
768 4646.000	Lot 6, Blk 1, Section 15, Range 8, Plan 2045

**Large Residential Properties ( see also Cedar Sewer Large Residential Properties Capital Financing Service  
Establishing Bylaw No. 1517, 2007)**

768 4655.000	Lot 1, Plan 2995, Section 15, Range 8
768 3128.030	Lot A, Plan 30449

**Sportsfield (see also Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007)**

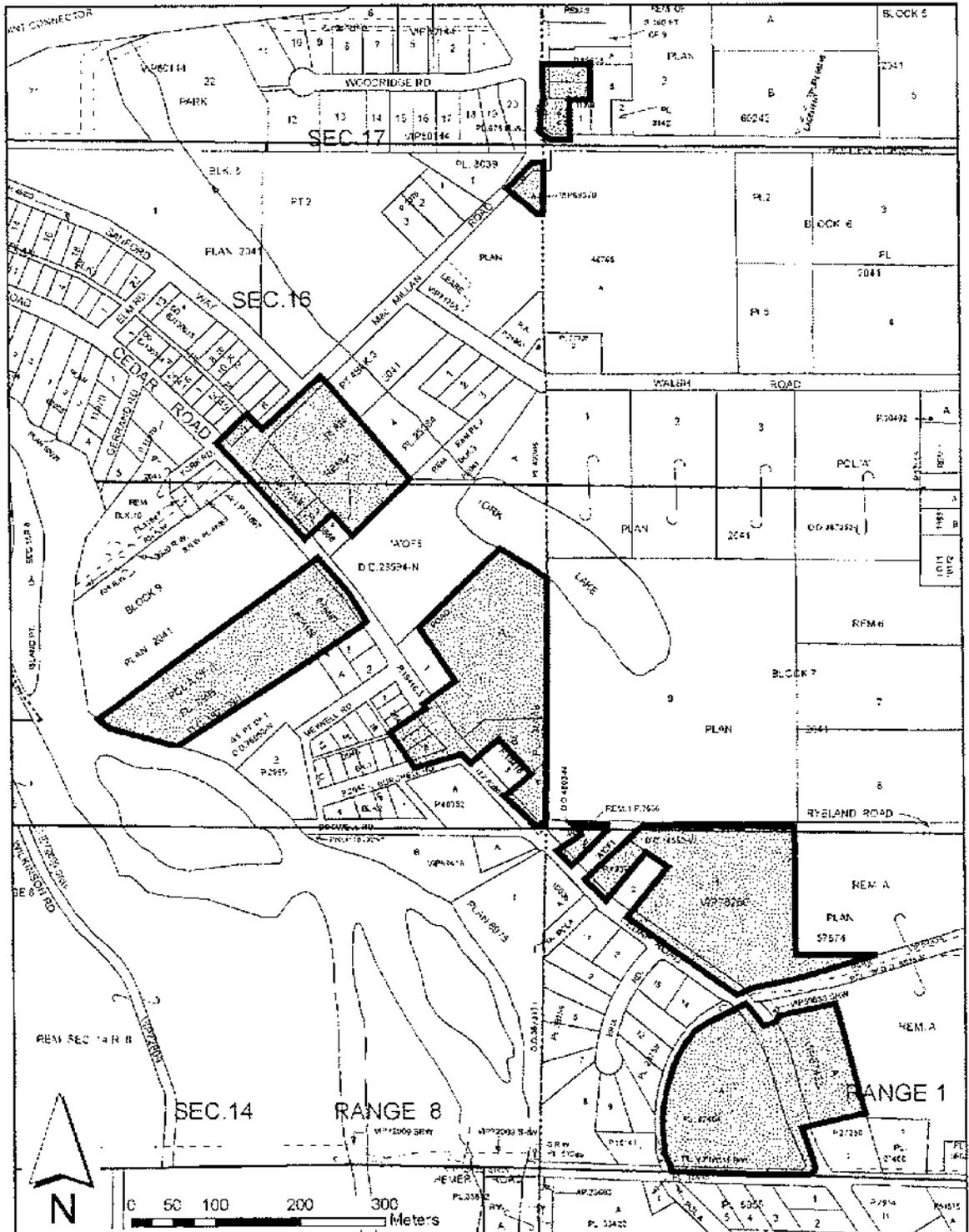
768 3089.020	Lot A, Plan 37404
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**Small Residential Properties ( see also Cedar Sewer Small Residential Properties Capital Financing Service  
Establishment Bylaw No. 1521, 2007)**

768 3121.065	Lot 4, Pl 23666
768 3128.000	Lot 1 Pl 19416
768 3128.050	Lot B, Pl 30449
768 3128.300	Lot 3, Pl 19416
768 3128.325	Lot 4, Pl 19416
768 3087.000	PclA (DD4803N), Sec 14, Range 1
768 3091.100	Lot 1, Pl 7636 Excl Pcl A (DD14382N)
768 3091.000	Pcl A (DD 14382W) , Lot 1, Pl 7636
768 3090.500	Lot 1, Pl 19367
768 3090.520	Lot 2, Pl 19367
768 3180.000	Lot 5, Pl 2049, Sec 16, Range 8
768 3158.000	Lot 2, Pl 9378, Sec 16, Range 8
768 3157.000	Lot 1, Pl 9378, Sec 16, Range 8
768 3126.000	Lot 4, Blk 3, Pl 2041, Sec 16, Range 8
768 3131.010	Lot 1, Pl 69370
768 4667.000	Lot 1, Pl 7978
768 3160.000	Lot 1, Pl 8039
768 3121.000	Lot 1, Blk 3, Pl 2041
768 3121.085	Lot 3, Pl 23666
768 3135.000	Lot 4, Pl 11369

Chairperson

Sr. Mgr., Corporate Administration



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO.1004.03**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE DUKE POINT SEWER  
LOCAL SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo has established a sewer service area within Electoral Area 'A' known as the Cedar Sewer Service Area which will be serviced by the facilities owned and operated by the Regional District of Nanaimo within the Duke Point Sewer Service Area;

AND WHEREAS the boundaries of the Cedar Sewer Service Area have been amended;

AND WHEREAS the Board of the Regional District of Nanaimo has obtained the consent of two thirds of the participants pursuant to Section 802(1)(b) of the *Local Government Act*;

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

1. "Regional District of Nanaimo Duke Point Sewer Local Service Area Bylaw No. 1004, 1996" is amended as follows:
  - (a) Schedule 'B' attached to this bylaw lists the properties to be added to the Duke Point Sewer Local Service Area.
  - (b) Schedule 'A' to Bylaw 1004 is hereby deleted and Schedule 'A' attached hereto showing the amended boundaries of the local service area, is substituted therefore.
2. This bylaw may be cited as "Duke Point Sewer Local Service Area Amendment Bylaw No. 1004.03, 2007".

Introduced and read three times this 24th day of April, 2007.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2007.

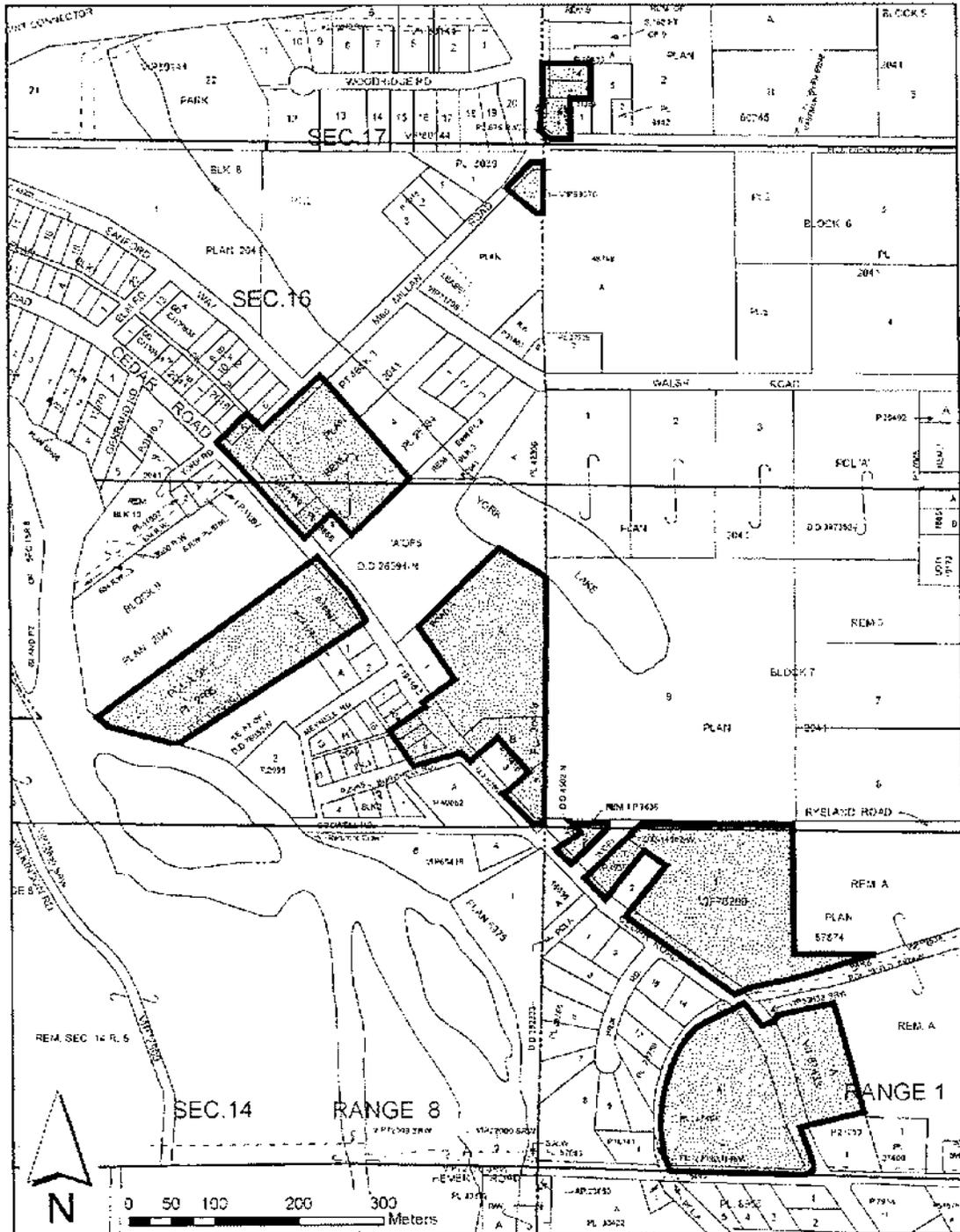
Adopted this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr.Mgr., Corporate Administration



.....  
Chairperson

.....  
Sr.Mgr., Corporate Administration

Properties included in boundary amendment:

See "Cedar Sewer Commercial Properties Capital Financing Service Establishing Bylaw No. 1513, 2007"

768 3121.080	Lot A, Range 8, Plan VIP 71569
768 3089.002	Lot 1, Section 14, Range 1, Plan VIP 76260
768 3090.425	Lot A, Section 14, Range 1, Plan VIP 67433
768 4645.000	Lots 4 & 5, Blk 1, Plan 2045
768 3134.000	Lot 3, Section 17, Range 1, Plan 11369
768 3136.100	Lot A, Section 17, Range 1, Plan 46766
768 4646.000	Lot 6, Blk 1, Section 15, Range 8, Plan 2045

See "Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517,  
2007"

768 4655.000	Lot 1, Plan 2995, Section 15, Range 8
768 3128.030	Lot A, Plan 30449

See "Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007"

768 3089.020	Lot A, Plan 37404
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See "Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521,  
2007"

768 3121.065	Lot 4, Pl 23666
768 3128.000	Lot 1 Pl 19416
768 3128.050	Lot B, Pl 30449
768 3128.300	Lot 3, Pl 19416
768 3128.325	Lot 4, Pl 19416
768 3087.000	PclA (DD4803N), Sec 14, Range 1
768 3091.100	Lot 1, Pl 7636 Excl Pcl A (DD14382N)
768 3091.000	Pcl A (DD 14382W) , Lot 1, Pl 7636
768 3090.500	Lot 1, Pl 19367
768 3090.520	Lot 2, Pl 19367
768 3180.000	Lot 5, Pl 2049, Sec 16, Range 8
768 3158.000	Lot 2, Pl 9378, Sec 16, Range 8
768 3157.000	Lot 1, Pl 9378, Sec 16, Range 8
768 3126.000	Lot 4, Blk 3, Pl 2041, Sec 16, Range 8
768 3131.010	Lot 1, Pl 69370
768 4667.000	Lot 1, Pl 7978
768 3160.000	Lot 1, Pl 8039
768 3121.000	Lot 1, Blk 3, Pl 2041
768 3121.085	Lot 3, Pl 23666
768 3135.000	Lot 4, Pl 11369