

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, OCTOBER 28, 2008
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
- 3. BOARD MINUTES**
8-18 Minutes of the regular Board meeting held September 30, 2008 and Special Board meeting held October 14, 2008.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
19-22 **Rosemary Bonanno, Vancouver Island Regional Library**, re Population Levy Allocation 2009.
23 **James Mattison, Ministry of Environment**, re Action for Water Program.
24 **Laurie Taylor, City of Parksville**, re Letter of Support Action for Water.
25 **Mark Brown, City of Qualicum Beach**, re Letter of Support Action for Water.
26 **Gary Korpan, City of Nanaimo**, re Letter of Support Action for Water.
- 6. UNFINISHED BUSINESS**
- 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 October 14, 2008. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60841 and Request for Frontage Relaxation – Ostrand – 2668 Raven Hill Road – Area ‘A’. (Electoral Area Directors except EA ‘B’ – One Vote)

- 1. That Development Permit Application No. 60841, submitted by A. Ostrand and J. Ostrand in conjunction with the subdivision of the parcel legally described as Lot 1, Section 13 & 14, Range 4, Cedar District, Plan 46811 Except Part in Plan VIP57402 and VIP68357 and designated within the Fish Habitat Protection Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.*
- 2. That the request for relaxation of the minimum 10% frontage requirement for Proposed Lots 1 and 2 in conjunction with the subdivision of the property legally described as Lot 1, Section 13 & 14, Range 4, Cedar District, Plan 46811 Except Part in Plan VIP57402 and VIP68357 be approved subject to Schedules No. 1 and 2 of the corresponding staff report*

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90816 – Peters – 3420 Beldon Road – Area ‘E’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90816.

That Development Variance Permit Application No. 90816, to legalize the siting of a ‘stacked rock’ retaining wall with an interior side yard setback of 0.0 m, on the subject property legally described as Lot 10, District Lot 78, Nanoose District, Electoral Area ‘E’ on Beldon Place, be approved subject to the conditions outlined in Schedules No. 1 to 3 and the notification requirements of the Local Government Act.

Development Variance Permit Application No. 90819 and Request for Frontage Relaxation – Fredrich – 2798 Cedar Road – Area ‘A’. (Electoral Area Directors except EA ‘B’ – One Vote)

Delegations wishing to speak to Development Variance Permit Application No. 90819.

- 1. That Development Variance Permit Application No. 90819, submitted by Thomas Hoyt, BCLS, on behalf of Theo Fredrich and Margaret Fredrich, in conjunction with the subdivision on the parcel legally described as Parcel C (DD23380N), Section 5, Range 2, Cedar District and located at 2798 Cedar Road be approved subject to the conditions outlined in Schedule No. 1 of the corresponding staff report and the notification requirements pursuant to the Local Government Act with respect to the proposed variances outlined in Schedule No. 1.*

2. *That the request for relaxation of the minimum 10% frontage requirement for proposed Remainder of Parcel C in conjunction with the subdivision of the property be approved*

OTHER

Request for Acceptance of Cash-in-Lieu of Park Land – Murdoch - Murdoch, Barnes & Brebber Roads – Area ‘A’. (Electoral Area Directors except EA ‘B’ – One Vote)

That the request to pay 5% cash-in-lieu of park land submitted by Leigh Millan, BCLS on behalf of H. & R. Murdoch in conjunction with the proposed subdivision of Lot 20, Section 17, Range 4, and Lots 21 and 25, Section 17, Range 4 East and Fractional Section 17, Range 5 East, All of Cedar District, Plan 3779, be accepted.

Request for Frontage Relaxation – Allin – Church and Coldwater Roads - Area ‘G’. (Electoral Area Directors except EA ‘B’ – One Vote)

That the request to relax the minimum 10% frontage requirement for proposed Lot A, submitted by Dick Allin and Lori Allin in conjunction with the proposed subdivision of Lot 17, Nanoose District, Except the E&N R/W & Except Part in Plans 36524, 45739, VIP52132, VIP53642, VIP83372 & VIP83374 and Part of Parcel A (DD82708N), District Lot 21, Nanoose District, Plan 1902, be approved subject to the Ministry of Transportation and Infrastructure’s satisfaction that access is achievable.

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

- 29-32 Minutes of the Committee of the Whole meeting held October 14, 2008. (for information)

COMMUNICATIONS/CORRESPONDENCE

Al Tully, Oceanside Tourism Association, re Eligible Entity Status Application. (All Directors – One Vote)

That the correspondence from Oceanside Tourism Association regarding their Eligible Entity Status application as it relates to the service agreement between the Regional District of Nanaimo and the Oceanside Tourism Association, be received.

CORPORATE ADMINISTRATION SERVICES

ADMINISTRATION

Port Theatre Society Agreement. (All Directors – Weighted Vote)

That the Board authorize entering into a three year agreement with The Port Theatre Society for a term ending December 31, 2011.

DEVELOPMENT SERVICES

BUILDING & BYLAW

Unightly Premises – 1449 Moby Dicks Way – Area ‘B’. (All Directors – One Vote)

That should this matter not be rectified by October 28, 2008, pursuant to “Unightly Premises Regulatory Bylaw No. 1073, 1996”, the Board directs the owner 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 of Nanaimo’s agents at the owner’s cost.

Electoral Area ‘G’ Noise Control - Reserve Fund Expenditure. (All Directors – One Vote)

That \$4,120 be authorized for the payment of legal fees from the Electoral Area ‘G’ Noise Control Reserve Fund.

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Electoral Area ‘H’ Pilot Yard Waste Program. (All Directors – Weighted)

That staff implement a pilot program for a yard waste drop-off in Electoral Area ‘H’.

COMMISSION, ADVISORY & SELECT COMMITTEE

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

- 1. That the minutes of the District 69 Recreation Commission meeting held September 18, 2008 be received for information.*
- 2. That a letter of thanks be sent to the Rotary Club of Qualicum Beach in regards to their successful Rotary District 5020 Annual Conference held at Oceanside Place, and for returning the funds from the District 69 Recreation Community Grants program*

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

- 1. That the minutes of the Electoral Area ‘A’ Parks and Green Space Advisory Committee meeting held September 18, 2008 be received for information.*
- 2. That the “Electoral Area ‘A’ Community Parks Local Service Amendment Bylaw No. 798.06, 2008”, be introduced for three readings and be forwarded to the Inspector of Municipalities for approval*
- 3. That the Regional Board direct staff to determine if the “Electoral Area ‘A’ Recreation and Culture Service Bylaw No. 1467, 2005” can be amended to*

permit financial support for operations and improvements to facilities owned and operated by incorporated non-profit organizations

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

1. *That the minutes of the Grants-in-Aid Advisory Committee meeting held October 7, 2008 be received for information.*

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

2. *That the following District 68 Grants-in-Aid be approved:*

<i>Name of Organization</i>	<i>Amount Recommended</i>
<i>Poetry Gabriola Society</i>	<i>\$ 600</i>

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

3. *That the following District 69 Grants-in-Aid be approved:*

<i>Name of Organization</i>	<i>Amount Recommended</i>
<i>Errington War Memorial Hall Association</i>	<i>\$1,500</i>
<i>Nanoose Bay Catspan</i>	<i>\$2,355</i>
<i>North Island Wildlife Recovery Association</i>	<i>\$ 605</i>
<i>Vancouver Island Opera</i>	<i>\$ 800</i>

4. *That the motion be amended to increase the grants-in-aid to the Vancouver Island Opera to \$1,000.*
5. *That the general grant-in-aid funding amount of \$14,960 annually in District 69 only allows the Committee to provide approximately 50% of the requested funding to organizations in the area, therefore as per Policy No. A1.28, the Grants-in-Aid Committee requests that the RDN Board of Directors consider increasing the general grant-in-aid funding in District 69 to \$18,000 annually.*

Regional Liquid Waste Advisory Committee. (All Directors – One Vote)

That the minutes of the Regional Liquid Waste Advisory Committee meetings held June 5, 2008 and September 4, 2008 be received for information.

Regional Hospital District Select Committee. (All Directors – One Vote)

1. *That the minutes of the Regional Hospital District Select Committee meeting held September 15, 2008 be received for information.*
2. *That staff arrange a meeting with the Vancouver Island Health Authority to review their capital plans.*

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Oceanside Tourism Association - Eligible Entity Status Application. (All Directors – Weighted Vote)

That a letter be sent to the Oceanside Tourism Association (OTA) providing a six-month extension to the service agreement between OTA and the Regional District of Nanaimo.

7.3 EXECUTIVE STANDING COMMITTEE

7.4 COMMISSIONS

7.5 SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Regional Parks & Trails Advisory Committee.

33-37 Minutes of the Regional Parks & Trails Advisory Committee meeting held October 7, 2008. (for information)

Proposed Mt. Arrowsmith Massif Regional Park. (All Directors – One Vote)

That staff prepare a report with regard to the issues raised in the correspondence from S. Benton, Ministry of Environment to Mr. Peter Bolton, regarding the proposed Mt. Arrowsmith Massif Regional Park.

Morden Colliery Mine. (All Directors – One Vote)

That staff prepare a report with regard to the financial implications and recommendations to jointly fund a study with BC Parks and the Friends of Morden Mines on the preservation and development of the Morden Colliery Mine site located at the trail head of the Morden Colliery Regional Trail.

Foot Under Pass Tunnel Cleaning Thatcher Road and Island Highway. (All Directors – One Vote)

That the request for Foot Under Pass Tunnel cleaning and maintenance at Thatcher Road and Island Highway made by South Wellington and Area Community Association be forwarded to the Ministry of Transportation as it falls under their jurisdiction.

Transit Select Committee.

38-43 Minutes of the Transit Select Committee meeting held October 9, 2008. (for information)

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

That staff be directed to implement the Monday to Friday ferry service starting in March 2009.

8. ADMINISTRATOR'S REPORTS

- 44-56 Automatic Response Agreement - Parksville, Qualicum Beach, Coombs-Hilliers and Errington Fire Departments. (All Directors – Weighted Vote)
- 57-59 Unsightly Premises – 1449 Moby Dicks Way – Area 'B'. (All Directors – One Vote)
- 60-62 Bylaw No. 1386.01 - Waste Stream Management Licensing Amendment Bylaw. (All Directors – 2/3)

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 Committee meeting to consider items related to land and legal issues.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, SEPTEMBER 30, 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
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
Alternate	
Director J. Cameron	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director B. Bestwick	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 Mgr., Corporate Administration
N. Avery	Gen. Mgr., Finance & Information Services
T. Osborne	Gen. Mgr., Recreation & Parks
J. Finnie	Gen. Mgr., Environmental Services
P. Thorkelsson	Gen. Mgr., Development Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Cameron to the meeting.

DELEGATIONS

Bruce Halliday & Jim Whiteaker, re Port Theatre Annual Update.

Mr. Whiteaker introduced Mr. Halliday, Port Theatre General Manager, who provided a visual and verbal annual update to the Board including a future project to provide a Studio Theatre.

BOARD MINUTES

MOVED Director McNabb, SECONDED Director Bartram, that the minutes of the regular Board meeting held August 26, 2008 and the special Board meeting held September 9, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Warren Jones, Cowichan Valley Regional District, re Yellowpoint/Waterloo Fire Protection Services Agreement.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from the Cowichan Valley Regional District regarding a Yellowpoint/Waterloo fire protection services agreement, be received.

CARRIED

Jim McDonald, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from Jim McDonald regarding Development Variance Permit Application No. 90812 be received.

CARRIED

Linda McCann, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from Linda McCann regarding Development Variance Permit Application No. 90812 be received.

CARRIED

David Haynes, re Development Permit Application No. 60831 – 2545 Edwards Road – Area ‘E’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from David Haynes regarding Development Permit Application No. 60831 be received.

CARRIED

Anne Copas, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from Anne Copas regarding Development Variance Permit Application No. 90812 be received.

CARRIED

Karen Clement, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from Karen Clement regarding Development Variance Permit Application No. 90812 be received.

CARRIED

C. Riglin, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from C. Riglin regarding Development Variance Permit Application No. 90812 be received.

CARRIED

Antonie & Barbara Kornman, re Development Variance Permit Application No. 90812 – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that the correspondence from Antonie & Barbara Komman regarding Development Variance Permit Application No. 90812 be received.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held September 9, 2008 be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60828 and Request for Cash-in-Lieu of Park Land – Marshall – 6614/6618 Island Highway West – Area ‘H’.

MOVED Director Bartram, SECONDED Director Young, that Development Permit Application No. 60828 submitted by Steve Marshall and Donna Marshall, in conjunction with the subdivision of the parcel legally described as Lot 2, District Lot 85, Newcastle District, Plan 6267, except Plan 19744 and designated within the Environmentally Sensitive Features Development Permit Area pursuant to OCP Bylaw No. 1335, 2003, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the applicant be required to pay Cash-in-Lieu of park land pursuant to section 941 of the *Local Government Act*.

CARRIED

Development Permit Application No. 60830 – Delesalle – 121 Kinkade Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit with Variance Application No. 60830, to permit the construction of a single residential dwelling and attached garage with a maximum height of 8.81 metres on the property legally described as Lot 1, District Lot 10, Newcastle District, Plan 22939, be approved subject to the conditions outlined in Schedules No. 1 to 3 and the notification requirements of the *Local Government Act*.

CARRIED

Development Permit Application No. 60831 and Request for Frontage Relaxation – Whitta – 2545 Edwards Road – Area ‘E’.

MOVED Director Holme, SECONDED Director Biggemann, that Development Permit with Variance Application No. 60831 be approved subject to the conditions outlined in Schedules No. 1 to 4 of the corresponding staff report and the notification requirements of the *Local Government Act*.

CARRIED

MOVED Director Holme, SECONDED Director Biggemann, that the request for relaxation of the minimum 10% frontage requirement for the parent parcel be approved.

CARRIED

Development Permit Application No. 60835 and Request for Frontage Relaxation – Atkinson – Jameson Road – Area ‘C’.

MOVED Director Young, SECONDED Director Burnett, that Development Permit Application No. 60835 submitted by Steven Atkinson and Janet Atkinson, as part of a 2-lot subdivision proposal on the property legally described as Lot C, Section 12, Range 4, Mountain District, Plan VIP68030 and designated within the Fish Habitat Protection Development Permit Area pursuant to the “East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997”, be approved with the following exception to Schedule No. 1, to delete No. 5 – Demarcation of SPEA and 30 metre Setback Area, items ‘a’, ‘b’ and ‘c’ and replace with the requirement for one sign complete with the wording explaining the riparian area.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that the request to relax the minimum 10% perimeter frontage requirement of proposed lots 1 and 2 as shown on Schedule No. 2 be approved.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90811 – Phillips – 1999 Woodridge – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that Development Variance Permit Application No. 90811, to permit the construction of a residential accessory building located at Lot 20, Sections 16 & 17, Range 8, Cranberry District, Plan VIP80144 be approved subject to the conditions outlined in Schedules No. 1 to 3 and notification requirements of the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90812 – Alexander/Christo Kuun Design & Construction Ltd. – 5093 Seaview Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Young, that Development Variance Permit Application No. 90812 submitted by Christo Kuun Design & Construction Ltd. for the property legally described as Lot 4, District Lot 28, Newcastle District, Plan 22249, be approved subject to Schedules 1 to 3 of the staff report and the notification requirements pursuant to the *Local Government Act* with the addition of the following Condition of Permit to Schedule No. 1:

That the applicant provide certification by a professional engineer that the proposed development will not adversely impact the capacity and operation of the existing drainage corridor of the culverted watercourse.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Burnett, SECONDED Director Manhas, that the minutes of the Committee of the Whole meeting held September 9, 2008 be received for information.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

2009 to 2013 Financial Plan Schedule.

MOVED Director Westbrook, SECONDED Director Holdom, that the proposed 2009 financial plan review schedule be approved as outlined.

CARRIED

Request from Municipal Pension Retirees' Association – Municipal Pension Plan Contributions and Member Benefits.

MOVED Director Herle, SECONDED Director Westbrook, that the background report regarding the Municipal Pension Retirees Association request for additional financial support for group health benefits be received.

CARRIED

Nanoose Bay Firehall – Final Seismic Review Report.

MOVED Director Holme, SECONDED Director Young, that this report on the final seismic review of the Nanoose Bay Firehall be received.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that staff continue to work with the firm of Johnston, Davidson Architecture Inc. to design a replacement firehall following the Regional District's Green Building Policy.

CARRIED

MOVED Director Holme, SECONDED Director Bestwick, that an amount of \$100,965 be released from the Nanoose Bay Fire Protection Service building reserve fund to cover cost as outlined in this report.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Notice of Bylaw Contravention – 1628 – Murdoch Road – Area 'A'.

MOVED Director Burnett, SECONDED Director Young, that staff be directed to register a Notice of Bylaw Contravention on title pursuant to Section 57 of the *Community Charter* and that legal action be taken if necessary to ensure Lot 4, Section 16, Range 5, Plan 14877, Cedar District, is in compliance with the "Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001".

CARRIED

Notice of Bylaw Contravention - #251 2464 Apollo Road – Area 'E'.

MOVED Director Holme, SECONDED Director Manhas, that staff be directed to register a Notice of Bylaw Contravention 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 1, District Lot 6, Plan 22814, except that part in Plan 23588, Nanoose District, is in compliance with the "Regional District of Nanaimo Building Regulation & Fees Bylaw No. 1250, 2001".

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Residential Food Waste Collection Program Approval.

MOVED Director Burnett, SECONDED Director McNabb, that the Board approve the addition of food waste to the upcoming tender for the RDN Garbage Collection & Recycling Service and continue the collection of food waste on Route 52 in Electoral Area 'A'.

CARRIED

Plebiscite on Open Burning Restrictions – Area 'E'.

MOVED Director Holme, SECONDED Director McNabb, that the Regional District ask the following plebiscite question to gauge public opinion on November 15, 2008 in Electoral Area 'E' on the issue of backyard burning restrictions and that the plebiscite question be as follows:

“Are you in favour of burning restrictions in Electoral Area E?”

CARRIED

COMMISSIONS

Electoral Area 'A' Recreation and Culture Commission.

MOVED Director Burnett, SECONDED Director McNabb, that the minutes of the Electoral Area 'A' Recreation and Culture Commission meeting held September 10, 2008 be received for information.

CARRIED

Electoral Area 'A' Recreation and Culture Service Delivery Options.

MOVED Director Burnett, SECONDED Director McNabb, that the Regional District pursue a service agreement with School District #68 (Nanaimo – Ladysmith) for the provision of recreation and cultural services in Electoral Area 'A', and that a draft agreement be completed by January 2009 for consideration by the Commission and Regional Board.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Selection Committee Appointments

Regional Solid Waste Advisory Committee.

MOVED Director Bartram, SECONDED Director Holme, that John Cheek be appointed to the Regional Solid Waste Advisory Committee as a Business Community (South) representative, Melissa Kriegerfox as a Waste Management (private sector) representative, Michael Schellnick as a Waste Management (non-profit sector) representative, Janet Sawatsky as a General Public (North) representative and Wally Wells as a General Public (South) representative, for a term ending December 31, 2010.

CARRIED

ADMINISTRATOR'S REPORTS

SepticSmart Education Program – Progress Report.

MOVED Director Burnett, SECONDED Director McNabb, that the Board receive the progress report on the SepticSmart Education Program for information.

CARRIED

Pump and Haul Amendment Bylaw No. 975.49 – Amended at Third Reading – 4571 Maple Guard Drive – Area ‘H’.

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008” be rescinded at third reading.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008” be amended to exclude the property described as Lot 72, Section 13, Plan VIP21531, Nanaimo Land District (667 South Road, Gabriola Island, Electoral Area ‘B’) from the recital and Schedule ‘A’ (Electoral Area ‘B’).

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008” be read a third time as amended.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.49, 2008” be adopted.

CARRIED

Southern Community Search & Rescue Contribution Bylaw No. 1552.

MOVED Director McNabb, SECONDED Director Young, that “Southern Community Search and Rescue Contribution Service Establishment Bylaw No. 1552, 2008” be adopted.

CARRIED

Results of Elector Response Opportunity for Boundary Changes to the Yellowpoint/Waterloo Fire Protection Service.

MOVED Director Young, SECONDED Director Burnett, that the results of the alternative approval process with respect to changes to the Yellowpoint/Waterloo Fire Protection Service be received.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that staff be directed to include the following question with respect to the loan authority and lease/transfer agreement for assent of the electors at the November 15, 2008 local government elections:

“In order to support changes to the fire protection boundaries in the Cassidy/Hallberg Road area do you support:

- (i) Authorizing the Regional District to borrow up to \$560,000 to purchase firefighting equipment for the Hallberg Road firehall, which would be repaid over 15 years at an estimated cost of \$91 per year; and
- (ii) Authorizing the Regional District to enter into an agreement with the Cranberry Fire District to use the firefighting equipment and at the end of fifteen years, transferring ownership of the equipment, and the land and firehall on Hallberg Road, to the Cranberry Fire District?”

CARRIED

MOVED Director Young, SECONDED Director Burnett, that for the purposes of official notices of the ballot question, the Board hereby authorizes the use of a synopsis of the bylaw and lease/transfer agreement.

CARRIED

Results of Elector Response Opportunity to Amend the Borrowing Authority for the Meadowood Fire Protection Service.

MOVED Director Biggemann, SECONDED Director Bartram, that the results of the alternative approval process with respect to increasing the borrowing authority for the Meadowood fire protection project be received.

CARRIED

MOVED Director Biggemann, SECONDED Director Bartram, that "Meadowood Fire Protection Service Area Loan Authorization Amendment Bylaw No. 1510.01, 2008" be adopted.

CARRIED

Engineering Services Contract Liquid Waste Department.

MOVED Director McNabb, SECONDED Director Holdom, that staff be directed to prepare a consulting services contract with Earth Tech (Canada) Inc., for wastewater engineering advice for a three-year term with the option of renewing for an additional two-year term.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Port Theatre.

MOVED Director Holdom, SECONDED Director McNabb, that the Board support in principle the Port Theatre's proposed Studio Theatre community project.

CARRIED

NEW BUSINESS

Vancouver Island Railway Service.

MOVED Director Bartram, SECONDED Director Holme, that the Chairperson send a letter to VIA Services – Southern Railway of Vancouver Island (SVI), with an information copy to the attention of Doug Backhouse of the Island Corridor Foundation, requesting a change in passenger service stops at the customer requests.

