

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, OCTOBER 4, 2011 AT 7:07 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	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 M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director J. Ruttan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Alternate	
Director T. Greves	City of Nanaimo
Director M. Unger	City of Nanaimo

**Also in Attendance:**

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr., Corporate Administration
N. Avery	Gen. Mgr., Finance & Information Services
P. Thorkelsson	Gen. Mgr., Development Services
J. Finnie	Gen. Mgr., Regional & Community Utilities
T. Osborne	Gen. Mgr., Recreation & Parks Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Hewitt	Recording Secretary

**CALL TO ORDER**

The Chairperson welcomed Alternate Director Greves.

**DELEGATIONS**

**Bruce Halliday, Port Theatre, re Annual Update.**

Mr. Halliday provided a visual and verbal overview of the Port Theatre.

**Mary Wohlleben, Gabriola Island Museum Society, re Annual Update.**

Ms. Wohlleben provided a verbal overview of the Gabriola Island Museum Society.

**Ode Howard, Tammy Hudgeon, Neil Rich, re Gabriola Rod, Gun and Conservation Club.**

Mr. Howard, Ms. Hudgeon, Mr. Rich, and Ms. Visser spoke to the impact that the Club has had on their lives.

**LATE DELEGATIONS**

MOVED Director Kipp, SECONDED Director Bartram, that two late delegations be permitted to address the Board.

CARRIED

**Don Gately, Gabriola Rod, Gun and Conservation Club.**

Mr. Gately spoke about the negative medical impacts the Club has on local residents.

**Marie Brannstrom, Gabriola Rod, Gun & Conservation Club, re Firearms Related Noise – Area ‘B’.**

Ms. Brannstrom presented a verbal overview on the actions the Gabriola Rod, Gun & Conservation Club have taken to alleviate the complaints by neighbours of the Club.

**BOARD MINUTES**

MOVED Director Holme, SECONDED Director Ruttan, that the minutes of the regular Board meeting held August 23, 2011 and the Special Board meeting held September 13, 2011 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Kimberley Nemrava, BC and Yukon Canadian Red Cross Society, re Canadian Red Cross Water Safety and Swimming Delegation to China.**

MOVED Director Bartram, SECONDED Director Johnstone, that the correspondence from the BC and Yukon Canadian Red Cross Society be received.

CARRIED

**Correspondence from Residents of Jingle Pot Road re Tree Buffer at 3210 Jingle Pot Road (Shady Mile).**

MOVED Director Bartram, SECONDED Director Johnstone, that the correspondence from the concerned residents of Jingle Pot Road be received.

CARRIED

**BYLAWS**

**For Adoption.**

**Bylaw No. 500.368 - Pilcher & Associates Inc. - 2465 Apollo Drive – Area ‘E’.**

MOVED Director Holme, SECONDED Director Bartram, that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.368, 2011” be adopted.

CARRIED

**Bylaw No. 975.56 – Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw – Bylaw to exclude six properties from Pump and Haul Local Service Area in Electoral Areas ‘B’ and ‘F’.**

MOVED Director Westbroek, SECONDED Director Rudischer, that "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.56, 2011" be adopted.

CARRIED

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

**ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Bartram, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held September 13, 2011, be received for information.

CARRIED

**PLANNING**

**AMENDMENT APPLICATIONS**

**OCP Amendment Application No. PL2011-060 - Baynes Sound Investments – Area ‘H’.**

MOVED Director Bartram, SECONDED Director Holme, that the applications to amend the Regional Growth Strategy and the Electoral Area 'H' Official Community Plan be held in abeyance until after the Village Centre Study has been completed.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the proposal for creation of a new village centre in Deep Bay be considered in the Village Centre Study.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom, that staff investigate establishing a fee for requested changes to the Regional Growth Strategy.

CARRIED

***DEVELOPMENT PERMIT APPLICATIONS***

**Development Permit Application No. PL2011-113 – Hay – 1483 Mason Trail – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. PL2011-113 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

**Development Permit Application No. PL2011-141 - Fern Road Consulting Ltd. – 865 Crocus Corner – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit Application No. PL2011-141 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Schedules No. 1 to 3.

CARRIED

**Development Permit Application No. PL2011-122 - Request for Frontage Relaxation on Subdivision Application No. PL2009-721 and Request for Parkland – TimberWest - Nanaimo Lakes Road – Area ‘C’.**

MOVED Director Young, SECONDED Director Bartram, that Development Permit Application No. PL2011-122, in conjunction with a lot line adjustment subdivision, be approved subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Young, SECONDED Director Bartram, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 14 be approved.

CARRIED

MOVED Director Young, SECONDED Director Bartram, that the offer to dedicate park land be accepted in the amount and location outlined in Schedule No. 2 and subject to the conditions outlined in Schedule No. 1.

CARRIED

**Development Permit Application No. PL2011-137 & Frontage Relaxation – Yamato Development – Boat Harbour Road – Area ‘A’.**

MOVED Director Burnett, SECONDED Director Bartram, that Development Permit Application No. PL2011-137 in conjunction with a five lot subdivision be approved subject to the conditions outlined in Schedule No. 1.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 2 be approved.

CARRIED

***DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS***

**Development Permit with Variance Application No. PL2011-127 – Whittall – 960 Woodpecker Place – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Burnett, that Development Permit with Variance Application No. PL2011-127 be approved subject to the conditions outlined in Schedule 1.

CARRIED

**Development Permit with Variance Application No. PL2011-125 – Dorset - 1921 & 1949 Akenhead Road – Area ‘A’.**

MOVED Director Burnett, SECONDED Director Young, that Development Permit with Variance Application No. PL2011-125, in conjunction with a lot line adjustment subdivision, be approved subject to the conditions outline in Schedule No. 1.

CARRIED

**OTHER**

**Request for Parkland (Subdivision Application No. PL2011-079) – 0885538 BC Ltd – 564 Wembley Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Holme, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lots 7, 8, 9 and 10 be approved.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the request to accept the dedication of park land, as outlined in Schedule No. 1, be accepted.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the Summary of the Public Information Meeting held on August 17, 2011, be received.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that correspondence be sent to the Ministry of Transportation & Infrastructure requesting to have the trees remain in the road allowance.

CARRIED

**Request for Frontage Relaxation on Subdivision Application No. PL2011-066 – Fern Road Consulting Ltd. – Wembley Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Burnett, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 7 be approved.

CARRIED

**Temporary Use Permit (Renewal) Applications No. PL2011-146 and PL2011-147 – Earthbank Resources Systems & Fern Road Consulting – Hodges Road – Area ‘G’.**

MOVED Director Bartram, SECONDED Director Holme, that Temporary Use Permit (renewal) Applications No. PL2011-146 and PL2011-147 to continue to permit an existing commercial composting operation and accessory retail sales, for a period of three years after the expiration date of the original TUPs, be approved subject to the Conditions of Permit outlined in Schedule No. 2.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Kipp, SECONDED Director Lefebvre, that the minutes of the Committee of the Whole meeting held September 13, 2011 be received for information.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**South Wellington PAC, re Unsafe Buildings/Unsightly Premises at 2128 Minto Avenue – Area ‘A’.**

MOVED Director Burnett, SECONDED Director Young, that the correspondence from the South Wellington PAC be received.

CARRIED

***CORPORATE ADMINISTRATION SERVICES***

**Regional Services Review – Phase III Bylaws.**

MOVED Director Burnett, SECONDED Director Holdom, that the "Southern Community Economic Development Service Establishing Bylaw No. 1648" be introduced and read three times.

CARRIED

MOVED Director Westbroek, SECONDED Director Bartram, that the "Northern Community Economic Development Service Establishing Bylaw No. 1649" be introduced and read three times.

CARRIED

MOVED Director Bartram, SECONDED Director Kipp, that the "Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.01" be introduced and read three times.

CARRIED

MOVED Director Westbroek, SECONDED Director Holdom, that the “Regional District of Nanaimo District 69 Ice Arena Amendment Bylaw No. 1358.01” and the “Regional District of Nanaimo District 69 Swimming Pool Local Service Amendment Bylaw No. 899.01” be deferred for consideration until 2012 for the purpose of asking residents whether they support Electoral Area ‘E’ becoming a participant in the Ravensong Aquatic Centre service with cost allocations based on participating area usage.

CARRIED

**2011 Local Government Elections – Appointment of Chief Election Officer and Deputy Chief Election Officer.**

MOVED Director Bartram, SECONDED Director Holdom, that Maureen Pearse, Senior Manager of Corporate Administration, be appointed as the Chief Election Officer and Linda Burgoyne, Administrative Coordinator, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 19, 2011 local government elections and referendums.

CARRIED

**Islands Trust – Election Services Agreement.**

MOVED Director Rudischer, SECONDED Director Lefebvre, that the Chairperson and Senior Manager, Corporate Administration be authorized to sign the 2011 Election Services Agreement between Islands Trust and the Regional District of Nanaimo for the purpose of conducting the November 2011 Gabriola Island local trustee election on behalf of the Islands Trust.

CARRIED

***FINANCE AND INFORMATION SERVICES***

**FINANCE**

**Surveyor of Taxes Administration Fees.**

MOVED Director Holme, SECONDED Director Bestwick, that correspondence be sent to the Surveyor of Taxes outlining our concerns regarding the potential disparity between local government costs and Surveyor of Taxes costs to administer the tax collection service and seek assurance from the Surveyor of Taxes that the administration fees applied to rural property tax requisitions are reviewed regularly for reasonableness and that fee rates recover direct costs related to the Surveyor's office and do not generate additional "general" revenue for the Province.

CARRIED

**FIRE DEPARTMENTS**

**Fire Protection Service Contract – Big Qualicum Fish Hatchery.**

MOVED Director Bartram, SECONDED Director Lefebvre, that the contract between the Regional District of Nanaimo and Fisheries and Oceans Canada covering fire protection to building structures at the Big Qualicum Fish Hatchery be approved.

CARRIED

***DEVELOPMENT SERVICES***

**BYLAW ENFORCEMENT**

**Regulation of Nuisance Wildlife and Feral Animals.**

MOVED Director Burnett, SECONDED Director Young, that the Board receive this report on the regulation of nuisance wildlife and feral animals for information.

CARRIED

MOVED Director Burnett, SECONDED Director Holdom, that this issue be referred to the Agricultural Advisory Committee for its consideration in part of the development of the Agricultural Area Plan.

CARRIED

**Unsafe Buildings/Unsightly Premises – 2128 Minto Avenue – Area ‘A’.**

MOVED Director Burnett, SECONDED Director Young, that the Board declares that the accessory building and fire damaged residence at 2128 Minto Avenue, Lot A, Section 11, Range 6, Plan VIP57359, Cranberry Land District, create an unsafe condition pursuant to Section 73(1)(a) of the "Community Charter".

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Board directs the owner of the property, pursuant to Section 72(2)(b) of the "Community Charter", to demolish and remove the accessory building and fire damaged dwelling from the property within thirty (30) days of service of the attached Resolution or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the Board directs the owner of the property, to remove from the premises those items as set out in the attached Resolution within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

**Unsafe Building – 1038 Horseshoe Road – Area ‘B’.**

MOVED Director Rudischer, SECONDED Director Bartram, that the Board declares that the building at 1038 Horseshoe Road, Lot 7, Section 18, Gabriola Island, Nanaimo District, Plan 21586, creates an unsafe condition pursuant to Section 73(1)(a) of the "Community Charter".

CARRIED

MOVED Director Rudischer, SECONDED Director Bartram, that the Board directs the owner of the property or agent, pursuant to Section 72(2)(b) of the "Community Charter", to demolish and remove the building and debris from the property within thirty 30 days of service of the attached Resolution or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

***REGIONAL AND COMMUNITY UTILITIES***

**WASTEWATER**

**Bylaws No. 813.48 and 889.61 – Inclusion of Property into the French Creek and Northern Community Sewer Service Areas – Electoral Area ‘G’.**

MOVED Director Holme, SECONDED Director Bartram, that "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.48, 2011" be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.61, 2011" be introduced and read three times.

CARRIED

**RISE & REPORT**

**BYLAW ENFORCEMENT**

**Regulation of Firearms Related Noise – Gabriola Island.**

MOVED Director Rudischer, SECONDED Director Holdom, that staff be directed to continue working with the community, GRGCC and other agencies to find a solution to noise concerns and provide the Board with a further report.

CARRIED

MOVED Director Rudischer, SECONDED Director Holdom, that the Board advise the Chief Firearms Officer of community concerns regarding the frequency and level of noise associated with the Gabriola Rod, Gun and Conservation Club, and forward a letter requesting consideration of reviewing the Club's license to address these concerns.

CARRIED

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

**District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Ruttan, that the minutes from the meeting of the District 69 Recreation Commission held September 15, 2011 be received for information.

CARRIED

**Emergency Management Select Committee.**

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes from the meeting of the Emergency Management Select Committee held September 22, 2011 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that staff be directed to prepare an application to the Investment Agriculture Foundation of BC for funding to determine suitable sites for mass livestock carcass disposal.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Board approve the submission of the 2012/2013 Joint Emergency Preparedness Program grant applications.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that staff be directed to apply for a grant under the Strategic Wildfire Prevention Initiative funding program to conduct an operational fuel management treatment in the Englishman River prescription area.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Board approve RDN participation in the United Nations International Strategy for Disaster Reduction “Making Cities Resilient: My City is Getting Ready” campaign.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that staff be directed to send a letter to the Ministry of Transportation and Infrastructure requesting information on their process for undertaking seismic upgrades of highways and infrastructure within the Regional District of Nanaimo.

CARRIED



**Sustainability Select Committee.**

MOVED Director Burnett, SECONDED Director Ruttan, that the minutes from the meeting of the Sustainability Select Committee held September 21, 2011 be received for information.

CARRIED

MOVED Director Burnett, SECONDED Director Holdom, that a Corporate Action Reserve Fund be created for the purpose of consolidating Climate Action Revenue Incentive Program rebate revenues, and that the allocation of rebate revenues be directed to capital investments or initiatives that result in direct corporate emission reductions.

CARRIED

MOVED Director Burnett, SECONDED Director Holdom, that staff be directed to develop and submit a regional proposal to the Provincial Woodstove Exchange Program.

CARRIED

**Transit Select Committee.**

MOVED Director Holdom, SECONDED Director Bestwick, that the minutes from the meeting of the Transit Select Committee held September 22, 2011 be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Ruttan, that BC Transit be advised that the Regional District of Nanaimo will be undertaking a financial analysis of the proposed expansions and will provide a response to BC Transit on the acceptance of the March 2012 5,000 hour conventional transit service expansion and 250 hour custom transit service hour expansion by November 30, 2011.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Global Methane Initiative Partnership Expo – Vancouver, October 2012.**

MOVED Director Holdom, SECONDED Director Johnstone, that the Board provide a letter to Environment Canada providing a non-financial commitment in support of Vancouver as the venue for the GMI Partnership Expo as well as expressing interest in being a site visit host and willingness to participate in the local organizing committee.

CARRIED

**School District 68 & 69 – Election Services Agreements.**

MOVED Director Holdom, SECONDED Director Bestwick, that the Chairperson and Senior Manager, Corporate Administration be authorized to sign the 2011 Election Services Agreement between the Regional District of Nanaimo and School District 68 (Nanaimo-Ladysmith) for the purpose of conducting voting on behalf of the School Districts.

CARRIED

MOVED Director Holdom, SECONDED Director Bestwick, that the Chairperson and Senior Manager, Corporate Administration be authorized to sign the 2011 Election Services Agreement between the Regional District of Nanaimo and School District 69 (Parksville-Qualicum) for the purpose of conducting voting on behalf of the School Districts.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Residents of Jingle Pot Road re Tree Buffer at 3210 Jingle Pot Road (Shady Mile).**

MOVED Director Young, SECONDED Director Bartram, that in response to the correspondence received regarding the “Shady Mile” area of Jingle Pot Road, staff be directed to investigate the issues surrounding the existing covenant on the property at 3210 Jingle Pot Road and report options available to the Board for enforcement of the covenant.

CARRIED

**BOARD INFORMATION**

**Electoral Area ‘A’ Skate Park Project.**

Director Burnett requested that staff look into the \$30 million grant program for the Electoral Area ‘A’ skate park project.

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Holdom, that pursuant to Section 90(1)(e) and (g) of the Community Charter the Board proceed to an In Camera meeting to consider items related to land matters.

CARRIED

TIME: 8:32 PM

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION