

REGIONAL DISTRICT OF NANAIMO
REGULAR BOARD MEETING
TUESDAY, MAY 27, 2008
(immediately following the Hospital Board meeting)

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
- 12 **Oceanside Development & Construction Association**, re Sanitary Sewer Development Cost Charge Bylaw.
- 3. BOARD MINUTES**
- 13-21 Minutes of the regular Board meeting held April 22, 2008.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
- 6. UNFINISHED BUSINESS**

BYLAWS

For Adoption.

Bylaw No. 813.42 – French Creek Sewer Local Service Area Amendment. (All Directors – One Vote)

That “French Creek Sewer Local Service Area Amendment Bylaw No. 813.42, 2008” be adopted.

This bylaw is to amend the boundaries to include the property legally described as Lot 7, DL 49, Nanoose Land District, Plan 24289 and located at 622 Johnstone Road in Electoral Area ‘G’ into the French Creek Sewer Local Service Area.

Bylaw No. 889.48 – Northern Community Sewer Service Area Boundary Amendment. (All Directors – One Vote)

That “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.48, 2008” be adopted.

This bylaw is to amend the boundaries to include the property legally described as Lot 7, DL 49, Nanoose Land District, Plan 24289 and located at 622 Johnstone Road in Electoral Area ‘G’ into the Northern Community Sewer Service Area.

22-26

Bylaw No. 500.345 – Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment. (Electoral Area Directors except EA 'B' – One Vote)

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.345, 2007" be adopted.

This bylaw is to rezone a portion of the property legally described as Lot 2, Block 347, Newcastle and Alberni District, Plan 33670 and located at 820 Horne Road from Industrial 5 Subdivision District 'B' (IN5B) to Rural 1 Subdivision District D (RUID) and the balance of the property from Subdivision District 'B' to Subdivision District 'D' to facilitate the subdivision of the parent parcel to create 7 parcels.

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

7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE

27-28 Minutes of the Electoral Area Planning Committee meeting held May 13, 2008. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60710 – Williamson – 5169 Gainsberg Road – Area 'H'. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60710, to permit the construction of a residential dwelling on the property legally described as Lot C, District Lot 27, Newcastle District, Plan 21952, and designated within the Environmentally Sensitive Features for Watercourse Protection and Fish Habitat Protection Development Permit Areas pursuant to "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003", be approved subject to the conditions outlines in Schedules No. 1 to 6.

Development Permit Application No. 60813 – Graham – 1566 River Crescent – Area 'G'. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60813, for an addition to a residential accessory building on the subject property legally described as Lot 13, District Lot 28, Nanoose District, Plan 22685, municipally known as 1566 River Crescent, be approved subject to the conditions outlined in Schedules No. 1 to 4.

Development Permit Application No. 60818 – Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd. – Inland Island Highway & off Coldwater Road – Area 'G'. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 60818, submitted by Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd., in conjunction with the subdivision of the parcel legally described as Lot A, Block 1438, Nanoose District, Plan VIP64704, Except Plan VIP78701 and designated within the

Inland Island Highway Development Permit Area, be approved subject to the conditions in Schedules No. 1 and 2 of the corresponding staff report.

Development Permit Application No. 60821 – Fern Road Consulting Ltd., on behalf of Sturlis – 1253 Prestwick Place – Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

That Development Permit application No. 60821, for the construction of a single dwelling unit, on the subject property legally described as Lot 26, District Lot 126, Nanoose District, Plan VIP69272, be approved subject to the conditions outlined in Schedules No. 1 to 4 of the corresponding staff report.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90807 – Francis – 2293 East Island Highway – Area ‘E’. (Electoral Area Directors except EA ‘B’ – One Vote)

See Administrator’s Reports.

OTHER

Request to Discharge a Section 219 Covenant – Grimes – 2405 & 2393 Morland Road – Area ‘A’. (Electoral Area Directors except EA ‘B’ – One Vote)

That the request from Joseph Grimes to discharge the section 219 covenant concerning no further subdivision in conjunction with the parcels legally described as Lots 4 and 5, Both of Section 12, Range 2, Cedar District, Plan VIP75931, be approved subject to the conditions set out in Schedules No. 1 and 2 of the corresponding staff report.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

29-36 Minutes of the Committee of the Whole meeting held May 13, 2008. (for information)

COMMUNICATIONS CORRESPONDENCE

F. Bates, Comox Valley Regional District, re Comox Valley Regional District Regional Growth Strategy. (All Directors – One Vote)

That the correspondence from the Comox Valley Regional District regarding their Regional Growth Strategy be received.

D. Davidge, Friends of French Creek Conservation Society, re French Creek Wastewater Facility. (All Directors – One Vote)

That the correspondence from the Friends of the French Creek Conservation Society regarding the proposed uncapping of wells located adjacent to French Creek be received.

Gabriola Land Conservancy, re Gabriola Community Park (707). (All Directors – One Vote)

That the correspondence from the Gabriola Land Conservancy regarding the terms under which the Gabriola Community Park (707) was transferred to the Regional District, be received.

FINANCE AND INFORMATION SERVICES

FINANCE

Regional District Annual Report (Audited Financial Statements). (All Directors – One Vote)

That the 2007 Consolidated Financial Statements, associated financial schedules and Auditors' Report to the Chief Administrative Officer be received.

2007 Statement of Financial Information. (All Directors – One Vote)

That the 2007 Financial Information Act report be received and approved and be forwarded to the Ministry of Community Services.

2007 Report - Directors & Committee Members' Remuneration & Expenses. (All Directors – One Vote)

That the 2007 report on remuneration and expenses for Board and Committee members be received.

Property Tax Exemption – Mt. Arrowsmith Regional Park – Bylaw No. 1548. (All Directors – One Vote)

1. That "Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1548, 2008" be introduced and read three times.

(All Directors – 2/3)

2. That "Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1548, 2008" be adopted.

Dashwood Fire Protection Local Service Area Amendment Bylaw No. 964.04 – Meadowood – Area 'F'. (All Directors – One Vote)

That "Dashwood Fire Protection Local Service Area Amendment Bylaw No. 964.04, 2008" be introduced and read three times.

Electoral Areas Community Works Funds. (All Directors – Weighted Vote)

That the projects eligible under the Community Works component of the Gas Tax program outlined on the attachments to this report be endorsed as presented and that the 2008 budget be amended to include new projects identified for 2008.

Regional Growth Management Service Establishing Bylaw No. 1553. (All Directors – One Vote)

That “Regional Growth Strategy Service Establishing Bylaw No. 1553, 2008” as amended to include 100% participation by Electoral Area ‘B’, be introduced and read three times and be forwarded to the Ministry of Community Services for approval.

DEVELOPMENT SERVICES

BUILDING & BYLAW

Unightly Premise – 2401 Collins Crescent – Area ‘E’.

See Administrator’s Reports.

Notice of Bylaw Contravention – 793 Terrien Way – Area ‘G’. (All Directors – One Vote)

Delegations wishing to speak to Bylaw Contravention at 793 Terrien Way.

That staff be directed to register a Notice on title pursuant to Section 57 of the Community Charter and should the outstanding bylaw contraventions not be resolved within ninety (90) days, that legal action be pursued to ensure Lot 26, District Lot 1, Nanoose District, Plan 29928, is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001”.

Notice of Bylaw Contravention – 3182 Dolphin Drive – Area ‘E’. (All Directors – One Vote)

Delegations wishing to speak to Bylaw Contravention at 3182 Dolphin Drive.

That staff be directed to register a Notice on title pursuant to Section 57 of the Community Charter and should the outstanding bylaw contraventions not be resolved within thirty (30) days, that legal action be pursued to ensure Lot 60, District Lot 78, Plan VIP14275, Nanoose District, is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001”.

EMERGENCY PLANNING

District of Lantzville Emergency Management Service Agreement. (All Directors – Weighted Vote)

That the Emergency Planning Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Emergency Planning be approved.

PLANNING

Built Environment and Active Transportation Community Planning Grant. (All Directors – One Vote)

That the Regional District of Nanaimo Board authorize staff to proceed with submitting an expression of interest to the Union of British Columbia Municipalities for the purpose of applying for funding under the Built Environment and Active Community Planning Grant Program to develop an active transportation plan as part of the Electoral Area 'A' Official Community Plan review.

Green Building Policy for RDN Facilities. (All Directors – One Vote)

That the Regional District of Nanaimo adopt the "Green Building Policy for RDN Facilities".

ENVIRONMENTAL SERVICES

LIQUID WASTE

Cogeneration Project – Greater Nanaimo Pollution Control Centre. (All Directors – One Vote)

That the report on the cogeneration project at Greater Nanaimo Pollution Control Centre be received for information.

Application for Development Cost Charge Reduction – Parksville Lions. (All Directors – One Vote)

- 1. That staff be directed to develop a policy to respond to future requests for waivers of development cost charges in the Regional District.*

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

- 2. That the Board grant a 50% exemption of the Northern Community Sewer Development Cost Charges for the Parksville Lions supportive living housing development at 205 East Jensen Avenue, Parksville, BC.*

Greater Nanaimo Pollution Control Centre Operations Building – Southern Community Development Cost Charge Reserve Fund Expenditure Bylaw No. 1551. (All Directors – One Vote)

- 1. That Saywell Contracting Ltd. be awarded the construction phase of the GNPCC new operations building project for the tendered amount of \$1,297,514.60.*

(Nanaimo, Lantzville, Electoral Area 'C' – Weighted Vote)

- 2. That Southern Community Development Cost Charge funds in the amount of \$698,607 be approved as a source of funds for this project.*

(All Directors – One Vote)

3. That "Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1551, 2008" be introduced and read three times.

(All Directors – 2/3)

4. That "Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1551, 2008" be adopted.

UTILITIES

Infrastructure Planning (Study) Grant Application. (All Directors – One Vote)

That the Board support the application to the Ministry of Community Services for an Infrastructure Planning (Study) Grant for the Drinking Water Watershed Protection Action Plan Communications Plan.

French Creek Sewer Local Service Area Amendment Bylaw No. 813.43 & Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.49 – Inclusion of 537 Johnstone Road – Area 'G'. (All Directors – One Vote)

1. That capital charge fees as outlined in "French Creek Sewer Service Area Capital Charge Bylaw No. 1330, 2003" be collected from the owners of the property at 537 Johnstone Road.

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

2. That capital charge fees as outlined in "Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003" be collected from the owners of the property at 537 Johnstone Road.

(All Directors – One Vote)

3. That "French Creek Sewer Local Service Area Amendment Bylaw No. 813.43, 2008" be introduced and read three times.
4. That "Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.49, 2008" be introduced and read three times.

RECREATION AND PARKS SERVICES

PARKS

Rotary Bowl Resurfacing Project. (All Directors – One Vote)

That the Regional Board approve, in principle, the Nanaimo & District Track & Field Club and School District 68 fundraising campaign "Help Us Stay on Track" providing that Rotary Bowl becomes a multi-use facility.

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Contract Extension – Bird Control at Regional Landfill. (All Directors – Weighted Vote)

That the Board award a two year contract extension to Pacific Northwest Raptors for bird control services at the Regional Landfill effective May 1, 2008 at a cost of \$401,568.00.

Regional Landfill Cell One Remediation Capital Project. (All Directors – Weighted Vote)

That the Board proceed to tender for the remediation of storm water management and leachate collection systems in Cell One of the Regional Landfill and award the associated engineering services to XCG Consultants Ltd.

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘A’ Parks and Green Space Advisory Committee. (All Directors – One Vote)

That the minutes of the Electoral Area ‘A’ Parks and Green Space Advisory Committee meeting held March 20, 2008 be received for information.

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

That the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held March 27, 2008 be received for information.

Intergovernmental Advisory Committee. (All Directors – One Vote)

That the minutes of the Intergovernmental Advisory Committee meeting held April 9, 2008 be received for information.

Grants-in-Aid Advisory Committee. (All Directors – One Vote)

1. *That the minutes of the Grants-in-Aid Advisory Committee meeting held May 6, 2008 be received for information.*

(Nanaimo, Lantzville, Electoral Areas ‘A’, ‘B’, ‘C’ – Weighted Vote)

2. *That the following grants be awarded:*

School District 68 Grants:

<i>Cedar Community Policing</i>	<i>\$ 1,175</i>
<i>Cedar Schools & Community Enhancement Society</i>	<i>\$ 800</i>
<i>Jonanco Hobby Workshop</i>	<i>\$ 450</i>
<i>Nature Trust of BC</i>	<i>\$ 500</i>

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

3. *That the following grants be awarded:*

School District 69 Grants:

<i>Building Learning Together – Project Literacy</i>	<i>\$ 1,200</i>
<i>Forward House Community Society</i>	<i>\$ 1,000</i>
<i>Lighthouse Country Marine Rescue Society</i>	<i>\$ 3,500</i>
<i>Nature's Trust</i>	<i>\$ 500</i>
<i>Oceanside Volunteer Association</i>	<i>\$ 1,000</i>
<i>Parksville & District Association for Community Living</i>	<i>\$ 1,700</i>

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

French Creek Water Conservation. (All Directors – One Vote)

That the Regional District of Nanaimo contact the Ministry of Environment and oppose any further licenses for water extraction from wells that effect French Creek.

BC Meat Regulations on Slaughter Capacity in the RDN. (All Directors – One Vote)

That the Board request that UBCM work with the Province and Federal regulatory authorities to find a way to maintain and encourage the production of local small scale meat and poultry operations on Vancouver Island.

NEW BUSINESS

Relief Policy for Residents for Solid Waste Removal. (All Directors – One Vote)

That the RDN staff be directed to prepare options for the Board's review for a policy to provide relief for the extra costs of solid waste removal for persons that have medical issues.

Notice of Motion – Regional Sustainability Implications. (All Directors – One Vote)

That staff be directed to prepare a report for the Board's consideration on the development of a policy where in all appropriate staff reports to this Board include an assessment titled "Regional Sustainability Implications" of the proposed alternatives and staff recommendations, just as today the appropriate reports include a section on Financial Implications.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

Electoral Area 'A' Recreation and Culture Commission. (All Directors – One Vote)

37-52 Minutes of the Electoral Area 'A' Recreation and Culture Commission meeting held May 14, 2008. (for information)

1. *That the Electoral Area 'A' Grant-in-Aid Program be approved as presented in Appendix 1.*

(All Directors – Weighted Vote)

2. *That the Electoral Area 'A' 2008 Budget be amended to include the allocation of \$10,000 to the new Grant-in-Aid Program from the approved \$76,500 tax requisition.*

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

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

53-63 Minutes of the Regional Parks and Trails Advisory Committee meeting held May 6, 2008. (for information)

(All Directors – Weighted Vote)

That the Regional District enter into a Fire Control Cost Sharing Agreement with the Ministry of Forest Fire Protection Branch and to develop a Fire Management Plan for the Applicable Regional And Community Parks in early 2009.

Transit Select Committee. (All Directors – One Vote)

64-68 Minutes of the Transit Select Committee meeting held May 15, 2008. (for information)

1. *That the Board receive the report on Public Transit Agreement and Public Transit Infrastructure Program Grants for information.*
2. *That staff be requested to prepare a report on a pilot project to establish an express transit service from District 69 to the BC Ferries.*
3. *That staff be requested to prepare a report on the costs of increasing transit service in the City of Parksville.*

8. ADMINISTRATOR'S REPORTS

- 69 **Development Variance Permit Application No. 90807.** (All Directors – One Vote)
- 70-73 **Unsightly Premise – 2401 Collins Crescent – Area 'E'.** (All Directors – One Vote)
- 74-75 **Appointment of Bylaw Enforcement Officer.** (All Directors – One Vote)
- Cedar Road LFG Third Amending Agreement.** (All Directors – Weighted Vote)
(to be circulated)
- Award of Tender – Tractor Loader at Regional Landfill.** (All Directors –
Weighted Vote) (to be circulated)

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 land and legal issues.

Burgoyne, Linda

From: M. Hayden [odca@shaw.ca]
Sent: Wednesday, May 21, 2008 7:13 PM
To: Burgoyne, Linda
Subject: ODCA delegation request
Attachments: oledata.mso; image001.png



Oceanside Development & Construction Association
P.O. Box 616, Parksville, BC V9P 2G7

Linda Burgoyne,

As per your conversation with Helen Sims today:

On behalf of the Oceanside Development and Construction Association, would you please add a representative from the Oceanside Development & Construction Association to the Board Agenda on Tuesday, May 27th, to address "The Bylaw to Amend the Development Cost Charges Within the Northern Community Sewer Service Area". Bylaw No. 1442.02. Thank you for accepting this late submission.

Regards,
Marilyn Hayden, Administrative Secretary
Tel: 250-752-6214
Fax: 250-752-6216
Email: odca@shaw.ca

5/22/2008

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 22, 2008, AT 7:00 PM IN THE
RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
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
Director C. Haime	District of Lantzville
Director D. Brennan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Alternate	
Director J. Cameron	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director M. Unger	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr. of Corporate Administration
N. Avery	Gen. Mgr., Finance & Information Services
T. Osborne	Gen. Mgr. of Recreation & Parks
J. Finnie	Gen. Mgr. of Environmental Services
P. Thorkelsson	Gen. Mgr. of Development Services
D. Trudeau	Gen. Mgr. of Transportation Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Cameron to the Board meeting.

DELEGATIONS

Jean Blackburn, Vice-President Malaspina Faculty Association, re Provincial Cuts to Malaspina.

Ms. Blackburn spoke briefly on the Province's recent 26% reduction in operating grants to all post secondary institutions and the concerns for affordability and community student access to post secondary education courses, which may be dropped due to lack of funds.

MOVED Director Brennan, SECONDED Director Westbrook, that the Regional District of Nanaimo Board write the Minister of Advanced Education and express its concern over the proposed cuts to operating grants for post-secondary institutions and the impacts that those cuts will have on affordability and access for students from this community, and on the ability of Malaspina University-College to continue serving our community.

CARRIED

Jean Crowder, MP Nanaimo-Cowichan, re Constituency Update.

Ms. Crowder provided an overview of municipal and regional district concerns which the Federation of Canadian Municipalities is bringing forth to the Federal Government including infrastructure, protection of water and air quality, climate change, transit and green buildings. FCM is also asking for a long term commitment for continuing gas grants and the need for affordable housing.

Kenn Whiteman, President Port Alberni Tall Ships Society, re Tall Ship Festival.

Mr. Whiteman invited the Board to attend the Tall Ship Festival on July 11 & 12, 2008 in Port Alberni.

BOARD MINUTES

MOVED Director Westbrook, SECONDED Director McNabb, that the minutes of the regular Board meeting held March 25, 2008 and the special Board meeting held April 8, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

B. & V. Field, re Support for Rural Streetlighting Bylaw No. 791.16, 2008 – Area ‘H’.

MOVED Director Manhas, SECONDED Director Bartram, that the correspondence from B. & V. Field in support of Rural Streetlighting Bylaw No. 791.16 which will provide streetlighting for a portion of Bovanis Road be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 787.08.

MOVED Director Bartram, SECONDED Director Brennan, that “Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.08, 2008” be adopted.

CARRIED

Bylaw No. 791.16.

MOVED Director Bartram, SECONDED Director Holdom, that “Rural Streetlighting Local Service Area Amendment Bylaw No. 791.16, 2008” be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held April 8, 2008 be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60730 and Request for Acceptance of a Combination of Park Land and Cash in-lieu-of Park Land – Fern Road Consulting Ltd., on behalf of Pardiac – Adjacent to Gainsberg and Pearl Roads – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60730 submitted by Fern Road Consulting Ltd., on behalf of P. Pardiac, in conjunction with the subdivision of the parcel legally described as Lot 17, District Lot 27, Newcastle District, Plan 38181 and designated within the Environmentally Sensitive Features, Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2, as amended, of the corresponding staff report.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the combination of park land and cash in-lieu-of park land proposal, in the amount and location as shown on Schedule No. 2 of the staff report, be accepted subject to the conditions set out in Schedule No. 3 of the staff report.

CARRIED

Development Permit Application No. 60812 and Request for Relaxation – M. Wilson on behalf of Gilchrist – 1458 Raines Road – Area ‘A’.

MOVED Director Young, SECONDED Director Bartram, that Development Permit Application No. 60812, submitted by M. Wilson, on behalf of T. & M. Gilchrist, in conjunction with the subdivision of the parcel legally described as Lot 1, Section 18, Range 7, Cranberry District, Plan 20029, Except Parts in Plans 28748, 28749 and VIP82999 and designated within the Streams, Nest Trees and Nanaimo River Floodplain and Fish Habitat Development Permit Areas, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

MOVED Director Young, SECONDED Director Bartram, that the request for relaxation of the minimum 10% frontage requirement for the Proposed Remainder of Lot 1, as shown on the plan of subdivision of Lot 1, Section 18, Range 7, Cranberry District, Plan 20029, Except Parts in Plans 28748, 28749 and VIP82999, be approved.

CARRIED

Development Permit Application No. 60815 – Henn – 4307 Eva Road – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60815, to construct a dwelling unit and recognize the siting of an existing garage within the Natural Hazards Development Permit Area pursuant to “Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003” for the property legally described as Lot 1, District Lot 36, Newcastle District, Plan 27764 be approved subject to the conditions outlined in Schedules No. 1 to 3 as amended.

CARRIED

OTHER

Electoral Area ‘G’ Official Community Plan – Bylaw No. 1540, 2008.

MOVED Director Bartram, SECONDED Director Young, that the Report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held Tuesday, March 18, 2008, together with all written submissions to the Public Hearing on “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008” be received.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008” be granted 3rd reading with amendments as recommended in Schedule No. 1 of the staff report.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008” be forwarded to the Ministry of Community Services for consideration of approval.

CARRIED

Electoral Area ‘A’ Official Community Plan Land Inventory Results.

MOVED Director Young, SECONDED Director Bartram, that the Board receive the Electoral Area ‘A’ Cedar Village Centre and Suburban Residential land use designations land inventory attached as Schedule No. 1.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Sperling, that the minutes of the Committee of the Whole meeting held April 8, 2008 be received for information.

CARRIED

DELEGATIONS

Neil Malbon, McLean Mill National Historic Site, & Doug Backhouse, Island Corridor Foundation, re Arrowsmith Explorer Project.

MOVED Director Brennan, SECONDED Director Holdom, that the Board send a letter to the McLean Mill National Historic Site in support of the Arrowsmith Explorer project.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Notice of Bylaw Contravention – 3130 Northwood Road – Area ‘C’.

MOVED Director Young, SECONDED Director Bartram, that staff be directed to register a Notice on title pursuant to Section 57 of the *Community Charter* after a 30 day period and should the outstanding bylaw contraventions not be resolved within ninety (90) days following registration, that legal action be taken to ensure Lot 6, Section 13, Range 2, Mountain Land District, Plan 30985, is in compliance with the “Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001”.

CARRIED

PLANNING

City of Nanaimo OCP Amendment Application (OCP 00037) and Municipal Boundary Extension, Cable Bay Lands – Electoral Area ‘A’ Referrals.

MOVED Director Holdom, SECONDED Director McNabb, that the Regional District Board receive this report for information and provide this report as the RDN’s comments on the City of Nanaimo’s referrals on the OCP Amendment Application No. OCP 00037 and the Municipal Boundary Extension, Cable Bay Lands – Electoral Area ‘A’.

CARRIED

City of Nanaimo Draft OCP Referral.

MOVED Director Holdom, SECONDED Director Brennan, that the Regional District of Nanaimo Board receive this report for information and that the comments provided in the report be forwarded to the City of Nanaimo for consideration in the next draft of the City’s OCP.

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Trucked Liquid Waste Disposal Amendment Bylaw No. 988.08.

MOVED Director Manhas, SECONDED Director Brennan, that “Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.08, 2008” be introduced for three readings.

CARRIED

MOVED Director Westbrook, SECONDED Director Cameron, that “Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.08, 2008” be adopted.

CARRIED

Greater Nanaimo Pollution Control Centre Expansion and Upgrading Strategy – Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547.

MOVED Director McNabb, SECONDED Director Bestwick, that “Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547, 2008” be introduced for first and second readings and be forwarded for a public consultation meeting scheduled for May 7, 2008.

CARRIED

French Creek Pollution Control Centre Expansion and Upgrading Strategy – Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.02.

MOVED Director Holme, SECONDED Director Herle, that “Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.02, 2008” be introduced for first and second readings and be forwarded for a public consultation meeting scheduled for May 14, 2008.

CARRIED

SOLID WASTE

Residential Food Waste Collection Field Test – Progress Report.

MOVED Director Holdom, SECONDED Director Bestwick, that the Board receive the Residential Food Waste Collection Field Test progress report for information.

CARRIED

BC Produce Stewardship Council.

MOVED Director McNabb, SECONDED Director Holme, that the Board approve the revised Terms of Reference for the BC Product Stewardship Council.

CARRIED

MOVED Director McNabb, SECONDED Director Bestwick, that the Board approve the RDN providing annual financial support in the amount of \$1,000 to the BC Produce Stewardship Council.

CARRIED

UTILITIES

French Creek Sewer Local Service Area Amendment Bylaw No. 813.42 & Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.48 – Inclusion of 622 Johnstone Road – Area ‘G’.

MOVED Director Westbrook, SECONDED Director Holme, that “French Creek Sewer Local Service Area Amendment Bylaw No. 813.42, 2008” be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director McNabb, that “Northern Community Sewer Service Area Boundary Amendment Bylaw No. 889.48, 2008” be introduced and read three times.

CARRIED

RECREATION AND PARKS SERVICES

PARKS

UBCM Community Tourism Program Phase II.

MOVED Director Holme, SECONDED Director Biggemann, that the application for the UBCM Community Tourism Program, Phase II, be approved to conduct a feasibility study for the E & N Rail by Trail Initiative and related outcomes from the study, and for the development of a park management plan for the 707 acre community park on Gabriola Island; and the Terms and Conditions of the program be accepted.

CARRIED

MOVED Director Holme, SECONDED Director Bestwick, that Lanarc Consultants be retained as per the proposal outlined in Appendix 1 to conduct the E & N Trail by Rail feasibility study upon confirmation of receiving UBCM Tourism Program Phase II funding.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

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

MOVED Director Young, SECONDED Director Brennan, that the minutes of the East Wellington/Pleasant Valley Parks and Open Space Advisory Committee meetings held January 21, 2008 (no quorum) and March 3, 2008 be received for information.

CARRIED

Lease of Meadow Drive Community Park – Area ‘C’ – Updated Report.

MOVED Director Young, SECONDED Director Holdom, that the RDN enter into a Land Use Lease as detailed in Appendix 3, Option 5, for a section of Meadow Drive Community Park, legally described as Lot 11, Section 14, Range 4, Mountain Land District, Plan VIP800079, for a twenty year term commencing April 1, 2008 and ending February 29, 2028, to be used as a training area for the Mountain Fire Protection Improvement District (50 metres/0.805 acres).

CARRIED

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Herle, that the minutes of the District 69 Recreation Commission meeting held March 20, 2008 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Bestwick, that the Regional District of Nanaimo approve the Sublease with the Parksville Curling Club Society for the use of the District 69 Arena for the term of April 1, 2008 to March 31, 2013.

CARRIED

Electoral Area ‘A’ Recreation and Culture Commission.

MOVED Director Young, SECONDED Director Ungar, that the minutes of the Electoral Area ‘A’ Recreation and Culture Commission meeting held March 12, 2008 be received for information.

CARRIED

Transit Select Committee.

MOVED Director McNabb, SECONDED Director Holdom, that the minutes of the Transit Select Committee meeting held March 27, 2008 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Haime, that the 2008/2009 Annual Operating Agreement (AOA) with BC Transit be approved.

CARRIED

MOVED Director McNabb, SECONDED Director Cameron, that the Nanaimo Regional Transit Business Plan be approved as a guide for transit service planning and delivery in the Nanaimo region.

CARRIED

MOVED Director McNabb, SECONDED Director Manhas, that the Key Performance Indicators and the Service Design Guidelines developed by BC Transit and the RDN be approved as the basis for monitoring and evaluating the transit service.

CARRIED

MOVED Director McNabb, SECONDED Director Holdom, that the Short and Medium Range Service Proposals and the Supporting Strategies are approved in principle and that staff be directed to proceed with more detailed planning work for the proposals scheduled for implementation in March and September, 2009 as part of the annual budget cycle.

CARRIED

District 69 Community Justice Select Committee. (*Resolution from the meeting held March 13, 2008*)

MOVED Director Biggemann, SECONDED Director Holme, that the Committee consider reviewing an adjustment to the requisition for the D69 Community Justice service in conjunction with the 2009 budget development.

CARRIED

ADMINISTRATOR'S REPORTS

Electoral Area 'G' Parks and Open Space Advisory Committee – Revised Terms of Reference.

MOVED Director Holdom, SECONDED Director Young, that the revised Terms of Reference for the Electoral Area 'G' Parks and Open Space Advisory Committee be approved.

CARRIED

Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.08.

MOVED Director Sperling, SECONDED Director Young, that "Electoral Area 'B' Community Parks Local Service Amendment Bylaw No. 799.08, 2008" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

NEW BUSINESS

Board Appointment – Regional Liquid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Brennan, that Frank Van Eynde be appointed to the Regional Liquid Waste Advisory Committee as a General Public (north) representative.

CARRIED

IN CAMERA

MOVED Director McNabb, SECONDED Director Holme, 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 land and legal issues.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:50 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RUN REPORT	
CAO APPROVAL	
EAP	
COW	
MAY 21 2008	
RHD	
BOARD	✓ May 27th

MEMORANDUM

TO: Geoff Garbutt
Manager, Current Planning

DATE: May 21, 2008

FROM: Susan Cormie
Senior Planner

FILE: 3360 30 0711

SUBJECT: Bylaw Amendment Bylaw No. 500.345 – Timberlake Jones Engineering Ltd., on behalf of 609188 BC Ltd.
Electoral Area 'H' – Horne Lake Road, Spider Lake Area

PURPOSE

To consider Bylaw 500.345 for adoption.

BACKGROUND

Bylaw No. 500.345 was introduced and given 1st and 2nd reading on November 27, 2007. This was followed by a Public Hearing held on December 17, 2007. The Board granted 3rd reading for the bylaw on January 22, 2008.

The purpose of this amendment bylaw is to rezone a portion of the parcel legally described as Lot 2, Block 347, Newcastle District, Plan 33670 and located adjacent to Horne Lake Road in the Spider Lake Area of Electoral Area 'H' (see Attachment No. 1 for location of subject property) from Industrial 5 (IN5) to Rural 1 (RU1) and to rezone the entire parcel from Subdivision District 'B' (8.0 ha minimum parcel size with or without community services) to Subdivision District 'D' (2.0 ha minimum parcel size with or without community services) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" in order to facilitate the subdivision of the parent parcel (see Schedule No. 2 for proposed subdivision layout).

At 3rd reading of this amendment application, the Conditions for Approval include the preparation of 3 covenants to be registered on title prior to the amendment bylaw being considered for adoption, applying for a development permit, and the parcel being included in a RDN Building Services Area. These conditions, to be completed prior to consideration of 4th reading of the corresponding bylaw, are outlined in Schedule No. 1. With respect to the covenant documents, the applicant's solicitor has prepared the required covenants which have been registered at on title. With respect to the requirement to apply for a development permit, the applicant has completed this requirement. With respect to the requirement to include the parent parcel within an RDN Building Services Area, "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.07, 2008" was adopted on March 25, 2008 which places the parent parcel within a RDN Building Services Area.

ALTERNATIVES

1. To adopt Bylaw No. 500.345, 2007.
2. To not adopt Bylaw No. 500.345, 2007.

VOTING

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

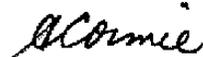
SUMMARY

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.345, 2007" was considered by the Board and given 1st and 2nd reading on November 27, 2007. Subsequent to that, a Public Hearing was held on December 17, 2007 and the Board granted 3rd reading on January 22, 2008. As the conditions of approval have been completed as outlined in *Schedule No. 1*, this bylaw may now be considered for adoption.

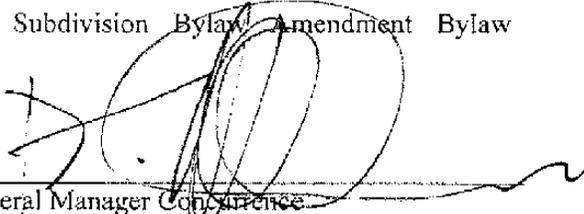
The following recommendation is provided for consideration by the Board.

RECOMMENDATION

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.345, 2007", be adopted.



Report Writer



General Manager Concurrence

Manager Concurrence



CAO Concurrence

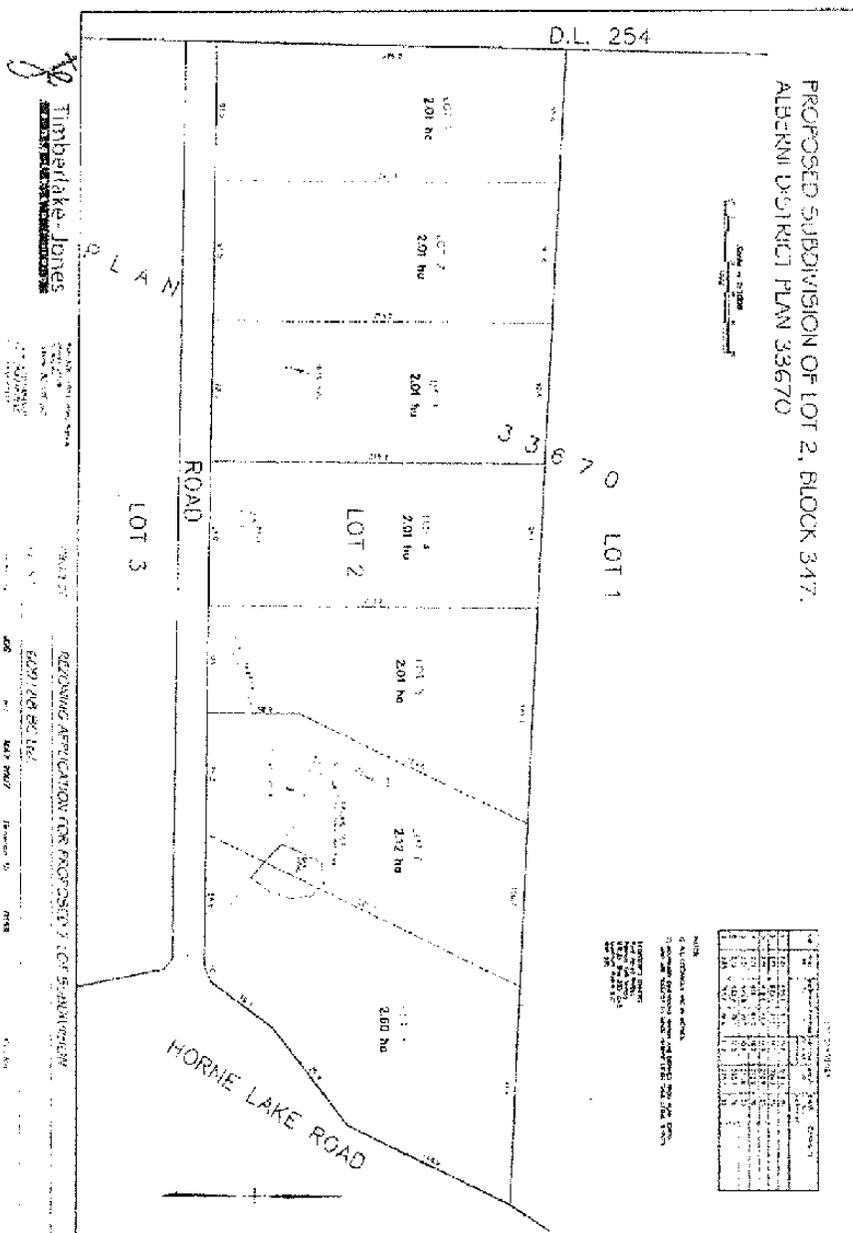
COMMENTS:

Schedule No. 1
Zoning Amendment Application No. ZA0711 / Amendment Bylaw No. 500.345
Conditions of Approval

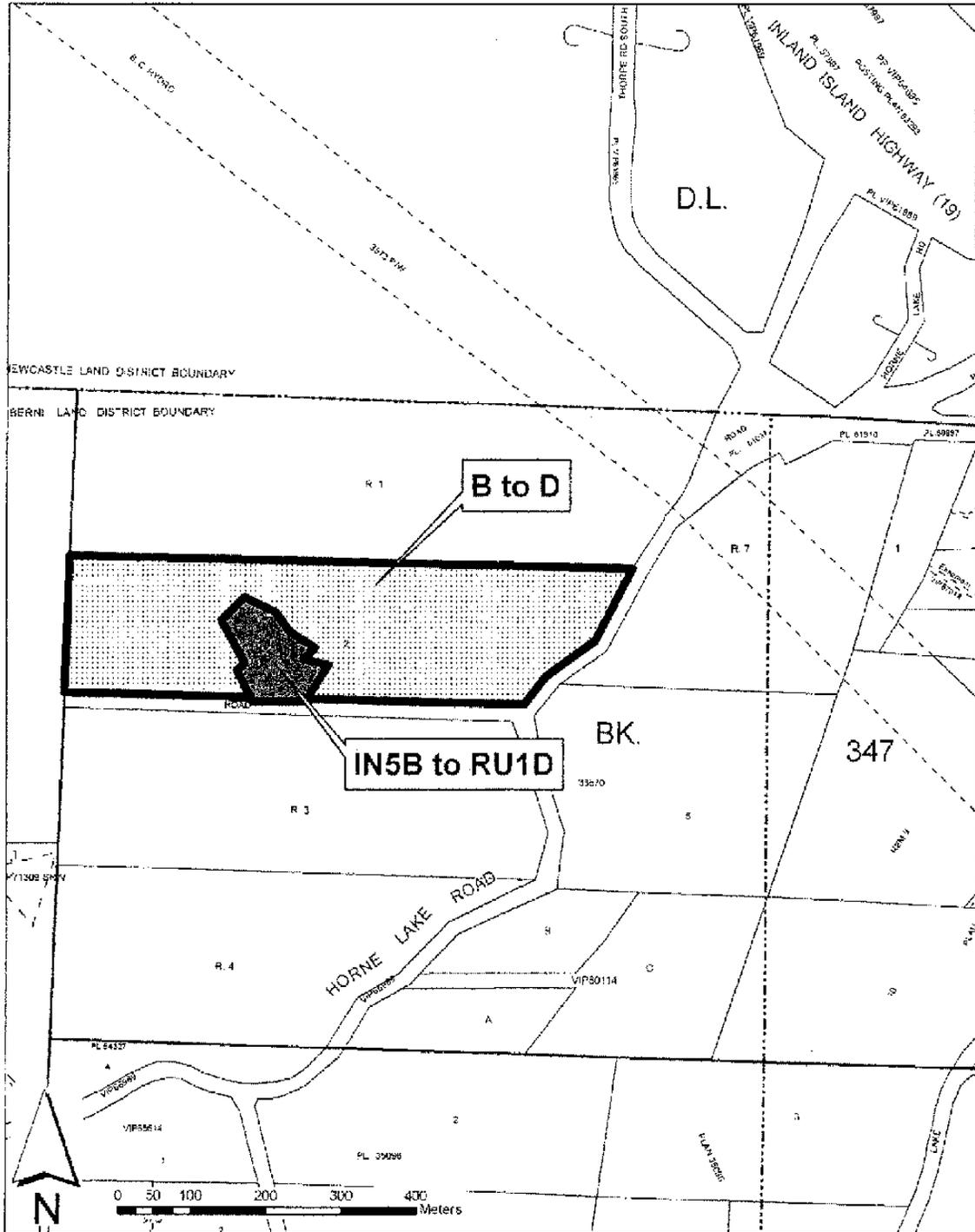
The applicant is to provide the following documentation prior to the amendment applications being considered for 4th reading:

1. All covenants are to be prepared and registered by the applicant to the satisfaction of the Regional District prior to consideration of 4th reading. Draft covenant documents are to be forwarded to the RDN for review prior to registration at Land Title Office, Victoria, BC. For all proposed parcels, the following section 219 covenants shall be registered on title:
 - a) A section 219 covenant restricting:
 - i) A maximum of one dwelling unit per parcel;
 - ii) No further subdivision of the land, including a Bare Land Strata Subdivision;
 - iii) No frontage relaxation; and,
 - iv) No further road dedication to accommodate parcel frontage or additional parcels.
 - b) A section 219 covenant registering the Hydrogeological Assessment Report prepared by EBA Engineering and dated July 2006.
 - c) A section 219 covenant restricting the subdivision of the parent parcel as set out in the proposed plan of subdivision attached as Schedule No. 2 to this staff report.
2. Applicant to submit to the RDN written confirmation from the Vancouver Island Health Authority that septic disposal areas are available for all proposed parcels to the satisfaction of the Health Authority.
3. Applicant to apply for a development permit.
4. Parent parcel be included into the Building Services Area.

Schedule No. 2
Zoning Amendment Application No. ZA0711 / Amendment Bylaw No. 500.345
Proposed Plan of Subdivision
(as submitted by applicant / reduced for convenience)



Attachment No. 1
Zoning Amendment Application No. ZA0711 / Amendment Bylaw No. 500.345
Location of Parent Parcel



BOGS Map Sheet No. 92F.037.4.2

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, MAY 13 2008, AT 6:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

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

Also in Attendance:

M. Pearse	Senior Manager, Corporate Administration
P. Thorkeisson	General Manager, Development Services
G. Garbutt	Manager, Current Planning
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Van Eynde to the meeting.

MINUTES

MOVED Director Stanhope, SECONDED Director Biggemann, that the minutes of the Electoral Area Planning Committee meeting held April 8, 2008 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60710 – Williamson – 5169 Gainsberg Road – Area ‘H’.

MOVED Director Burnett, SECONDED Director Van Eynde, that Development Permit Application No. 60710, to permit the construction of a residential dwelling on the property legally described as Lot C, District Lot 27, Newcastle District, Plan 21952, and designated within the Environmentally Sensitive Features for Watercourse Protection and Fish Habitat Protection Development Permit Areas pursuant to “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003”, be approved subject to the conditions outlined in Schedules No. 1 to 6.

CARRIED

Development Permit Application No. 60813 – Graham – 1566 River Crescent – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit Application No. 60813, for an addition to a residential accessory building on the subject property legally described as Lot 13, District Lot 28, Nanoose District, Plan 22685, municipally known as 1566 River Crescent, be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

Development Permit Application No. 60818 – Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd., Inland Island Highway & off Coldwater Road – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Young, that Development Permit Application No. 60818, submitted by Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd., in conjunction with the subdivision of the parcel legally described as Lot A, Block 1438, Nanoose District, Plan VIP64704, Except Plan VIP78701 and designated within the Inland Island Highway Development Permit Area, be approved subject to the conditions in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

Development Permit Application No. 60821 – Fern Road Consulting Ltd., on behalf of Sturlis – 1253 Prestwick Place – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Burnett, that Development Permit Application No. 60821, for the construction of a single dwelling unit on the subject property legally described as Lot 26, District Lot 126, Nanoose District, Plan VIP69272, be approved subject to the conditions outlined in Schedules 1 to 4 of the corresponding staff report.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90807 – Francis – 2293 East Island Highway – Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Young, that Development Variance Permit Application No. 90807, submitted by Angela Francis, on behalf of Robert Francis, in conjunction with the construction of a single dwelling unit on the parcel legally described as Lot 1, District Lot 30-A, Nanoose District, Plan 5019, be approved subject to Schedules No. 1, 2 and 3 as outlined in the corresponding staff report and to the notification procedure pursuant to the *Local Government Act*.

CARRIED

OTHER

Request to Discharge a Section 219 Covenant – Grimes – 2405 & 2393 Morland Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that the request from Joseph Grimes to discharge the section 219 covenant concerning no further subdivision in conjunction with the parcels legally described as Lots 4 and 5, Both of Section 12, Range 2, Cedar District, Plan VIP75931, be approved subject to the conditions set out in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

ADJOURNMENT

MOVED Director Van Eynde, SECONDED Director Young, that this meeting terminate.

CARRIED

TIME: 6:22 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON TUESDAY, MAY 13, 2008 AT 7:00 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
Alternate	
Director F. Van Eynde	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director S. Herle	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Alternate	
Director J. Cameron	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director M. Unger	City of Nanaimo

Also in Attendance:

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

CALL TO ORDER

The Chairperson welcomed Alternate Directors Cameron and Van Eynde to the meeting.

DELEGATIONS

Jenny MacLeod, re Effects of the BC Meat Regulations on Slaughter Capacity in the RDN.

Ms. MacLeod spoke on the effects of the BC Meat Regulations on local small scale abattoirs and farm gate operations in the Regional District and urged the Board to consider an impact study in the RDN as was done in the North Okanagan Regional District to focus the need for change in the Provincial meat regulations.

MINUTES

MOVED Director Westbrook, SECONDED Director Manhas, that the minutes of the Committee of the Whole meeting held April 8, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

F. Bates, Comox Valley Regional District, re Comox Valley Regional District Regional Growth Strategy.

MOVED Director Westbrook, SECONDED Director McNabb, that the correspondence from the Comox Valley Regional District regarding their Regional Growth Strategy be received.

CARRIED

D. Davidge, Friends of French Creek Conservation Society, re French Creek Wastewater Facility.

MOVED Director Westbrook, SECONDED Director McNabb, that the correspondence from the Friends of French Creek Conservation Society regarding the proposed uncapping of wells located adjacent to French Creek be received.

CARRIED

Gabriola Land Conservancy, re Gabriola Community Park (707).

MOVED Director Westbrook, SECONDED Director McNabb, that the correspondence from the Gabriola Land Conservancy regarding the terms under which the Gabriola Community Park (707) was transferred to the Regional District of Nanaimo, be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

2007 Audited Financial Statements – Nanaimo Regional Hospital District.

MOVED Director Manhas, SECONDED Director Van Eynde, that the report on the 2007 audited financial statements of the Nanaimo Regional Hospital District be received.

CARRIED

2007 Regional District Annual Report (Audited Financial Statements).

MOVED Director McNabb, SECONDED Director Haime, that the 2007 Consolidated Financial Statements, associated financial schedules and Auditors' Report to the Chief Administrative Officer be received.

CARRIED

2007 Statement of Financial Information.

MOVED Director Holdom, SECONDED Director Bestwick, that the 2007 *Financial Information Act* report be received and approved and be forwarded to the Ministry of Community Services.

CARRIED

2007 Report - Directors & Committee Members' Remuneration & Expenses.

MOVED Director Westbrook, SECONDED Director Brennan, that the 2007 report on remuneration and expenses for Board and Committee members be received.

CARRIED

Property Tax Exemption – Mt. Arrowsmith Regional Park – Bylaw No. 1548.

MOVED Director McNabb, SECONDED Director Manhas, that “Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1548, 2008” be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Manhas, that “Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1548, 2008” be adopted.

CARRIED

Dashwood Fire Protection Local Service Area Amendment Bylaw No. 964.04 – Meadowood – Area ‘F’.

MOVED Director Biggemann, SECONDED Director McNabb, that “Dashwood Fire Protection Local Service Area Amendment Bylaw No. 964.04, 2008” be introduced and read three times.

CARRIED

Electoral Areas Community Works Funds.

MOVED Director Burnett, SECONDED Director Brennan, that the projects eligible under the Community Works component of the Gas Tax program outlined on the attachments to this report be endorsed as presented and that the 2008 budget be amended to include new projects identified for 2008.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Unightly Premise – 2401 Collins Crescent – Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Manhas, that should this matter not be rectified by May 27, 2008, pursuant to “Unightly Premises Regulatory Bylaw No. 1073, 1996”, the Board directs the owners of the above noted property to remove from the premises, those items set out in the attached resolution within fourteen (14) days, or the work will be undertaken by the Regional District of Nanaimo’s agents as the owners’ cost.

CARRIED

Notice of Bylaw Contravention – 793 Terrien Way – Area ‘G’.

MOVED Director Westbrook, SECONDED Director Herle, that staff be directed to register a Notice on title pursuant to Section 57 of the *Community Charter* and should the outstanding bylaw contraventions not be resolved within ninety (90) days, that legal action be pursued to ensure Lot 26, District Lot 1, Nanoose District, Plan 29928, is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001”.

CARRIED

Notice of Bylaw Contravention – 3182 Dolphin Drive – Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Burnett, that staff be directed to register a Notice on title pursuant to Section 57 of the *Community Charter* and should the outstanding bylaw contraventions not be resolved within thirty (30) days, that legal action be pursued to ensure Lot 60, District Lot 78, Plan VIP14275, Nanoose District, is in compliance with the “Regional District of Nanaimo Building Regulations & Fees Bylaw No. 1250, 2001”.

CARRIED

EMERGENCY PLANNING

District of Lantzville Emergency Management Service Agreement.

MOVED Director Haime, SECONDED Director Manhas, that the Emergency Planning Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Emergency Planning be approved.

CARRIED

PLANNING

Built Environment and Active Transportation Community Planning Grant.

MOVED Director Unger, SECONDED Director Burnett, that the Regional District of Nanaimo Board authorize staff to proceed with submitting an expression of interest to the Union of British Columbia Municipalities for the purpose of applying for funding under the Built Environment and Active Community Planning Grant Program to develop an active transportation plan as part of the Electoral Area 'A' Official Community Plan review.

CARRIED

Green Building Policy for RDN Facilities.

The Sustainability Coordinator provided a visual and verbal overview of the green building policy for RDN facilities.

MOVED Director Holdom, SECONDED Director Bartram, that the Regional District of Nanaimo adopt the "Green Building Policy for RDN Facilities".

CARRIED

ENVIRONMENTAL SERVICES

LIQUID WASTE

Cogeneration Project – Greater Nanaimo Pollution Control Centre.

MOVED Director Holdom, SECONDED Director Brennan, that the report on the cogeneration project at Greater Nanaimo Pollution Control Centre be received for information.

CARRIED

Application for Development Cost Charge Reduction – Parksville Lions.

Director Manhas requested that the staff recommendations be considered in seriatum.

MOVED Director McNabb, SECONDED Director Van Eynde, that the request to exempt the Northern Community Sewer Service Development Cost Charges with respect to the redevelopment of the Parksville Lions supportive living housing development at 205 East Jensen Avenue, Parksville, BC be denied.

DEFEATED

MOVED Director McNabb, SECONDED Director Van Eynde, that staff be directed to develop a policy to respond to future requests for waivers of development cost charges in the Regional District.

CARRIED

MOVED Director Westbrook, SECONDED Director Herle, that the Board grant a 100% exemption of the estimated Northern Community Sewer Development Cost Charges for the Parksville Lions supportive living housing development at 205 East Jensen Avenue, Parksville, BC.

DEFEATED

MOVED Director Manhas, SECONDED Director Brennan, that the Board grant a 50% exemption of the Northern Community Sewer Development Cost Charges for the Parksville Lions supportive living housing development at 205 East Jensen Avenue, Parksville, BC.

CARRIED

Greater Nanaimo Pollution Control Centre Operations Building – Southern Community Development Cost Charge Reserve Fund Expenditure Bylaw No. 1551.

MOVED Director McNabb, SECONDED Director Unger, that Saywell Contracting Ltd. be awarded the construction phase of the GNPCC new operations building project for the tendered amount of \$1,297,514.60.

CARRIED

MOVED Director McNabb, SECONDED Director Unger, that Southern Community Development Cost Charge funds in the amount of \$698,607 be approved as a source of funds for this project.

CARRIED

MOVED Director McNabb, SECONDED Director Unger, that “Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1551, 2008” be introduced and read three times.

CARRIED

MOVED Director McNabb, SECONDED Director Unger, that “Southern Community Sewer Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1551, 2008” be adopted.

CARRIED

UTILITIES

Infrastructure Planning (Study) Grant Application.

MOVED Director McNabb, SECONDED Director Haime, that the Board support the application to the Ministry of Community Services for an Infrastructure Planning (Study) Grant for the Drinking Water Watershed Protection Action Plan Communications Plan.

CARRIED

RECREATION AND PARKS SERVICES

PARKS

Rotary Bowl Resurfacing Project.

MOVED Director Manhas, SECONDED Director Bestwick, that the Regional Board approve, in principle, the Nanaimo & District Track & Field Club and School District 68 fundraising campaign “Help Us Stay on Track” providing that Rotary Bowl becomes a multi-use facility.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Contract Extension – Bird Control at Regional Landfill.

MOVED Director McNabb, SECONDED Director Herle, that the Board award a two year contract extension to Pacific Northwest Raptors for bird control services at the Regional Landfill effective May 1, 2008 at a cost of \$401,568.00.

CARRIED

Regional Landfill Cell One Remediation Capital Project.

MOVED Director Brennan, SECONDED Director Westbroek, that the Board proceed to tender for the remediation of storm water management and leachate collection systems in Cell One of the Regional Landfill and award the associated engineering services to XCG Consultants Ltd.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘A’ Parks and Green Space Advisory Committee.

MOVED Director Burnett, SECONDED Director Van Eynde, that the minutes of the Electoral Area ‘A’ Parks and Green Space Advisory Committee meeting held March 20, 2008 be received for information.

CARRIED

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

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the Electoral Area ‘H’ Parks and Open Space Advisory Committee meeting held March 27, 2008 be received for information.

CARRIED

Intergovernmental Advisory Committee.

MOVED Director McNabb, SECONDED Director Manhas, that the minutes of the Intergovernmental Advisory Committee meeting held April 9, 2008 be received for information.

CARRIED

Grants-in-Aid Advisory Committee.

MOVED Director Young, SECONDED Director Brennan, that the minutes of the Grants-in-Aid Advisory Committee meeting held May 6, 2008 be received for information.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that the following grants be awarded:

School District 68 Grants:

Cedar Community Policing	\$	1,175
Cedar Schools & Community Enhancement Society	\$	800
Jonanco Hobby Workshop	\$	450
Nature Trust of BC	\$	500

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

French Creek Water Conservation.

MOVED Director Westbroek, SECONDED Director Holdom, that the Regional District of Nanaimo contact the Ministry of Environment and oppose any further licenses for water extraction from wells that effect French Creek.

CARRIED

BC Meat Regulations on Slaughter Capacity in the RDN.

MOVED Director Cameron, SECONDED Director Manhas, that the Board request that UBCM work with the Province and Federal regulatory authorities to find a way to maintain and encourage the production of local small scale meat and poultry operations on Vancouver Island.

CARRIED

NEW BUSINESS

Relief Policy for Residents for Solid Waste Removal.

MOVED Director Herle, SECONDED Director Brennan, that the RDN staff be directed to prepare options for the Board's review for a policy to provide relief for the extra costs of solid waste removal for persons that have medical issues.

CARRIED

NOTICE OF MOTION

Regional Sustainability Implications.

Director Bartram noted that he would be bringing forward the following motion:

That given it is the stated goal of this Board to develop the Regional District of Nanaimo into a socially, economically, environmentally and culturally healthy region where residents meet their needs without compromising the ability of future residents to do the same, that staff be directed to prepare a report for the Board's consideration on the development of a policy where in all appropriate staff reports to this Board include an assessment titled "Regional Sustainability Implications" of the proposed alternatives and staff recommendation, just as today the appropriate reports include a section on Financial Implications.

ADJOURNMENT

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

CARRIED

IN CAMERA

MOVED Director McNabb, SECONDED Director Young, that pursuant to Section 90(1)(e) and (g) of the *Community Charter* the Board proceed to an In Camera Committee of the Whole meeting to consider items related to land and legal issues.

CARRIED

TIME: 8:33 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'A'
RECREATION AND CULTURE COMMISSION
REGULAR MEETING HELD ON WEDNESDAY, MAY 14, 2008**

- Attendance:** Joe Burnett, Director RDN Board, Chair
Shelagh Gourlay
Dawn Burnett
Shannon Wilson
Grant Fong
Krista Seggie
- Staff:** Dan Porteous, Manager of Recreation Services
Tom Osborne, General Manager of Recreation and Parks
Marilynn Newsted, Recording Secretary
- Regrets:** Dee Hutt-Randen
- Absent:** Wendy Herrington
-

CALL TO ORDER

- 1 Chair J. Burnett called the meeting to order at 7:00pm.

MINUTES

- 3.1 MOVED Commissioner Wilson, SECONDED Commissioner Seggie, that the Minutes of the Electoral Area 'A' Recreation and Culture Commission Meeting held March 12, 2008, be approved.

CARRIED

COMMUNICATION/CORRESPONDENCE

- 4 MOVED Commissioner Wilson, SECONDED Commissioner Gourlay, that the following Correspondence be received:
- D. Porteous to Cedar Community Secondary School Re: Request for Grant In Aid Funding
 - D. Porteous to Cedar School and Community Enhancement Society Re: Administration of the RDN's Area 'A' Grant In Aid Program

CARRIED

NEW BUSINESS

8.1 EA 'A' Recreation and Culture Grant-In-Aid Program

Mr. Porteous reviewed the Electoral Area A Recreation and Culture Grant-in-Aid Program noting the application criteria; the funding is only for non-profit organizations for new and expanded programs and that the funding is available on an annual basis. The Commission and staff will also review the Grant-in-Aid Program on an annual basis prior to the RDN budget process to recommend any changes to be implemented the following year.

MOVED Commissioner D. Burnett, SECONDED Commissioner Wilson, that the Electoral Area 'A' Grant-in-Aid Program be approved as presented in Appendix 1.

CARRIED

MOVED Commissioner Gourlay, SECONDED Commissioner Seggie, that the Electoral Area 'A' 2008 Budget be amended to include the allocation of \$10,000 to the new Grant-in-Aid Program from the approved \$76,500 tax requisition.

CARRIED

The Commission agreed to initiate the Electoral Area 'A' Grant-in-Aid Program immediately. The new grants will be advertised in June and the Commission will meet in July to review the submissions.

8.2 **Grant-In-Aid for Capital Improvement in Electoral Area 'A'**

Mr. Osborne advised the Commission a report will be presented at the Electoral Area 'A' Parks and Green Space Advisory Committee meeting on May 15, 2008, which will recommend the Community Parks Bylaw for EA 'A' be amended to allow the authority to use tax requisition dollars for improvements to non RDN owned non-profit community facilities.

8.3 **Recreation and Culture Service Delivery Option Update**

Mr. Porteous reported he had approached David Green, School District 68, with regard to their interest in working with the Regional District to provide recreation and cultural services in Electoral Area 'A' through the Community School Coordinators. As the School District had been involved in their budget process, he was unable to get a timely response as to their interest in the proposal. Mr. Green contacted Mr. Porteous today and stated the School District is interested in the concept and is still exploring the issue and will meet with staff to discuss any concerns prior to any discussions with the Regional District. Mr. Porteous noted his report regarding the School District 68 service delivery option will take into consideration Mr. Green's comments and also Mr. Porteous's own investigation regarding activities, concerns or issues there may be with the current Community School Coordinated programs in District 68.

8.5 **BC Community Achievement Award**

Commission members agreed the BC Community Achievement Award Program would be an excellent way to recognize Area 'A' citizens and should be established as an on going initiative.

COMMISSIONER ROUNDTABLE

9 A group photograph of the Commission Members will be taken at the start of the next meeting.

Commissioner D. Burnett noted the City of Nanaimo Leisure Economic Activities Program has improved the application process making it easier for families to access the program.

Commissioner Wilson stated she felt that while the service delivery option is still being discussed, there is a need for dissemination of information regarding the efforts of the Electoral Area 'A' Recreation and Culture Commission. Commissioners were informed any program or event information could be forwarded to Commissioner J. Burnett to be included in the RDN Electoral Area Updates and/or emailed to Mr. Porteous to include on the RDN web page specific to the Recreation and Culture Commission.

Commissioner Seggie reported the South Wellington and Area Community Association (SWACA) have a new web site - www.southwellington.com.

Commissioner Seggie noted the following events:

- A One Year Anniversary Pot Luck of SWACA will be held May 20
- A Community Road Clean Up will be held May 22
- A successful school plant sale fundraiser was held last weekend
- A Fun Fair will be held June 6. Both school logos will be available for printing on T-shirts as another fund raiser event

ADJOURNMENT

11 MOVED Commission Wilson, SECONDED Commissioner Seggie, that the meeting be adjourned at 8:40pm.

NEXT MEETING

Wednesday, July 9, 2008
7:00pm, Cedar Heritage Centre

Chair



RDN REPORT	
CAO APPROVAL	
EAP	
COV	
MAY - 6 2008	
RHD	
BOARD	✓
EAARCC	May 27th May 19

MEMORANDUM

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: April 22, 2008

FROM: Dan Porteous
Manager of Recreation Services

FILE:

SUBJECT: Electoral Area A Recreation and Culture Grant-in-Aid Program

PURPOSE

To seek Board approval for a Recreation and Culture Grant-in-Aid Program developed for the Electoral Area 'A' Recreation and Culture Commission.

BACKGROUND

On February 26, 2008 the Regional Board approved the following recommendation:

That staff prepare an Electoral Area 'A' Recreation and Culture Grant in Aid Program for review at the next Area 'A' Recreation and Culture Commission meeting.

This recommendation pertains to the Commission's interest in assisting non-profit organizations in the delivery of recreation and culture services to residents of Area 'A'. This Program would be implemented in conjunction with the direct provision of recreation and culture services that will be administered through the Commission, yet to be determined. Staff will be submitting a separate report for consideration by the Commission and Regional Board that will explore two service delivery options, either through an agreement with School District 68 to provide enhanced community based recreation and culture services or providing these services directly by retaining a Regional District staff person.

With respect to a new grant-in-aid program, the Regional District of Nanaimo already provides well established grants-in-aid programs through RDN Administration and the Recreation and Parks Department in District 69. The City of Nanaimo also provides a series of grant-in-aid programs for various service areas. Staff have reviewed information from these sources and other grant programs, and have established a framework for the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program. The Electoral Area 'A' Recreation and Culture Commission members have also reviewed the framework and provided some feedback with respect to the document.

The following information outlines the key sections and concepts of the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program. A complete program is attached for reference as *Appendix 1*.

Program Overview

Administration Process:

The Grant-in-Aid program would be administered through the Commission in conjunction with RDN staff. At the beginning of each year the Commission would appoint three Commission members (and an alternate) to sit on a Committee with a RDN staff member. Applicants may apply for up to \$1,500 in

funding per grant application. The Committee's role would be to review applications and may, at its discretion, consider larger requests depending on the number of applications, funding available and the nature of the request. The Committee would then make recommendations for the Commission's consideration and Board approval.

A set of criteria has been established to guide the Committee members in reviewing the applications. The following highlights some of the key items to be considered by the Committee.

Only non-profit organizations that provide opportunities to enhance recreation and culture services to local residents including new or expanded programs / special events, leadership development and special projects are eligible for funding. The Committee must also consider Area wide opportunities, specific community opportunities within the Area, and the wide range and number of participants benefiting from the Program. Although applicants are eligible to apply annually, funds are not guaranteed year to year.

The Program excludes requests for repairs, maintenance or capital improvements to community operated facilities. This type of project could be considered through the local Parks function.

The Commission and staff will continue to monitor funding to ensure that each year funding is equitably distributed throughout the Area dependent upon who applies, funding available and the nature of applications. Successful grant recipients would be required to begin using the funds within six months of receiving the funds, and a Final Report would need to be submitted to the Commission within sixty days of program/event/project completion summarizing the success of the event and how the funding was used.

The Commission and staff would also review the Grant-in-Aid Program on an annual basis prior to the RDN budget process to recommend any changes to be implemented the following year.

Time Line:

The Grant-in-Aid Program would be administered bi-annually, once for the Winter/Spring applications and once for the Summer/Fall applications. The process for administering the applications prior to organizations receiving the funds takes approximately three and half months. The process includes advertising, application timeline and deadline, sub-committee and Commission review, Board approval, signatures for the disbursement of funds, and disbursement.

The table below outlines the proposed bi-annual process for administering the Grant-in-Aid Program:

	Proposed Approach	
	Bi-Annual	
PROCESS:	Spring	Fall
Advertise	Early February	Early September
Sub-Committee Recommendations	Late February	Late September
Commission Endorsement	Early March	Early October
Committee of the Whole Review	Early April	Early November
Board Approval	Late April	Late November
Community Receipt of Funding	Mid May	Mid December
Grant Coverage	Jul-Dec (6 months)	Jan-Jun (6 months)

ALTERNATIVES

1. Approve the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program as presented in Appendix 1.
2. Not approve the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program as presented in Appendix 1.

FINANCIAL IMPLICATIONS

The tax requisition for the Electoral Area 'A' Recreation and Culture 2008 budget is currently established at \$76,500; however, the maximum amount that may be requisitioned, based on the present bylaw, is \$96,750. This amount provides some room for growth within the budget should changes be recommended in the future. For now, it is recommended that a total of \$10,000 be apportioned for a Grant-in-Aid Program within the budget. The remaining funds in the Area 'A' budget will continue to be used for Recreation and Parks administrative costs (approximately \$20,000), and for the recreation and culture service delivery option, yet to be determined.

Generally, the purpose of grant-in-aid programs is to provide modest levels of financial support and assistance to community organizations. There has been some discussion with the Commission to increasing the Grant-in-Aid Program funding substantially; however, upon further review, the current bylaw for the Electoral Area 'A' function would need to be revised. This would be required as the initial bylaw was established to provide direct delivery of recreation and culture services. So long as the overall funding for the Grant-in-Aid Program remains relatively low it can be established within the overall service. This would be the recommendation for 2008. Once the Commission establishes the main service delivery option, and understands more clearly the overall budget implications and processes for bylaw amendments, the Commission may then consider bylaw changes and increases to the budget in relation to the overall service as desired and applicable.

If the Grant-in-Aid Program was not approved the \$10,000 would remain in the general Electoral Area 'A' budget, and the RDN would continue with the direction of providing direct recreation and culture services through a service delivery option, either through an agreement with School District #68 or by retaining a staff person to coordinate the services, as previously mentioned. Whichever option is undertaken, the workload would consist of networking and community development initiatives with other community organizations; however, funds would not be available to any community organizations to enhance their services.

CITIZEN IMPLICATIONS

The Grant-in-Aid Program will assist the Commission in better serving the community in a broader scope, further enhancing the overall delivery of recreation and culture services to the community. This funding will provide for a greater distribution of resources independently managed by organizations that will continue to serve the Electoral Area in conjunction with the direct provision of recreation and culture service established through the Commission. This will also support and further the direction of the RDN Recreation and Parks Department and the Commission in their goal to foster community development, helping others help themselves.

SUMMARY/CONCLUSION

The Electoral Area 'A' Recreation and Culture Commission is interested in providing grant-in-aid funding to community organizations in conjunction with the direct provision of recreation and culture services to be offered in Electoral Area 'A' through the Commission. Based on a Regional Board recommendation in February of 2008 staff have developed a framework for an Electoral Area 'A' Grant-in-Aid Program.

Funding of \$10,000 would be allocated for the Program from the \$76,500 tax requisition funding envelope currently set in the 2008 Electoral Area 'A' Budget. Grant-in-Aid programs are intended to provide modest support and assistance to communities and this amount would suffice in doing so, while ensuring that sufficient funds are available to support a recreation service delivery option, yet to be determined. Staff are currently exploring two service delivery options as directed by the Board and will provide a separate report to the Commission and Regional Board for consideration.

As the Program would be administered through the Commission via a sub-Committee, a set of criteria has been established to assist the Committee in reviewing and making recommendations for the Commission's consideration and Regional Board approval. The application and review process will be administered bi-annually.

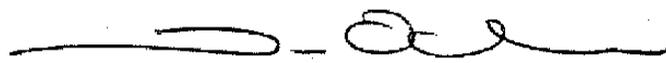
The development of the Program would also serve the community in an alternative capacity to the direct provision of recreation and culture service that will be provided in some manner through the Commission. This initiative would benefit a number of community organizations in continuing to better serve the residents of Area 'A' by providing additional financial assistance to enhance some of the services already being provided.

Based on the benefits outlined and the ability to administer this program through the Commission and the current budget it is recommended that the Regional District approve a Grant-in-Aid Program for Electoral Area 'A'.

RECOMMENDATIONS:

1. That the Electoral Area 'A' Grant-in-Aid Program be approved as presented in Appendix I.
2. That the Electoral Area 'A' 2008 Budget be amended to include the allocation of \$10,000 to the new Grant-in-Aid Program from the approved \$76,500 tax requisition.

A. Bourque for Dan Porteous.
Report Writer


General Manager Concurrence


CAO Concurrence

COMMENTS:



**ELECTORAL AREA 'A'
RECREATION AND CULTURE
GRANT-IN-AID PROGRAM**

**GUIDELINES AND APPLICATION
FOR FUNDING**

ELECTORAL AREA 'A' RECREATION AND CULTURE GRANT-IN-AID PROGRAM PROCESS AND GUIDELINES

NOTE: Please read all of the information provided before completing your application.

GENERAL INFORMATION

The Regional District of Nanaimo (RDN) plays an effective role of facilitation by providing grant programs to assist community organizations in the provision of services to residents throughout the region. These grant programs help to support a wide variety of services including programs, events, and special projects and initiatives offered throughout the communities, and enhances the overall service delivery provided by the RDN.

The Electoral Area 'A' Recreation and Culture Advisory Commission representing the communities of Cedar, Cassidy, South Wellington and parts of Yellow Point has established a Grant-in-Aid Program that is targeted towards local community organizations providing recreation and culture services within Electoral Area 'A'. The Program includes criteria to assist the Commission and RDN staff in reviewing and considering applications from a broad spectrum of opportunities.

Any local, non-profit organization is eligible for funding; charitable status is not required. Private or commercial organizations are not eligible.

PROGRAM OBJECTIVE

To provide funds to assist local, non-profit organizations offering recreation and culture programs, special events or projects, which benefit specific communities or Electoral Area 'A' as a whole; targeting either specific age/gender categories including preschool, children, youth adult and seniors or combined age/gender categories.

BUDGET

The Commission, in concert with the RDN staff, recommends the annual apportionment for the overall Grant-in-Aid Program through the RDN budget process with final approval from the Regional Board.

Funding to a maximum of \$1,500 per grant application is disbursed after Regional Board approval. When making your application, please remember that the objective is to assist as many local organizations as possible. Larger funding requests may be considered at the Commission's discretion and must also be approved through the Regional Board before disbursement.

Any unallocated grant funding will be carried over to the next budget year.

APPLICATION PROCESS

1. Submissions for Grant-in-Aid applications are advertised bi-annually in February for summer and fall programs/events/projects of the same year (July-December), and in September for winter and spring programs starting the following year (January-June).
2. Once submitted a Committee will review the applications and make recommendations for consideration by the Commission and for final approval through the Regional Board.
3. Applicants **must** complete an application form included with this package.
4. For an application to be considered, it cannot be longer than **7 pages** including the application form.
5. Additional information provided via a word processing program must be at least **11 point** font size.

6. **No staples** please -- your application will be photocopied for the sub-committee members.
7. Completed application forms clearly marked "**Recreation and Culture Grant-in-Aid Program**" must be delivered in a sealed envelope submitted to:

Attention: Dan Porteous, Manager of Recreation Services
Electoral Area 'A' Recreation and Culture Commission
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC, V9T 6N2
Fax: 390-4163

ADMINISTRATION OF PROGRAM

1. A Committee will be appointed annually consisting of three representatives and one alternate of the Electoral Area 'A' Recreation and Culture Advisory Commission and RDN staff. The Committee will review and evaluate the Grant-in-Aid applications. Recommendations regarding successful grant recipients will be forwarded to the Electoral Area 'A' Recreation and Culture Advisory Commission for final review and to the Regional Board for approval.
2. The Committee may disburse approximately 1/2 of the Program funding available during each of the application terms; although, if deemed appropriate by the Committee and based on the nature of the proposal, larger expenditures, per term, may be recommended if funds are available.
3. All applicants will be notified regarding approval status, and if approved, successful applicants should receive funding within 3 weeks of Regional Board approval. The overall process takes approximately 3½ months from when the Program is first advertised to when the funds reach the successful recipient.
4. The Committee will ensure, depending on the receipt of applications, that each community is equitably represented throughout the year and that a wide range of grant recipients including recreation/parks, sports, arts and culture are represented in the selection process.
5. Successful grant recipients will be required to provide a summary Final Report outlining the overall intent and final outcome of the program, event, or project, to include a budget of revenues and expenditures specifically identifying the RDN grant funding within the overall budget. The Final Report must be submitted to the Electoral Area 'A' Recreation and Culture Advisory Commission within 60 days of project completion. If the Report is not forthcoming the Commission will inquire about the funding, and may require the recipients to return the funding. Failure to provide a written report may result in future applications being denied. Formal agreements may be required depending on the nature of the application.
6. Successful grant recipients must begin using the funds for the approved purposes within six months of receiving the funds.
7. Late submissions will not be considered.

FUNDING CRITERIA

1. Funding will be considered for local Electoral Area 'A' organizations providing **recreation and culture** services in any of the following:
 - new programs
 - expansion of current programs

- leadership development
 - new or expanded special events
 - special projects
2. When selecting grants higher priority may be given to the following applications:
 - representative of Electoral Area 'A' wide opportunities
 - representative of specific Electoral Area communities
 - offering services to a wide range and number of participants
 - new programs, events, projects may have preference over on-going annual programs, events, projects
 3. Groups may apply for funding each term and each year; however, the intent of Grant-in-Aid funding is not to subsidize on-going, annual programs and projects. When making applications, applicants must understand that funding is not guaranteed year to year and to plan accordingly.
 4. Only non-profit groups within Electoral Area 'A' qualify for funding.
 5. Must be unique in nature – not duplicating services already provided in the community unless a demand can be demonstrated.
 6. Demonstration of community support for the program, event or project, as measured by community participation, volunteer involvement, involvement from other community partners, and commitment from other funding sources as applicable.
 7. Evidence of benefit to the community.
 8. Evidence of sound program, event or project management and fiscal responsibility.
 9. Funds cannot be used for wages or other professional fees.
 10. The amount requested cannot be greater than 50% of the total budget for the program, event or project.
 11. Commitment outlined regarding public recognition of the Regional District Electoral Area 'A' contribution in applicable marketing and promotional materials.
 12. Groups applying for more than one program, event or project may be considered depending on the availability of funding.
 13. Projects receiving funding from the Regional District of Nanaimo Grants-In-Aid Program will **not** be eligible for additional funding from the Electoral Area 'A' Recreation and Culture Grant-in-Aid Program.
 14. The Grant-in-Aid program excludes requests for repairs, maintenance or capital improvements to community operated buildings or halls.

FURTHER INFORMATION

Contact Dan Porteous, Manager of Recreation Services, Regional District of Nanaimo Recreation and Parks Department at 1-888-828-2069 or email: dporteous@rdn.bc.ca.

ELECTORAL AREA 'A' RECREATION AND CULTURE GRANT-IN-AID PROGRAM

APPLICATION FORM



Date of Application: (m/d/y) ____ / ____ / ____

A. ORGANIZATION INFORMATION

- 1. Name of Organization:
Contact Name:
Position:
Phone Number(s): Alternate:
Mailing Address:
Postal Code: Fax Number:

- 2. How long has the organization been established? ____ year(s)
3. Is the organization non-profit? If "No" please explain rationale for applying.
Yes ____ No ____

B. PROGRAM / EVENT / PROJECT INFORMATION

Please ensure that you fill out the information completely to ensure your application is considered - if more space is needed please attach a separate sheet of information.

- 1. Check only one of the following categories in a), b) or c):
a) New: Program ___ Event ___ Project ___
b) Expansion/Enhancement of Existing: Program ___ Event ___ Project ___
c) Ongoing annual (have applied previously for the same): Program ___ Event ___ Project ___
1. Please check one of the following that best describes the program, event or project:
Recreation ___ Sports ___ Culture ___ Fine Arts ___ Performing Arts ___
2. Name of the Program/Event/Project:
3. Location:
4. Date(s):
5. Time(s):
6. Ages of targeted participants / audience:
7. Approximate number of participants / audience to be served:
8. Please check applicable area(s) of Electoral Area 'A' being served:
Cassidy: ___ Cedar: ___ South Wellington: ___ Yellow Point: ___
10. Total amount requested: \$ ____ (budget details to be completed in Section C)

Please provide any other relevant information: _____

C. FINANCIAL INFORMATION

1. Specify, in general, what the funds will be used for: _____

2. Copy of a specific program / event / project budget included? Yes _____ No _____
Give reason if no: _____

3. Copy of organization's financial statement included? Yes _____ No _____
Give reason if no: _____

4. What other efforts is the organization undertaking to obtain other funding for this program / event / project?

5. Have any requests for other funding been granted? Yes _____ No _____
Granted by: _____

Please outline on the following page the requested budget information including:

- all revenues associated with the project (fees, other grants, donations, etc.)
- all costs associated with the project
- in addition, please add any in-kind services and estimated value that are being donated

Please ensure that you fill out the information completely to ensure your application is considered. Some of the following budget line items may or may not apply to your program / event / project - only complete what is applicable.

You may wish to submit your own budget information on a separate form and attach to the application, if desired or if a budget has already been completed.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
REGIONAL PARKS AND TRAILS ADVISORY COMMITTEE MEETING
HELD ON TUESDAY, MAY 6, 2008**

Attendance: Director Larry McNabb, Chair
Director Maureen Young
Director Joe Stanhope
Director Sandy Herle
Director Dave Bartram
Frank Van Eynde
Peter Rothermel

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

Regrets: Harriet Rueggeberg

CALL TO ORDER

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

MINUTES

3.1 MOVED D. Bartram, SECONDED F. Van Eynde, that the Minutes of the Regional Parks and Trails Advisory Committee Meeting held on March 4, 2008, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

5 Mr. Osborne noted the correspondence received from the Canada-British Columbia Municipal Rural Infrastructure Fund was a notice that the funding application for construction of the Nash and Ridgewell Creek Bridges was not approved. Mr. Osborne stated the lack of design drawings may have been a weakness in the application. One third of the bridge construction costs have been budgeted for in 2008 and the remaining two thirds would have been covered by the Infrastructure Fund. Staff will use the funds set aside to prepare design drawings and perhaps have a cost estimate of the two bridges done to assist with the 2009 budget process.

MOVED J. Stanhope, SECONDED D. Bartram, that the following Correspondence be received:

- Bernie Waatainen, Re: Rural Urban Interface
- T. Osborne to Nanaimo and Area Land Trust Society, Re: NALT Funding Agreement
- T. Osborne to Nanaimo and Area Land Trust Society, Re: Signed Funding Agreement
- Canada-British Columbia Municipal Rural Infrastructure Fund, Re: Infrastructure Fund

CARRIED

REPORTS

8.1 Fire Control Cost Sharing Agreement – Ministry of Forest

Ms. Marshall reported most properties in the Regional Park System fall under local fire service areas. Some parks which do fall out of the local fire service areas are, for example, Mt. Benson. If there happened to be a fire on Mt. Benson the Ministry of Forest (MoF) Fire Protection Branch would need to be called to fight the fire. The costs to have the MoF provide the fire protection and the remediation work to the area after the fire, is very expensive. Changes to the Wild Fire Act now allow the Fire Protection Branch to enter into contracts with private land owners, including regional districts, to provide fire protection at a much more reasonable cost.

MOVED D. Bartram, SECONDED J. Stanhope, that the Regional District enter into a Fire Control Cost Sharing Agreement with the Ministry of Forest Fire Protection Branch and to develop a Fire Management Plan for the Applicable Regional and Community Parks in early 2009.

CARRIED

8.2 Monthly Update of Community Parks and Regional Parks and Trails Projects

Ms. Marshall reviewed the Monthly Update of Community Parks and Regional Parks and Trails Projects for February 2008, highlighting the following items:

- On the Morden Colliery Trail staff are in the process of bringing on an engineer to design the bridges that were washed out in the winter storm.
- Community Tourism Program – Staff are working on the final edit on the brochure. The web site should be available by the end of the month. Some trail markers are in place and engineered drawings of the kiosks and the side panels are also being prepared.
- The second phase funding application for the E & N Rail Trail will be prepared shortly.
- Final edits to the Englishman River Management Plan will be completed this week.

MOVED J. Stanhope, SECONDED M. Young, that the Reports be received.

CARRIED

NEW BUSINESS

- 9.1 Mr. Osborne reviewed the information received from Nanaimo and Area Land Trust (NALT) with regard to their grant request to BC Land Forum for Mt. Benson. The NALT application has not been denied but put on hold pending review of other requests to the Province. Mr. Osborne did note, NALT received a line of credit to cover their obligations to the Regional District for the purchase of Mt. Benson and should they not receive the BC Land Forum grant it would be a concern.

ADJOURNMENT

- 12 MOVED F. Van Eynde, SECONDED D. Bartram, that pursuant to Section (90) (1) E of the Community Charter the Committee proceed to an In Camera meeting to consider land issues.
CARRIED

The Regular Meeting was adjourned at 12:25pm.

Chair



RDN REPORT	
CAD APPROVAL <i>CM</i>	
EAP	
COW	
APR 23 2008	
RHD	
BOARD	<input checked="" type="checkbox"/> May 27th
KPTAC - May 6th	

MEMORANDUM

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: April 22, 2008

FROM: Wendy Marshall
Manager of Parks Services

FILE:

SUBJECT: Fire Control Cost Sharing Agreement – Ministry of Forest

PURPOSE

To consider entering into an agreement with the Ministry of Forest Fire Protection Branch for fire control in parks that are located outside of Local Fire Service Areas.

BACKGROUND

The Regional Park System is comprised of forested properties that are at risk of forest fire. Most properties are located in Local Fire Service Areas. If a fire were to occur, the local fire department would fight the fire. However, for parks located outside of Local Fire Service Areas, the Ministry of Forest and Range Fire Protection Branch would be called in to fight the fire. There are both Community and Regional Parks that are outside of Local Fire Service Area as listed in the table below.

Park	Coverage	Location	Size (Ha)
Wildwood Community Park	None	Area H	7.98
Spider/Illusion Lake Community Park	None	Area H	7.61
Kipp Road Community Park	Partial	Area A	10.16
Horne Lake Regional Park	None	Area H	104.6
Benson Creek Falls Regional Park	Partial	Area C	22
Mount Benson Regional Park	None	Area C	15.9
Little Qualicum River Regional Park	Partial	Area F	40.4
Englishman River Regional Park	Partial	Area G/F	1.6
Total			415.34

The Ministry of Forest Fire Protection Branch (FPB) manages fires across the province on both crown and private lands located outside of Local Fire Service Areas. They are trained to fight large forest fires and have aircraft such as water bombers at their disposal. Before 2004, the FPB had no way to recover costs for fire fighting on private property. Changes to the Wild Fire Act in 2005 now make it possible for the FPB to charge for their services. If a fire were to occur on a park outside of a local service area, the RDN would have to cover the costs.

Fire fighting costs are expensive. For example, a fire a few years ago on Galliano burned approximately 60 ha and the cost to fight the fire was 1.3 million. The remediation costs, clean up carried out by the FPB to repair any damage caused fighting the fire, was \$170,000. In another example, a 2006 fire on Mount Benson burned 0.3 ha and cost \$185,000 for one day of fire fighting.

The new changes to the Wild Fire Act now allow the FPB to enter into contracts with private land owners, including regional districts, for fire protection. In these agreements the FPB and the landowner work together to reduce fire risk. For the RDN, we would be required to create a fire management plan which would include actions to take to reduce fire. These actions could include posting fire warning signs, closing parks in high risk periods, training staff in fire fighting and monitoring fire risk levels. The parks department already carries out several of these steps in the high fire season but these actions would have to be formalized in a plan. Some private landowners, such as TimberWest, provide first responder fighters. The RDN does not have the capacity to do this.

Staff had an information meeting with the FPB to discuss details of the agreement. If the RDN were to move forward with a Cost Sharing Agreement, staff would hold further meetings to formalize the agreement and to review parks to be included in the plan. There are several examples of Management Plans for the RDN to review. The plan could be created by staff or a contractor.

ALTERNATIVES

1. That the Regional District enter into a Fire Control Cost Sharing Agreement with the Ministry of Forest Fire Protection Branch and develop a Fire Management Plan in early 2009.
2. That the Regional District not enter into a Fire Control Cost Sharing Agreement with the Ministry of Forest Fire Protection Branch and that staff create a reserve fund for fire fighting costs.

FINANCIAL IMPLICATIONS

The Municipal Insurance Agency does not cover fire fighting costs leaving the RDN to cover the costs out of reserve funds or operation budgets. The RDN has a \$100,000 reserve to use but this would not be sufficient for a large fire. In the event of a fire, the applicable parks function would have to pay back this fund over a few years. The parks area could also create its own reserve for fire fighting costs. However, it would take years or a large tax increase to build a reserve fund sufficient enough to cover a large fire.

The cost for the Fire Control Cost Sharing Agreement is extremely reasonable. The FPB charges \$0.34 to \$0.60 per hectare depending on what the private land owner brings to the agreement. In the case of the RDN, we do not have first responders to fight fire nor do we have a Fire Management Plan currently in place. Therefore, we would be charged the \$0.60 rate. This would result in approximately \$250 annually and would include fire fighting and remediation in all the Regional Park land outside local fire service areas. The RDN would have until spring 2009 to create a Fire Management Plan and at this time our costs would decrease.

The RDN is responsible for Crown Land that is leased for Regional Park such as Benson Creek Falls Regional Park. If in the future Mount Arrowsmith is acquired under Nominal Rent Tenure from the Crown as a Regional Park, it would be included in the agreement with the FBP. The area under consideration for lease is 1,300 ha and would cost \$780 under the agreement.

Some parks to be covered in the agreement are Electoral Area community parks. The cost for these parks would be covered by the Community Parks Budget. For Area A, the cost would be \$6.07 and Area H, \$9.35.

SUMMARY / CONCLUSION

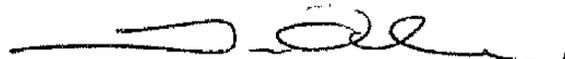
The Regional Park System is comprised of forested properties that are at risk of forest fire. Firefighting can cost several thousands of dollars and the Municipal Insurance Agency does not cover this cost. While there is a reserve fund, it is insufficient to cover the costs of a large fire. The Ministry of Forest Fire Protection Branch has approached the RDN to enter into a Fire Control Cost Sharing Agreement for park properties that lie outside of Local Fire Service Areas. The cost for the program would be approximately \$250 annually climbing to \$1,030 if Mount Arrowsmith becomes Regional Park. As a requirement of the agreement, the RDN would have to create a Fire Management Plan for the parks covered in the agreement.

RECOMMENDATION

That the Regional District enter into a Fire Control Cost Sharing Agreement with the Ministry of Forest Fire Protection Branch and to develop a Fire Management Plan for the applicable Regional and Community Parks in early 2009.



Report Writer



General Manager Concurrence



CAO Concurrence



Ministry of Forests
and Range Protection
Branch



Fire Control Cost Sharing Agreement

Between:
Company Name
("Hereinafter called the "Company")

and:

THE FOREST PROTECTION BRANCH
MINISTRY OF FORESTS and Range, on behalf of HER MAJESTY THE QUEEN IN RIGHT OF
THE PROVINCE of BRITISH COLUMBIA
("Hereinafter called "the Province")

WHEREAS:

- A. The Company owns certain Private lands in the province of British Columbia, used primarily as *(Description of Primary Use)*.
- B. The Company has valuable assets that it wishes to protect from destruction from wildfire;
- C. The Company has certain fire control and suppression obligations under the laws of British Columbia with respect to wildfire protection, control and suppression;
- D. The Province, through the Forest Protection Program, has significant fire management expertise and fire fighting responsibilities on Crown lands and other private lands, and has therefore developed significant infrastructure to prevent, detect, control and extinguish wildfires;
- E. The Company wishes the Province to provide fire prevention, detection, control and extinguishment services, in addition to those provided by local governments and other agencies, to protect their land and assets as well as key public environmental values; and
- F. Each party acknowledges the contributions of the other in preventing, detecting, and fighting wildfires and wishes to work co-operatively to meet common fire prevention goals.

NOW THEREFORE, the parties covenant and agree as follows:

1. DEFINITIONS

For ease, the following definitions will apply in this agreement, unless the context otherwise requires:

- a) "Act" means the *Wildfire Act* (British Columbia);
- b) "Lands" means the specified private lands and related resources (which may include physical structures) owned and managed by the Company and specifically identified to the Province in writing and on a map of British Columbia as part of this Agreement, attached as Schedule A;
- c) "Regulations" means the *Wildfire Regulation* (British Columbia);
- d) "Services" means the fire prevention, detection, control and suppression services provided by the Province on or related to the Lands pursuant to this Agreement; and
- e) "Year" means the twelve-month period from April 1 to March 31.

2. TERM

- 2.01 This Agreement will take effect on the date of its execution.
- 2.02 This Agreement shall continue from Year to Year unless terminated by either party in accordance with section 7.01.

3. SERVICES

- 3.01 When a wildfire is discovered by or made known to the Province and threatens the Lands or is burning on the Lands, the Province will use its best efforts to provide the Services to protect the Lands and control, suppress and extinguish the wildfire to the same extent and priority as on any adjacent Crown lands or other lands within the jurisdiction of the Province, subject to the purposes of this Agreement, standard priority procedures and availability of resources within B.C.
- 3.02 At its own expense, the Province may recruit manpower and equipment within or outside B.C. as deemed necessary to prevent, control, suppress and extinguish the wildfire.
- 3.03 As soon as possible following the discovery or report of a wildfire, the Province will:
 - a) Advise the Company of the wildfire and the action taken; and,
 - b) On request of the Company, provide a copy of the fire report for all wildfires affecting or threatening the Lands.
- 3.04 Once a wildfire referred to in section 3.01 above is extinguished, the Province will rehabilitate at its own cost as per the Wildfire Regulation part 3 section 17. Additional rehabilitation services can be agreed to by each party as referred to in section 3.06 and section 5.04, on any of the Lands damaged by the Services provided by the Province under this Agreement.
- 3.05 When a wildfire is burning on the Lands, the Province and the Company will cooperate to control, suppress and extinguish it, subject to the Act, Regulations and the terms and conditions of this Agreement.
- 3.06 The Province may provide the Lands with additional services at the Company's request.
- 3.07 The Province and the Company will meet at least annually to review the Year's activity.

4. OBLIGATIONS OF THE COMPANY

- 4.01 The Company will:
 - a) Advise the Province of a wildfire threatening the Lands as soon as it is discovered or made known to the Company;
 - b) Where a wildfire is discovered, use its best efforts, subject to the Company's available resources, in initial attack and control on the fire as per the Schedule "B". Such efforts on the part of the Company shall not relieve the Company or the Province of their responsibilities as required by legislation or as contemplated by this Agreement.
 - c) As soon as possible, advise the Province of any actions taken on a wildfire;
 - d) Provide the Province with maps and written descriptions of the Lands, routinely provide updates and as soon as possible advise of any changes in the Lands;
 - e) Grant to the Province, its servants, employees and agents access to the Lands for the purposes of wildfire control and inspections; and
 - f) Notify the Province if new industrial use is initiated upon the Lands, or if it becomes aware of any specific hazards on the Lands.

- 4.02 In consultation with the Province, the Company will use its best efforts to assist the Province in securing fire-fighting equipment and resources for use in fire suppression services provided on the Lands. In addition to the Schedule "B" equipment and/or resources, and if the Company and/or his agent is not responsible for starting or contributing to the spread of the wildfire, the Province in consultation with the Company may supply additional resources and equipment, expenses of additional resources will be the responsibility of the Province and compensation will be paid as outlined in the BCFS Operating Guideline for Industry to Suppress Wildfires subject to the Act, the Regulations, the intent of this Agreement.
- 4.03 The Company, its officers, directors, and employees, will assist and co-operate with the Province in any investigations including fire cause investigations, settlements and claims related to this Agreement to the extent required by legislation and is reasonable in the circumstances.
- 4.04 The Company will use all reasonable commercial efforts to encourage its sub-contractors and agents to provide the assistance described in paragraph 4.03.
- 4.05 The Company will comply with all requirements of Canadian and British Columbia laws and regulations as they apply to the Lands, including the Act and Regulations with respect to the wildfire prevention, control and the Company's obligations.
- 4.06 The Company is developing a wildfire management and prevention plan. As the first step in this process, a detailed and comprehensive wildfire risk assessment for the lands has been completed to date. This wildfire risk assessment will be delivered to the Province, and will be held in the strictest of confidence. Subsequent wildfire and prevention plans, which are being developed by the Company, will be delivered to the Province on specific Lands outlined within this agreement. Except as provided in this Agreement, the Province agrees to treat as secret and confidential all information provided to it by the Company which is identified as confidential ("Confidential Information") and undertakes not to disclose such Confidential Information to any third party or parties.

5. COST SHARING

- 5.01 In consideration of the Province providing the Services, the Company will pay to the Province an Annual Fee equal to \$\$\$\$\$\$ based on \$\$\$\$ for each hectare in the Lands.
- 5.02 The Company will pay the Annual Fee to the Province in advance of the Services rendered as follows:
 - a) For the first Year of this Agreement, on execution of this Agreement or April 1 whichever is the later; and,
 - b) By April 30 of each subsequent Year.
- 5.03 The fee under paragraph 5.01 represents the total and final amount owing from the Company to the Province for the Services provided in each Year, regardless of the number, cause or origin of wildfires that are caused by or occur on the Lands, provided the Company has not caused or contributed to the spread of the wildfire through its own negligence or willful misconduct. In the event that the cause of the wildfire is the Company's negligence or willful misconduct, the Province shall be entitled to seek cost recovery from the Company in accordance with section 25 of the Act for those fire control costs incurred by the Province.
- 5.04 For any additional protection services provided by the Province to the Company under section 3.06 the Company will pay to the Province a fee as determined by both parties for each individual project.

6. INDEMNITY

6.01 Neither party shall be liable to indemnify and save harmless the other party against any claims, demands, losses, damages, personal injury or death occurring as a result of the performance of the Services under the terms of this Agreement, save and except for any claims, demands, losses, damages, personal injury or death arising from either party's negligence, willful misconduct or non-observance of the terms of this Agreement.

7. TERMINATION

7.01 Either party for any reason may terminate this Agreement, by giving thirty (30) days written notice to the other party.

8. MISCELLANEOUS

8.01 No change to the Agreement is effective unless the change is in the form of an Amending Document signed by both Parties.

8.02 Each Schedule attached to this Agreement is an integral part of this Agreement as if set out in length in the body of this Agreement.

8.03 The Company may assign its rights under this Agreement to any subsequent owner of all or any portion of the Lands provided that such subsequent owner agrees in writing with the Province to be bound by the terms of this Agreement.

8.04 This Agreement shall be binding upon and shall enure to the benefit of the Province and the Company and their respective successors and assigns.

8.05 Notices will be delivered as follows:

<p>If to the Province:</p> <p>Forest Protection Branch Ministry of Forests and Range</p> <p>By mail to: P.O. Box 9502 STN Prov. Gov't. Victoria, British Columbia V8W 9C1</p> <p>Or by hand to: 2957 Jutland Road 2nd Floor Victoria, British Columbia.</p> <p>Attention: Greg Van Dolah Phone: 250-953-3957 Facsimile: 250 387-5685 e-mail: Greg.VanDolah@gov.bc.ca</p>	<p>If to the Company:</p> <p><i>Company Name</i></p> <p>By mail to:</p> <p>Or by hand to:</p> <p>Attention: Phone: (250) Facsimile: (250) e-mail:</p>
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8.06 Primary Company Contact Information:

Contact Name	Primary Contact #	Alternative Contact #

The Parties hereto have duly executed this Agreement.

SIGNED AND DELIVERED on behalf of the Forest Protection Branch, Ministry of Forests by an authorized representative.	SIGNED AND DELIVERED by or on behalf of the Company (or by an authorized signatory of the Company if a corporation)
(Authorized Ministry Officer/Expense Authority) <i>Printed Name</i>	(Company or Authorized Signatory) <i>Printed Name</i>
Dated this _____ day of _____, 20__	Dated this _____ day of _____, 20__

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE TRANSIT SELECT COMMITTEE
MEETING HELD ON THURSDAY, MAY 15, 2008 AT 12:00 NOON
IN THE COMMITTEE ROOM**

Present:

Director L. McNabb	Chairperson
Director M. Young	Electoral Area 'C'
Director G. Holme	Electoral Area 'E'
Director J. Stanhope	Electoral Area 'G'
Director D. Brennan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director S. Herle	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Alternate	
Director B. Dempsey	District of Lantzville

Also in Attendance:

D. Trudeau	General Manager, Transportation & Solid Waste Services
C. Mason	CAO, RDN
F. McFarlane	Recording Secretary

CALL TO ORDER

The meeting was called to order at 12:02 pm by the Chair.

MINUTES

MOVED Director Westbrook, SECONDED Director Holme, that the minutes of the Transit Select Committee meeting held on March 27, 2008 be adopted. CARRIED

CORRESPONDENCE

May 1, 2008 letter from Thomas Choe, General Manager, Operations Pacific Coach Travel.
Director Stanhope moved that this correspondence be moved to In Camera.

May 6, 2008 letter from Mark Brown, CAO, Qualicum Beach.

D. Trudeau noted that the correspondence requested RDN Transit to hold an open house for handyDART in Qualicum Beach in May. Meetings have been scheduled for June 3rd in both Parksville and Qualicum Beach. These meetings will be to access the needs of the community and comments received will feed back into the Transit Business Plan as to where expansion will be coming into handyDART. An update will be provided to the Town of Qualicum Beach.

MOVED Director Westbrook, SECONDED Director Holme, that this correspondence be received.

CARRIED

BC TRANSIT UPDATE

D. Trudeau noted that Myrna Moore, the representative from BC Transit, has been delayed.

ADMINISTRATION

Public Transit Agreement and Public Transit Infrastructure Grants

D. Trudeau noted that there are two funding programs that can be accessed; the Public Transit Agreement and the Public Transit Infrastructure Funding Program. At the direction of the Board, funding was applied for under these programs and on May 9th approval was received for the following:

- upgrade bus shelters at RDN's main exchanges;
- install electronic fare boxes on the fleet;
- construct new transit exchange at Vancouver Island University (Malaspina);
- replace three (3) transit pool vehicles with *Smart Cars*;
- installation of priority lighting systems on the transit fleet and at major intersections; and,
- upgrade Prideaux Street Exchange to provide better public access, shelters, lighting and improved washroom facilities.

A cheque in the amount of \$1,777,838 has been received by the RDN.

MOVED by Director Westbrook, SECONDED by Director Manhas that the Board receive the report on Public Transit Agreement and Public Transit Infrastructure Program Grants for information. CARRIED

Update on Increased Services Discussions with BC Ferries (Verbal)

D. Trudeau noted that, at the January Transit Select Committee meeting, staff was directed to contact BC Ferries regarding any opportunity regarding partnership. It was felt that partnering might be a way to provide an increase in service. Staff advised that due to budget issues at BC Ferries this may not be feasible this year but it is something to consider next year.

Director Westbrook felt this fits in with Wayne Brown's proposal for improvement of service between Qualicum Beach and Parksville and the BC Ferries. He introduced Mr. Brown to the Committee and asked him to summarize his suggestions.

Mr. Brown would like to see an express service from Qualicum Beach to the BC Ferries three times a day. The faster and more efficient the service, the more people would use it. If the express service could be trialed, Mr. Brown suggests it be done on a Wednesday as there are many retirement people who would use the ferry at the seniors' rate. If the trial period were for two days, Wednesday and Saturday would be the days of choice with the ultimate being a three-day trial on Monday, Wednesday and Saturday.

MOVED Director Westbrook, SECONDED Director Herle that staff be requested to prepare a report on a pilot project to establish an express transit service from District 69 to the BC Ferries. CARRIED

NEW BUSINESS

Dedicated Conventional Bus Service to Parksville

Director Herle introduced a motion to put a transit bus that would provide dedicated service to the City of Parksville.

Director Manhas inquired whether this is in the budget for 2009. D. Trudeau noted there are several options available. There is an expansion set for March 2009 that will be used to address such concerns, as well as 9400 hours that come available in September 2009. We could also consider flex funding with BC Transit.

MOVED Director Herle, SECONDED Director Westbrook that staff be requested to prepare a report on the costs of increasing transit service in the City of Parksville. CARRIED

Daily Passes for NRTS and Lower Mainland

Director Herle asked is there is any way there can be a link between our transit system and that on the lower mainland so that daily passes can be honoured. D. Trudeau noted that these are two separate transit systems and it might be difficult to split. He will check with BC Transit for further clarification.

Director Herle also questioned the possibility of making it easy to buy a day pass. D. Trudeau explained that it would be great to get BC Ferries as a vendor for NRTS tickets and that staff will contact BC Ferries regarding this opportunity.

IN CAMERA

MOVED Director Stanhope, SECONDED Director Holme, that pursuant to Section 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 Brennan, that this meeting adjourn to allow for an In Camera meeting. CARRIED

NEXT MEETING

The next meeting of the Transit Select Committee will be held Thursday, July 24, 2008.

L. McNabb, Chair



CAO APPROVAL	
EAP	
COW	
MAY 09 2008	
RHD	
BOARD	✓ May 27th

MEMORANDUM

TO: Dennis Trudeau
General Manager, Transportation and Solid Waste

DATE: May 7, 2008

FROM: Jim Pope
Manager, Fleet and Transit Planning

FILE: 0620-01

SUBJECT: Public Transit Agreement and Public Transit Infrastructure Grants

PURPOSE

To present an update on staff progress with Public Transit Agreement and Public Transit Infrastructure Funding Programs.

BACKGROUND

Two significant infrastructure grant programs under the Federal Gas Tax Funding Program are currently available for transit projects, which can be accessed by the Regional District of Nanaimo (RDN). The two programs are the Public Transit Agreement (PTA) and the Public Transit Infrastructure Program (PTIP). There is a total of \$1,777,838 that can be used by the RDN to fund capital projects for transit.

Public Transit Agreement

The Public Transit Agreement (PTA) funds are administered by UBCM and can be used for eligible public transit projects as outlined below. Funds can be used for transit capital projects and the engineering and detailed design of these projects but cannot be used for planning of the projects.

Public Transit Infrastructure Program

The second source of transit funding is the Public Transit Infrastructure Program (PTIP), which is also administered by UBCM. Funds can be used for transit capital projects and the engineering and detailed design of these projects, but cannot be used for planning of the projects.

To be eligible, public transit capital infrastructure projects must contribute to reducing greenhouse gas emissions, reducing smog-forming air emissions or increase transit ridership and the resulting asset must be primarily for public use and benefit and owned by the eligible recipient.

At the end of 2007 staff made project submissions under the Public Transit Agreement and Public Transit Infrastructure Program funding programs. On March 14, 2008 staff was advised that the following projects were successful in receiving grant funding under the PTA and PTIP funding criteria:

- upgrade bus shelters at RDN's main exchanges;
- install electronic fare boxes on the fleet;
- construct new transit exchange at Vancouver Island University (Malaspina);
- replace three (3) transit pool vehicles with Smart Cars;
- installation of priority lighting systems on the transit fleet and at major intersections; and,
- upgrade Prideaux Street Exchange to provide better public access, shelters, lighting and improved washroom facilities.

The projects will help the RDN reduce greenhouse gas emissions and increase transit ridership, which will improve the sustainability of the community.

ALTERNATIVES

1. That the Board receive the report on Public Transit Agreement and Public Transit Infrastructure Program Grants for information.

FINANCIAL IMPLICATIONS

The grants do not require cost-sharing from the RDN but the availability of funding will be exhausted once we spend \$1,777,838. Depending upon the final costs of the projects, the RDN and/or BC Transit may have to assist in funding to enable the completion of the projects.

SUMMARY/CONCLUSIONS

Two significant infrastructure grant programs under the Federal Gas Tax Funding Program are currently available for transit projects, which can be accessed by the RDN. The two programs are the Public Transit Agreement (PTA) and the Public Transit Infrastructure Program (PTIP). There is a total of \$1,777,838 that can be used by the RDN to fund capital projects for transit.

This report outlines six projects whose total costs will expend the funds of the two grant programs. The projects will help the RDN reduce greenhouse gas emissions and increase transit ridership, which will improve the sustainability of the community.

RECOMMENDATIONS

1. That the Board receive the report on Public Transit Agreement and Public Transit Infrastructure Program Grants for information.


Report Writer


General Manager Concurrence


C.A.O. Concurrence

COMMENTS:

TO: Geoff Garbutt
Manager, Current Planning

DATE: May 21, 2008

FROM: Angela Mays
Planning Technician

FILE: 3090 30 90807

SUBJECT: Development Variance Permit Application No. 90807
Angela Francis, on behalf of Robert Francis
Electoral Area 'E' - 2293 East Island Highway

PURPOSE

To inform the Board of the current status regarding Development Variance Permit No. 90807.

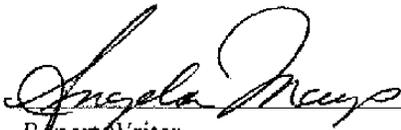
BACKGROUND

The Development Variance Permit Application No. 90807 was forwarded to the Electoral Area Planning Committee on May 13, 2008. Concurrently, the applicant submitted an application to the Board of Variance (Appeal No. 08-10) which was forwarded Wednesday, May 14, 2008 for approval.

Appeal No. 08-10 was read and passed at the BOV meeting and therefore Development Variance Permit Application No. 0807 has been withdrawn.

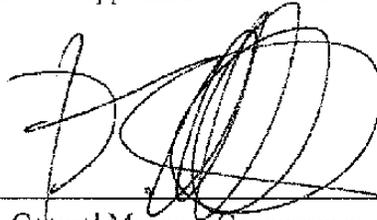
RECOMMENDATION

That the report regarding Development Variance Permit Application No. 90807 be received for information.

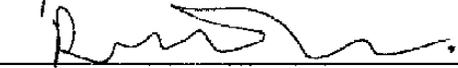


Report Writer

Manager Concurrence



General Manager Concurrence



for CAO Concurrence



CAO APPROVAL	
EAP	
COW	
MAY 21 2008	
RHD	
BOARD	✓ May 27th

MEMORANDUM

TO: Tom Armet
 Manager Building and Bylaw Services

DATE: May 20, 2008

FROM: Jack Eubank
 Bylaw Enforcement Officer

FILE: 345E07

SUBJECT: Unsightly Premises – 2401 Collins Crescent, Nanoose Bay

PURPOSE

To obtain Board direction regarding an on-going property maintenance contravention at the above-noted location.

BACKGROUND

Property: 2401 Collins Crescent, Electoral Area 'E'

Legal Description: Lot 65 PL 23588, District Lot 6, Nanoose Land District

Property Owner: Guenter Selinger
 Robert G. Selinger
 2401 Collins Crescent
 Nanoose Bay, BC V9P 9J9

Zoning: Residential 1

The subject property is located in the residential community of Red Gap, Nanoose Bay, an area of neat and well maintained properties. On three previous occasions (1995, 1998, 2003), the Board directed the owners, by resolution, to clean-up the property. On each occasion, the property contained a large accumulation of debris, appliances, old boats, derelict vehicles as well as significant overgrowth of weeds, bushes and grass.

The most recent complaint was received on December 27th, 2007 and a staff inspection the same day confirmed an accumulation of 4 derelict vehicles, an old sailboat, an older holiday trailer and numerous bicycles, tools and a wheelchair among other debris scattered about the front yard (see photographs attachment 1). Staff provided verbal direction to Guenter Selinger on the requirements to bring the property into compliance.

On January 3rd, 2008, a letter was sent by courier to the owners, ordering the property cleaned up and explaining the requirements of the applicable bylaw however delivery of the letter was refused. On January 11th, 2008 staff hand delivered the letter to the property.

Several site inspections were conducted in the following weeks with no apparent changes to the condition of the property noted. Attempts were made to contact the owners without success.

On February 11th, 2008 Guenter Selinger was finally located at the residence and appeared quite receptive to the requirement to clean up his property, explaining that he intends to move to Tahsis shortly and take his belongings with him. As of the date of this report however, none of the debris has been removed as promised by the owner. It is apparent, based on the history of non-compliance, that the owners will not maintain the property in compliance with Regional District of Nanaimo regulations.

ALTERNATIVES

1. That the owners be directed by way of Board resolution, to remove the identified discarded and disused material from the property; and should they fail to do so within fourteen (14) days, the Board directs that a contractor be hired to remove the discarded and disused material from the property.
2. To not consider a clean up resolution pursuant to "Unsightly Premises Regulatory Bylaw No. 1073, 1996."

FINANCIAL IMPLICATIONS

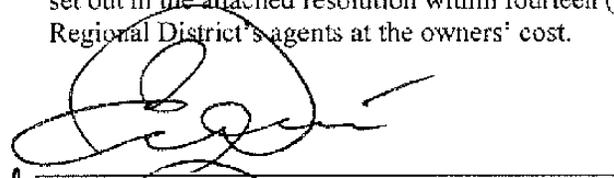
If the Board adopts a resolution to have the identified material removed from the property, any costs incurred by the Regional District of Nanaimo or its agent with respect to the removal may be recovered from the property owner.

CONCLUSION

The owners have demonstrated an unwillingness to comply with the provisions of the Unsightly Premises bylaw or to maintain the property to a reasonable standard as compared to surrounding properties. On three previous occasions, the Board found it necessary to force the owners to clean up the property by way of resolution. Board direction appears, once again to be the only remaining option available to bring this property into compliance with Regional District of Nanaimo regulations.

RECOMMENDATION

That the Board direct the owner of the above-noted property to remove from the premises those items as set out in the attached resolution within fourteen (14) days, or the work will be undertaken by the Regional District's agents at the owners' cost.



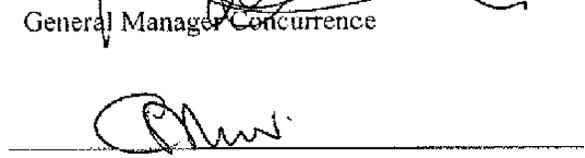
Report Writer



Manager Concurrence

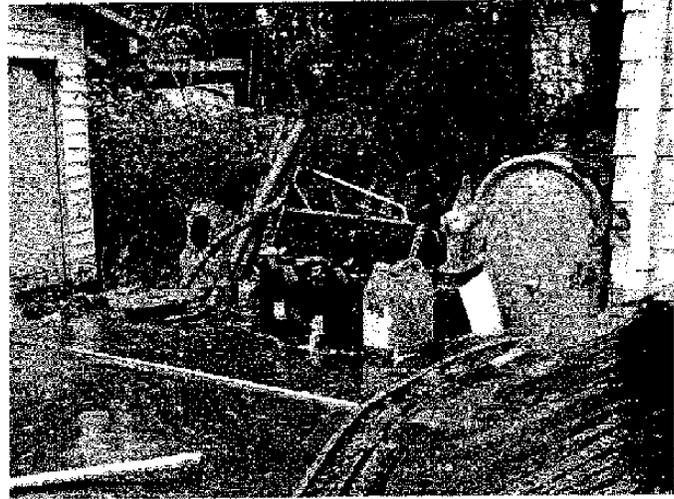
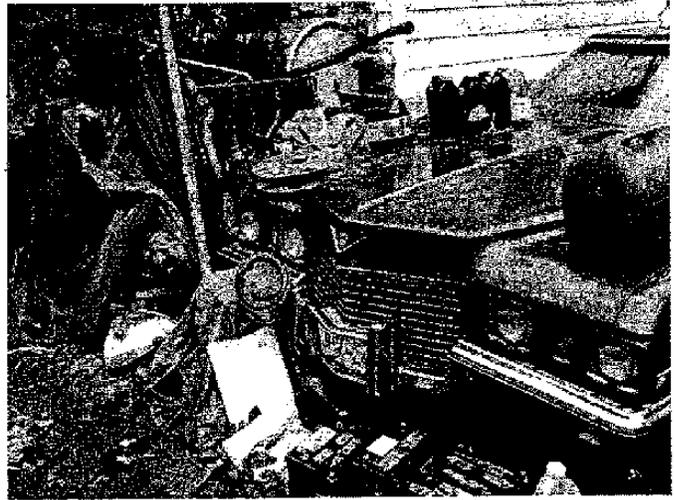
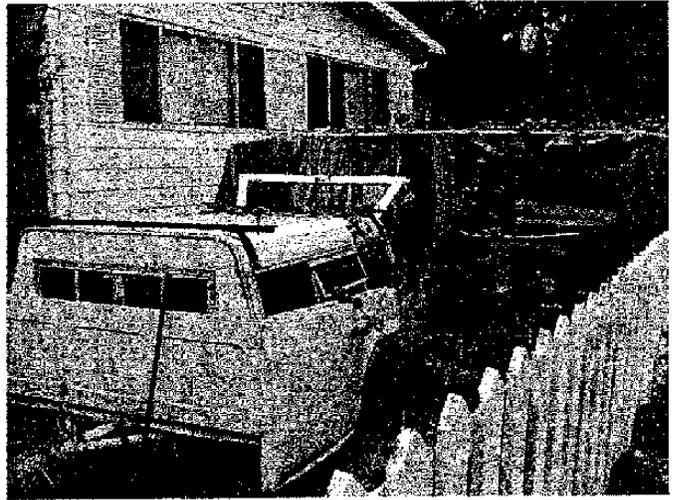
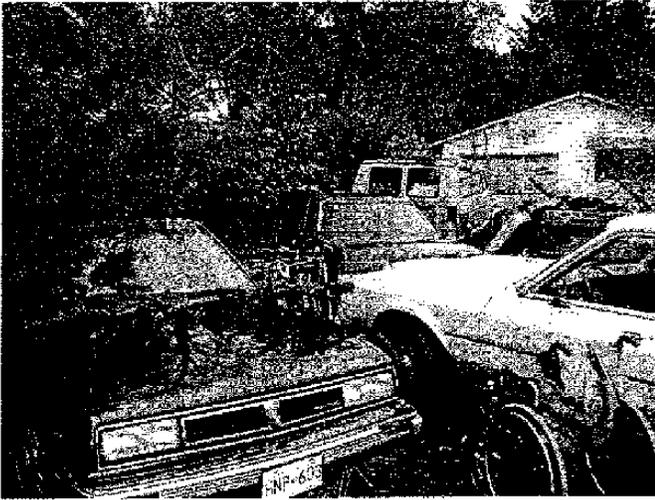


General Manager Concurrence



CAO Concurrence

Attachment No. 1



REGIONAL DISTRICT OF NANAIMO
RESOLUTION
UNSIGHTLY PREMISES REGULATORY BYLAW NO. 1073, 1996

MOVED _____, SECONDED Director _____, that pursuant to the provisions of the "*Unsightly Premises Regulatory Bylaw No. 1073, 1996*," and amendments thereto, IT IS HEREBY RESOLVED that the owner(s)/occupier(s) of the respective premises set forth below be notified to remove the accumulation of the materials indicated and to take such remedial measures as are specified:

PROPERTY DESCRIPTION: Lot 65, Plan 23588, District Lot 6, Nanoose Land District

LOCATION: 2401 Collins Crescent
Nanoose Bay, BC

OWNER(S): Guenter Selinger
Robert G. Selinger
2401 Collins Crescent
Nanoose Bay, BC V9P 9J9

UNSIGHTLY ACCUMULATION: Derelict automobiles, cardboard and paper waste, automotive and marine parts and accessories, household garbage and full garbage bags, discarded toys and sporting goods including bicycles, derelict recreational vehicles, an old derelict sailboat, and all other discarded and disused materials.

REMEDIAL MEASURES: To remove the derelict automobiles, cardboard and paper waste, automotive and marine parts and accessories, household garbage and full garbage bags, discarded toys and sporting goods including bicycles, derelict recreational vehicles, an old derelict sailboat, and all other discarded and disused materials, leaving the property clean and tidy.

AND BE FURTHER RESOLVED that a Bylaw Enforcement Officer of the Regional District of Nanaimo BE AND IS HEREBY AUTHORIZED in default of such removal or remedial measures being undertaken by the owner(s) or occupier(s), by June 10th, 2008 to carry out or have such work carried out and the expense charged to the owner(s)/occupier(s). If unpaid by December 31st in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

I hereby certify the foregoing to be a true and correct copy of the resolution passed by the Board at its regular meeting held May 27, 2008.

DATED at Nanaimo, BC this 28th day of May, 2008.

Senior Manager Corporate Administration



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
MAY 21 2008	
RHD	
BOARD	<input checked="" type="checkbox"/> MAY 27th

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: May 20, 2008

FROM: Tom Armet
Manager, Building and Bylaw Services

FILE: 4000APBE

SUBJECT: Appointment of Bylaw Enforcement Officer

PURPOSE

To appoint a Bylaw Enforcement Officer for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.

BACKGROUND

A recent vacancy in the department necessitated the hiring of a new Bylaw Enforcement Officer. Before performing the duties of a Bylaw Enforcement Officer, staff must be appointed by the Board and take the prescribed Oath of Office and Oath of Allegiance. "Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992," provides the authority for this appointment

Additionally, Section 264 of the *Community Charter* requires Bylaw Enforcement Officers to be appointed prior to issuing municipal violation tickets.

ALTERNATIVES

1. To appoint a Bylaw Enforcement Officer pursuant to "Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992," for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.
2. Not to appoint a Bylaw Enforcement Officer.

FINANCIAL IMPLICATIONS

There are no financial implications.

VOTING

All Directors – one vote.

CONCLUSION

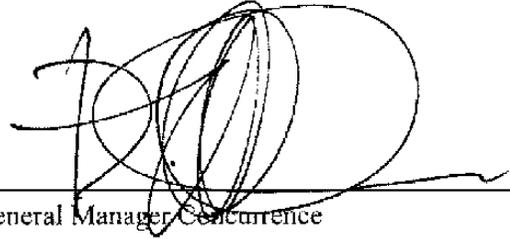
It is necessary to appoint Bylaw Enforcement Officers employed by the Regional District of Nanaimo (RDN) to ensure they have the ability to enforce RDN regulations, defend any legal challenge to their authority, and maintain the integrity of the bylaw enforcement function.

RECOMMENDATION

That Mr. Brian Allan Brack be appointed as a Bylaw Enforcement Officer pursuant to “*Regional District of Nanaimo Bylaw Enforcement Officers Bylaw No. 857, 1992,*” for the purpose of enforcing Regional District of Nanaimo bylaws and regulations.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2008/oc 4006APBE Appointment of Bylaw Enforcement Officer -- Brian Brack Board Report