CARRIED

IN CAMERA

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

CARRIED

TIME: 7:47 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL BOARD MEETING
HELD ON TUESDAY, OCTOBER 14, 2008, AT 7:13 PM
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director B. Sperling	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Alternate	
Director D. Niwa	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 L. McNabb	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director M. Unger	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Manhas	City of Nanaimo

Also in Attendance:

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

ADMINISTRATOR'S REPORTS

Electoral Area 'A' Official Community Plan Review – Amendment to the Terms of Reference.

MOVED Director Burnett, SECONDED Director Young, that the Electoral Area 'A' Official Community Plan Review Citizen's Committee Terms of Reference be amended to allow up to 17 members on the committee.

CARRIED

Electoral Area 'H' Village Planning Project – Amendment to the Terms of Reference.

MOVED Director Bartram, SECONDED Director Young, that the Terms of Reference for the Electoral Area 'H' Village Planning Project be amended to incorporate the use of an Advisory Group, which is open to public at large (no selection process) as indicated in Schedule 1 of the Electoral Area 'H' Village Planning Project Terms of Reference.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the role of the Electoral Area 'H' Village Planning Project Advisory Group be to confirm and prioritize local issues, act as information sources for both the community as a whole and staff, and help to guide the village plan preparation process. Any number of interested volunteers including residents, landowners and stakeholders can participate in the advisory group, although staff will be encouraging residents to attend as many meetings as possible, and will encourage broad representation at the meetings. The individuals who attend the Community Planning Advisory Group Sessions will participate through a series of public meetings to:

- work with Planning staff on the development of one or more village plans, based on the outcomes of community-wide events. This means that the advisory group will carry forward, refine or add to the work accomplished or the feedback provided at community-wide events, and take this additional work/refinement back to the community-at-large at key stages for information and feedback.
- provide/present information at the General Public Events.
- provide feedback on one or more Draft Village Plan(s) for the area.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Selection Committee Appointments.

Electoral Area 'A' OCP Review Citizens Committee.

MOVED Director Burnett, SECONDED Director Bartram, that Jack Anderson, Brenda Arthur, Lynnia Clark, Brian Collen, Ray Digby, Anne Fiddick, Zita Hartman, Michael Hooper, Henrik Kreiberg, Garry Laird, Jill Maibach, Joanne McLeod, Sharon Stannard, Donna Sweeney, Bert Vermaskari and Devon Wyatt be appointed to the Electoral Area 'A' OCP Review Citizens Committee.

Director Burnett noted that one geographic area within Electoral Area 'A' was not represented in the applications for membership on the Committee, and that member will be appointed by the Board when a member from that area comes forward.

ADJOURNMENT

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

CARRIED

TIME: 7:15 PM

CHAIRPERSON

SR. MGR, CORPORATE ADMINISTRATION



CENTRAL SERVICES
Box 3333, 6250 Hammond Bay Rd., Nanaimo BC, Canada V9R 5N3
Phone: (250) 758-4697 Fax: (250) 758-2482
Email: info@virl.bc.ca Web: www.virl.bc.ca

URGENT – TIME SENSITIVE

September 29, 2008

Joe Stanhope, Chair
6300 Hammond Bay Road
Nanaimo, British Columbia, V9T 6N2

RDN			
CAO	<input checked="" type="checkbox"/>	GMF&IS	
GMDS		GMR&PS	
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SEP 30 2008			
SMCA			
CHAIR	<input checked="" type="checkbox"/>	BOARD	<input checked="" type="checkbox"/>
<i>Correspondence</i>			

Dear Chairperson Stanhope and directors:

Ref: POPULATION – Levy Allocation 2009

Enclosed is a request for your Council / Board to vote on the budget allocation method for the Vancouver Island Regional Library's 2009 Budget. This vote must be returned by October 31st, 2008

Thank you for your prompt attention to this urgent matter.

Yours truly

Rosemary Bonanno, BA, MLS
Executive Director

Enclosure ...

c.c. – Carol Mason, Chief Administrative Officer
George Holme, VIRL Board Member

BOARD INFORMATION
October 14, 2008

At the September 20th meeting of the Vancouver Island Regional Library Board the Board recommended that the formula for allocating the levy to members for the 2009 budget be amended for one-year only to deal with an anomaly in the population estimates provided by the Public Library Services Branch. This requires that the member Jurisdictions vote on the proposal to change the allocation formula for the 2009 budget. A two-thirds majority of the member Jurisdictions is required to amend the formula for 2009.

BACKGROUND:

The Levy for Vancouver Island Regional Library is shared between member Jurisdictions on a formula based on 50% Assessment and 50% Population (after deducting populations living on Indian reserve lands).

The Assessment and Population data are provided by Public Library Services Branch (PLSB) of the Ministry of Education. Historically PLSB has used BC STATS estimates for the population figures. However for the 2009 Budget year due to the split of the Comox Strathcona Regional District comparable data are not available for the Comox Valley or Strathcona Regional Districts. Instead PLSB relied on data from the Ministry of Community Development as that ministry had the lead role in the split of the Comox Strathcona Regional District. As a consequence the population for the former Comox Strathcona Regional District appears to be reduced by 20% over last year.

Additionally PLSB appears to have made an error in Campbell River's Population as the stated number does not agree to the BC STATS estimate.

The Library Board recommends that the funding formula for populations be amended to restore comparability to previous years on a one time basis only (for 2009 only), by recording Campbell River at the level indicated by BC STATS and prorating both Comox Valley and Strathcona Regional District up to the level indicated by BC STATS.

	PLSB Population	BC STATS Amended Population	Change
Campbell River	32,364	31,553	(811)
Comox Valley Regional District	18,816	23,677	4,861
Strathcona Regional District	8,824	11,103	2,279

Population – Levy Allocation 2009

ECONOMIC IMPACT:

The economic impact of amending the formula for 2009 would be to reduce the levy to every member except Comox and Strathcona Regional Districts who would experience a net increase to historic levels. For information, the estimated impact of this action assuming a 3.11% increase in the levy to members is indicated in the attached spreadsheet.

Note: Your board/council is being asked to vote on the funding formula only, not to approve the levy to your Jurisdiction.

Please have your board/council consider the following motion and communicate your decision to the Vancouver Island Regional Library no later than October 31st.

RESOLUTION:

The Nanaimo Regional District Board approves amending the funding formula for the Vancouver Island Regional Library on a one time basis for 2009 by recording Campbell River at the level indicated by BC STATS regular estimates and prorating both Comox Valley and Strathcona Regional District up to the level indicated by BC STATS regular estimates.

Jurisdiction	2008 TOTAL LEVY	Estimated 2009 TOTAL LEVY Unadjusted	Estimated 2009 TOTAL LEVY Adjusted	Estimated Change (Reduction) Increase
Campbell River	949,613	987,836	965,575	(22,261)
Comox	384,383	400,249	396,775	(3,474)
Courtenay	712,609	772,531	766,209	(6,322)
Cumberland	80,339	88,090	87,292	(798)
Duncan	148,910	155,709	154,343	(1,366)
Gold River	36,326	39,139	38,750	(389)
Ladysmith	224,542	243,069	240,916	(2,153)
Lake Cowichan	83,961	88,463	87,643	(820)
Lantzville	127,091	129,314	128,337	(977)
Masset	21,930	23,482	23,224	(258)
Nanaimo	2,567,365	2,699,399	2,677,331	(22,068)
North Cowichan	898,454	944,885	937,102	(7,783)
North Saanich	545,865	553,780	550,787	(2,993)
Parksville	407,553	422,337	419,196	(3,141)
Port Alberni	508,749	520,780	515,882	(4,898)
Port Alice	34,758	31,192	30,956	(236)
Port Clements	11,111	10,882	10,757	(125)
Port Hardy	108,229	93,887	92,826	(1,061)
Port McNeill	70,328	69,188	68,463	(725)
Qualicum Beach	330,547	331,848	329,466	(2,382)
Queen Charlotte	24,952	24,636	24,376	(260)
Sayward	10,865	9,668	9,577	(91)
Sidney	487,591	499,873	496,696	(3,177)
Sooke	329,173	347,811	345,034	(2,777)
Tahsis	13,956	11,361	11,259	(102)
Tofino	111,797	113,798	113,335	(463)
Ucluelet	79,335	79,044	78,629	(415)
Zeballos	5,288	4,849	4,798	(51)
Alberni-Clayoquot R Dist.	301,122	324,903	322,673	(2,230)
Capital R Dist.	181,373	191,154	190,120	(1,034)
Central Coast R Dist.	45,503	39,074	38,707	(367)
Comox Valley R Dist.	1,250,370	800,794	878,964	78,170
Cowichan Valley R Dist.	1,137,285	1,192,738	1,184,143	(8,595)
Mount Waddington R Dist.	113,449	105,627	104,973	(654)
Nanaimo R Dist.	1,373,176	1,436,407	1,426,210	(10,197)
Powell River R Dist.	18,340	21,065	20,948	(117)
Skeena-Queen Charlotte R Dist.	34,694	33,378	33,079	(299)
Strathcona R Dist.	0	356,650	393,535	36,885
TOTALS	13,770,932	14,198,890	14,198,890	1
Comox Strathcona Combined	1,250,370	1,157,444	1,272,499	115,055



The Best Place on Earth

Reference: 100940

October 10, 2008

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

RDN			
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GMES	<input checked="" type="checkbox"/>	GMTS	
OCT 17 2008			
SMCA	<input type="checkbox"/>		
CHAIR	<input checked="" type="checkbox"/>	BOARD	

Dear Chair Stanhope:

I would like to commend the Regional District of Nanaimo on your leadership and initiative shown in the *Action for Water* program.

The *Action for Water* program aligns well with the Province's vision and goals for water management outlined in the *Living Water Smart* Plan. The Plan commits to new actions and targets and builds on existing work under way in the province to protect and keep our waters safe.

Through *Living Water Smart*, the Province aims to sustainably manage all freshwater (surface and groundwater), protect aquatic ecosystems, and encourage water smart behavior and community development practices. The *Action for Water* program compliments *Living Water Smart* by increasing awareness of the value of water resources and understanding and reducing the risks that threaten them.

Our collective efforts will ensure water resources are valued and used wisely on Vancouver Island and British Columbia.

The Ministry will watch the results of the November 15 referendum on this matter with interest, and we look forward to continuing our discussions on how we can work together on these important matters.

Yours truly,

James S. Mattison
Assistant Deputy Minister

cc: John O. Finnie, General Manager Environmental Services, Regional District of Nanaimo
Larry Barr, Regional Water Manager, Ministry of Environment
Amelia Loye, Ministry of Environment

Ministry of Environment

Office of the Assistant Deputy Minister
Water Stewardship Division

Mailing Address:
Box 9339 Stn Prov Govt
Victoria BC V8W 9M1

Telephone: 250 356-9443
Facsimile: 250 953-3414
Website: www.gov.bc.ca/env



City of PARKSVILLE

PO Box 1390, 100 E. Jensen Avenue, Parksville, BC V9P 2H3
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www.parksville.ca

RDN			
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GMDS		GMR&PS	
GMES	<input checked="" type="checkbox"/>	GMTS	
OCT 17 2008			
SMCA			
CHAIR	<input checked="" type="checkbox"/>	BOARD	

October 10, 2008

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

Attention: Carol Mason
Chief Administrative Officer

Dear Ms. Mason;

This is to advise that at the October 6, 2008 regular meeting of Council, the following resolution was passed:

08-284 "THAT Council support in principle the Action for Water Shed protection function proposed by the Regional District of Nanaimo."

We congratulate you on the development of this important program and look forward to working with you on future opportunities for partnership on watershed protection.

Yours truly,

LAURIE TAYLOR
Director of Administrative Services

LT:ah



TOWN OF QUALICUM BEACH

INCORPORATED 1942

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P.O. Box 130
Qualicum Beach, B.C.
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Fax: (250) 752-1243
E-mail: qbtown@qualicumbeach.com
Website: www.qualicumbeach.com

October 14, 2008

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

Dear Chairperson Stanhope

RE: Letter of Support - Action for Water

Thank you for Mr. Donnelley's presentation at the October 6, 2008 Council Meeting regarding the "Action for Water" initiative. The Town of Qualicum Beach recognizes the importance of this new program and is aware that the Electoral Area residents will be asked to support the establishment of a new service on November 15, 2008.

As a municipality that is also reliant on our watersheds, we support the Regional District of Nanaimo in its goal of establishing this Electoral Area service. The Town of Qualicum Beach has a number of initiatives that we are also pursuing to manage and protect our drinking water resources.

Our municipality supports the RDN's efforts to implement the Drinking Water and Watershed Protection Action Plan through the establishment of this function for the Electoral Areas. The Town looks forward to working with the RDN on future opportunities for partnership on watershed protection.

Yours truly

M.D. (Mark) Brown
Chief Administrative Officer

N:/letters/08/municipalletterofsupport.fm
pc: Mayor & Councillors
Bob Weir, Director of Engineering & Utilities

RDN			
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GMDS		GMR&PS	
GMES	<input checked="" type="checkbox"/>	GMTS	
OCT 17 2008			
SMCA			
CHAIR	<input checked="" type="checkbox"/>	BOARD	



2008-OCT-20

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

ATTENTION: Mr. Joe Stanhope, Chairperson

Dear Mr. Stanhope:

RE: Letter of Support – Action for Water

Thank you for your presentation to Nanaimo City Council on the upcoming Action for Water initiative. The City of Nanaimo recognizes the importance of this new program and understands that electoral area residents will be asked to support the establishment of a new service on 2008-NOV-15.

The Action for Water program includes a number of activities designed to manage and protect our water resources. As a municipality that is also reliant on our watersheds, we understand and support the Regional District of Nanaimo in its goal of establishing this electoral area service. Our municipality also has a number of initiatives that we are pursuing to protect our drinking water resources.

The Council of the City of Nanaimo supports the RDN's efforts to implement the Drinking Water and Watershed Protection Action Plan through the establishment of this function for the electoral areas. The Council of the City of Nanaimo congratulates you on the development of this important program and trust that our communities' efforts will advance the common goal of protecting our most precious natural resource.

Sincerely,

Mayor G. Korpan

GK/jdk

cc: G.D. Berry, City Manager
A.C. Kenning, Deputy City Manager
D.W. Holmes, General Manager, Corporate Services
A.W. Laidlaw, General Manager, Community Services
E.C. Swabey, General Manager, Development Services
B.E. Clemens, Director of Finance

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REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, OCTOBER 14, 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
Director G. Holme	Electoral Area E
Alternate	
Director D. Niwa	Electoral Area F
Director J. Stanhope	Electoral Area G

Also in Attendance:

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

CALL TO ORDER

The Chairperson welcomed Alternate Director Niwa to the meeting.

MINUTES

MOVED Director Holme, SECONDED Director Stanhope, that the minutes of the Electoral Area Planning Committee meeting held September 9, 2008 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60841 and Request for Frontage Relaxation -- Ostrand -- 2668 Raven Hill Road -- Area 'A'.

MOVED Director Burnett, SECONDED Director Young, that Development Permit Application No. 60841, submitted by A. Ostrand and J. Ostrand in conjunction with the subdivision of the parcel legally described as Lot 1, Section 13 & 14, Range 4, Cedar District, Plan 46811 Except Part in Plan VIP57402 and VIP68357 and designated within the Fish Habitat Protection Development Permit Area, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the request for relaxation of the minimum 10% frontage requirement for Proposed Lots 1 and 2 in conjunction with the subdivision of the property legally described as Lot 1, Section 13 & 14, Range 4, Cedar District, Plan 46811 Except Part in Plan VIP57402 and VIP68357 be approved subject to Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. 90816 – Peters – 3420 Beldon Place – Area ‘E’.

MOVED Director Holme, SECONDED Director Stanhope, that Development Variance Permit Application No. 90816, to legalize the siting of a ‘stacked rock’ retaining wall with an interior side yard setback of 0.0 m, on the subject property legally described as Lot 10, District Lot 78, Nanoose District, Electoral Area ‘E’ on Beldon Place, be approved subject to the conditions outlined in Schedules No. 1 to 3 and the notification requirements of the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90819 and Request for Frontage Relaxation – Fredrich – 2798 Cedar Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that Development Variance Permit Application No. 90819, submitted by Thomas Hoyt, BCLS, on behalf of Theo Fredrich and Margaret Fredrich, in conjunction with the subdivision on the parcel legally described as Parcel C (DD23380N), Section 5, Range 2, Cedar District and located at 2798 Cedar Road be approved subject to the conditions outlined in Schedule No. 1 of the corresponding staff report and the notification requirements pursuant to the *Local Government Act* with respect to the proposed variances outlined in Schedule No. 1.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the request for relaxation of the minimum 10% frontage requirement for proposed Remainder of Parcel C in conjunction with the subdivision of the property be approved.

CARRIED

OTHER

Request for Acceptance of Cash-in-Lieu of Park Land – Murdoch – Murdoch, Barnes & Brebber Roads – Area ‘A’.

MOVED Director Burnett, SECONDED Young, that the request to pay 5% cash-in-lieu of park land submitted by Leigh Millan, BCLS on behalf of H. & R. Murdoch in conjunction with the proposed subdivision of Lot 20, Section 17, Range 4, and Lots 21 and 25, Section 17, Range 4 East and Fractional Section 17, Range 5 East, All of Cedar District, Plan 3779, be accepted.

CARRIED

Request for Frontage Relaxation – Allin – Church and Coldwater Roads – Area ‘G’.

MOVED Director Stanhope, SECONDED Director Holme, that the request to relax the minimum 10% frontage requirement for proposed Lot A, submitted by Dick Allin and Lori Allin in conjunction with the proposed subdivision of Lot 17, Nanoose District, Except the E&N R/W & Except Part in Plans 36524, 45739, VIP52132, VIP53642, VIP83372 & VIP83374 and Part of Parcel A (DD82708N), District Lot 21, Nanoose District, Plan 1902, be approved subject to the Ministry of Transportation and Infrastructure’s satisfaction that access is achievable.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:12 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, OCTOBER 14, 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
Director G. Holme	Electoral Area E
Alternate	
Director D. Niwa	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 M. Unger	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director J. Manhas	City of Nanaimo
Director B. Bestwick	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearce	Senior Manager, Corporate Administration
N. Avery	Gen. Manager of Finance & Information Services
D. Trudeau	Gen. Mgr. of Transportation & Solid Waste 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 Director Niwa to the meeting.

MINUTES

MOVED Director McNabb, SECONDED Director Holme, that the minutes of the Committee of the Whole meeting held September 9, 2008 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Al Tully, Oceanside Tourism Association, re Eligible Entity Status Application.

MOVED Director Holme, SECONDED Director Bestwick, that the correspondence from Oceanside Tourism Association regarding their Eligible Entity Status application as it relates to the service agreement between the Regional District of Nanaimo and the Oceanside Tourism Association, be received.

CARRIED

CORPORATE ADMINISTRATION SERVICES

ADMINISTRATION

Port Theatre Society Agreement.

MOVED Director Burnett, SECONDED Director McNabb, that the Board authorize entering into a three year agreement with The Port Theatre Society for a term ending December 31, 2011.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Unightly Premises – 1449 Moby Dicks Way – Area ‘B’.

MOVED Director Sperling, SECONDED Director Korpan, that should this matter not be rectified by October 28, 2008, pursuant to “Unightly Premises Regulatory Bylaw No. 1073, 1996”, the Board directs the owner 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 of Nanaimo’s agents at the owner’s cost.

CARRIED

Electoral Area ‘G’ Noise Control – Reserve Fund Expenditure.

MOVED Director Westbroek, SECONDED Director Bartram, that \$4,120 be authorized for the payment of legal fees from the Electoral Area ‘G’ Noise Control Reserve Fund.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Electoral Area ‘H’ Pilot Yard Waste Program.

MOVED Director Bartram, SECONDED Director Holdom, that staff implement a pilot program for a yard waste drop-off in Electoral Area ‘H’.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Herle, that the minutes of the District 69 Recreation Commission meeting held September 18, 2008 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Herle, that a letter of thanks be sent to the Rotary Club of Qualicum Beach in regards to their successful Rotary District 5020 Annual Conference held at Oceanside Place, and for returning the funds from the District 69 Recreation Community Grants program.

CARRIED

Electoral Area 'A' Parks and Green Space Advisory Committee.

MOVED Director Burnett, SECONDED Director McNabb, that the minutes of the Electoral Area 'A' Parks and Green Space Advisory Committee meeting held September 18, 2008 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that the "Electoral Area 'A' Community Parks Local Service Amendment Bylaw No. 798.06, 2008", be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Burnett, SECONDED Director McNabb, that the Regional Board direct staff to determine if the "Electoral Area 'A' Recreation and Culture Service Bylaw No. 1467, 2005" can be amended to permit financial support for operations and improvements to facilities owned and operated by incorporated non-profit organizations.

CARRIED

Grants-in-Aid Advisory Committee.

MOVED Director Young, SECONDED Director Bartram, that the minutes of the Grants-in-Aid Advisory Committee meeting held October 7, 2008 be received for information.

CARRIED

District 68:

MOVED Director Young, SECONDED Director Bartram, that the following District 68 Grants-in-Aid be approved:

<i>Name of Organization</i>	<i>Amount Recommended</i>
Poetry Gabriola Society	\$ 600

CARRIED

MOVED Director Young, SECONDED Director Bartram, that the following District 69 Grants-in-Aid be approved:

<i>Name of Organization</i>	<i>Amount Recommended</i>
Errington War Memorial Hall Association	\$ 1,500
Nanoose Bay Catspan	\$ 2,355
North Island Wildlife Recovery Association	\$ 605
Vancouver Island Opera	\$ 800

MOVED Director Westbroek, SECONDED Director Brennan, that the motion be amended to increase the grants-in-aid to the Vancouver Island Opera to \$1,000.

CARRIED

The question was called on the main motion as amended.

The motion CARRIED.

MOVED Director Young, SECONDED Director Westbrook, that the general grant-in-aid funding amount of \$14,960 annually in District 69 only allows the Committee to provide approximately 50% of the requested funding to organizations in the area, therefore as per Policy No. A1.28, the Grants-in-Aid Committee requests that the RDN Board of Directors consider increasing the general grant-in-aid funding in District 69 to \$18,000 annually.

CARRIED

Regional Liquid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Manhas, that the minutes of the Regional Liquid Waste Advisory Committee meetings held June 5, 2008 and September 4, 2008 be received for information.

CARRIED

Regional Hospital District Select Committee.

MOVED Director Westbrook, SECONDED Director Unger, that the minutes of the Regional Hospital District Select Committee meeting held September 15, 2008 be received for information.

CARRIED

MOVED Director Westbrook, SECONDED Director Bartram, that staff arrange a meeting with the Vancouver Island Health Authority to review their capital plans.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Oceanside Tourism Association - Eligible Entity Status Application.

MOVED Director Holme, SECONDED Director Westbrook, that a letter be sent to the Oceanside Tourism Association, providing a six-month extension to the service agreement between OTA and the Regional District of Nanaimo.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:12 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE
REGIONAL PARKS AND TRAILS ADVISORY COMMITTEE MEETING
HELD ON TUESDAY, OCTOBER 7, 2008 AT 2:00PM
RDN COMMITTEE ROOM**

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

Staff: Tom Osborne, General Manager of Recreation and Parks
Marilynn Newsted, Recording Secretary

Also In Attendance: Jack Wilson, Councilor, Town of Qualicum Beach

CALL TO ORDER

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

DELEGATIONS

2.1 Friends of Morden Mines, John Hofman, Vice President

Mr. Hofman noted the Morden Colliery concrete head and tipple structures are an important part of the local mining history. The structures are in decay and do require repair if they are to be preserved. An engineering report, initiated by the group, confirms with restoration the lifetime of the structures could be extended fifty to one hundred years. Some monies have been raised by the group along with some assistance from BC Parks and fundraising events are on going. The tipple site has the potential as a prominent tourist attraction and an educational centre. The Friends of Morden Mine request the cooperation and the financial support of the Regional District to assist with their plan to hire a consultant to study the issues and prepare a comprehensive report which may be used as a guideline and tool, for fund raising, in their goal to preserve the mine site. To date the group has raised \$4,000 in funding raising efforts and additional \$4,000 in grant monies from BC Parks and request an addition \$4,000 in assistance from the Regional District.

MOVED J. Stanhope, SECONDED F. Van Eynde, that the Delegation Friends of Morden Mines be received.

CARRIED

MINUTES

3.1 MOVED F. Van Eynde, SECONDED M. Young, that the Minutes of the Regional Parks and Trail Advisory Committee Meeting Held Tuesday, May 6, 2008, be approved.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

5 MOVED J. Stanhope, SECONDED F. Van Eynde, that the following Correspondence be received:

- Alberni-Clayoquot Regional District, Re: Mount Arrowsmith Regional Park
- Union Of British Columbia Municipalities, Re: Community Tourism Program Phase 2 – E & N Rail Feasibility Study
- Mackenzie Charitable Giving Fund, Re: Hollington Habitat Trust Grant
- Ministry of Forest, Protection Branch, Re: Fire Control Cost Share Agreement
- J. Stanhope to Ed and Louella Hollington, Re: Hollington Habitat Trust Grant
- J. Michel to HB Lanarc Consultants Ltd., Re: E & N Rail Corridor – Trail Feasibility Study
- Ministry of Environment Parks and Protected Areas, Re: Horne Regional Park
- J. Michel to HB Lanarc Consultants Ltd., Re: E & N Rail Corridor – Trail Feasibility Study Signed Agreement
- T. Osborne to HB Lanarc Consultants Ltd., Re: Regional Park Acquisition Criteria Review
- Mr. and Mrs. P. Bolten, Re: Top Bridge Park and Area 'G' OCP

CARRIED

MOVED J. Stanhope, SECONDED F. Van Eynde, that that late Correspondence S. Benton, Ministry of Environment, re: Mt. Arrowsmith, be received.

CARRIED

MOVED J. Stanhope, SECONDED M. Young, that staff prepare a report with regard to the issues raised in the correspondence from S. Benton, Ministry of Environment to Mr. Peter Bolton, regarding the proposed Mt. Arrowsmith Massif Regional Park.

CARRIED

BUSINESS ARISING FROM DELEGATIONS.

6 MOVED J. Stanhope, SECONDED F. Van Eynde, that staff prepare a report with regard to the financial implications and recommendations to jointly fund a study with BC Parks and the Friends of Morden Mines on the preservation and development of the Morden Colliery Mine site located at the trail head of the Morden Colliery Regional Trail.

CARRIED

REPORTS

8 **Monthly Update of Community Parks and Regional Parks and Trails Projects March to August 2008.**

Mr. Osborne highlighted the following items:

- Park staff have had to deal with numerous fires set in regional parks and are currently working with other agencies to curtail the activities of a possible arsonist in the Nanaimo Lakes and Mount Benson foothills area.
- The VIHA Environmental Health Office requires a potable water system be in place at Descanso Bay Regional Park (DBRP) by 2009.
- The Englishman River Management Plan is in the final stages and should be complete by November.

- The work to repair the damage on in the Nanaimo River Regional Park was completed as of October 7.
- Due to the lack of storage and operations space for Parks at Oceanside Place, staff are currently looking for a for an operations facility location to share with utilities and the possibility of a temporary space in the industrial park in Parksville.
- The development of the Little Qualicum River Estuary Conservation Area Management Plan and lease review with Ducks Unlimited is in progress.
- New fuel tanks are in place at Horne Lake Regional Park along with a new generator and battery charging system.

MOVED D. Bartram, SECONDED H. Rueggeberg, that the Reports be received.

CARRIED

NEW BUSINESS

9.1 Foot Under Pass Tunnel Cleaning Thatcher Road and Island Highway

MOVED J. Stanhope, SECONDED D. Bartram, that the request for Foot Under Pass Tunnel cleaning and maintenance at Thatcher Road and Island Highway made by South Wellington and Area Community Association be forwarded to the Ministry of Transportation as it falls under their jurisdiction.

CARRIED

9.2 Joint Development Proposal Horne Lake Regional Park and Horne Lake Caves Provincial Park

Mr. Osborne noted due to the migration of the Qualicum River the development proposal will not move forward at this time as the rivers movement will likely affect the Regional Park and proposed areas being considered for park improvements. The Department is now working with the Ministry of Environment on how to deal with the movement of the river.

9.3 UBCM Phase I Tourism Funding

Mr. Osborne reviewed the new Regional Parks and Trails Guide, the web page and the new park, directional signs and kiosks which have been completed as part of the phase I UBCM funding.

ADJOURNMENT

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

Chair



RECEIVED
OCT 06 2008
REGIONAL DISTRICT
of NANAIMO

Reference: 99984

OCT 02 2008

Mr. Peter Bolten
1334 Lanyon Dr.
Parksville BC V9P 1W6

Dear Mr. Bolten:

Thank you for your letter of July 29, 2008 addressed to Assistant Deputy Minister, Nancy Wilkin, regarding your concerns about the future administration of Mount Arrowsmith by the Regional District of Nanaimo. Your request has been forwarded to me for response as Ms. Wilkin has assumed another position.

The Ministry of Environment is not in a position to direct the operations, policies or by-laws of a Regional District in regard to their operation of their parks. Having said this BC Parks and Protected Areas staff have and continue to be available to provide council on operational issues to any park management agency in the Province or around the world.

You will note that I have provided a personal copy of your letter and this reply to Wendy Marshall, Manager of Park Services for the Regional District of Nanaimo. In doing this it will allow Ms. Marshall to contact you directly to discuss the concerns that you have brought forward regarding the future administration of Mount Arrowsmith.

Thank you for your continued interest in the protection of special places in British Columbia.

Yours truly,

Scott Benton
Executive Director
Parks and Protected Areas Division

pc: Wendy Marshall, Manager Park Services, Regional District of Nanaimo 6300 Hammond Bay Road Nanaimo BC V9T 6N2

Ministry of Environment	Office of the Executive Director Parks and Protected Areas Environmental Stewardship Division	Mailing Address: PO Box 9394 Stn Prov Govt Victoria BC V8W 9M8	Telephone: (250) 387-3637 Facsimile: (250) 387-6852 Website: www.gov.bc.ca/eny
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99984

Asst. Deputy Minister Environment,
Nancy Wilken,
ref. # 97348,

July 29th 2008

Thank you for your reply, 07-07-2008 (? undated) to my Feb 27th letter expressing concern about the future administration of Mt. Arrowsmith.

Several concerns about the R.D.N. still persist. I.E., inadequate announcements + posting of notices, lacking prior to public deadline involvement.

2 Wildlife protection values vs history of R.d.n. policies. I.E. Pet (dog) policies virtually non-existent in any fall of current large R.d.n. park-spaces.

There are no code-of-conduct policies posted in many R.d.n. parks. Meaningful dialogue with R.d.n. on this issue has been ignored and unanswered.

In the case of Mt. Arrowsmith, could the Min. of Environment extract a promise + policy of "Least only" and in Ptarmigan, Alpine zones, bogs/ponds, a "Prohibited to pets" policy?

This would go a long way to alleviating my concern regarding wildlife + hiker conflicts.

3 R.d.n. policies, fees, parking, + overnight + user group time restrictions often change without public involvement, nor flexible dialogue, and no accountability from staff when bias is displayed.

Can Min. of Environment please direct + extract promises that no time restrictions on access or parking or overnight excursions will occur, and complete access (including vehicle access to old ski-hill) remain unimpeded? Handi-cap privileges?

Yours truly, Peter Bolten

(250) 738-0519 (Min. of Envir. only use age of #)



Mr & Mrs Peter Bolten
1334 Lanyon Dr
Parksville BC V9P 1W6

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE TRANSIT SELECT COMMITTEE
MEETING HELD ON THURSDAY, OCTOBER 9, 2008 AT 12:00 NOON
IN THE COMMITTEE ROOM**

Present:

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

Also in Attendance:

Wayne Brown	Guest, Qualicum Beach
C. Mason	CAO, RDN
D. Trudeau	Gen. Manager, Transportation & Solid Waste Services
L. Kiteley	Manager, Transportation Services, RDN
M. Moore	BC Transit
S. DePol	Manager of Liquid Waste
F. McFarlane	Recording Secretary

CALL TO ORDER

The meeting was called to order at 11:55 am by the Chair.

MINUTES

MOVED Director Stanhope, SECONDED Director Holme, that the minutes of the Transit Select Committee meeting held on July 24, 2008 be adopted. CARRIED

CORRESPONDENCE

Letter dated August 8, 2008 from The BC Scrap-It Program re Partnership between Nanaimo Regional Transit and the BC Scrap-It Society

D. Trudeau noted there are some issues to be resolved before partnership opportunities are brought before the Committee.

MOVED Director Burnett, SECONDED Director Manhas, that this correspondence be received. CARRIED

Email dated September 8, 2008 from Fay Weller, Gabriola Public Transit Committee re Feasibility Study for Gabriola Island

Director Sperling provided background information on the Gabriola Public Transit Committee and proposed that the Regional District of Nanaimo (RDN) manage any further transportation studies conducted for Gabriola Island. D. Trudeau noted that transit studies are being planned for a number of Electoral Areas under the Community Works Fund and that we would be tendering for the services of a

professional consultant to carry out this work. The studies could reference any work that had been done by the community.

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

CARRIED

BC TRANSIT UPDATE

Myrna Moore reviewed the expansions to the Nanaimo Regional Transit System for 2008/2009 and 2009/2010. Director Burnett asked when the custom transit hours will be increased for the Nanaimo Regional Transit System (NRTS) and it was noted that the increases were implemented in September.

MOVED Director Holme, SECONDED Director Westbrook, that this verbal report be received.

CARRIED

ADMINISTRATION

Expansion Ridership Update

L. Kiteley noted that the recent expansion was the first in some time and includes Sunday and statutory holiday service for seven statutory holidays at the reduced level of Sunday service. The expansion has been well received and many transit buses are running at full capacity. Staff is now looking at ways to increase early morning runs that will get people to work and students to classes more efficiently.

MOVED by Director Holme, SECONDED by Director Herle that the report be received for information.

CARRIED

Transit Ferry Service

D. Trudeau stated that this run, which is being proposed as an express bus service between District 69 and the BC Ferries terminal at Departure Bay. The proposed service will also allow Nanaimo transit users to travel express from Woodgrove Mall directly to Country Club Mall and then continue on to the BC Ferries at Departure Bay. D. Trudeau indicated that this run is in addition to previously approved expansions that are being implemented in March 2009 and that high fuel costs are making it challenging to stay within the Financial Plan.

Director Stanhope asked how solid NRTS is about BC Transit cost sharing this service. M. Moore noted that BC Transit's 2009/2010 budget request goes to the Treasury Board for approval in February 2009. Following that they will know the extent of monies granted and can determine allocation of funds.

Director Westbrook advised that, in speaking with management at BC Transit, he had received positive feedback on the implementation of this service. He noted that it will also benefit Nanaimo in that more people will come to the area to shop. The express service will also encourage ridership.

MOVED by Director Westbrook, SECONDED by Director Herle that staff be directed to implement the Monday to Friday ferry service starting in March 2009.

CARRIED

NEXT MEETING

The next meeting of the Transit Select Committee will be held Thursday, January 22, 2009.



RDN REPORT		
CAO APPROVAL <i>(Signature)</i>		
EAP		
COW		
OCT - 3 2008		
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: September 30, 2008

FROM: Dennis Trudeau
General Manager of Transportation
and Solid Waste Services

FILE: 8500-01

SUBJECT: Transit Ferry Service

PURPOSE

To bring forward a report on improved service to the Departure Bay Ferry Terminal.

BACKGROUND

At the May 27, 2008 Regional District of Nanaimo (RDN) Board meeting, the Board directed staff:

"to prepare a report on a pilot project to establish an express transit service from District 69 to the BC Ferries."

Currently there is bus service to the Departure Bay Ferry from District 69. The service is not direct as passengers have to change buses at Woodgrove Mall in order to get to their destination. Feedback received from riders' surveys and open houses have indicated that the current service to Departure Bay takes too long and that they would use transit more if there was an express service.

Staff has analyzed the current service and is proposing an additional run be implemented from District 69 to meet up with the 8:30 am ferry departing from Departure Bay. A return bus to District 69 would coordinate with the ferry departing from Horseshoe Bay at 7:00pm.

The route would be an express, stopping at only seven (7) locations in District 69 and three (3) locations in District 68. The District 68 stops would be our exchanges located at Woodgrove Mall, Country Club Mall and the BC Ferries terminal at Departure Bay. The service would take 69 minutes to travel from Ravensong Aquatic Centre to the Departure Bay Ferry Terminal. Currently the travel time is between 88 and 94 minutes depending upon whether the #90 Intercity Connector takes Northwest Bay Road or stays on the highway.

Returning by transit from the Departure Bay Ferry Terminal can take even longer since there may not be a bus waiting for the ferry passengers. If the arriving ferry has been delayed the transit buses may have already left, as per the existing schedule, and passengers could wait as much as an hour for the next scheduled service. Staff is proposing that the new service will have the bus wait until the ferry has arrived and passengers have disembarked before leaving the terminal.

Staff has reviewed the proposed service and has identified the following improvements to the current RDN service:

- Improve transit access to the Departure Bay ferry terminal;
- The express service will benefit commuters in both Nanaimo and District 69; and,
- By adding a later return passengers will have more options returning to District 69.

Staff is proposing that the express ferry service run from Monday to Friday starting in March 2009. The proposed service would add 620 revenue hours per year to the Nanaimo Regional Transit System. Since implementation of the service is proposed for March 2009 the annual increase in revenue hours for 2009 would be reduced to 465.

ALTERNATIVES

1. Direct staff to implement the Monday to Friday express ferry service starting in March 2009.
2. Direct staff to implement the Monday to Friday express ferry service when cost sharing has been confirmed with BC Transit.

FINANCIAL IMPLICATIONS

It is challenging to determine how much each Nanaimo Regional Transit run costs due to the complexity of the system. We obtain our most accurate information at year end when we can look back on actual costs, which can then be used to determine future financial impacts of new services. Currently staff estimates that each revenue hour will cost approximately \$140. This has increased dramatically from last year due to fuel costs. As was identified at the UBCM Transit Forum fuel costs are having a substantial impact on transit expenses.

Neither of the two alternatives was included in the transit financial plan that was approved previously for 2009 so the financial plan will have to be adjusted accordingly.

Alternative 1

Based upon \$140 per hour the proposed service would cost \$65,000 in 2009 (service is for only 9 months of the year) and increase to \$87,000 in 2010. The impacts on the tax requisition would have to take into account revenue received from riders and from BC Transit. Based on conservative estimates of 20 new riders taking this service per day staff estimate an additional \$10,000 would be generated annually. It is expected that \$7,500 would be realized in 2009 due to the partial year of service. This means that approximately \$57,000 would have to be raised for the service in 2009 if there were no cost sharing from BC Transit.

The proposed service would cost \$87,000 in 2010. The impacts on the tax requisition would be \$77,000 in 2010 based on \$10,000 being raised by riders and no cost sharing from BC Transit.

Alternative 2

Staff has been negotiating with BC Transit and hope to include this run in the 2009/2010 Annual Operating Agreement so it has cost share funding for the balance of the year. If this service was cost shared then BC Transit's portion would be approximately \$25,700 per year on an annual basis. BC Transit's share for the partial year of service would be approximately \$19,000.

If BC Transit was able to cost share starting in March 2009 the impact to the tax requisition for this new service would be \$38,000. The impact to the tax requisition in 2010 with BC Transit cost sharing would be approximately \$52,000.

The percentage of revenue hours break down between participants as follows:

- Nanaimo - 50%
- Electoral Area E - 8%
- Parksville - 22%
- Electoral Area G - 5%
- Qualicum Beach - 15%

The revenue kilometres break down in a similar manner. These percentages, along with population in District 69, will be used to apportion costs of the new service.

SUSTAINABILITY

Ensuring that the negative impacts on the environment due to greenhouse gas emissions are reduced can be achieved in part by getting people out of their cars. The proposed express ferry service would encourage transit use and help reduce greenhouse gas emissions.

CONCLUSION

At the May 27, 2008 Regional District of Nanaimo (RDN) Board meeting, the Board directed staff:

"to prepare a report on a pilot project to establish an express transit service from District 69 to the BC Ferries."

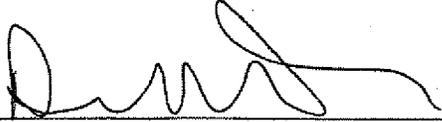
Staff has analyzed the current service and is proposing an additional run be implemented from District 69 to meet up with the 8:30 am ferry departing from Departure Bay. A return bus to District 69 would coordinate with the ferry departing from Horseshoe Bay at 7:00 pm.

The route would be an express, stopping at only seven (7) locations in District 69 and three (3) locations in District 68.

Staff is proposing that the express ferry service run from Monday to Friday. While staff is hopeful that the new service would be cost shared with BC Transit, it is felt that starting the scheduled service in March 2009 will improve the overall transit system and provide valuable information for the future expansions planned in 2010.

RECOMMENDATION

Direct staff to implement the Monday to Friday express ferry service starting in March 2009.

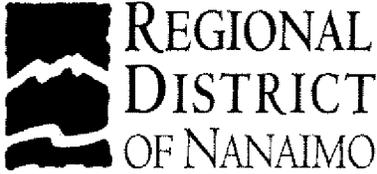


Report Writer



CAO Concurrency

COMMENTS:



RDM REPORT	
CAO APPROVAL (initials)	
EAP	
COW	
OCT 21 2008	
RHD	
BOARD	✓ Oct 28 '08

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: October 20, 2008

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

FILE:

SUBJECT: Fire Departments – Automatic Response Agreement

PURPOSE:

To obtain approval to enter into an agreement to provide automatic response to fire incidents at specified locations within the City of Parksville, Town of Qualicum Beach, Coombs-Hilliers and Errington Fire Protection service areas.

BACKGROUND:

The above noted fire departments currently provide to each other, mutual aid fire response under a master agreement covering all of the fire departments in School District 69. Under a mutual aid agreement, a neighbouring fire department can be requested to attend at an incident if the initiating jurisdiction is already occupied. The construction of high rise residential towers in Parksville and residential complexes which are geared towards medical care for the residents in both municipalities, gave rise to considering a quicker response alternative than standard mutual aid. Under the agreement presented with this report, the E911 fire dispatch center would automatically send the specified equipment as soon as a fire is reported at any of the locations in the agreement. The agreement has been reviewed by the Administrators and fire chiefs of each municipality as well as the Boards and fire chiefs of each of the volunteer fire departments. The Regional District is also a participant as the holder of a contract for fire protection services with each of the volunteer fire departments.

ALTERNATIVES:

1. Approve the agreement as presented and authorize the Chairperson and the Sr. Mgr., Corporate Administration to execute the agreement.
2. Recommend amendments to the agreement and approve the agreement as amended.
3. Do not approve the agreement.

FINANCIAL IMPLICATIONS:

Alternative 1

The agreement provides for compensation between jurisdictions for the use of the equipment, damage to the equipment and the use of consumables, which includes items such as foam supplies. The existing mutual aid agreement does not provide for compensation except for consumed supplies. For equipment and manpower use, only the amount in excess of \$3,000 would be billed between jurisdictions. At this time staff cannot quantify the possible billable compensation, however, the fire chiefs have considered the limit and consider it a comfortable benchmark.

Alternatives 2 and 3

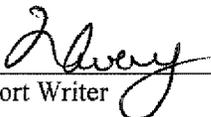
Staff have no further recommendations for amending the agreement. This is an important improvement in the dispatching of equipment to these higher risk locations and staff recommend approval.

SUMMARY/CONCLUSIONS:

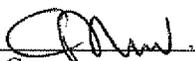
With the assistance of the fire chiefs and staff from the City of Parksville and Town of Qualicum Beach, and the Boards and fire chiefs of the Coombs Hilliers and Errington volunteer fire departments, an agreement has been prepared which will improve response time to certain higher risk locations within those jurisdictions. All parties already provide mutual aid when requested, however, this agreement will result in the E911 fire dispatch center sending the designated resources immediately rather than waiting for an incident evaluation. The agreement includes tracking of costs for manpower, equipment and consumables which would be billed if the amount between jurisdictions exceeds \$3,000. The agreement has been reviewed by our legal counsel and any recommendations have been included in this final version. Staff recommend approving the agreement as presented.

RECOMMENDATION:

That the Automatic Response agreement between the Regional District of Nanaimo, City of Parksville, Town of Qualicum Beach, Coombs Hilliers and Errington Volunteer Fire Departments be approved as presented and that the Chairperson and Sr. Mgr., Corporate Administration be authorized to execute the agreement as required.



Report Writer



C.A.O. Concurrence

COMMENTS:

AUTOMATIC RESPONSE AGREEMENT

THIS AGREEMENT made this day of , 2008

AMONG

THE CITY OF PARKSVILLE

AND

THE TOWN OF QUALICUM BEACH

AND

THE REGIONAL DISTRICT OF NANAIMO

AND

ERRINGTON AND DISTRICT VOLUNTEER FIRE DEPARTMENT

AND

COOMBS-HILLIERS FIRE DEPARTMENT

WHEREAS the City of Parksville and the Town of Qualicum Beach operate and maintain municipal fire departments and the Regional District of Nanaimo, in accordance with service contracts with the Coombs-Hilliers Volunteer Fire Department and the Errington and District Volunteer Fire Department provides fire protection and emergency response to portions of Electoral Areas F and G within School District 69;

AND WHEREAS the parties have entered into a Mutual Aid Agreement and this Agreement is in addition to that Mutual Aid Agreement;

AND WHEREAS the parties consider it to be of mutual benefit to respond automatically to Emergency Incidents within the jurisdictions of the City of Parksville, the Town of Qualicum Beach and the fire service areas of Coombs-Hilliers and Errington;

AND WHEREAS the parties to this Agreement agree and acknowledge that the fire chief of each of the Fire Departments shall in his/her sole discretion, determine resource allocation requirements for their areas and the ability of the Fire Department to respond automatically to Emergency Incidents as outlined in this Agreement;

NOW THEREFORE the parties wish to describe the terms and conditions for Automatic Response to Emergency Incidents within the jurisdictions of the City of Parksville, the Town of Qualicum Beach and the fire service areas of Coombs-Hilliers and Errington.

DEFINITIONS:

Automatic Response means the immediate dispatching of resources to Emergency Incidents as outlined in this Agreement.

Emergency Incident means a fire or fire related incident occurring at the locations identified in Schedule A

Fire Department means the fire departments operated by the City of Parksville and the Town of Qualicum Beach and the Regional District of Nanaimo volunteer fire departments of Coombs-Hilliers and Errington and each of them.

Local Government means the City of Parksville, the Town of Qualicum Beach and the Regional District of Nanaimo.

Operating Committee means the committee established under Section 2.1 of this Agreement.

Mutual Aid Agreement means the Mutual Aid agreement dated July 9, 1996 between the Bow Horn Bay Fire Department, Coombs-Hilliers Fire Department, Errington Fire Department, Dashwood Fire Department, Nanoose Bay Fire Department, Deep Bay Fire Department, Regional District of Nanaimo, City of Parksville, Town of Qualicum Beach and the District of Lantzville.

North Island 911 Dispatch Center means the fire dispatch center operated by the North Island 911 Corporation.

North Island 911 Dispatch Center Manager means the person designated from time to time to oversee the operations of the North Island 911 Dispatch Center.

Party means the City of Parksville, the Town of Qualicum Beach, the Regional District of Nanaimo, the Coombs-Hilliers Volunteer Fire Department and the Errington and District Volunteer Fire Department and each of them.

1.0 PURPOSES:

- 1.1 To ensure Automatic Response to certain types and classes of emergency in order to supplement the resources of the local jurisdiction or service area where the Emergency Incident is occurring.
- 1.2 To ensure adequate personnel and apparatus are activated, and arrive at the Emergency Incident in a timely manner.
- 1.3 To provide for an enhanced, effective and economical level of rescue, fire extinguishment and mitigation services for residents or occupants who live in high rise structures, care facilities, schools, hospitals or other more complex developments.
- 1.4 To ensure the Fire Departments identified in this Agreement make available operational guidelines that address resource requirements and actions necessary to respond to Emergency Incidents in accordance with this Agreement.

2.0 OPERATING COMMITTEE:

- 2.1 An Operating Committee shall be established, and will consist of at least one fire officer or designate of each of the participating Fire Departments. The Operating Committee will designate one of its members as the primary contact for communications between the Parties arising in the course of this Agreement and shall immediately advise each Party in writing of the name of such contact person or any changes to the name of such contact person.
- 2.2 The Operating Committee is authorized to make amendments to Schedules A, B and C to this Agreement and the primary contact of the Operating Committee designated under Section 2.1 shall be responsible for ensuring that all changes are communicated in writing in a timely manner to the North Island 911 Fire Dispatch Center Manager and to each Party.
- 2.3 The Operating Committee will meet at the request of any Party to review Automatic Response activations under this Agreement and the circumstances surrounding these activations.

3.0 INDEMNITY

Where a Party to this Agreement (hereinafter called the "Supplying Party") supplies another Party to this Agreement (hereinafter called the "Assisted Party") with Automatic Response pursuant to this Agreement, the Assisted Party shall indemnify and save harmless the Supplying Party from and against any and all claims, causes of action, suits, demands and expenses whatsoever arising out of or related to the Automatic Response rendered by the Supplying Party, its servants, employees or agents, their failure to respond to a request for Automatic Response pursuant to this Agreement or their failure to render adequate assistance.

4.0 OBLIGATIONS OF THE PARTIES TO THIS AGREEMENT

Upon entering this Agreement, each Party shall provide the other Parties to this Agreement with its applicable operational guidelines and pre-incident plans for the locations outlined in Schedule A to this Agreement.

5.0 OBLIGATIONS FOR AUTOMATIC RESPONSE

- 5.1 Automatic Response will be available twenty-four (24) hours per day, seven days per week, 365 days per year to the locations outlined in Schedule A as amended from time to time in accordance with this Agreement.
- 5.2 The North Island 911 Fire Dispatch Center Manager shall have a copy of this Agreement at all times and shall be entitled to rely on the most up to date version of this Agreement in his/her possession for dispatching resources required under this Agreement.
- 5.3 It is agreed that each Party's principal responsibility for life safety and property protection is to the people and properties within their respective jurisdiction or service area. Each fire chief or designate of a Fire Department shall in his/her sole discretion determine resource allocation requirements for his/her respective jurisdiction or service area.

- 5.4 It is agreed and acknowledged by each Party that the commitment to provide Automatic Response under this Agreement is contingent upon a Fire Department not being involved in support of another emergency event or Emergency Incident whether inside or outside of its jurisdiction or service area.
- 5.5 The Fire Department of the jurisdiction or service area in which the Emergency Incident occurs is required to respond to such Emergency Incident firstly with its own resources available at the time of such Emergency Incident and must ensure that it is capable of arriving at the Emergency Incident in a timely fashion.
- 5.6 Each Fire Department that responds to a request for Automatic Response under this Agreement shall do so in accordance with their respective operational guidelines and Schedule B.

6.0 COST RECOVERY

- 6.1 Where the Supplying Party provides resources pursuant to an Automatic Response request under this Agreement, the Assisted Party requesting assistance agrees to pay, the Supplying Party for resources utilized or replace the same, as the case may be, as follows:
- a) for equipment and manpower in accordance with Schedule C;
 - b) for replacement costs of all consumables requested to be supplied by the Supplying Party and used during the Emergency Incident including, without limitation foam and absorbents;
 - c) for the costs of damage to or loss of any equipment, tools, hoses, ladders, clothing or any other such items to a maximum value of \$5,000 per Emergency Incident ; and
 - d) with respect to vehicles, to a maximum of \$5,000 per vehicle for vehicle damage or destruction.
- 6.2 Each Party involved in an Emergency Incident will maintain sufficient records to enable them to verify the use of items outlined under Section 6.1 above. The records shall be maintained for two years and shall be made available to the other Parties involved in such Emergency Incident, upon request.
- 6.3 Where a Party intends to request reimbursement for items under Paragraphs 6.1(b), (c) or (d) the request must be made within 90 calendar days of the date of the Emergency Incident
- 6.4 On or about February 1 of each year, the Operating Committee will meet to review the reconciliation of each Party's accounts for items under Section 6.1(a) above for the previous calendar year.
- 6.5 A Party shall be entitled to be reimbursed for amounts identified under 6.4 above where the difference between any two Parties exceeds three thousand dollars. The amount eligible to be reimbursed is the portion that exceeds three-thousand dollars.
- 6.6 Any amount invoiced for reimbursement under Section 6.5 above shall be payable within 30 days of being invoiced.

7.0 DISPUTE RESOLUTION

- 7.1 Should a dispute arise regarding any matter involving this Agreement it will be adjudicated by a panel of one appropriately qualified staff person designated by each of the Local Government Parties to this Agreement. The decision of the panel will be by simple majority.
- 7.2 Notwithstanding Section 7.1, all disputes arising out of or in connection with this Agreement, or in respect of any defined legal relationship associated therewith or derived therefrom, may at the instance of any party, be referred to a Court of competent jurisdiction or to arbitration by delivery of a Notice of Arbitration in writing. If the parties cannot agree on a choice of arbitrator then each party may appoint an arbitrator and the two arbitrators so appointed must appoint a third arbitrator failing which the third arbitrator must be appointed by a Judge of the Supreme Court of British Columbia. Arbitration will be governed by the *Commercial Arbitration Act (British Columbia)*. The place of arbitration shall be Nanaimo, British Columbia, Canada and the costs shall be borne equally by the parties.

8.0 GENERAL

- 8.1 This Agreement enhances and is in addition to and does not derogate from the Mutual Aid Agreement.
- 8.2 In addition to Section 2.2, this Agreement shall be amended only with the written consent of the Parties.
- 8.3 Nothing in this Agreement shall be interpreted as prejudicing or affecting the rights and powers of the Parties in the exercise of their functions under any public and private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised as if this Agreement had not been executed.
- 8.4 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and permitted assignees.
- 8.5 The waiver by a Party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement shall not be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 8.6 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- 8.7 Wherever the singular masculine and neuter are used throughout this Agreement, the same shall be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 8.8 No remedy under this Agreement shall be deemed exclusive but shall, where possible, be cumulative with all other remedies at law or in equity.
- 8.9 This Agreement shall be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

9.0 NOTICES

All notices and demands required or permitted to be given hereunder shall be in writing and may be delivered personally, sent by facsimile or may be mailed by first class, prepaid registered mail to the addresses set forth below. Any notice delivered or sent by facsimile shall be deemed to have been given and received at the time of delivery. Any notice mailed as aforesaid shall be deemed to have been given and received on the expiration of 5 business days after it was posted, addressed as follows:

The Town of Qualicum Beach
PO Box 130
Qualicum Beach, BC
V9K 1S7

Attention: Administrator

The City of Parksville
100 E. Jensen Avenue
Parksville, BC
V9P 2H3

Attention: Administrator

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

Attention: General Manager Finance & Information Services

Coombs-Hilliars Volunteer Fire Department
P.O. Box 40,
Coombs, B.C. V0R 1M0

Attention: Fire Chief

Errington Volunteer Fire Department
P.O. Box 110
Errington, B.C. V0R 1V0

Attention: Fire Chief

10.0 TERMINATION

Any party to this Agreement may terminate its participation by giving notice in writing to all of the other Parties notice of termination, not less than six months in advance of the date on which it wishes to terminate its participation.

IN WITNESS WHEREOF the parties hereto have set their hands as of the day and year first above written.

FOR THE CITY OF PARKSVILLE

Mayor, Sandy Herle

Fred Manson, C.A.O.

FOR THE TOWN OF QUALICUM BEACH

Mayor, Teunis Westbroek

Mark Brown, C.A.O.

FOR THE REGIONAL DISTRICT OF NANAIMO

Chair, Joseph Stanhope

Maureen Pearse, Sr.Mgr. Corporate Administration

FOR THE ERRINGTON AND DISTRICT VOLUNTEER FIRE DEPARTMENT

Chairperson

Secretary

FOR THE COOMBS-HILLIERS FIRE DEPARTMENT

Chairperson

Secretary

AUTOMATIC RESPONSE AGREEMENT - SCHEDULE "A"

LOCATIONS AND RESOURCES FOR AUTOMATIC RESPONSE TO EMERGENCY INCIDENTS

Jurisdiction	Civic Address Number	Street Name	Geographic Zone/Building Name	Coombs Hilliers	Errington	Parksville	Qualicum Beach
Qualicum Beach	650	Berwick Road North	The Gardens	E105		L41	
Qualicum Beach	124	Fourth Ave East	Qualicum Manor	E105		L41	
Qualicum Beach	777	Jones Street	Eagle Park	E105			
Qualicum Beach	750	Memorial Ave	Hawthorne Manor	E105			
Parksville	250	Craig Street	Stanford Place		E211		E 56
Parksville	401	Moilliet St. (South)	Trillium Lodge				E 56
Parksville	266	Moilliet St. (South)	Cokely Manor				E 56
Parksville	181	Beachside Drive	The Beach Club				E 56
Parksville	188	McCarter Street	Halliday House				E 56
Coombs	861	Hilliers Rd	Morning Glory School				E56
Coombs	2350	Alberni Hwy	French Creek School				E56, T53
Coombs	1020	Virginia Rd	Arrowsmith Heli Services				E56
Coombs	1225	Clarke Rd	Long Hoh Enterprises				E56, L58

AUTOMATIC RESPONSE AGREEMENT - SCHEDULE "B"

**REQUESTS FOR AUTOMATIC RESPONSE
ASSISTANCE AND GUIDELINES ON RESPONSE AND RESOURCES**

Requests for Assistance

Requests for Automatic Response assistance will occur for the locations identified in this agreement.

Automatic Response Resources and Response Procedures

1. The Fire Department requesting Automatic Response is responsible to attend to the Emergency Incident in its jurisdiction in accordance with its own operational guidelines and, upon arrival on scene, will make every effort to release the Automatic Response responder in a timely manner.
2. Firefighters responding to an Automatic Response dispatch will assemble at their home fire station prior to responding in the designated fire apparatus as outlined on Schedule A. The responding Fire Department's operational guidelines will determine the manpower for the requested responding apparatus shown in Schedule A.
3. Firefighters who have responded to their fire station to support an Automatic Response dispatch and which are not immediately required for response, will remain at the fire station on standby, or until officially released from duty by their Fire Chief or designate.
4. The Incident Command System will be used at all emergencies involving the activation of Automatic Response. The senior officer of the Fire Department in whose jurisdiction or service area the Emergency Incident is occurring will be in command of all responding personnel and will communicate and provide direction in a manner to ensure coordinated operations.

AUTOMATIC RESPONSE AGREEMENT - SCHEDULE "C"
REIMBURSEMENT RATES FOR MANPOWER & EQUIPMENT

Ladder/Quint Truck with crew	:	\$600.00/hour
Engine with crew		\$450.00/hour
Tender/tanker with crew		\$250.00/hour
Mini pump/ bush truck with crew		\$150.00/hour
Hazmat "B" trailer, tow vehicle & crew		\$400.00/hour
Rescue vehicle with crew		\$300.00/hour
Air/Lighting Pod with crew	:	\$275.00/hour

N:\fire department\automatic response agreement final



RDN REPORT	
CAO APPROVAL <i>OW</i>	
EAP	
COW	
OCT 15 2008	
RHD	
BOARD	<i>✓ Oct 28 '08</i>

MEMORANDUM

TO: Tom Armet
Manager Building and Bylaw Services

DATE: October 16, 2008

FROM: Brian Brack
Bylaw Enforcement Officer

FILE: 202B08

SUBJECT: Unsightly Premises – 1449 Moby Dicks Way, Gabriola Island

PURPOSE

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

BACKGROUND

Property: 1449 Moby Dicks Way, Electoral Area 'B'

Legal Description: Lot 148 Sec 31 Plan 17658 Nanaimo Gabriola Land District

Property Owner: David Kent
46 Gillingham Ave
Winnipeg, Manitoba R3T 3S9

Zoning: Residential 1

The subject property is located in a rural residential neighbourhood on the Eastern side of Gabriola Island, in an area of neat and well maintained properties. On July 28th, 2008 a complaint was received that the subject property was in an unsightly condition. On July 30th staff conducted an inspection and confirmed the property contained an accumulation of old appliances, household garbage, building materials, and logs in the front and side yards contrary to Regional District regulations.

The property owner resides in Winnipeg, Manitoba and visits Gabriola once a year to check on his two rental properties. Mr. Kent advised staff that he had to do some unexpected renovations on the subject property this summer as the house had black mold growing inside of it. He hired a contractor to carry out the work and the construction debris was left piled in the driveway.

On August 1st, 2008, staff issued a written order to clean up the property and subsequently spoke to the owner via phone on several occasions. Mr. Kent stated that he would try to clean up the property but it was difficult because he was in Winnipeg. Mr. Kent stated that he did not want to spend money on cleaning up the property, and could not afford to hire a contractor to clean up the property. Mr. Kent further explained that he had some difficulties with his tenants.

Several site inspections were conducted in the following weeks with minimal improvement to the condition of the property noted. On September 19th, 2008 a second letter was couriered to Mr. Kent advising him to rectify the condition of the subject property. In that letter information on recycling and refuse collection was also provided. To date the property remains in a state of non-compliance.

ALTERNATIVES

1. That the owner be directed by way of Board resolution, to remove the identified discarded and disused material from the property within fourteen (14) days or the work will be undertaken by the Regional District's agents at the owners' cost.
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.

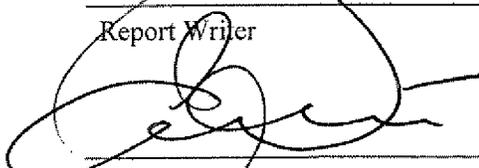
CONCLUSION

The owner has 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. Board direction appears to be the only remaining option available to bring this property into compliance with Regional District of Nanaimo regulations.

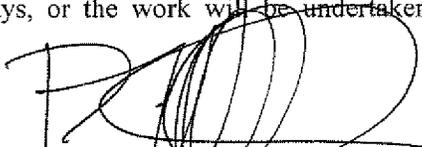
RECOMMENDATION

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

R E S O L U T I O N

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 148, Section 31, Plan 17658, Nanaimo Gabriola Land District

LOCATION: 1449 Moby Dicks Way
Gabriola Island, BC

OWNER(S): David Kent
46 Gillingham Ave
Winnipeg, Manitoba R3T 3S9

UNSIGHTLY ACCUMULATION: Automobile parts, household garbage, discarded appliances and plumbing fixtures, wood debris and all other discarded and disused materials.

REMEDIAL MEASURES: To remove the Automobile parts, household garbage, discarded appliances and plumbing fixtures, wood debris 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 November 12th, 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 October 28, 2008.

DATED at Nanaimo, BC this 29th day of October, 2008.

Senior Manager Corporate Administration



RDN REPORT		
CAO APPROVAL <i>[Signature]</i>		
EAP		
COW		
OCT 21 2008		
RHD		
BOARD	✓	<i>Oct 28 '08</i>
		DATE:

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

October 15, 2008

FROM: Sharon Horsburgh
Senior Zero Waste Coordinator

FILE: 5365-65

SUBJECT: Bylaw 1386.01 - Waste Stream Management Licensing Amendment Bylaw

PURPOSE

To introduce for three readings and adoption bylaw No. 1386.01, a bylaw to amend Waste Stream Management Licensing (WSML) Bylaw No. 1386 to reflect the new corporate structure within senior management.

BACKGROUND

In March of 2008, the RDN reorganized its corporate structure to change the roles and responsibilities of some senior managers. In particular, the portfolio of the General Manager of Transit was expanded to include the regional solid waste function, previously held by the General Manager of Environmental Services.

Prior to the restructuring, the General Manager of Environmental Services was specifically identified in WSML Bylaw 1386 as the legal designate, and is currently the only agent within the RDN who has the legal authority to execute the powers under this bylaw.

Now that the solid waste function resides with the newly created position of General Manager of Transit and Solid Waste Services the definition of General Manager in WSML Bylaw 1386 needs to be revised to reflect this change in order to extend the powers of this bylaw to the General Manager who is now responsible for the Solid Waste portfolio. This housekeeping amendment is necessary in order to ensure that Bylaw 1386 is consistent with the RDN corporate structure.

Consequently, WSML Bylaw 1386.01 amends the definition of General Manager to mean a person appointed to the position of General Manager of the RDN. This general wording provides more flexibility if there are future structural changes among senior managers.

ALTERNATIVES

1. Introduce "Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386.01, 2008" for three readings and adoption.
2. Do not introduce for adoption "Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386.01, 2007" and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

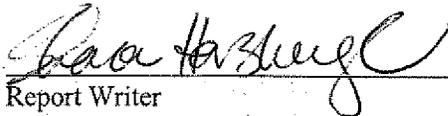
There are no financial implications to either alternative.

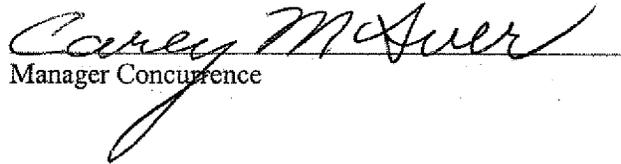
CONCLUSION

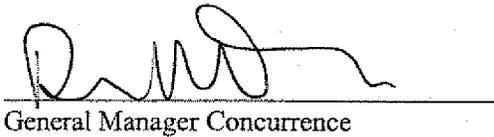
Now that the solid waste function resides with the newly created position of General Manager of Transit and Solid Waste Services the definition of General Manager in Waste Stream Management Licensing Bylaw 1386 needs to be revised to extend the powers of this bylaw to the General Manager who is now responsible for the Solid Waste portfolio. Consequently, WSML Bylaw 1386.01 amends the definition of General Manager to mean a person appointed to the position of General Manager of the RDN. This general wording provides more flexibility if there are future structural changes among senior managers.

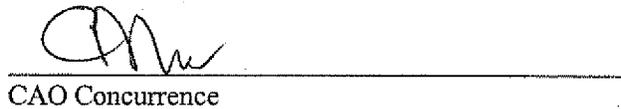
RECOMMENDATIONS

1. That "RDN Waste Stream Management Licensing Bylaw No. 1386.01, 2008" be introduced & read three times.
2. That "RDN Waste Stream Management Licensing Bylaw No. 1386.01, 2008" be adopted.


Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

COMMENTS:

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1386.01
A BYLAW TO AMEND THE
WASTE STREAM MANAGEMENT LICENSING BYLAW 1386**

WHEREAS the “Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386, 2004”, defines a regulatory system to ensure that regional and municipal facilities and private facilities operate to equivalent standards, and to achieve the objectives of the Solid Waste Management Plan.

AND WHEREAS the Board wishes to amend a definition in Bylaw No. 1386, 2004;

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

1. “Regional District of Nanaimo Waste Stream Management Licensing Bylaw No. 1386, 2004” hereby amended by deleting the definition of General Manager in its entirety and replacing it with the following:

“General Manager” means a person appointed to the position General Manager of the Regional District of Nanaimo.

2. This bylaw may be cited as “Regional District of Nanaimo Waste Stream Management Licensing Amendment Bylaw No. 1386.01, 2008”.

Introduced and read three times this 28th day of October, 2008.

Adopted this 28th day of October, 2008.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION