

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, MAY 8 2012
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 4 **Dr. Paul Hasselback, Vancouver Island Health Authority**, re Central Vancouver Island Medical Health Office.

MINUTES

- 5-9 Minutes of the regular Committee of the Whole meeting held Tuesday, April 10, 2012.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

- 10-11 **Mayor John Ruttan, City of Nanaimo**, re Capacity Building to End Homelessness.
- 12-14 **Ida Chong, Ministry of Community, Sport and Cultural Development**, re Funding for Projects Under the Community Recreation Program.
- 15 **Bruce Halliday, The Port Theatre**, re Contribution to Operations of the Port Theatre.
- 16-21 **Michael Jessen, Arrowsmith Watersheds Coalition Society**, re Exclusion of Land from ALR – 2771, 2761 Old Alberni Highway; PID 024-205-800, Bonsai Place, Area H.

UNFINISHED BUSINESS

CORPORATE ADMINISTRATION SERVICES

ADMINISTRATION

- 22-30 RDN Officers Appointment and Delegation Bylaw No. 1661 and RDN Officers and Management Employees Terms and Conditions of Employment Bylaw No. 1417.04.

FINANCE AND INFORMATION SERVICES

FINANCE

- 31-35 Revised 2012 Budget for Recreation and Culture, Electoral Area 'A'.
- 36-41 Bylaw No. 1658.01 - Amendments to 2012 to 2016 Financial Plan for New Information on Grant Funded Projects in Community Park Services.
- 42-46 Bylaw No. 1552.01 – Request for Funding Assistance – Nanaimo Marine Rescue Society.
- 47-57 Bylaw No. 1652 – A Bylaw to repeal the Morningstar Creek Water Local Service Area.
- 58-61 Bylaws No. 1659 and 1660 – Authorize Expenditure of Bulk Water Development Cost Charge Funds.
- 62-63 Request to Support Development of a Community Cottage Hospital in District 69.
- 64-66 Request for Authority to Regulate Sidewalks Under a Sidewalk Service.
- 67-69 Wellington Fire Protection Service Area – Fire Response and Superior Tanker Shuttle Rating.

DEVELOPMENT SERVICES

CURRENT PLANNING

- 70-71 Draft Agricultural Area Plan (Draft Plan Included as a separate enclosure).

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

- 72-76 Waste Stream Management License Application – BFI Canada, 1429 Springhill Road, Parksville, BC.

COMMISSION, ADVISORY & SELECT COMMITTEE

- 77-78 Minutes of the Agricultural Advisory Committee meeting held Friday, April 27, 2012.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

That pursuant to Section 90(1)(k) of the Community Charter the Committee proceed to an In Camera meeting to consider negotiations with a municipality.

O'Halloran, Matt

From: Whyte, Michelle L <Michelle.Whyte@viha.ca>
Sent: Tuesday, April 17, 2012 10:17 AM
To: O'Halloran, Matt
Subject: FW: CAW May 8 2012 at 7 PM

From: Whyte, Michelle L
Sent: Tuesday, April 17, 2012 10:02 AM
To: 'mhalloran@rdn.bc.ca'
Subject: CAW May 8 2012 at 7 PM

Hi Matt;

To follow up with the phone conversation we just had, I am emailing you to confirm Dr Paul Hasselbacks', (Medical Health Officer for Central Vancouver Island) attendance at the RDN CAW meeting May 8, 2012 at 7 PM. If Dr Hasselback wants to use a PowerPoint presentation, I will send it to you ahead of time. Meeting to be at the RDN Office, Hammond Bay Rd.

Thank you. If you have any questions, please feel free to contact me at the enclosed Mon-Fri 8:30-4:30.

Michelle Whyte

Admin. Assistant to the Medical Health Officer - CI
Vancouver Island Health Authority
3rd Floor 6475 Metral Drive
Nanaimo BC V9T 2L9
Phone: (250) 739-6304
Fax: (250) 755-3372

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, APRIL 10, 2012 AT 7:01 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director W. Veenhof	Electoral Area H
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director T. Greves	City of Nanaimo
Alternate	
Director B. McKay	City of Nanaimo

Regrets:

Director G. Anderson	City of Nanaimo
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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 McKay to the meeting.

DELEGATIONS

Chris Vrabel, Campbell River Fire & Rescue, re North Island 9-1-1 Corporation.

Mr. Vrabel provided a verbal and visual overview of the North Island 9-1-1 Corporation.

MINUTES

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the regular Committee of the Whole meeting held Tuesday, March 13, 2012 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Twyla Graff, District of Lantzville, re RDN Drinking Water & Watershed Protection Program.

MOVED Director Lefebvre, SECONDED Director Fell, that the correspondence from the District of Lantzville be received.

CARRIED

Jane Peverett, BC Ferry Authority, re Appointments to the BC Ferry Authority Board of Directors.

MOVED Director Lefebvre, SECONDED Director Fell, that the correspondence from the BC Ferry Authority be received.

CARRIED

Diego Marchese, Heart and Stroke Foundation; Scott McDonald, BC Lung Association, re Smoke Free Outdoor Public Places Bylaw.

MOVED Director Lefebvre, SECONDED Director Fell, that the correspondence from the Heart and Stroke Foundation & BC Lung Association be received.

CARRIED

DEVELOPMENT SERVICES

BYLAW SERVICES

4153 Eld Road, Electoral Area 'F' – Unsafe Building.

MOVED Director Fell, SECONDED Director Johnstone, that the Board declares that the building at 4153 Eld Road, Lot 4, District Lot 11, Plan 33338, Cameron District, creates an unsafe condition pursuant to Section 73(1)(a) of the Community Charter.

CARRIED

MOVED Director Fell, SECONDED Director Johnstone, that the Board directs the Owner of the property, pursuant to Section 72(2)(b) of the Community Charter, to undertake remediation of the building on the subject 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 Fell, SECONDED Director Johnstone, that staff be directed to register a Notice of Bylaw Contravention on the title of the subject property legally described as Lot 4, District Lot 11, Plan 33338, Cameron District, pursuant to Section 57 of the Community Charter.

CARRIED

1532 Marine Circle, Electoral Area 'G' – Unsightly Premises.

MOVED Director Holme, SECONDED Director Bestwick, 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

RECREATION AND PARKS SERVICES

Gabriola Island Recreation Services Agreement.

MOVED Director Houle, SECONDED Director Young, that the Recreation Services Agreement between the Regional District and the Gabriola Recreation Society be approved for the term commencing January 1, 2012 and ending December 31, 2014.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Vancouver Island University Woodlot Groundwater Study.

MOVED Director Young, SECONDED Director Dempsey, that the Board approve the release of funds from the Southern Community, Northern Community, Nanoose Bay and Duke Point Local Sewer Service Area reserve funds to complete the Vancouver Island University Woodlot Groundwater Study in 2012.

CARRIED

Conditional Management Plan for French Creek Pollution Control Centre's Pump Stations.

MOVED Director Brennan, SECONDED Director Johnstone, that the Board approve a Conditional Management Plan that will allow shellfish harvesting within Conditionally Approved areas adjacent to the Bay Avenue and Hall Road Pump Stations bypasses, effective May 1, 2012 to December 31, 2015.

CARRIED

Contract Award for the Preliminary and Detailed Design for the Replacement of the Land Section of the Greater Nanaimo Pollution Control Centre Marine Outfall.

MOVED Director Johnstone, SECONDED Director Brennan, that the Board award the contract for preliminary and detailed design services for the replacement of the land section of the Greater Nanaimo Pollution Control Centre Marine Outfall to AECOM for \$150,156.00.

CARRIED

MOVED Director Johnstone, SECONDED Director Brennan, that the Board approve that funds from the Southern Community Development Cost Charge Reserve Fund be used for the replacement of the land section of the Greater Nanaimo Pollution Control Centre Marine Outfall.

CARRIED

ENGINEERING

Hall Road Pump Station Upgrade - Detailed Design and Tendering Services.

MOVED Director Willie, SECONDED Director Houle, that the Board award the detailed design and tendering services for the Hall Road Pump Station Upgrade to Koers & Associates Engineering for the upset price of \$71,800.

CARRIED

MOVED Director Willie, SECONDED Director Houle, that funds from the Northern Community Development Cost Charge Reserve Fund and the French Creek Operations Reserve Fund be used for this project.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'B' Parks and Open Spaces Advisory Committee.

MOVED Director Houle, SECONDED Director Veenhof, that the minutes of the Electoral Area 'B' Parks and Open Spaces Advisory Committee meeting held Monday, February 27, 2012 be received for information.

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that the Regional District apply to the Ministry of Transportation and Infrastructure for a permit to construct an eighteen inch high walkway covering the wet areas of the road allowance from McDonald Road to Patterson Road, with the understanding that the Gabriola Land and Trails Trust will provide all engineering, construction materials and installation.

CARRIED

Electoral Area 'F' Parks and Open Spaces Advisory Committee.

MOVED Director Fell, SECONDED Director McPherson, that the minutes of the Electoral Area 'F' Parks and Open Spaces Advisory Committee meeting held Monday, February 20, 2012 be received for information.

CARRIED

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

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the Electoral Area 'E' Parks and Open Spaces Advisory Committee meeting held Monday, March 5, 2012 be received for information.

CARRIED

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

MOVED Director Young, SECONDED Director Veenhof, that the minutes of the East Wellington/Pleasant Valley Parks and Open Spaces Advisory Committee meeting held Monday, March 12, 2012 be received for information.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Young, that pursuant to Sections 90(1)(c) and (f) of the Community Charter the Board proceed to an In Camera meeting to consider personnel and legal issues.

CARRIED

TIME: 7:55 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

2012-APR-19



Mr. Joe Stanhope, Chair
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2
Via fax: 250-390-4163

Dear Chair and Board:

Re: Capacity Building to End Homelessness

In 2010 the RDN received a \$100,000 grant from the Vancouver Island Health Authority (VIHA) to spend on capacity building to end homelessness in the Regional District. In March of 2011 the RDN provided the City of Nanaimo with \$66,000 from those monies to be used in efforts to build capacity to end homelessness. The City is appreciative of the funding, and wishes to take this opportunity to outline how the money was spent.

The structure used by the City to conduct a call for proposals, review applications and recommend allocations is Nanaimo's Working Group on Homelessness; a multi agency collective that has since 2001 played an overall coordinating and funding recommendation role with respect to our community's response to homelessness. Recommendations from this body form the basis of the City's allocation of the RDN capacity building funds.

\$48,800 of the total provided (\$66,000), the largest portion, was allocated to the **First Unitarian Fellowship of Nanaimo** to provide 18 cold wet weather emergency shelter beds for the homeless at the Unitarian church during the winter months – November 2011 to March 2012. This funding enabled the provision of shelter for 1062 guests over 57 nights. Although place of origin is not tracked, staff interactions with guests lead them to believe that many of the guests came from regions outside the municipal boundaries of the City of Nanaimo.

\$10,000 was provided to **Nanaimo's Working Group on Homelessness** for various events; Thanksgiving dinner, Homeless Connect day, sleeping bags for the homeless, Valentines dinner etc. The Valentines dinner for the homeless, as one example, provided a hot dinner to over 300 homeless people.

\$2,000 was provided to the **Canadian Mental Health Association** to provide warm winter clothing, boots, gloves and hats for homeless clients of the CMHA outreach team.

\$3,200 was allocated to the **Nanaimo and region John Howard Society**. These funds were used to purchase food for the provision of a hot breakfast on weekends, utilizing the 7-10 breakfast club society facilities.

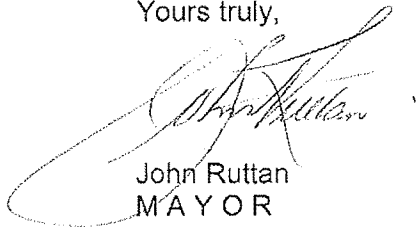
Mr. Joe Stanhope, Chair
Regional District of Nanaimo
Page 2

\$2,000 was allocated to the **Nanaimo Men's Resource Centre (NMRC)**, to provide short-term motel accommodation for men leaving the family home due to marital breakdown.

As the City of Nanaimo moves forward with its partners on tackling homelessness, it is expected that we will continue to address core needs; shelter, food and medical services, and that we will also continue to build capacity in connecting homeless people to a range of social services to assist them. This will be done in coordination with other funding from federal, provincial and municipal sources to ensure that resources made available will be effectively and strategically allocated.

On behalf of Council, I would like to thank the Regional Board for allocating us \$66,000 for very worthy initiatives as outlined above.

Yours truly,



John Ruttan
MAYOR

cc: Council Members
Al Kenning, City Manager
Douglas Holmes, Assistant City Manager/General Manager of Corporate Services
Ted Swabey, General Manager, Community Safety & Development
Tom Hickey, General Manager, Community Services
Andrew Tucker, Director of Planning
Bruce Anderson, Manager, Community Planning
John Horn, Social Planner
Howard Waldner, President and CEO, VIHA - VIHA, 1952 Bay Street, Victoria, BC V8R 1J8

JR/hp
G:\2012 Files\CS&D(0440-20)\Letter RDN VIHA Funding Mar2012



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Ref: 149760

April 18, 2012

Mr. Joe Stanhope, Chair
and Members of the Board
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Chair Stanhope and Board Members:

On behalf of the Province of British Columbia, I am pleased to provide your community with a cheque in the amount of \$439,410 under the Community Recreation Program for your project 16050 – Cedar Skateboard/Bike Park.

A copy of the signed agreement between the Province, the Ministry of Community, Sport and Cultural Development and your local government is also enclosed for your records.

As you may recall, at the 2011 Union of British Columbia Municipalities Annual Convention, Honourable Christy Clark, Premier, highlighted the value of recreation to families and communities and addressed the challenges communities face in providing recreational infrastructure.

This Program and the funding provided to you represents this government's commitment to assist local governments in investing in infrastructure that make communities healthier, more active places in which to live. I wish you success in the implementation of this project.

Sincerely,

Ida Chong, FCGA
Minister

Enclosures

Ministry of Community, Sport
and Cultural Development

Office of the Minister

Mailing Address:
PO Box 9056 Stn Prov Govt
Victoria BC V8W 9E2

Phone: 250 387-2283
Fax: 250 387-4312

Location:
Room 323
Parliament Buildings
Victoria BC V8V 1X4

www.gov.bc.ca/cscd



CAO'S OFFICE			
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Ref: 149760

April 18, 2012

Mr. Joe Stanhope, Chair
and Members of the Board
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Chair Stanhope and Board Members:

On behalf of the Province of British Columbia, I am pleased to provide your community with a cheque in the amount of \$54,500 under the Community Recreation Program for your project 16052 – Meadowood Drive Community Park (Phase 1) - Playground & Sport Court.

A copy of the signed agreement between the Province, the Ministry of Community, Sport and Cultural Development and your local government is also enclosed for your records.

As you may recall, at the 2011 Union of British Columbia Municipalities Annual Convention, Honourable Christy Clark, Premier, highlighted the value of recreation to families and communities and addressed the challenges communities face in providing recreational infrastructure.

This Program and the funding provided to you represents this government's commitment to assist local governments in investing in infrastructure that make communities healthier, more active places in which to live. I wish you success in the implementation of this project.

Sincerely,

Ida Chong, FCGA
Minister

Enclosures



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Ref: 149760

April 18, 2012

Mr. Joe Stanhope, Chair
and Members of the Board
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Chair Stanhope and Board Members:

On behalf of the Province of British Columbia, I am pleased to provide your community with a cheque in the amount of \$85,000 under the Community Recreation Program for your project 16051 – Henry Morgan Community Park: Nature-based Playground, Pump Track & Sport Court (Phase 1).

A copy of the signed agreement between the Province, the Ministry of Community, Sport and Cultural Development and your local government is also enclosed for your records.

As you may recall, at the 2011 Union of British Columbia Municipalities Annual Convention, Honourable Christy Clark, Premier, highlighted the value of recreation to families and communities and addressed the challenges communities face in providing recreational infrastructure.

This Program and the funding provided to you represents this government's commitment to assist local governments in investing in infrastructure that make communities healthier, more active places in which to live. I wish you success in the implementation of this project.

Sincerely,

Ida Chong, FCGA
Minister

Enclosures

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CHAIR	Corresp. ✓



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

April 16, 2012

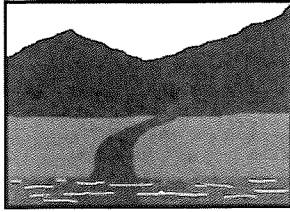
Dear Board of Directors & Staff

On behalf of the Board of Directors, staff and volunteers of The Port Theatre Society, please accept our sincere appreciation for the recent support in consideration of the increase to the contribution to operations of your Regional Theatre.

We are very grateful that the Regional District of Nanaimo recognizes The Port Theatre as a valuable regional cultural facility that serves the community. We look forward to serving our youth, our artists and the residents of The Regional District for years to come.

Sincerely,

Bruce Halliday,
 General Manager



Arrowsmith Watersheds Coalition Society

April 27, 2012

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

Attn. Paul Thorkelsson,
General Manager Development Services

Dear Sirs:

**Re: Exclusion of Land from ALR
2771, 2761 Old Alberni Highway**

This is in response to a Legal advertisement in the PQB NEWS.

We object to the exclusion of the subject property from the Agricultural Land Reserve (ALR) without an equal or greater amount of land being added elsewhere to the reserve (on Vancouver Island) by the proponent. Agricultural land must be administered on a no net loss principle so as to ensure sustainability into the future.

Over the years we have heard numerous reasons why some lands within the agricultural reserve are not suitable for farming. We are convinced that the Agricultural Land Commission (ALC) has done a good job of identifying the extremely small amount of land in B.C. that is appropriate to place into a reserve for agriculture only. And, with respect to Vancouver Island, any land that is not suited to farming is well suited for growing timber – in the truest sense of the term, the highest and best use of land on our Island.

We understand the Regional District of Nanaimo has embraced an Agricultural Advisory Committee. Further, the advisory committee and RDN Planning Department are preparing an Agricultural Area Plan. We recommend that the ALC require that such plans include the submission of exclusion applications to advisory panels where such exist.

Lastly, an examination of the ALC maps would tend to suggest that the subject property is classified within a broad area determined to be suitable for agricultural use.

Arrowsmith Watersheds Coalition Society

Email: arrowsmithwater@shaw.ca

As before we draw your attention to comments by Rex Weyler regarding BC's Agricultural Land Reserve:

"Farmlands represent our common public asset for food security."

"The ALR is critical to the survival of town sites and must not be considered for urban development....."

"We should not only protect agricultural land and green belts, but also turn back the clock to the smart decisions of the 1970s."

We can perceive from ALC and RDN maps that steps have been taken to remove lands from the agricultural reserve near the intersection with the Alberni Highway for quite some time. It is possible that this process is precipitated by the alienation of small parcels as the result of highway construction and/or inappropriate subdivision. Nevertheless, we recommend that the subject parcel not be excluded from the Agricultural Land Reserve in the hope that someday, through land assembly it may become part of a larger more viable parcel.

Yours truly,

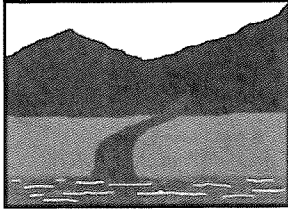
(Signed copy by Canada Post)
Michael Jessen, P.Eng.
Treasurer, Arrowsmith Watersheds Coalition Society

cc. Directors, Arrowsmith Watersheds Coalition Society
Oceanside Coalition for Strong Communities
Mr. Scott Fraser, MLA

Attachment. ALR map/RDN map

Arrowsmith Watersheds Coalition Society

Email: arrowsmithwater@shaw.ca



Arrowsmith Watersheds Coalition Society

April 27, 2012

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

Attn. Paul Thorkelsson,
General Manager Development Services

Dear Sirs:

Re: Exclusion of Land from ALR
PID 024-205-800
Lee - Bonsai Place Area H

This is in response to a Legal advertisement in the PQB NEWS.

We object to the exclusion of the subject property from the Agricultural Land Reserve (ALR) without an equal or greater amount of land being added elsewhere to the reserve (on Vancouver Island) by the proponent. Agricultural land must be administered on a no net loss principle so as to ensure sustainability into the future.

Over the years we have heard numerous reasons why some lands within the agricultural reserve are not suitable for farming. We are convinced that the Agricultural Land Commission (ALC) has done a good job of identifying the extremely small amount of land in B.C. that is appropriate to place into a reserve for agriculture only. And, with respect to Vancouver Island, any land that is not suited to farming is well suited for growing timber – in the truest sense of the term, the highest and best use of land on our Island.

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Arrowsmith Watersheds Coalition Society

Email: arrowsmithwater@shaw.ca

Lastly, an examination of the ALC maps would tend to suggest that the subject property is classified within a broad area determined to be suitable for agricultural use.

As before we draw your attention to comments by Rex Weyler regarding BC's Agricultural Land Reserve:

"Farmlands represent our common public asset for food security."

"The ALR is critical to the survival of town sites and must not be considered for urban development....."

"We should not only protect agricultural land and green belts, but also turn back the clock to the smart decisions of the 1970s."

We recommend that the subject parcel not be excluded from the Agricultural Land Reserve.

Yours truly,

(Signed copy by Canada Post)

Michael Jessen, P.Eng.

Treasurer, Arrowsmith Watersheds Coalition Society

cc. Directors, Arrowsmith Watersheds Coalition Society

Oceanside Coalition for Strong Communities

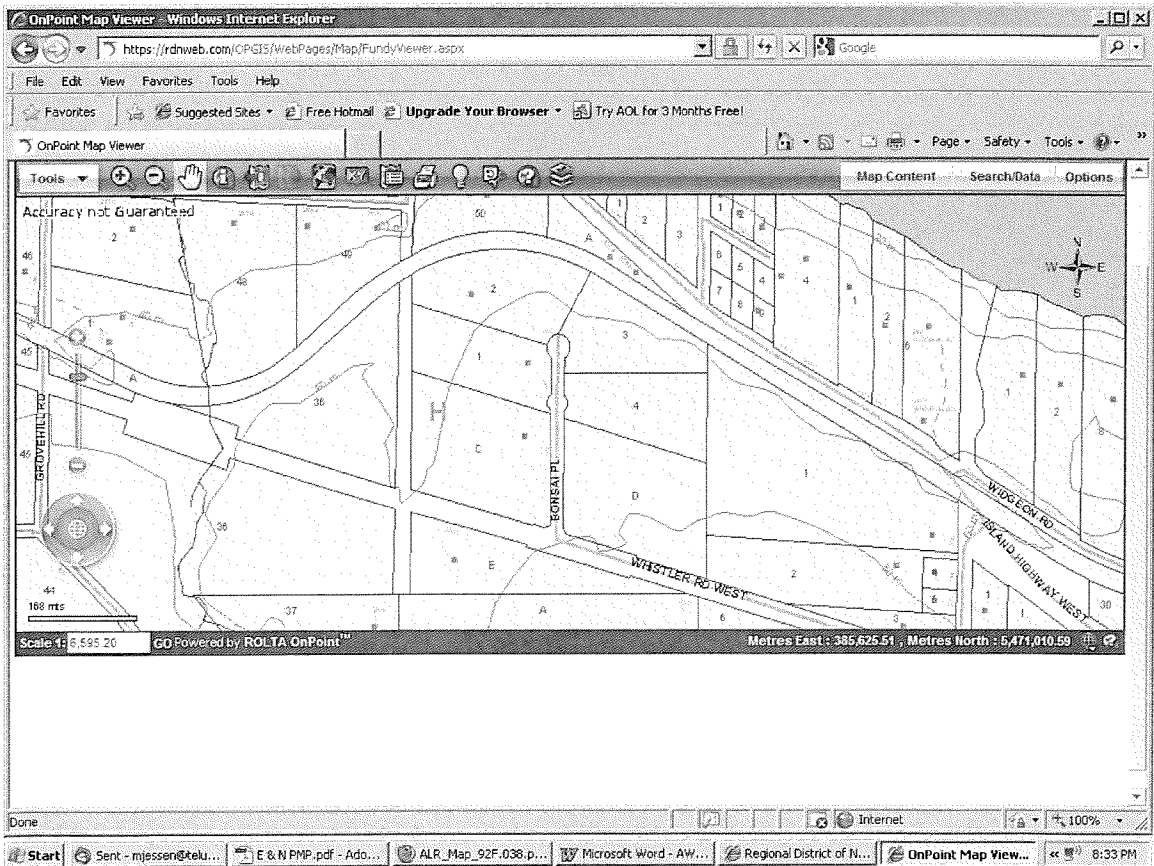
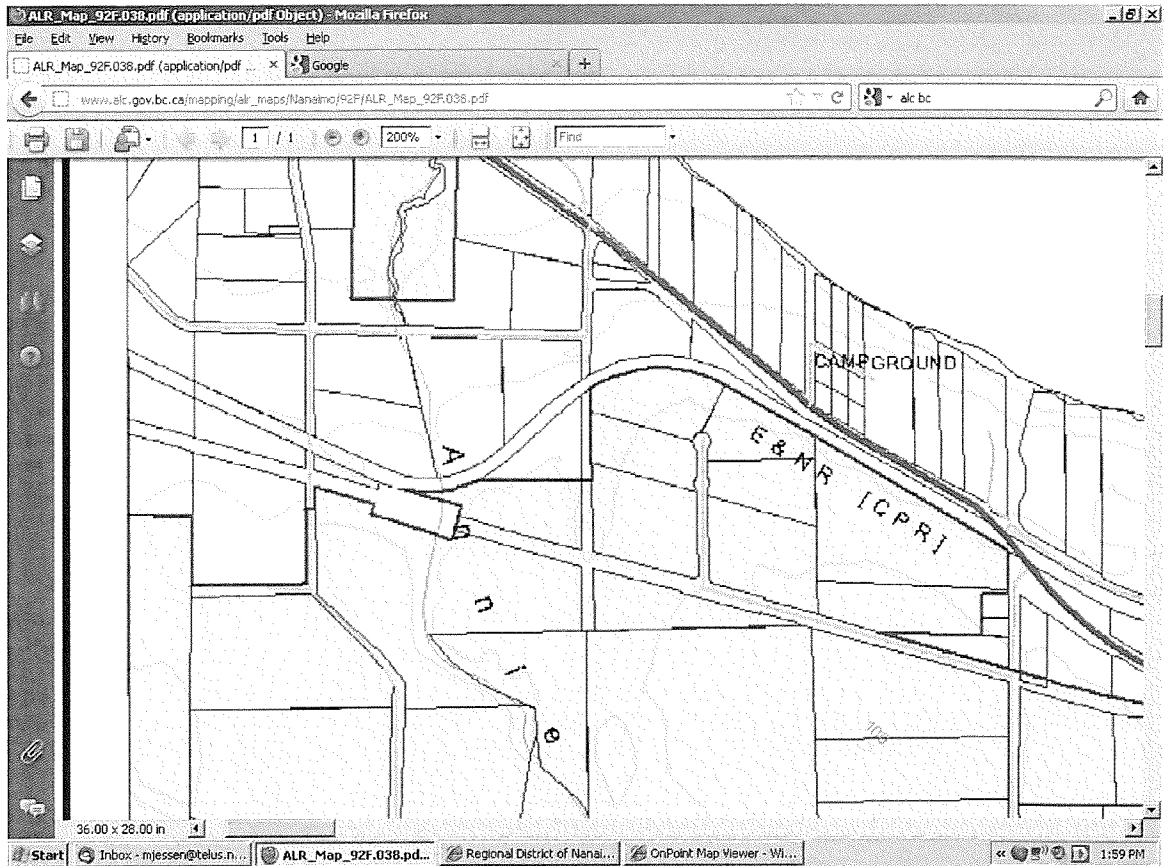
Mid Vancouver Island Habitat Enhancement Society

Mr. Scott Fraser, MLA

Attachment. ALR map of Bonsai Place

Arrowsmith Watersheds Coalition Society

Email: arrowsmithwater@shaw.ca





CAO APPROVAL		10/11
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BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: April 27, 2012

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: RDN Officers Appointment and Delegation Bylaw No. 1661 and RDN Officers and Management Employees Terms and Conditions of Employment Bylaw No. 1417.04

PURPOSE:

To consider amendments to the RDN Officers Appointment and Delegation Bylaw and the RDN Officers and Management Employees Terms and Conditions of Employment Bylaw to incorporate the recent organizational changes within the District.

BACKGROUND:

With the recent organizational changes, some updating is required to the officers bylaws to remove the references to the positions formerly known as Senior Manager of Corporate Administration, General Manager of Finance and Information Services and General Manager of Development Services. In addition, some small housekeeping changes are required.

Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1507.

In October 2006, the Board adopted the above noted bylaw. This bylaw now requires the deletion of the positions of Senior Manager of Corporate Administration, the General Manager of Finance and Information Services and the General Manager of Development Services. In addition, the General Manager of Transportation Services and the General Manager of Environmental Services position titles need to be updated. The new positions of Director of Corporate Services, Manager of Administrative Services, Director of Finance, General Manager of Strategic & Community Development are being added to reflect the organizational changes along with housekeeping changes to add the titles of General Manager of Transportation and Solid Waste Services and General Manager of Regional & Community Utilities. Staff have prepared a new bylaw to reflect these changes.

Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Bylaw No. 1417.

Bylaw 1417 also requires similar changes to those noted above.

ALTERNATIVES:

There are no alternatives. In order to reflect the reorganization, the bylaws need to be amended to reflect the current organization structure.

FINANCIAL IMPLICATIONS:


There are no financial implications to the alternatives.

CONCLUSIONS:


As a result of organizational changes, the Officers Appointment and Delegation Bylaw and the Officers and Management Employees Terms and Conditions of Employment Bylaw require amendments to remove the references to the positions formerly known as Senior Manager of Corporate Administration, General Manager of Finance and Information Services, General Manager of Development Services, General Manager of Transportation Services and General Manager of Environmental Services and replace with the titles of Director of Corporate Services, the Manager of Administrative Services, the Director of Finance, the General Manager of Strategic & Community Development, the General Manager of Transportation and Solid Waste Services and the General Manager of Regional & Community Utilities. To update the bylaws, staff are recommending the adoption of the two bylaws attached to this report.

RECOMMENDATION:

1. That the "Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1661, 2012" be introduced and read three times.
2. That the "Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1661, 2012" be adopted.
3. That "RDN Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.04, 2012" be introduced and read three times.
4. That "RDN Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.04, 2012" be adopted.



Report Writer



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1661

A BYLAW TO PROVIDE FOR THE APPOINTMENT OF OFFICERS AND THE DELEGATION OF AUTHORITY

WHEREAS the Regional District of Nanaimo may, by bylaw under section 196 of the *Local Government Act*, appoint persons to the office of Chief Administrative Officer, Manager of Administrative Services and the office of Director of Finance to any other offices that it has, by bylaw, designated as officer positions;

AND WHEREAS under sections 176(1)(e) and 192(1) of the *Local Government Act* the Board may, by bylaw, adopted by at least two thirds of the votes cast, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to delegate to its officers and employees certain powers, duties and functions;

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

1. CITATION

This bylaw may be cited for all purposes as the "Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1661, 2012".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

"Applicant" means a person applying for a special event permit or a license or permit to use a community park or recreation facility;

"Board" means the Board of the Regional District of Nanaimo;

"Officer" means persons holding the offices of the Regional District as set out in Sections 4 and 5 of this bylaw.

"Regional District" means the Regional District of Nanaimo;

3. OFFICER APPOINTMENTS

- (1) In accordance with Section 196 of the *Local Government Act*, the Board shall appoint, by resolution, persons to the following offices:

- (a) "Chief Administrative Officer" to have the powers, duties and functions under s. 197 of the *Local Government Act*;
 - (b) "Manager of Administrative Services" to have the powers, duties and functions under s. 198 of the *Local Government Act*;
 - (c) "Director of Finance" " to have the powers, duties and functions under s. 199 of the *Local Government Act*;
 - (d) Offices which it has designated as officer positions in Section 3 of this bylaw.
- (2) In addition to the officer positions established under subsection (1), the Regional Board hereby designates the following positions as officers:
- (a) "General Manager of Strategic and Community Development";
 - (b) "General Manager of Regional & Community Utilities";
 - (c) "General Manager of Recreation and Parks";
 - (d) "General Manager of Transportation & Solid Waste Services";
 - (e) "Director of Corporate Services".

4. DEPUTY POSITIONS

- (1) The General Manager of Strategic and Community Development is appointed as the Deputy Chief Administrative Officer.
- (2) In addition to the appointment in subsection (1) the following are also appointed as Deputy Chief Administrative Officer: the General Manager of Regional and Community Utilities, the General Manager of Recreation and Parks and the General Manager of Transportation and Solid Waste Services.
- (3) The persons appointed under subsection (2) may only exercise the authority as Deputy Chief Administration Officer in the absence of the General Manager of Strategic & Community Development and the Chief Administrative Officer. (For the purpose of this section, absence is defined as being absent from the Regional District of Nanaimo Administration Office in the event of illness, incapacity, annual vacation or other similar reasons.)
- (4) The Legislative Coordinator is appointed as the Deputy to the Manager of Administrative Services.
- (5) The Manager of Accounting Services and the Senior Accountant are appointed as the Deputy to the Director of Finance.

5. DELEGATION INCLUDES DEPUTY

A delegation of a power, duty or function under this bylaw includes a delegation to a person who is from time to time the deputy of the delegate.

6. APPOINTMENT

- (1) Nothing in this bylaw shall prevent the appointment of the same person to two or more positions.
- (1) The powers, duties and responsibilities of those persons appointed to the positions of officers, which are not prescribed by statute or by bylaw, shall be as determined from time to time by the Board.

7. DEFERRAL OF APPOINTMENT

Nothing in this bylaw shall be interpreted as restricting the right of the Board to defer an appointment to any position other than a position by statute.

8. CHIEF ADMINISTRATIVE OFFICER DUTIES

- (1) In addition to the duties, powers and functions set out in s.197 of the *Local Government Act*, the duties of the Chief Administrative Officer shall include the supervision and direction of all officers and employees of the Regional District.
- (2) Without limiting the generality of subsection (1), the Chief Administrative Officer shall:
 - (a) appoint an Officer Select Committee consisting of himself or herself, one other appointed officer selected by the Chief Administrative Officer and two members of the Regional Board as selected by the Chairperson of the Board to interview applicants for positions as officers, and shall make recommendations to the Board regarding the engagement of such applicants by the Regional District.
 - (b) be responsible for hiring, supervising, suspending and discharging all employees of the Regional District, other than officers of the Regional District.
 - (c) administer all salaries of all officers and employees of the Regional District, within the limits of any salary plan or employment agreement.
 - (d) submit annually an organizational chart and list of appointed officers and employees along with the annual budget submissions.
- (3) The Chief Administrative Officer:
 - (a) must receive approval of the Board to establish or dissolve any department of the Regional District.

- (b) is authorized to organize or reorganize departments of the Regional District as, in the opinion of the Chief Administrative Officer, may be necessary to carry out the more efficient and effective administration of the affairs of the Regional District provided that the Chief Administrative Officer shall not increase the number of permanent employee positions without first obtaining the approval of the Board.
- (c) may assign to other appointed officers and employees of the Regional District any powers or duties assigned to the Chief Administrative Officer under this bylaw to achieve more efficient and effective administration of the Regional District's affairs.

9. PURCHASING AUTHORITY DELEGATION

- (1) The Board delegates to the following positions the powers, duties and functions of the Regional District under s. 176(1)(a) of the *Local Government Act* to make agreements respecting the Regional District's activities, works or services subject to the limitations on that delegated authority as set out in the Regional District's "Authorization to Purchase and Pay Accounts Policy" adopted by the Board on the 13th day of July, 1999:
 - (a) Purchases requiring agreements for the acquisition of goods or services which are below the "Manager" expenditure approval limits, as set out in the "Authorization to Purchase and Pay Accounts Policy", shall require the authorization of the Director or General Manager of the Service Area;
 - (b) Purchases requiring agreements for the acquisition of goods or services which exceed "Manager" expenditure approval limits, as set out in the "Authorization to Purchase and Pay Accounts Policy", shall require the authorization of the Chief Administrative Officer and the Director of Corporate Services.
 - (c) Purchases requiring agreements for the acquisition of goods or services which exceed "Chief Administrative Officer" expenditure approval limits, as set out in the "Authorization to Purchase and Pay Accounts Policy", shall require the authorization of the Board Chairperson and the Manager of Administrative Services.
- (2) The powers set out under subsections (b) and (c) may only be exercised by the persons referred to in these subsections acting jointly.

10. LAND AND LAND USE AGREEMENT DELEGATION

- (1) The Board hereby delegates the following powers, duties and functions to the Chief Administrative Officer and the Manager of Administrative Services:
 - (a) The power to accept a restrictive covenant under section 56 of the *Community Charter* or section 219 of the *Land Title Act*;

- (b) The power to execute on behalf of the Regional District a discharge of a restrictive covenant referred to in subsection (a) which is no longer required or is to be replaced;
 - (c) The power to acquire a statutory right of way or easement on behalf of the Regional District in connection with the operation of sewer, water or drainage works or for the purpose of trails;
 - (d) The power to execute a discharge of a statutory right of way or easement referred to in subsection (c) which is no longer required by the Regional District or is to be replaced.
- (2) The powers set out under subsection (1) may only be exercised by the persons referred to in subsection (1) acting jointly.

11. LICENSES AND PERMITS DELEGATION

- (1) The Board hereby delegates the following powers, duties and functions to the Director of Corporate Services and the Manager of Administrative Services:
- (a) The power and function to issue a special event permit on behalf of the Regional District in accordance with the “Regional District of Nanaimo Special Events Regulatory Bylaw No. 1010, 1996”;
 - (b) The power and function to issue a license or permit to use a community park or a recreation facility.
 - (c) The power and function to issue a special occasion license.
- (2) The powers set out under subsection (1) may only be exercised by the persons referred to in subsection (1) acting jointly.

12. RECONSIDERATION BY THE BOARD

- (1) An applicant may have a decision of the Director of Corporate Services and the Manager of Administrative Services in relation to a permit reconsidered by the Board by submitting a written request for reconsideration, to the Manager of Administrative Services, within thirty days after the decision is delivered to or made available to the applicant.
- (2) At the reconsideration of a decision, the applicant is entitled to be heard by the Board in person or by a representative.
- (3) The Board may, following completion of its reconsideration, do one or more of the following:
- (a) confirm all or part of the delegate’s decision;

- (b) set aside all or part of the delegate's decision;
 - (c) amend the delegate's decision or make a new decision.
- (6) The Board may adjourn a reconsideration under this section.

13. DEFEND LEGAL PROCEEDINGS DELEGATION

The Board hereby delegates to the Chief Administrative Officer the power to instruct counsel to defend any action or proceeding in any court of law, or before any tribunal, arbitrator or any other person, for or on behalf of the Regional District.

14. REPEAL

"Regional District of Nanaimo Officers and Officials Appointment Bylaw No. 1507, 2006" and amendments thereto are hereby repealed.

Introduced and read three times this 22nd day of May, 2012.

Adopted this 22nd day of May, 2012.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1417.04

**A BYLAW TO AMEND THE OFFICERS
AND MANAGEMENT EMPLOYEES TERMS
AND CONDITIONS OF EMPLOYMENT BYLAW**

WHEREAS the Regional District of Nanaimo may, by bylaw under Section 200 of the *Local Government Act*, establish terms and conditions of employment, including the appointment and termination, of its Officers and Employees;

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

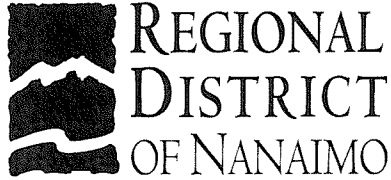
1. Section 1 of Bylaw 1417 is hereby amended by deleting the reference to "Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1433" and replacing with "Regional District of Nanaimo Officers and Officials Appointment and Delegation Bylaw No. 1507".
2. Section 1 of Bylaw 1417 "Service Area General Manager" is hereby amended by deleting the words "General Manager of Finance and Information Services", "General Manager of Development Services" and "General Manager of Environmental Services" and replacing with the words "Director of Finance", "General Manager of Strategic & Community Development", and "General Manager of Regional & Community Utilities", and by adding the positions of "General Manager of Recreation & Parks", "General Manager of Transportation & Solid Waste Services" and "Director of Corporate Services".
3. Section 7 of Bylaw 1417 is hereby amended by deleting the words "the Senior Manager of Corporate Administration" and replacing with the words "Director of Corporate Services" and the "Manager of Administrative Services".
4. This bylaw may be cited as "Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.04, 2012".

Introduced and read three times this 22nd day of May, 2012.

Adopted this 22nd day of May, 2012.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RDN REPORT	
CAO APPROVAL <i>(EW)</i>	
EAP	
COW	✓
APR 30 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: April 27, 2012

FROM: Dean Banman,
Acting General Manager Recreation and Parks

FILE:

SUBJECT: Revised 2012 Budget for Recreation and Culture, Electoral Area 'A'

PURPOSE

To discuss amendments to the Electoral Area 'A' Recreation 2012 business plan and 2012 to 2016 financial plan arising from changes in the delivery of recreation services in Electoral Area 'A'.

BACKGROUND

Following Board direction received on March 27, 2012, programming provided through the Area 'A' Recreation and Culture Service was discontinued effective April 1, 2012. The 2012 budget has been amended (Appendix A) to account for costs incurred to April 1st as well as costs which are expected to occur to December 31, 2012. Funds in excess of operating costs have been consolidated to a total of \$91,195 which will be contributed to the reserve fund for the Area 'A' Recreation service. The revised budget includes a contingency amount of \$10,000 to be used for unforeseen costs.

The business plan (Appendix C) for the year has also been amended to reflect that the service's primary activities which will be ongoing support and review of the current master plan, and the evaluation and distribution of community recreation grants in aid. The budget for recreation grants in aid in 2012 is \$25,245 which includes surplus funds from 2011 of \$15,245.

ALTERNATIVES

1. Approve the revised 2012 business plan and 2012 to 2016 financial plan as presented.
2. Recommend alternative adjustments to the 2012 business plan and 2012 to 2016 financial plan.

FINANCIAL IMPLICATIONS

Alternative 1

Appendix A and B attached to this report illustrate the revised 2012 budget and 2012 to 2016 financial plan as well as the original 2012 budget and 2012 to 2016 financial plan. The main difference between the two plans is the potential increase in accumulation of reserve funds. The revised financial plan does not reflect further changes in the program delivery in future years as these are not known with certainty at this time.

In respect to reserve funds dedicated to parks and recreation services within Electoral Area 'A', three reserve funds are established with the following balances:

- **Parks Cash In Lieu - \$321, 505** (sole purpose/authority for land purchase).
- **General Parks Reserve - \$286,272** (major capital development; \$39,000 contribution budgeted in 2012, \$139,000 committed to Skateboard/Bike Park and \$100,000 proposed for Tipple structure).
- **Recreation Services Reserve - \$20,389** (\$20,000 budgeted for roof repairs on the Cedar Heritage Center)

The amendments to the 2012 budget and five year financial plan result in future tax requisition reductions from 14.7% in 2013 and 15.6% in 2014 to 3% in each of those years, and an overall reduction in the tax requisition of \$117,790 for Electoral Area 'A' Recreation and Culture Services over the next five years.

SUMMARY/CONCLUSIONS

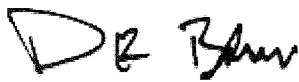
Following Board direction received on March 27, 2012, programming provided through the Electoral Area 'A' Recreation & Culture Service was discontinued effective April 1, 2012. The 2012 budget has been amended to account for costs incurred to April 1st as well as costs which are expected to occur to December 31, 2012. Funds in excess of operating costs have been consolidated to a total of \$91,195 which will be contributed to the reserve fund for the Electoral Area 'A' Recreation & Culture service. The revised budget includes a contingency amount of \$10,000 to be used for unforeseen costs. A revised 2012 to 2016 financial plan is presented for approval.

The business plan for the year has also been amended to reflect the service's two primary activities. The budget for recreation grants in aid in 2012 is \$25,245, which includes surplus funds from 2011 of \$15,245.

The amendments to the 2012 budget and five year financial plan result in future tax requisition reductions from 14.7% in 2013 and 15.6% in 2014 to 3% in each of those years, and an overall reduction in the tax requisition of \$117,790 for Electoral Area 'A' Recreation and Culture Services over the next five years.

RECOMMENDATIONS

1. That the revised 2012 business plan for the Electoral Area 'A' Recreation and Culture Service be approved as presented.
2. That the revised 2012 to 2016 financial plan for the Electoral Area 'A' Recreation and Culture Service be approved as presented.



A/General Manager Concurrence



C.A.O. Concurrence

APPENDIX A (REVISED FINANCIAL PLAN)

Area A Recreation & Culture	2012 Adopted Budget	2012 Revised Budget	2013	2014	2015	2016	Subtotal
Operating Revenues							
			3.0%	3.0%	3.0%	3.0%	
Property taxes	(125,390)	(125,390)	(129,152)	(133,027)	(137,018)	(141,129)	(665,716)
Recreation fees	(16,000)	(1,420)	0	0	0	0	(1,420)
Operating grants	(2,550)	0	0	0	0	0	0
Total Operating Revenues	(143,940)	(126,810)	(129,152)	(133,027)	(137,018)	(141,129)	(667,136)
Operating Expenditures							
Administration	16,395	15,345	7,485	7,485	7,485	7,485	45,285
Professional fees	500	1,000	0	0	0	0	1,000
Building Ops	9,865	16,465	10,000	10,100	10,225	10,525	57,315
Operating Costs	13,640	14,555	10,000	10,000	10,000	10,000	54,555
Program Costs	36,115	26,795	10,000	10,000	10,000	10,000	66,795
Wages & Benefits	116,124	41,335	21,565	21,996	22,436	22,885	130,217
Contributions to reserve funds	5,000	91,195	70,102	73,446	76,872	80,234	391,849
Total Operating Expenditures	197,639	206,690	129,152	133,027	137,018	141,129	747,016
Operating (surplus)/deficit	53,699	79,880	0	0	0	0	79,880
Capital Asset Expenditures							
Capital Expenditures	29,000	20,000	0	0	0	0	20,000
Transfer from Reserves	(20,000)	(20,000)	0	0	0	0	(20,000)
Net Capital Assets funded from Operations	9,000	0	0	0	0	0	0
Net (surplus)/deficit for the year	62,699	79,880	0	0	0	0	79,880
Add: Prior year (surplus)/deficit	(80,175)	(79,880)	0	0	0	0	(79,880)
(Surplus) applied to future years	(17,476)	0	0	0	0	0	0

APPENDIX B (ORIGINAL FINANCIAL PLAN)

Area A Recreation & Culture	2012 Approved Budget	2013	2014	2015	2016	Subtotal
Operating Revenues						
	19.3%	14.7%	15.6%	3.0%	3.0%	
Property taxes	(125,390)	(143,874)	(166,373)	(171,364)	(176,505)	(783,506)
Recreation fees	(16,000)	(16,320)	(16,646)	(16,979)	(17,319)	(83,264)
Operating grants	(2,550)	(2,550)	(2,550)	(2,550)	(2,550)	(12,750)
Total Operating Revenues	(143,940)	(162,744)	(185,569)	(190,893)	(196,374)	(879,520)
Operating Expenditures						
Administration	16,395	16,395	16,395	16,395	16,395	81,975
Professional fees	500	500	500	500	500	2,500
Building Ops	9,865	8,249	8,249	8,249	8,249	42,861
Operating Costs	13,640	13,776	13,776	13,914	13,914	69,020
Program Costs	36,115	21,592	22,024	22,464	22,913	125,108
Wages & Benefits	116,124	119,608	122,000	124,440	126,929	609,101
Contributions to reserve funds	5,000	0	0	4,631	7,474	17,105
Total Operating Expenditures	197,639	180,120	182,944	190,593	196,374	947,670
Operating (surplus)/deficit	53,699	17,376	(2,625)	(300)	0	68,150
Capital Asset Expenditures						
Capital Expenditures	29,000	100	2,625	300	0	32,025
Transfer from Reserves	(20,000)	0	0	0	0	(20,000)
Net Capital Assets funded from Operations	9,000	100	2,625	300	0	12,025
Net (surplus)/deficit for the year	62,699	17,476	0	0	0	80,175
Add: Prior year (surplus)/deficit	(80,175)	(17,476)	0	0	0	(80,175)
(Surplus) applied to future years	(17,476)	0	0	0	0	0

**APPENDIX C
REGIONAL DISTRICT OF NANAIMO
BUSINESS PLAN – 2012**

AREA	RECREATION AND PARKS		
SERVICE	ELECTORAL AREA A RECREATION AND CULTURE		
CURRENT SERVICE LEVEL WITHIN EXISTING RESOURCES	<p>The Recreation and Culture Commission assists with planning and developing recreation services in Electoral Area A. Recommendations from a Recreation and Culture Master Plan, completed in 2007 along with community feedback/requests form the basis of recreation and culture priorities in Electoral Area A.</p> <p>The budget for this service includes funds to provide grants to assist other organizations with their recreation and culture programs. The Electoral Area 'A' Recreation and Culture Commission and local community rely on community organizations, businesses and other entities to provide direct programming and community development.</p>		
PERFORMANCE INDICATORS			
MEASUREMENT INDICATOR	BENCHMARK	CURRENT PERFORMANCE	2012 PERFORMANCE OBJECTIVE
Successful Grant In Aid program	Full disbursement of available grant funding (\$10,000 annually)	2011 = \$7,625 2010 = \$7,150 2009 = \$5,425	Full disbursement of available grant funding (\$25,245).
KEY ACTIONS TO ACHIEVE 2012 PERFORMANCE OBJECTIVES			
<ul style="list-style-type: none"> • Ongoing review and implementation of Master Plan recommendations. • Continued delivery of the community of the Grant In Aid program. 			



MEMORANDUM

CAO APPROVAL	
EAP	
COW	
APR 26 2012	
RHD	
BOARD	

TO: Carol Mason
Chief Administrative Officer

DATE: April 26, 2012

FROM: Nancy Avery
General Manager, Finance & Information Services

File:

SUBJECT: Amendments to 2012 to 2016 Financial Plan for new information on grant funded projects in Community Parks services

PURPOSE:

To present for review and adoption an amended 2012 to 2016 financial plan which incorporates grant approvals for Community parks projects in Electoral Areas F and H.

BACKGROUND:

The Regional District submitted three park development projects to the Province’s Community Recreation Program Grant. The projects were:

- | | |
|--------|--------------------------------------|
| Area A | Cedar Skatepark |
| Area F | Meadowood Community Park development |
| Area H | Henry Morgan Park development |

The 2012 budget included only the Cedar Skatepark as it a project submitted in an earlier round and there was an indication that it was a very good candidate for a grant under this new program. All three projects have been approved and it would be appropriate to amend the 2012 budget and 2012 to 2016 financial plan for the details as submitted to the grant program.

The bylaw attached to this report also includes recommended adjustments to the Area A Recreation & Culture Service which have been reported on earlier.

ALTERNATIVES:

1. Approve and adopt a revised 2012 to 2016 financial plan as presented.
2. Recommend further changes and adopt a revised financial plan accordingly.

FINANCIAL IMPLICATIONS:

Alternative 1

Community Park – Electoral Area F

The 2012 budget surplus would be reduced by \$3,000. There are no significant impacts to the years 2013 to 2016.

Community Park – Electoral Area H

The 2012 budget surplus would be reduced to Nil. There are no significant impacts to the years 2013 to 2016.

The adjustments are straightforward and staff recommends approving amendment Bylaw No. 1658.01.

SUMMARY/CONCLUSIONS:

Subsequent to approving the 2012 to 2016 financial plan two community park projects were approved under the Province's Community Recreation Grant program. This report presents amended 2012 budgets for the Community Park services for Electoral Areas F and H to include the revised details for development of the Meadowood and Henry Morgan parks.


Amendment Bylaw No. 1658.01 also includes recent changes to the 2012 budget and financial plan for the Area A Recreation & Culture Service which were reported on earlier.

RECOMMENDATIONS:

1. That "2012 to 2016 Financial Plan Amendment Bylaw No. 1658.01, 2012" be introduced for first three readings.
2. That "2012 to 2016 Financial Plan Amendment Bylaw No. 1658.01, 2012" be adopted.



Report Writer



CAO Concurrence

APPENDIX A

Community Parks-F	2012 Approved Budget	2012 Revised Budget	2013	2014	2015	2016	Subtotal
Operating Revenues							
	3.0%	3.0%	4.0%	4.0%	4.0%	4.0%	
Property taxes	(93,665)	(93,665)	(97,412)	(101,308)	(105,360)	(109,574)	(507,319)
Miscellaneous	(5,000)	(5,000)	0	0	0	0	(5,000)
Total Operating Revenues	(98,665)	(98,665)	(97,412)	(101,308)	(105,360)	(109,574)	(512,319)
Operating Expenditures							
Administration	7,960	7,960	7,960	7,960	7,960	7,960	39,800
Professional fees	21,000	1,000	1,000	1,000	1,000	1,000	5,000
Building Ops	1,855	1,855	1,855	1,855	1,855	1,855	9,275
Veh & Equip ops	3,375	3,375	3,375	3,375	3,375	3,375	16,875
Operating Costs	23,331	23,331	23,564	23,800	24,038	24,278	119,011
Wages & Benefits	58,036	58,036	59,777	60,973	62,192	63,436	304,414
Contributions to reserve funds	10,000	10,000	0	0	0	0	10,000
Total Operating Expenditures	125,557	105,557	97,531	98,963	100,420	101,904	504,375
Operating (surplus)/deficit	26,892	6,892	119	(2,345)	(4,940)	(7,670)	(7,944)
Capital Asset Expenditures							
Capital Expenditures	65,530	100,530	45,715	20,430	20,000	21,070	207,745
Transfer from Reserves	(17,500)	(17,500)	(45,000)	(20,000)	(10,000)	0	(92,500)
Grants and Other	(42,500)	(54,500)					(54,500)
Net Capital Assets funded from Operations	5,530	28,530	715	430	10,000	21,070	60,745
Net (surplus)/deficit for the year	32,422	35,422	834	(1,915)	5,060	13,400	52,801
Add: Prior year (surplus)/deficit	(54,055)	(54,055)	(18,633)	(17,799)	(19,714)	(14,654)	(54,055)
(Surplus) applied to future years	(21,633)	(18,633)	(17,799)	(19,714)	(14,654)	(1,254)	(1,254)

APPENDIX B

Community Parks-H	2012 Approved Budget	2012 Revised Budget	2013	2014	2015	2016	Subtotal
Operating Revenues							
	2.5%	2.5%	3.0%	3.0%	3.0%	3.0%	
Property taxes	(123,860)	(123,860)	(127,576)	(131,403)	(135,345)	(139,405)	(657,589)
Miscellaneous	0	(2,960)	(2,960)	(2,960)	(2,960)	(2,960)	(14,800)
Total Operating Revenues	(123,860)	(126,820)	(130,536)	(134,363)	(138,305)	(142,365)	(672,389)
Operating Expenditures							
Administration	6,860	6,860	6,860	6,860	6,860	6,860	34,300
Professional fees	1,000	1,000	1,000	1,000	1,000	1,000	5,000
Building Ops	1,845	1,845	1,863	1,882	1,901	1,920	9,411
Veh & Equip ops	3,375	3,375	3,375	3,375	3,375	3,375	16,875
Operating Costs	35,945	35,945	36,304	36,667	37,034	37,404	183,354
Wages & Benefits	58,026	58,026	59,767	60,962	62,181	63,425	304,361
Transfer to other govt/org	1,000	1,000	1,000	1,000	1,000	1,000	5,000
Contributions to reserve funds	47,785	41,239	19,652	22,187	24,954	26,311	134,343
Total Operating Expenditures	155,836	149,290	129,821	133,933	138,305	141,295	692,644
Operating (surplus)/deficit	31,976	22,470	(715)	(430)	0	(1,070)	20,255
Capital Asset Expenditures							
Capital Expenditures	92,880	185,380	715	430	0	1,070	187,595
Transfer from Reserves	(50,000)	(64,000)	0	0	0	0	(64,000)
Grants and Other	(42,500)	(85,000)					(85,000)
Net Capital Assets funded from Operations	380	36,380	715	430	0	1,070	38,595
Net (surplus)/deficit for the year	32,356	58,850	0	0	0	0	58,850
Add: Prior year (surplus)/deficit	(58,850)	(58,850)	0	0	0	0	(58,850)
(Surplus) applied to future years	(26,494)	0	0	0	0	0	0

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1658.01

**A BYLAW TO AMEND THE
2012 TO 2016 FINANCIAL PLAN**

WHEREAS the Regional District of Nanaimo adopted “2012 to 2016 Financial Plan Bylaw No. 1658, 2012” as the financial plan for the Regional District of Nanaimo;

AND WHEREAS the Board wishes to amend the financial plans for the Community Parks services for Electoral Areas F and H to include new grant funded projects and to amend the financial plan for the Area A Recreation & Culture Service to reflect changes to the service;

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

1. Amendment

“2012 to 2016 Financial Plan Bylaw No. 1658, 2012” is amended by deleting Schedule ‘A’ and replacing it with Schedule ‘A’ attached to this bylaw.

2. Citation

This bylaw may be cited as the “2012 to 2016 Financial Plan Amendment Bylaw No. 1658.01, 2012”.

Introduced and read three times this 22nd day of May, 2012.

Adopted this 22nd day of May, 2012.

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION

Schedule 'A' to accompany 2012 to 2016
Financial Plan Amendment Bylaw No.
1658.01, 2012

Chairperson

Sr. Mgr., Corporate Administration

	2012	2013	2014	2015	2016	Total
Operating Revenues	6.1%	5.3%	5.7%	5.5%	5.6%	
Property taxes	(34,124,677)	(35,879,165)	(37,989,797)	(40,159,174)	(42,510,485)	(190,663,298)
Parcel taxes	(3,850,332)	(4,122,966)	(4,288,168)	(4,464,942)	(4,629,485)	(21,355,893)
Municipal agreements	(281,993)	(291,036)	(298,454)	(306,221)	(313,367)	(1,491,071)
	(38,257,002)	(40,293,167)	(42,576,419)	(44,930,337)	(47,453,337)	(213,510,262)
Operations	(2,496,230)	(1,886,099)	(2,048,413)	(2,111,819)	(2,147,473)	(10,690,034)
Interest income	(150,000)	(195,000)	(195,000)	(195,000)	(195,000)	(930,000)
Transit fares	(4,088,680)	(4,156,449)	(4,468,013)	(4,582,693)	(4,698,520)	(21,994,355)
Landfill tipping fees	(8,106,390)	(8,754,901)	(9,192,646)	(9,652,278)	(9,941,846)	(45,648,061)
Recreation fees	(407,945)	(418,721)	(431,282)	(444,220)	(457,547)	(2,159,715)
Recreation facility rentals	(547,950)	(564,389)	(581,321)	(598,761)	(616,724)	(2,909,145)
Recreation vending sales	(10,300)	(10,300)	(10,300)	(10,300)	(10,300)	(51,500)
Recreation concession	(4,500)	(4,500)	(4,500)	(4,500)	(4,500)	(22,500)
Recreation - other	(363,475)	(374,380)	(385,612)	(397,180)	(409,096)	(1,929,743)
Utility user fees	(4,679,404)	(4,972,508)	(5,121,850)	(5,272,999)	(5,419,418)	(25,466,179)
Operating grants	(5,781,101)	(5,260,894)	(5,626,593)	(5,945,459)	(6,292,523)	(28,906,570)
Planning grants	(964,000)	(100,000)	(100,000)	(100,000)	(100,000)	(894,000)
Grants in lieu of taxes	(161,180)	(161,180)	(161,180)	(161,180)	(161,180)	(805,900)
Interdepartmental recoveries	(5,954,625)	(6,079,238)	(6,116,366)	(6,191,389)	(6,265,993)	(30,607,611)
Miscellaneous	(4,960,125)	(4,331,356)	(4,405,853)	(4,330,331)	(4,210,579)	(22,238,244)
Total Operating Revenues	(76,932,907)	(77,563,082)	(81,425,348)	(84,928,446)	(88,384,036)	(408,763,819)
Operating Expenditures						
Administration	3,782,377	3,784,941	3,795,469	3,806,103	3,799,435	18,968,325
Community grants	44,603	34,315	34,315	34,315	34,315	181,863
Legislative	378,535	368,535	409,533	380,941	382,063	1,919,607
Professional fees	3,093,043	1,860,158	1,799,287	1,745,449	1,728,624	10,226,561
Building Ops	2,792,422	2,687,725	2,715,054	2,745,853	2,778,525	13,719,579
Veh & Equip ops	6,707,355	6,833,581	7,182,198	7,457,306	7,782,729	35,963,169
Operating Costs	15,129,044	15,257,932	15,492,089	16,831,523	18,147,788	80,858,376
Program Costs	727,619	538,221	542,713	554,399	566,214	2,929,166
Wages & Benefits	25,625,979	26,609,576	27,597,004	28,552,213	29,491,558	137,876,330
Transfer to other govt/org	6,002,507	5,636,410	5,798,605	5,958,123	6,133,964	29,059,609
Contributions to reserve funds	5,373,910	5,972,581	7,045,309	7,154,297	6,398,021	31,944,118
Debt interest	3,891,257	-	-	-	-	3,874,167
Total Operating Expenditures	73,548,651	69,583,975	72,411,576	75,220,522	77,243,236	367,520,870
Operating (surplus)/deficit	(3,384,256)	(7,979,107)	(9,013,772)	(9,707,924)	(11,140,800)	(41,242,949)
Capital Asset Expenditures						
Capital Expenditures	29,588,737	20,093,660	30,550,197	33,125,060	39,784,085	153,141,739
Transfer from Reserves	(17,815,636)	(13,887,706)	(22,159,290)	(11,132,399)	(6,800,231)	(71,795,262)
Grants and Other	(1,163,985)	(103,303)	0	0	0	(1,267,288)
New Borrowing	(4,919,545)	(2,983,419)	(6,365,011)	(20,134,594)	(31,290,399)	(65,692,968)
Net Capital Assets funded from Operations	5,689,571	3,119,232	2,025,896	1,858,067	1,693,455	14,386,221
Capital Financing Charges						
Existing Debt (principal)	4,289,072	6,805,718	7,308,462	7,540,139	7,551,169	33,494,560
New Debt (principal + interest)		751,240	254,112	527,365	1,937,901	3,470,618
Total Capital Financing Charges	4,289,072	7,556,958	7,562,574	8,067,504	9,489,070	36,965,178
Net (surplus)/deficit for the year	6,594,387	2,697,083	574,698	217,647	41,725	10,108,450
Add: Prior year (surplus)/deficit	(10,860,007)	(4,265,620)	(1,568,537)	(993,839)	(776,192)	(10,860,007)
(Surplus) applied to future years	(4,265,620)	(1,568,537)	(993,839)	(776,192)	(734,467)	(751,557)



RDN REPORT	
CAO APPROVAL <i>CPW</i>	
EAP	
COV	✓
MAY 02 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: May 1, 2012

FROM: Nancy Avery
General Manager, Finance & Information Services

SUBJECT: Request for Funding Assistance – Nanaimo Marine Rescue Society

PURPOSE:

To discuss options with respect to providing funding for the Nanaimo Marine Rescue Society.

BACKGROUND:

At the Committee of the Whole meeting held February 14, 2012 the Nanaimo Marine Rescue Society (NMRS) sought the Board’s support to provide \$27,000 in annual funding for its operations. At the present time taxpayers in Nanaimo, Lantzville and Electoral Areas ‘A’, ‘B’ and ‘C’ raise \$27,000 per year to support the operations of the Nanaimo Search & Rescue Society (NSAR). Of the \$27,000 raised to support NSAR, \$24,000 covers the cost of leasing space in a City of Nanaimo owned building. The remaining \$3,000 is provided as an annual operating grant. In 2012 the maximum that could have been raised was \$32,685.

The purpose of the Search & Rescue Contribution Service established under Bylaw No. 1552 is sufficiently broad to capture both land and marine rescue services in District 68. In considering this request the use of the funds under the service will have evolved from covering a building lease, to providing a small operating grant of the “unused” portion of the \$27,000 requisition, to providing significant financial resources for core operating costs. With this in mind this report will examine in some detail the financial structure of both search & rescue groups in order to develop a rational framework for considering funding for both of these groups.

ALTERNATIVES:

1. Provide the same amount of operational funding to the two search & rescue groups commencing in 2013.
2. Provide a specified percentage of operating funding to the two search & rescue groups commencing in 2013.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative both groups would receive the same amount of operational funding – for example \$5,000 each. The rationale for funding both groups with the same amount is that they have similar purposes and it is recognized that the funding is not intended to cover all core operating costs.

The table below outlines the operating cost profiles obtained from the submitted financial information. The NSAR group essentially broke even in 2011 by applying a Regional District grant of \$3,135 and drawing on a “surplus”

generated from task response work. The NMRS was in a deficit position at the end of 2011 but has sufficient accumulated cash resources to sustain it for at least another year as described below.

	Nanaimo Search & Rescue	Nanaimo Marine Rescue Society
Operations		
Revenues		
Fundraising/gaming grant	2,315	1,242
RDN operating grant	3,135	Nil
	5,450	1,242
Expenses		
Telephone	678	6,110
Meals	0	3,857
Operating supplies	2,177	2,829
Office operations	3,119	2,615
Building operations	1,750	1,439
Training & travel	2,435	135
Fund raising & miscellaneous	1,790	2,318
Accounting fees	0	3,350
Total operating costs	11,949	22,653
Net Operations	(6,499)	(21,411)
Task Response		
Task revenues	22,106	37,347
Task expenses	15,876	28,406
Net Task Response	6,230	8,941
Overall surplus/(deficit)	(269)	(12,470)

At the present time neither group pays for accommodation costs. As noted earlier, part of the funding raised for the NSAR group is used to cover the cost of a leased building in the amount of \$24,000 per year. The NMRS occupies a portion of the water lot at Brechin Point which is licensed to the City of Nanaimo by the Province of BC. The boathouse itself is owned by the Society. There is a nominal rent of \$10 for the sub-license which runs to December 1, 2020. The City also authorizes a permissive tax exemption for property taxes payable in the amount of approximately \$1,700 annually.

The marine rescue society incurs higher operating costs with respect to telephones (includes pagers), meals and professional accounting fees. Staff were advised that, in 2011 the society received some additional funding through tasking to help defray costs associated with operating two boats instead of one. That funding is not likely to recur, which would result in a somewhat higher operating deficit than shown below. What is very important to note is that both groups rely on "surpluses" generated from task responses to offset core operating costs and investments in equipment. The reliance on these "surpluses" is observed in the accumulated cash balances from prior years' operations. The marine rescue society had unrestricted cash at the end of 2011 of approximately \$57,000. The land based search & rescue group had unrestricted cash at the end of 2011 of approximately \$23,000. The current financial structure of each group, based on the table above, suggests that cash balances will be drawn down rapidly without significant fund raising or other sources of revenue.

Given the differences in core operating costs it is difficult to recommend a single “amount” approach as it is clear that while equitable in theory the financial impacts are not.

Alternative 2

Search & rescue services are complimentary but optional to the typical core local government service of fire protection. Under this alternative the amount of funding would be established at some percentage of core operating costs. For the purposes of discussion, staff have selected a target of 50% grant funding.

Based on the 2011 financial reports this would result in operating funding of \$11,325 for the Nanaimo Marine Rescue Society and \$5,975 for the Nanaimo Search & Rescue Society (total of \$17,300) with the following outcome (the table below excludes the minor fundraising amounts shown in the previous table):

	Nanaimo Search & Rescue	Nanaimo Marine Rescue Society
RDN operating grant	5,975	11,325
Total operating costs	11,949	22,653
Net Operations	(5,974)	(11,328)
Net Task Revenues	6,230	8,941
Surplus/(deficit)	256	(2,387)

Both groups would likely need to draw on accumulated cash reserves in some years, reserves which are typically held and pooled with gaming and other fundraising to replace larger, more expensive pieces of equipment. The financial result above would also suggest that little or no further accumulation of cash reserves is likely and therefore it is assumed that both will also continue some level of fundraising.

If this approach is supported, the requisition for search & rescue contributions would rise from \$27,000 to \$41,300 in 2013. The cost per \$100,000 would increase from \$1.40 to \$2.10 – an increase of \$0.70 per \$100,000. The amended bylaw requires approval by the Province. As a frame of reference, each additional \$1,000 of grant funding under this service costs approximately \$0.10 per \$100,000.

A contract agreement for the funding would contain the following terms & conditions:

- 1) Funding is fixed for a period of three years
- 2) Funding is for core operating purposes as outlined in documents submitted to date
- 3) Annual reporting to the Board (verbal presentation) of activities over the prior year
- 4) Annual financial statements in sufficient detail to permit staff to monitor the overall financial health of the organization

SUSTAINABILITY IMPLICATIONS:

There are many organizations providing services which benefit residents in District 68. Search and rescue services are highly specialized and fill a gap with respect to saving lives that is not typically addressed through municipal or volunteer fire departments. Both of these services are complimentary to existing fire/rescue services as well as being integral to the Regional District’s overall role in emergency response coordination.

The current financial model relies on fundraising for capital and special purposes and task related cost recoveries for core operating costs and training. As is the case with other non-profit organizations, fund raising is difficult at the best of times and the results can vary greatly from year to year, making sustainability a real concern. For search & rescue groups, the number of task responses is also unpredictable. If a group has a “bad” year with few response events there is a significant risk of financial failure. If the Board supports providing regular annual funding for these two groups there will be a significant improvement in their long term viability.

SUMMARY/CONCLUSIONS:

The Nanaimo Marine Rescue Society has approached the Board to consider providing it annual funding in the amount of \$27,000. This is the total amount currently raised to support the land based Nanaimo Search & Rescue Society. In the latter's case, \$24,000 is raised and paid to the City of Nanaimo to cover the leasing of space in a vacant City of Nanaimo building and \$3,000 is provided to offset operating costs.

In considering this request the use of the funds under the service will have evolved from covering a building lease, to providing a small operating grant of the “unused” portion of the \$27,000 requisition, to providing significant financial resources for core operating costs.

A review of the financial information submitted by both groups indicates a considerable difference in their expense profiles, with costs for the marine based group almost twice as high as those for the land based group. There are a number of legitimate reasons for this; however, the challenge for the Regional District is how to strike a balance in supporting groups which have similar search & rescue purposes. One alternative is to provide the same fixed amount to each group. Given the differences in core operating costs it is difficult to recommend a single “amount” approach as it is clear that while equitable in theory the financial impacts are not.

Under Alternative 2 funding would be established as a percentage of core operating costs. Staff have outlined the financial implications of using 50% of the reported 2011 operating costs for both groups. Under this alternative the Nanaimo Marine Rescue Society would receive an operating grant of \$11,325 and the Nanaimo Search & Rescue group would receive an operating grant of \$5,975 commencing in 2013. The base tax requisition for the service would increase from \$27,000 to \$41,300. The cost to raise the additional funds is estimated at \$0.70 per \$100,000.

Staff recommends Alternative 2 which establishes a grant of 50% of 2011 operating costs. Bylaw No. 1552.01 attached to this report will raise the requisition limit for search and rescue contributions to \$41,300 commencing in 2013. The bylaw must be approved by the Inspector of Municipalities

RECOMMENDATIONS:

1. That annual funding in the amount of \$5,975 for the Nanaimo Search & Rescue Society and \$11,325 for the Nanaimo Marine Rescue Society be approved commencing in 2013.
2. That service contracts be prepared with terms as noted in this report.
3. That “Southern Community Search & Rescue Contribution Service Amendment Bylaw No. 1552.01, 2012” be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.



Report Writer



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1552.01

A BYLAW TO AMEND THE SEARCH AND
RESCUE CONTRIBUTION SERVICE

WHEREAS the Board of the Regional District of Nanaimo established by Bylaw No. 1552, 2008 the Southern Community Search and Rescue Contribution Service;

AND WHEREAS the Board wishes to amend the requisition limit of the service to provide additional resources for search and rescue organizations in District 68;

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

The "Southern Community Search and Rescue Service" is hereby amended as follows:

1. By deleting Section 7. Maximum Requisition and substituting the following:

Maximum Requisition

7. The maximum amount that may be requisitioned under Section 800.1(1)(e)(iii) of the *Local Government Act* for this service shall be:
 - (a) The sum of forty one thousand three hundred dollars (\$41,300); or
 - (b) The product obtained by multiplying the net taxable value of land and improvements within the service area by a property tax value rate of \$.0025 cents per thousand dollars of assessment.
2. This bylaw may be cited as "Southern Community Search and Rescue Contribution Service Amendment Bylaw No. 1552.01, 2012".

Introduced and read three times this 22nd day of May, 2012.

Received the approval of the Inspector of Municipalities this day of , 2012.

Adopted this day of , 2012.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RDN REPORT	
CAC APPROVAL <i>(Signature)</i>	
EAP	
COW	✓
MAY 02 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer **DATE:** April 18, 2012

FROM: Nancy Avery
General Manager, Finance & Information Services **File:**

SUBJECT: Bylaw No. 1652 - A bylaw to repeal the Morningstar Creek Water Local Service Area.

PURPOSE:

To introduce for three readings Bylaw No. 1652, 2012 – a bylaw to repeal the Morningstar Creek Water Local Service Area Establishing Bylaw.

BACKGROUND:

The Morningstar Creek Water Local Service Area covers a set of properties near the French Creek Boat Harbour in Electoral Area ‘G’. The service was established by Bylaw No. 1125 in 1998 in anticipation of subdivision of the property. In 2003 and again in 2005, following a period of no activity, the property developer requested that the several lots be removed from the service as water had been secured from Breakwater Enterprises, now owned by Epcor Water Services (copies of bylaws are attached). There has been no further activity on the property.

The Regional District operates one small water service in this part of Electoral Area ‘G’ covering 241 properties in the Sandpiper neighbourhood area. The remainder of the properties either have their own wells or is serviced by EPCOR Water Service.

Correspondence dated March 29, 2012 was sent to the sole owner of the properties indicating that this matter would be considered at the May 8th Committee meeting. No response has been received at this time.

Given the location of these properties at considerable distance to the existing Regional District water service area and the potentially small resulting service, staff recommend that this bylaw be repealed at this time. If in the future a feasible water service can be demonstrated it can be brought back for re-consideration.

ALTERNATIVES:

1. Approve Bylaw No. 1652, 2012 as presented and proceed to advertise the repeal as outlined in the *Local Government Act*.
2. Take no action at this time.

FINANCIAL IMPLICATIONS:

Alternative 1

There are no financial implications to the Regional District as a consequence of repealing this bylaw. There is no infrastructure and there has been no further action by the property owners since 1998. The bylaw may be repealed with the consent of 2/3 of the participants – in this case the Director for Electoral Area 'G' and the approval of the Inspector of Municipalities.

Alternative 2

There are no financial implications to not repealing this bylaw at this time. The recommendation to repeal the bylaw is good practice with respect to maintaining bylaws in a current status.

SUMMARY/CONCLUSIONS:

The Morningstar Creek Water Service, covering several large parcels of land near the French Creek Boat Harbour was established in 1998 and has been continuously inactive since that time. The Regional District operates one small water service in this part of Electoral Area 'G' covering 241 properties in the Sandpiper neighbourhood area. The remainder of properties in Electoral Area 'G' either have their own wells or are serviced by EPCOR Water Service.


Given the location of the Morningstar Creek properties at considerable distance to the existing Regional District water service area and the potentially small resulting service, staff recommend that this bylaw be repealed at this time. If in the future a feasible water service can be demonstrated it can be brought back for re-consideration.

RECOMMENDATION:

That "Morningstar Creek Water Local Service Establishment Repeal Bylaw No. 1652, 2012" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.



Report Writer



CAO Concurrance

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1652

A BYLAW TO REPEAL MORNINGSTAR CREEK WATER
LOCAL SERVICE AREA ESTABLISHMENT BYLAW NO. 1125, 1998

WHEREAS Bylaw No. 1125 established a water service area intended to be serviced as a result of subdivision;

AND WHEREAS no subdivision has occurred and the Regional District has determined that there are other water providers in the area which are better suited to servicing this property;

AND WHEREAS the consent of the Director for Electoral Area 'G' has been obtained;

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

1. **Repeal of Bylaw**

"Morningstar Creek Water Local Service Area Establishment Bylaw No. 1125, 1998" is hereby repealed.

2. **Title**

This Bylaw may be cited for all purposes as the "Morningstar Creek Water Local Service Area Establishment Repeal Bylaw No. 1652, 2012".

Introduced and read three times this 22nd day of May, 2012

Received the approval of the Inspector of Municipalities this day of , 2012.

Adopted this day of , 2012

CHAIRPERSON

SR. MGR. CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1125

A BYLAW TO ESTABLISH A LOCAL SERVICE AREA WITHIN ELECTORAL AREA 'G' OF THE REGIONAL DISTRICT OF NANAIMO FOR THE PURPOSE OF PROVIDING A DOMESTIC WATER SUPPLY AND DISTRIBUTION SYSTEM

WHEREAS the Board of the Regional District of Nanaimo has received a sufficient petition pursuant to Section 812 of the "Municipal Act" to establish a local service area for the purpose of supply, treatment, conveyance, storage and distribution of water for part of the Regional District under Section 798(1)(b) of the Municipal Act;

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

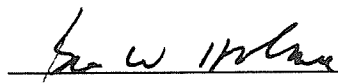
1. The service of the supply, treatment, conveyance, storage and distribution of water is established as a local service.
2. The boundaries of the local service area are shown in heavy outline in Schedule 'A' attached to and forming part of this bylaw.
3. Electoral Area 'G' is the only participating area for the local service.
4. The entire cost of providing the local service established by this bylaw shall be borne by the owners of land within the local service area and may be recovered by one or more of the following:
 - (a) requisition of money under Section 823 of the Municipal Act to be collected by a parcel tax to be imposed in the matter provided in Section 825(2); or
 - (b) imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs.
5. The maximum amount that may be requisitioned under Section 816 for this service shall be the greater of the following:
 - (a) the sum of sixty thousand dollars (\$60,000.00), or;
 - (b) the product obtained by multiplying the net taxable value of land and improvements within the service area by a property tax value rate of \$14.47 per thousand dollars of assessment.

6. This bylaw may be cited as the "Morningstar Creek Water Local Service Area Establishment Bylaw No. 1125, 1998".

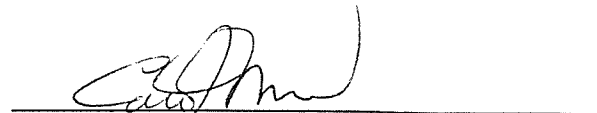
Introduced and read three times this 12th day of May, 1998.

Received the approval of the Inspector of Municipalities this 3rd day of July, 1998.

Adopted this 14th day of July, 1998.



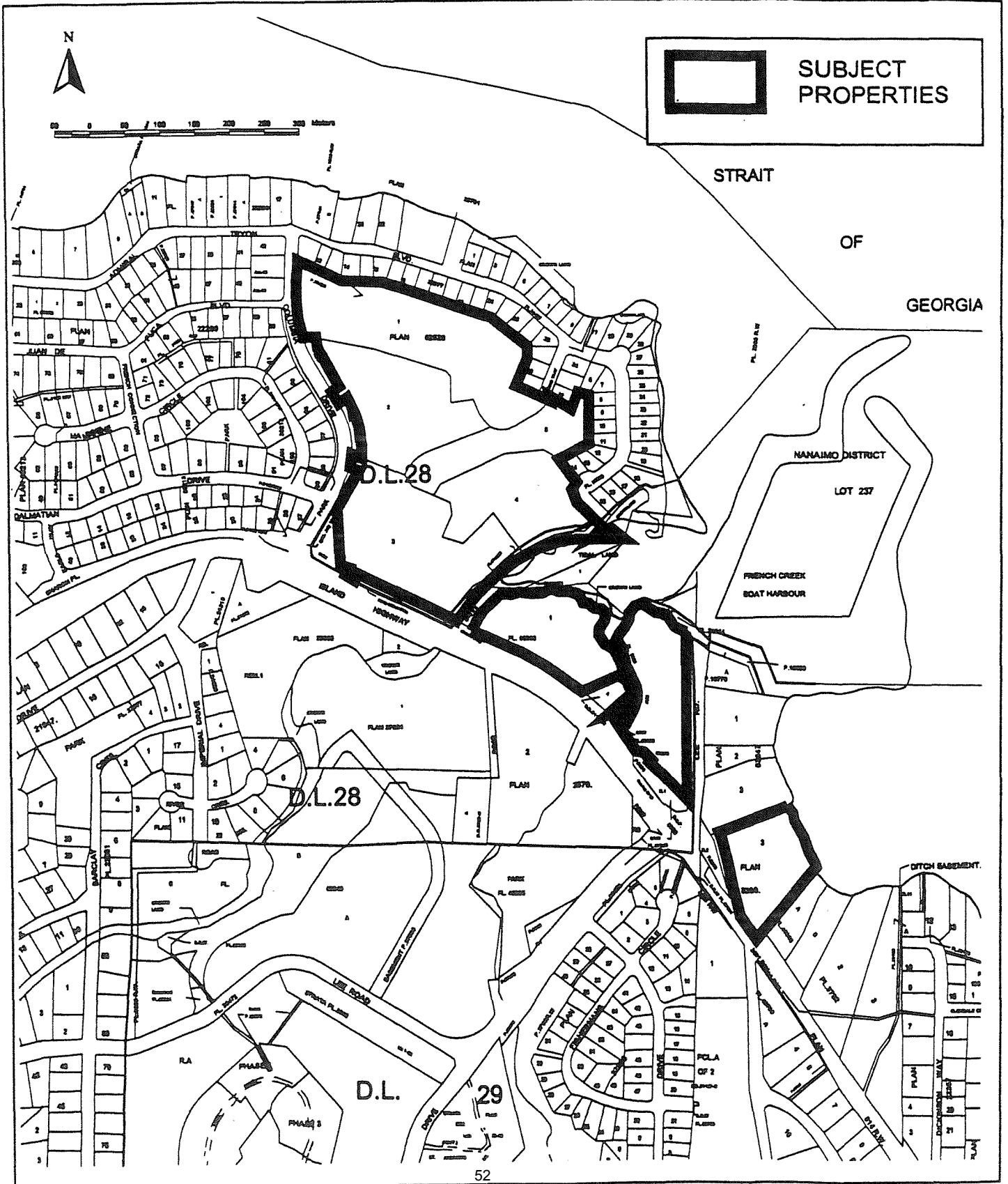
CHAIRPERSON



SECRETARY

[Signature]
Chairperson

[Signature]
Secretary



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1125.01

A BYLAW TO AMEND THE BOUNDARIES
OF THE MORNINGSTAR CREEK
WATER LOCAL SERVICE AREA

WHEREAS Morningstar Creek Water Local Service Area Establishment Bylaw No. 1125, 1998 established the Morningstar Creek Water Local Service Area;

AND WHEREAS the Board has been petitioned to exclude a property from the local service area;


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

1. The boundaries of the Morningstar Creek Water Local Service Area, established by Bylaw No. 1125 is hereby amended to exclude the property shown outlined on Schedule 'B' attached hereto and forming part of this bylaw.
2. The amended boundary of the Morningstar Creek Water Local Service Area shall be as shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'A' of Bylaw No. 1125 is hereby repealed.
4. This bylaw may be cited as "Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.01, 2003".

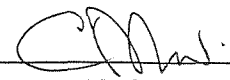
Introduced and read three times this 9th day of September, 2003.

Received the approval of the Inspector of Municipalities this 7th day of October, 2003.

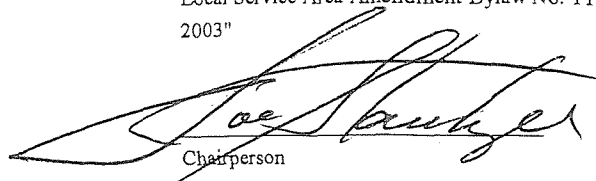
Adopted this 14th day of October, 2003.



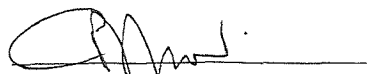
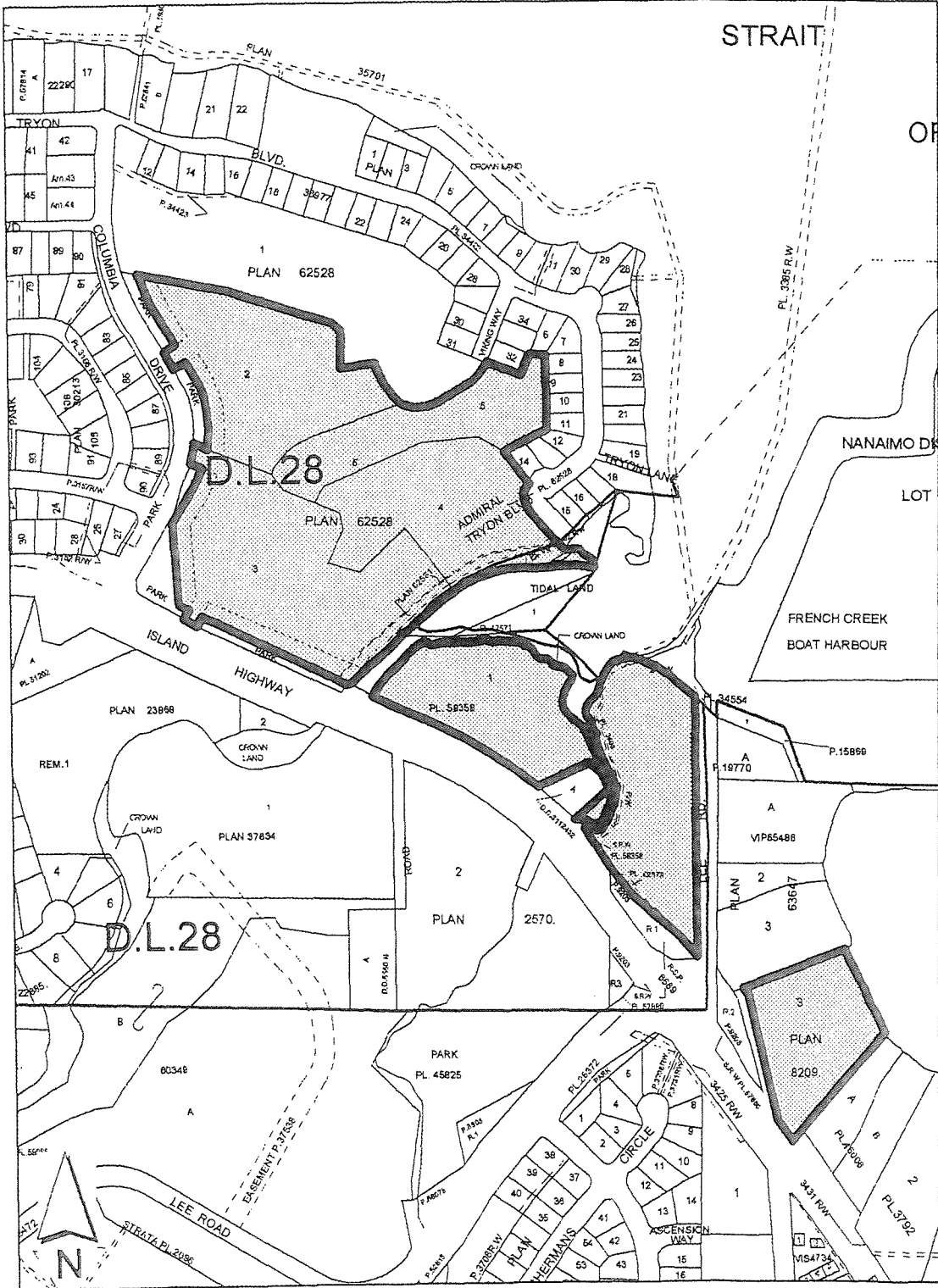
CHAIRPERSON



GENERAL MANAGER, CORPORATE SERVICES

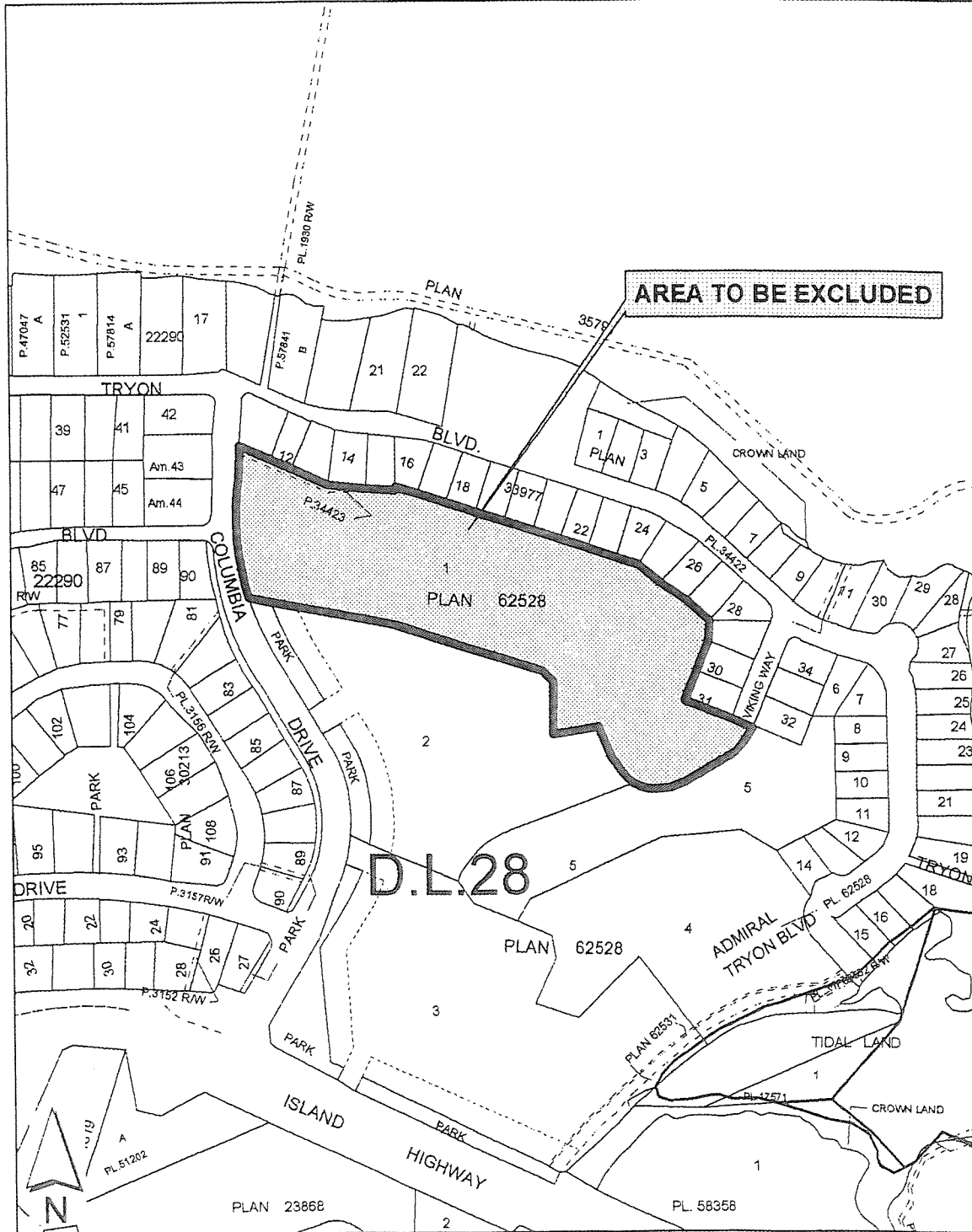


Chairperson


General Manager, Corporate Services

Joe Sawyer
Chairperson

Chris
General Manager, Corporate Services



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1125.02

**A BYLAW TO AMEND THE BOUNDARIES
OF THE MORNINGSTAR CREEK
WATER LOCAL SERVICE AREA**

WHEREAS Morningstar Creek Water Local Service Area Establishment Bylaw No. 1125, 1998 established the Morningstar Creek Water Local Service Area;

AND WHEREAS the Board has been petitioned to exclude a property from the local service area;

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

1. The boundaries of the Morningstar Creek Water Local Service Area, established by Bylaw No. 1125 are hereby amended to exclude the property shown outlined on Schedule 'B' attached hereto and forming part of this bylaw.
2. The amended boundary of the Morningstar Creek Water Local Service Area shall be as shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.
3. Schedule 'A' of Bylaw No. 1125.01 is hereby repealed.
4. This bylaw may be cited as "Morningstar Creek Water Local Service Area Amendment Bylaw No. 1125.02, 2005".

Introduced and read three times this 25th day of October, 2005.

Received the approval of the Inspector of Municipalities this 6th day of December, 2005.

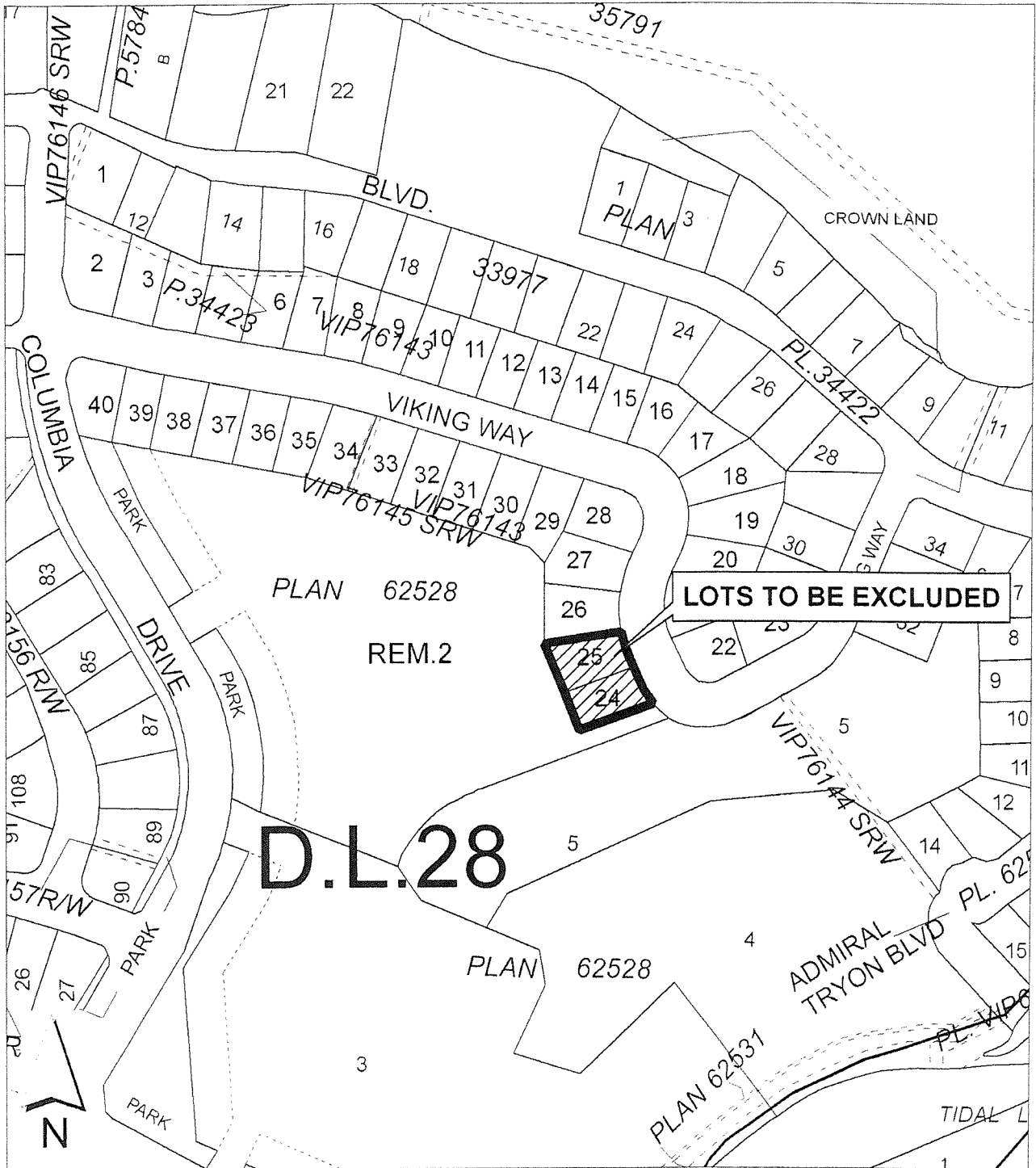
Adopted this 13th day of December, 2005.

CHAIRPERSON

DEPUTY ADMINISTRATOR

Chairperson

Deputy Administrator





**REGIONAL
DISTRICT
OF NANAIMO**

RDN REPORT	
CAO APPROVAL	
EAP	
COW	✓
MAY 02 2012	
RHD	
BOARD	

MEMORANDUM

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

DATE: April 27, 2012

FROM: W. Idema
Manager, Financial Reporting

FILE:

SUBJECT: **Bylaws No. 1659 and 1660 – Authorize Expenditure of Bulk Water Development Cost Charge Funds**

PURPOSE:

To seek approval of bylaws authorizing expenditures of Nanoose Bay and French Creek Bulk Water Development Cost Charge (DCC) funds.

BACKGROUND:

Section 935(5) of the *Local Government Act* requires that expenditures of Development Cost Charge funds be authorized by bylaw. To cover the cost of its share of 2011 capital expenditures incurred by the Englishman River Water Service joint venture, the RDN used a combination of general reserves, operating funds and development cost charge funds. Bylaws No.1659 and 1660 complete the statutory requirement to authorize the use of development cost charge funds for bulk water infrastructure in 2011.

ALTERNATIVES:

1. Approve Bylaws No. 1659 and 1660 as well as the use of general reserves for bulk water capital.
2. Amend the bylaws and approve the bylaws as amended.

FINANCIAL IMPLICATIONS:

Alternative 1

The following table outlines the use of bulk water DCCs, general reserves and operating funds for bulk water capital in 2011. It was anticipated that the joint venture capital would be funded 50% from DCCs and 50% from general reserves.

	DCCs	General Reserves	Operations	Total
Nanoose Bay	\$138,985		\$138,985	\$277,970
French Creek	\$77,400	\$77,400		\$154,800
Total				\$432,770

With respect to the Nanoose Bay Bulk Water service, an amount of \$379,000 was expected to be spent from the annual operating budget for a pump station. That project was deferred rather than draw on reserve funds at this time, the relevant portion has been covered under the annual operating budget.

Alternative 2

The use of funds shown above is in accordance with the 2011 budget and staff recommend approving the bylaws as presented.

SUMMARY/CONCLUSIONS:

Section 935(5) of the *Local Government Act* requires that expenditures of development cost charge funds be authorized by bylaw. During 2011, \$432,770 was expended by the RDN as its share of the bulk water infrastructure. Bylaws No. 1659 and 1660 complete the statutory requirements for using DCCs. A resolution is also provided to confirm the use of general reserves for a portion of these expenditures.

RECOMMENDATIONS:


1. That an amount of \$77,400 be released from the French Creek Bulk Water general reserve fund to be applied to 2011 bulk water infrastructure expenditures.
2. That "Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1659, 2012" be introduced and read three times.
3. That "Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1659, 2012" be adopted.
4. That "French Creek Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1660, 2012" be introduced and read three times.
5. That "French Creek Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1660, 2012" be adopted.



 Report Writer



 General Manager



 C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1659

**A BYLAW TO AUTHORIZE AN EXPENDITURE OF NANOOSE BAY BULK WATER
LOCAL SERVICE AREA DEVELOPMENT COST CHARGE FUNDS**

WHEREAS the authority to impose development cost charges within the Nanoose Bay Bulk Water Local Service Area was established by "Regional District of Nanaimo Bulk Water Local Service Area Development Cost Charge Bylaw No. 1088, 1998";

AND WHEREAS in accordance with Section 935(5) of the *Local Government Act*, the use of development cost charge funds must be authorized by bylaw;

AND WHEREAS the Board wishes to authorize the use of development cost charge funds with respect to bulk water infrastructure obtained in 2011, and the expenditures are eligible development cost charge program expenditures;

AND WHEREAS the amount expended is \$138,985;

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

1. The sum of One Hundred Thirty Eight Thousand, Nine Hundred and Eighty Five Dollars (\$138,985) is hereby appropriated for the purchase of bulk water infrastructure in 2011.
2. This bylaw may be cited as the "Nanoose Bay Bulk Water Local Service Area Development Cost Charge Expenditure Bylaw No. 1659, 2012".

Introduced and read three times this 22nd day of May, 2012.

Adopted this 22nd day of May, 2012.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1660

**A BYLAW TO AUTHORIZE AN EXPENDITURE OF FRENCH CREEK BULK WATER
LOCAL SERVICE AREA DEVELOPMENT COST CHARGE FUNDS**

WHEREAS the authority to impose development cost charges within the French Creek Bulk Water Local Service Area was established under "Regional District of Nanaimo French Creek Bulk Water Local Service Area Development Cost Charge Bylaw No. 1089, 1998";

AND WHEREAS in accordance with Section 935(5) of the *Local Government Act*, the use of development cost charge funds must be authorized by bylaw;

AND WHEREAS the Board wishes to authorize the use of development cost charge funds with respect to bulk water infrastructure obtained in 2011, and the expenditures are eligible development cost charge program expenditures;

AND WHEREAS the amount to be expended is \$77,400;

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

1. The sum of Seventy Seven Thousand and Four Hundred Dollars (\$77,400) is hereby appropriated for the purchase of bulk water infrastructure in 2011.
2. This bylaw may be cited as the "French Creek Bulk Water Local Service Area Development Cost Charge Funds Expenditure Bylaw No. 1660, 2012".

Introduced and read three times this 22nd day of May, 2012.

Adopted this 22nd day of May, 2012.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RDN REPORT	
CAO APPROVAL <i>CAW</i>	
EAP	
COW	✓
MAY 02 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

FROM: Nancy Avery
General Manager, Finance & Information Services

DATE: April 7, 2012

File:

SUBJECT: Request to support development of a community cottage hospital in District 69

PURPOSE:

To consider the request to support an initiative to develop a community cottage hospital to serve residents in District 69.

BACKGROUND:

At the regular Board meeting held February 28, 2012 the Board received a delegation seeking the Board’s support for the development a community cottage hospital in District 69. The presentation noted that to date the Vancouver Island Health Authority has not supported inpatient beds in District 69 despite ongoing requests for this type of service. The Vancouver Island Health Authority is responsible for evaluating and determining where and how to provide health care services to residents on Vancouver Island. The Regional Hospital District is a funding agency through which local taxpayers provide a portion of the capital cost of new facilities. This particular project description appears to be focused primarily on operating costs which is not within the authority of the Regional Hospital District.

Some of the suggested medical services which would be provided at the proposed community cottage hospital include dialysis, foot and dental care, blood pressure monitoring, primary care, x-ray, and laboratory facilities. Most of these services will also be available at the Oceanside Health Centre. Dialysis services are currently centralized at the Nanaimo Regional General Hospital in a new recently completed renal centre – a project which was cost shared by Regional District taxpayers in the amount of \$5.5 million. The new centre almost eliminates the drive by residents from this region and north to Victoria for dialysis treatment.

At the Board meeting held March 27, 2012 Mr. Chris Sullivan, Director of Capital Planning from VIHA provided an overview of the results of the most recent master planning review of the Nanaimo Regional General Hospital site. Future phases include redevelopment of the boiler plant, construction of a new patient tower as well as expansion of the ambulatory care centre. While no cost estimates were available it was suggested that a new patient tower could be in the range of \$300 million (Regional District share - \$120 million). Staff currently project that by the end of 2013 the outstanding debt for Regional Hospital District purposes will be \$33.8 million.

The final configuration of hospitals and other types of health care facilities on Vancouver Island, as well as the types of services provided in each will be changing over many years so it is difficult to compare what exists now with what may be available in the future. With the exception of inpatient services the Oceanside Health Centre will be one of the first examples of its kind in Canada which fully integrates the delivery of care and the monitoring of the health of its patients.

ALTERNATIVES:

1. Provide a letter of support to the proponents of the community cottage hospital concept and appoint a member of the Regional Board to a proposed steering committee.
2. Receive this report for information.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative the Board would take an active role in developing and promoting the concept of a cottage hospital in District 69. The financial implications of participating at the committee level are expected to be modest, being only the amounts paid to the appointed Director for participating in committee meetings.

As noted above, the Regional Hospital District relies on the Vancouver Island Health Authority for analysis and recommendations on the types of capital investment in health care facilities suitable for this region. If a project is supported by VIHA, they would formally approach the Regional Hospital District for cost sharing which would likely include costs to complete feasibility/concept design plans. Further, the proposal at this time is seeking ongoing operating funding which is not within the authority of the Regional Hospital District.

SUMMARY/CONCLUSIONS:

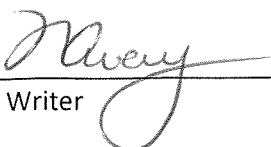
The Board has been approached by proponents of the concept of a community cottage hospital in District 69, seeking Board support for the construction and operation of a 7-bed facility at the Arrowsmith Lodge location. The proponents suggest that it is economically practical to provide a small scale hospital facility in addition to the recently approved Oceanside Health Centre which will be cost shared by Regional District taxpayers in the amount of \$6.3 million.

The proponents have outlined but not sought a specific financial commitment at this time but generally are seeking ongoing operating funding for this alternative facility. They have requested Board support which could include representation on a steering committee.

The Vancouver Island Health Authority is responsible for evaluating and determining where and how to provide health care services to residents on Vancouver Island. The Regional Hospital District is a funding agency through which local taxpayers provide a portion of the capital cost of new facilities. This particular project description appears to be focused primarily on operating costs which is not within the authority of the Regional Hospital District. Staff recommend that at this time, this report be received for information only.

RECOMMENDATION:

That the report on the proposal to establish a community cottage hospital in District 69 be received for information.



Report Writer



CAO Concurrence



RDN REPORT	
CAO APPROVAL <i>CW</i>	
EAP	
COW	✓
MAY 02 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: May 1, 2012

FROM: Nancy Avery
General Manager, Finance & Information Services

FILE:

SUBJECT: Request for Authority to Regulate Sidewalks under a Sidewalk service

PURPOSE:

To obtain endorsement of a resolution requesting authority to regulate and control (operate and maintain) sidewalks within highway rights of way.

BACKGROUND:

In 2004 the Fairwinds Community and Resort (FCR) requested that the RDN establish a service to operate and maintain sidewalks within their development area. While a Regional District can establish a service for this purpose, it does not have express authority to adopt bylaws to regulate the use of the sidewalks. Regulating sidewalks is a power exclusive to municipalities under the Highways Act, wherein they take ownership of this type of infrastructure built with road right of ways under their control. Rural roads remain under the control of the Ministry of Transportation & Infrastructure (MOTI) with the result that sidewalks are uncommon in rural areas. The Regional District sought enabling legislation to allow it to adopt regulatory bylaws for this purpose but was unsuccessful at that time.

In 2008, staff, representatives from the local office of the Ministry of Transportation & Infrastructure, a representative from the Ministry of the Attorney General (MOTI legal counsel) and Fairwinds Community & Resort again met to consider this topic. The Regional District has been advised that MOTI can and is willing to grant a blanket License of Occupation over sidewalks in the Fairwinds neighbourhood. The License would make the Regional District responsible for operating and maintaining the sidewalks. However, concerns regarding liability assumed by the Regional District without the authority to regulate remained and the matter was put into abeyance.

In April 2009 the Fairwinds Community & Resort appeared as a delegation to the Board and requested the Regional District to again review options for establishing a sidewalk operations and maintenance service in the Fairwinds neighbourhood. Over the intervening two years, with the financial support of the Fairwinds Community & Resort, an engineering review has been completed to establish costs to repair the existing sidewalks in order for the Regional District to assume control. No repair work has been undertaken yet, but Fairwinds has committed to paying for the repairs if a new service can be established to be responsible for future costs. Staff have also prepared the necessary bylaws to establish the service and to regulate the use of sidewalks. However, the aspect of regulatory authority remains outstanding.

Staff contacted the Ministry of Community, Sport and Cultural Development with the intent of arranging a meeting with them and senior members of the Ministry of Transportation & Infrastructure, in order to review the background of this topic and present our draft bylaws. They advised that the Regional

District should first adopt a resolution seeking the regulatory authority and then forward our information in due course.

ALTERNATIVES:

1. Endorse the attached resolution requesting the authority to regulate and control sidewalks within the highway right of way.
2. Do not proceed further.

FINANCIAL IMPLICATIONS:

Alternative 1

To date, approximately \$2,000 has been expended on legal advice and drafting the establishing and regulatory bylaws. These funds would be recovered through the first year budget if a new service is established. If the service is not successfully established, the funds would be recovered by a tax levy across Electoral Area 'E' as provided for in the *Local Government Act*.

Before taking further steps it is now critical that the Regional District obtain clarity regarding the power to regulate as well as maintain sidewalks. While the impetus for the regulatory power is currently focused on the Fairwinds neighbourhood staff recommend submitting a resolution which would grant the power for any sidewalk service established within the Electoral Areas of the Regional District of Nanaimo.

INTERGOVERNMENTAL IMPLICATIONS:

At present, the Regional District of Nanaimo does not have jurisdiction over highways within their boundaries. In order to properly regulate and control sidewalks within highway rights of way, the Regional District requires authority under sections 799 of the *Local Government Act* (Additional Powers and Exceptions), sections 36 (General authority in relation to highways), 38 (Temporary traffic restriction and traffic control) and 46 (Use of highways and public places) of the *Community Charter* and sections 124(1)(b)(regulation, control or prohibition of pedestrian or vehicular traffic on sidewalks), 124(1)(u)(enforcement of the bylaw and imposing fines) and 124(1)(v)(use of sidewalks by persons riding cycles) of the *Motor Vehicle Act*.

SUSTAINABILITY IMPLICATIONS:

Trails, paths and sidewalks are a continuum of alternative transportation options which offer both recreation and healthy living benefits. While hard surface sidewalks are the most expensive option for linking spaces within and between neighbourhoods, there may be future developments where this type of infrastructure would be appropriate. To date staff have been unable to support the widespread construction of sidewalks or roadside trails in new neighbourhoods in the Electoral Areas because of the regulatory challenges. Most recently a section of sidewalk has been constructed in Electoral Area 'A' as part of the park amenity associated with the Cedar Estates subdivision. This sidewalk is akin to a trail connection and will be maintained through the Electoral Area 'A' Community park budget.

If the initiative to create a service in Electoral Area 'E' is successful it will offer an additional option for future developments where hard surface sidewalks may be considered appropriate.

SUMMARY/CONCLUSIONS:

Interest in the Regional District assuming care and control of sidewalks constructed in the Fairwinds neighbourhood has been ongoing since 2004. Staff have most recently established that the Ministry of Transportation & Infrastructure will allow the Regional District to operate and maintain the sidewalks under a License of Occupation. The Fairwinds Community & Resort has covered the cost of an engineering review of the existing stock of sidewalks and has committed to bringing the sidewalks to an agreed level of repair if the necessary bylaws can be adopted.

Regional Districts do not have automatic authority to regulate the use of sidewalks and must obtain special authority from the Province. This was attempted in 2005, and proved unsuccessful. However, given the extensive work and correspondence between the Regional District and the Ministry of Transportation & Infrastructure in the intervening years, staff are optimistic that a new request will be received positively.

While the impetus for the regulatory power is currently focused on the Fairwinds neighbourhood staff recommend submitting a resolution which would grant the power for any sidewalk/roadside trail service established within the Electoral Areas of the Regional District of Nanaimo.

RECOMMENDATION:

1. That the Board endorse the following resolution requesting the authority to regulate sidewalks and/or roadside trails within the Electoral Areas of the Regional District of Nanaimo.

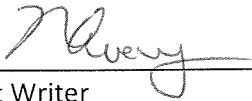
WHEREAS the Regional District has the authority to establish services which it considers necessary or desirable for all or a part of the regional district;

AND WHEREAS the Regional District wishes to establish services to operate, maintain and replace sidewalks and/or roadside trails within the Electoral Areas of the Regional District of Nanaimo;

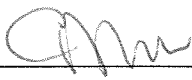
AND WHEREAS the Regional District wishes to obtain the authority to regulate sidewalks and/or roadside trails constructed within the Electoral Areas of the Regional District of Nanaimo;

NOW THEREFORE BE IT RESOLVED THAT:

That the Lieutenant Governor in Council, by regulation under section 799 of the *Local Government Act*, grant to the Regional District the authority to regulate sidewalks and/or roadside trails within a service established to own, construct, operate and maintain sidewalks or roadside trails and boulevards within an Electoral Area within the Regional District of Nanaimo, and that in the operation of the service, the Regional District have the authority under sections 36, 38 and 46 of the *Community Charter* and sections 124(1)(b), 124(1)(u) and 124(1)(v) of the *Motor Vehicle Act*.



Report Writer



CAO Concurrance



RDN REPORT	
CAO APPROVAL <i>(Signature)</i>	
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MAY 02 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: May 1, 2012

FROM: Nancy Avery
General Manager, Finance & Information Services

File:

SUBJECT: Wellington Fire Protection Service Area - Fire Response and Superior Tanker Shuttle Rating

PURPOSE:

To provide information regarding the review of alternatives for improving fire protection response in the Wellington contract area.

BACKGROUND:

The City of Nanaimo provides fire protection under a service contract to properties along Doumont and Biggs Road on its western boundaries, called the Wellington Fire Protection Service Area. The contract arrangement has been in place for more than 20 years. At present most responses to fires in the area are responded to by the firehall station on Hammond Bay Road.

The Mountain Fire Protection District (East Wellington Fire Department) is an improvement district also adjacent to the City of Nanaimo’s western boundary lying to the south of the Regional District service area. Its firehall is located at the corner of Meadow Way and Jingle Pot Road – almost in the center of its boundaries.

Early in 2011 a resident in the service area made an enquiry to the City of Nanaimo asking whether the City could qualify for a Superior Tanker Shuttle rating. The Fire Underwriters Survey provides a special rating to fire departments capable of delivering a specified quantity of water in a specified period of time, using water tankers only. If the City obtained this rating, insurance companies would typically lower property insurance premiums, in some cases by up to 50%.

At its meeting held April 26, 2011 the Board directed staff to:

“Review alternatives for fire protection in the East Wellington contract area including seeking a Superior Tanker Shuttle rating by the City of Nanaimo and/or boundary changes which would place residences as close as possible to a responding firehall.”

This report is intended to provide an overview of the initial staff findings on this topic.

The map attached to this report illustrates the location of the nearest City of Nanaimo responding firehall and the East Wellington Fire Department hall. The two circles on the map illustrate the potential circle of response at 8 kms from either hall. 8 kms driven distance is the typical standard considered by

insurance companies when evaluating fire risk. The potential circles of response on the map are larger than the driven distances but serve to illustrate that both firehalls are well within 8 kms from all parts of the Wellington service area. The approximate driven distance from the Hammond Bay firehall to the farthest portion of the Wellington contract area is 8 kms. The East Wellington firehall is closer to properties in the lower third of the Wellington contract area, but in some cases must travel on City of Nanaimo roads to reach those properties.

The City of Nanaimo has advised that it cannot meet the Superior Tanker Shuttle rating because it does not have sufficient equipment to meet the water flow and delivery requirements.

ALTERNATIVES:

There are no alternatives presented at this time.

FINANCIAL IMPLICATIONS:

It is our understanding that the Province does not generally support the expansion of fire protection only Improvement District boundaries so financial implications are not addressed in this report.

SUMMARY/CONCLUSIONS:

Staff have investigated whether the City of Nanaimo is capable of and willing to become Superior Tanker Shuttle rated as part of its contract to provide fire protection to parts of East Wellington. The City has advised that it no longer has the equipment to achieve this certification and would be reluctant in any case, to do so.

Staff also briefly reviewed whether a boundary amendment would improve fire fighting response in this area and have concluded that there does not appear to be any significant improvement to be gained. Any boundary amendment would need to be approved by the Province and it is our understanding that the Province does not generally support the expansion of fire protection only Improvement District boundaries.

Staff recommend taking no further action at this time.

RECOMMENDATIONS:

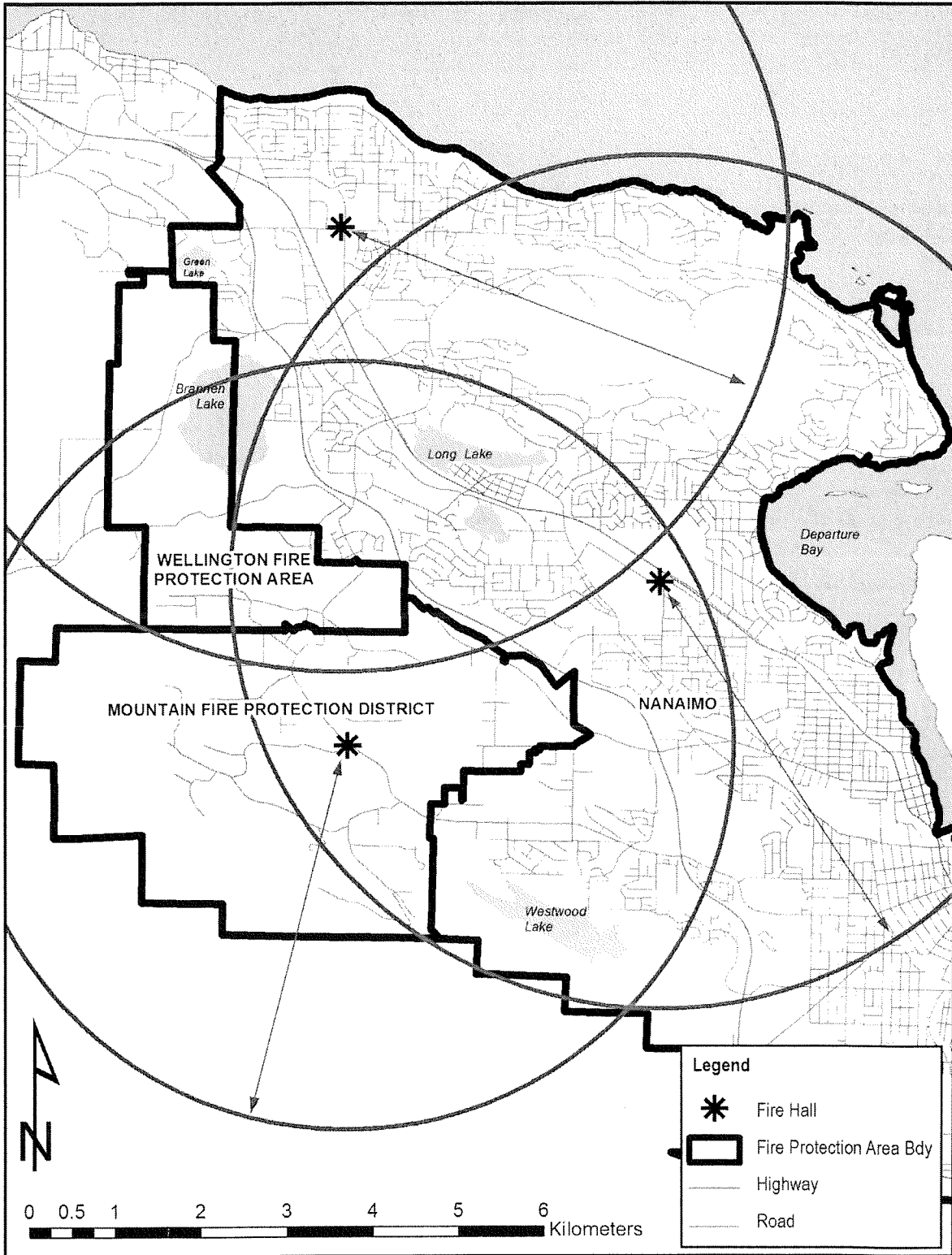
That the review of Superior Tanker Shuttle rating and boundary amendment alternatives for the Wellington Fire Protection Service Area be received for information and no further action be taken at this time.



Report Writer



CAO Concurrence





RDN REPORT	
CAO APPROVAL <i>(Signature)</i>	
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APR 30 2012	
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BOARD	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: April 23, 2012

FROM: Lainya Rowett
Senior Planner

FILE: 0360 20 AAC

SUBJECT: Draft Agricultural Area Plan

PURPOSE

To provide information about the completion of the draft Regional District of Nanaimo (RDN) Agricultural Area Plan, and a proposed workshop for the Regional Board to discuss the draft Plan.

BACKGROUND

In February 2012, staff provided an update to the Board on Phase 1 of the RDN Agricultural Area Plan (AAP), the completion of a technical background report. The report provided the results of a preliminary Agricultural Land Use Inventory, a statistical profile of agriculture and aquaculture in the region, and an examination of the biophysical, socio-economic, and regulatory context for food production in the RDN.

In March 2012, the project Consultant, Upland Consulting, submitted Phase 2 of the AAP, the draft Plan entitled, "Regional District of Nanaimo Agricultural Area Plan - Draft". This draft was subsequently reviewed by staff and the AAP Steering Committee (the Agricultural Advisory Committee), and amended further, as circulated to the Board. The draft Plan builds on the results of the background report (Phase 1), and includes the following information:

- A review of local land use policies and regulations;
- Discussion about the public engagement process;
- A vision statement for agriculture in the RDN;
- Goals and objectives to achieve the vision;
- Recommendations for implementation actions;
- An implementation strategy;
- A monitoring and evaluation plan;
- Additional resources.

DISCUSSION

The objectives of the AAP were to provide clear and implementable recommended actions towards the goal of enhancing local food production in the RDN. Based on extensive public input and background research, the draft Plan identifies seven broad goals:

1. Protect and enhance the agricultural land base in the RDN.
2. Strengthen the local agriculture and aquaculture economy.
3. Improve training, skills, labour opportunities in the RDN.
4. Improve opportunities for on-farm water resource management.

5. Address environmental sustainability, wildlife, and climate change challenges in the RDN.
6. Promote agriculture and aquaculture through education and celebration.
7. Support agriculture and aquaculture in land use regulations and policies.

For each goal, the draft Plan then identifies specific objectives and recommended actions to be taken with an indication of the priority, timeframe, key players, and level of resources required to achieve each objective. This information is presented in detail in the Recommended Actions for Implementation tables in the Plan. These recommendations also specify when the RDN's role as a key player would be to lead a particular action or support others taking action to implement the Plan objectives. In order to effectively discuss the draft Plan and these recommendations with the Board, staff recommends a Board workshop be held in May 2012.

ALTERNATIVES

1. To receive the "Regional District of Nanaimo Agricultural Area Plan - Draft" prepared by Upland Consulting, and to participate in a Board workshop on May 15, 2012 to discuss the draft Plan.
2. To provide staff with alternative direction.

FINANCIAL IMPLICATIONS


As discussed in this report, the draft Agricultural Area Plan includes a variety of recommendations and implementation actions for consideration by the Board. The resource implications of these recommendations will need to be reviewed by the Board as part of the Board's decision on implementation of the Plan. Further dialogue about the draft Plan and financial implications is proposed to occur in a Board workshop to be held in May 2012.

SUMMARY/CONCLUSIONS

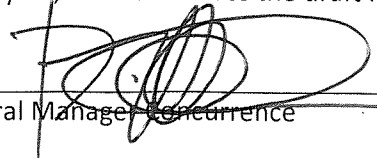
The project Consultant has completed Phase 2 of the RDN Agricultural Area Plan (AAP) with the completion of a draft Plan. The draft Plan outlines the existing regulatory framework affecting agriculture in the RDN; a community vision for agriculture; seven broad goals and supporting objectives and actions for implementation; as well as implementation and evaluation strategies. The draft Plan recommends several actions in which the RDN would participate in either a leading or supportive role in implementing the Plan objectives. In order to effectively discuss the draft Plan and these recommendations with the Board, staff recommends a Board workshop be held in May 2012.

RECOMMENDATION


That the Board receive the "Regional District of Nanaimo Agricultural Area Plan - Draft" prepared by Upland Consulting, and participate in a Board workshop on May 15, 2012 to discuss the draft Plan.



 Report Writer



 General Manager Concurrence



 Manager Concurrence



 CAO Concurrence



CAO APPROVAL	
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COW	✓
APR 30 2012	
RHD	
BOARD	

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

DATE: April 24, 2012

FROM: Sharon Horsburgh
Senior Zero Waste Coordinator

FILE: 4320-100-29

SUBJECT: **Waste Stream Management License Application**
BFI Canada Inc., 1429 Springhill Road, Electoral Area F

PURPOSE

To notify the Board that BFI Canada Inc., has applied for a Waste Stream Management License for their Parksville Recycling Transfer Facility located at 1429 Springhill Road, Area F.

BACKGROUND

In 2005, the Board adopted Waste Stream Management Licensing Bylaw (WSML) No. 1386. This bylaw operates under the RDN Solid Waste Management Plan (SWMP) which defines a regulatory system for the management of all privately operated municipal solid waste and recyclable material operations. The goal of the regulatory system is to ensure proper management of privately operated facilities by specifying operating requirements so as to protect the environment, to ensure that regional and municipal facilities and private facilities operate to equivalent standards, and to achieve the objectives of the SWMP.

Once licensed facilities are in place the RDN is able to ban materials from disposal, diverting them from the landfill and providing valuable feedstock for local mills and facilities. The following recyclable materials are banned at the regional solid waste facilities: gypsum (1991), land clearing waste (1992), scrap metal (1997), tires (1997) recyclable paper (1997), commercial organic waste (2005), garden waste (2007), wood waste (2007), stewardship materials (2007), household plastic containers (2009) and metal food and beverage containers (2009).

Currently there are eleven licensed sites and four applications under evaluation. In 2011, these facilities processed approximately 110,000 tonnes of material, which contributed to the RDN's 67% diversion rate. A list of licensed facilities is attached as Appendix 1.

License Application Evaluation Process

Under Bylaw 1386, staff considers the following matters with respect to facility applications:

- a) potential risk posed to the environment and/or public health,
- b) protection of the environment,
- c) comments from the host municipality relating to compliance with local zoning or other bylaws that may affect a facility design and/or operating plan,
- d) comments from persons who consider themselves adversely affected,
- e) compliance with the RDN Solid Waste Management Plan,
- f) compliance by the applicant with the requirements to pay fees and report quantities received and stockpiled.

Once all requirements under the WSML bylaw are completed and evaluated to the satisfaction of the General Manager, the General Manager may issue a facility license with terms and conditions that may be necessary to protect the environment and to achieve the objectives of the bylaw and the SWMP.

Public Notification Process

The WSML bylaw has a provision for public notification with respect to facility license applications. Facility operators are required to run a series of advertisements in the local newspaper and to post visible signage at the facility property line. Persons who consider themselves adversely affected by the granting of a facility license, can within 45 days of the date of the first posting, publishing or display required by the bylaw, notify the General Manager in writing setting out the reasons why they consider themselves adversely affected. The General Manager will provide a copy of the written reasons submitted by the persons who consider themselves adversely affected to the applicant and allow the applicant to respond. Although there is no requirement in the bylaw to directly notify the Board, staff policy is to inform the Board once a facility license application enters the public notification process.

BFI Canada Inc. Application

BFI Canada Inc. has submitted a facility license application for evaluation. A northern recycling transfer facility was a requirement of the RDN's 2010 curbside collection request for proposal. BFI was awarded this contract, and located its Recycling Transfer Facility at 1429 Springhill Road in Area F (see site map attached in Appendix 2). The site is zoned CD - 17 and a recycling transfer facility is a permitted use in this area. RDN staff have confirmed the intended use meets the zoning requirements.

BFI's facility is designed to accept material from the residential curbside recycling program and will also accept commercial loads from BFI or other haulers. BFI Canada Inc. is proposing to accept the following quantities of recyclable materials annually:

Material	Annual Quantity (Tonnes)
Paper & Cardboard	2,600
Plastic	2,600
Construction and Demolition	390
Clean Wood Waste	390
Total	5,980

Staff has evaluated the Site Operating Plan submitted by the applicant and it meets the requirements of the WSML bylaw. Consequently BFI has met all WSML requirements and is ready to move to the public notification stage of the facility application process. Any comments submitted during this process will be reviewed as part of the evaluation of the facility license application. Only after careful consideration will the General Manager issue a facility license.

ALTERNATIVES

No alternatives are presented in this report as it is being submitted for information.

FINANCIAL IMPLICATIONS

BFI will provide the RDN with a security deposit in the amount of \$2,025 as a guarantee to be used for site cleanup should the business cease to operate and materials are abandoned on site. The security deposit is based on the cost to dispose of negative value material. As the majority of the incoming material is revenue generating the deposit is based on quantity the maximum quantity of construction and demolition material that may be stored on site.

SUSTAINABILITY IMPLICATIONS

The WSML Bylaw is part of the region’s Zero Waste strategy and is an integral part of our goal to divert waste from the landfill. Diverting material away from the landfill and into recycling contributes to the region’s sustainability by saving expensive landfill capacity as well as reducing greenhouse gas emissions. The WSML Bylaw has encouraged private sector investment in solid waste and recycling infrastructure, which has supported local economic development throughout the Region.

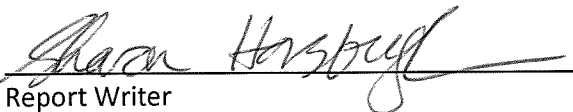
SUMMARY/CONCLUSIONS


In 2005, the RDN board adopted Waste Stream Management Licensing Bylaw (WSML) No. 1386. This bylaw operates under the RDN Solid Waste Management Plan which defines a regulatory system for the management of all privately operated municipal solid waste and recyclable material operations. The intent of the WSML regulatory framework is to set a high standard of operation for waste management facilities in the Regional District of Nanaimo.


This report is to inform the Board that BFI Canada Inc. has applied for a facility license under Bylaw 1386. The subject property located at 1429 Springhill Road in Area F and is designated CD -17. A Recycling Transfer Facility is consistent with the land use designation and is compatible with surrounding land uses and the proposed operation does not have a negative impact on the area. BFI has prepared a Site Operating Plan that meets the requirements of Bylaw 1386 and staff have directed them to proceed with the public notification process as required under the bylaw.

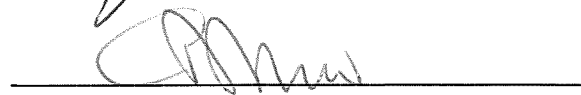
RECOMMENDATION

That the Board receive the report on the Waste Stream Management License application from BFI Canada Inc. for information.


Report Writer

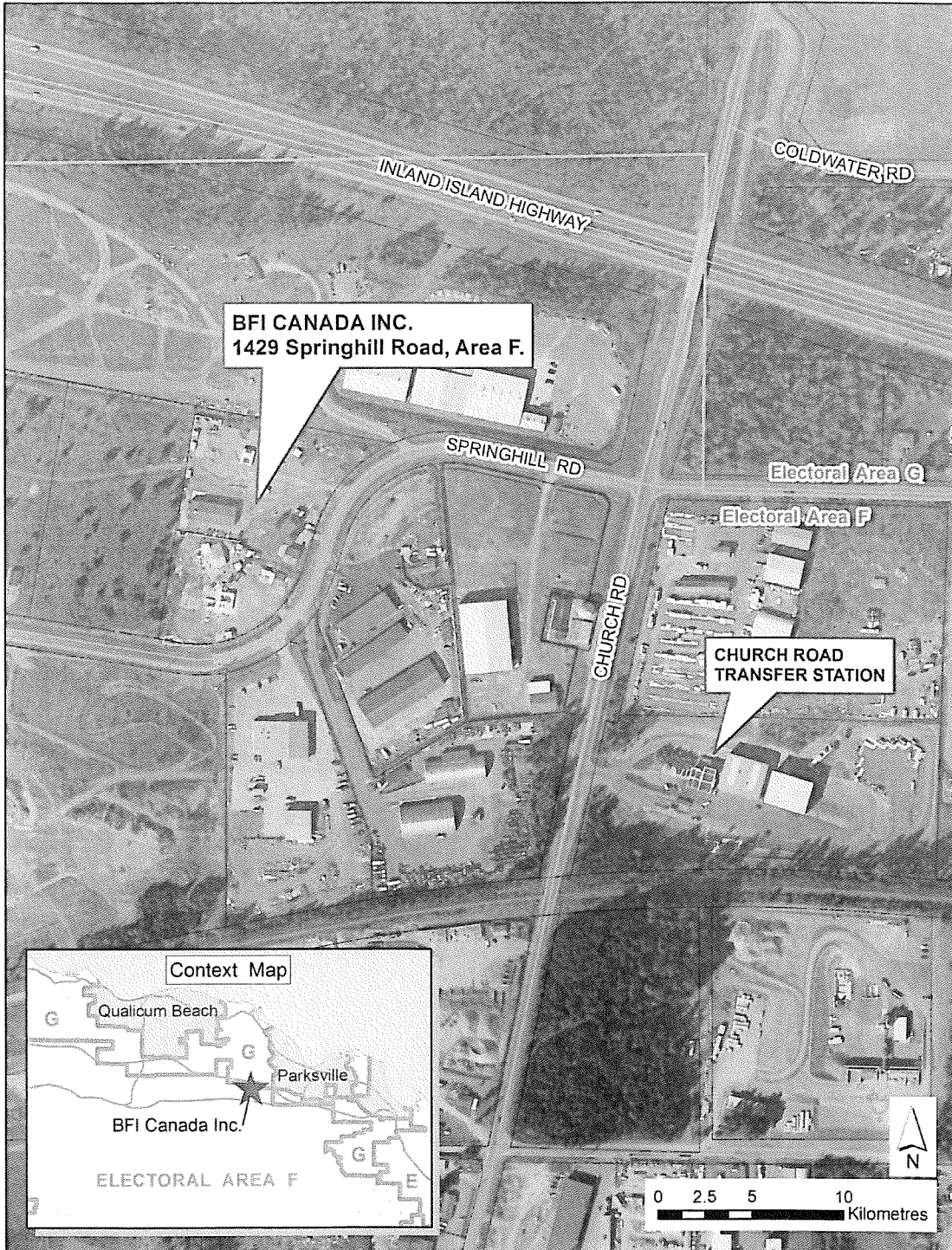

Manager Concurrence


General Manager Concurrence


CAO Concurrence

WSML Licensed Sites			
Facility	Issue Date	Material	Location
International Composting Corporation (ICC)	2006	Food waste, yard waste	981 Maughan Rd, Nanaimo
Parksville Bottle and Recycling Depot	2007	Cardboard, newsprint, paper plastics, scrap metal, glass	611 Alberni Hwy (Area G)
BFI Nanaimo Recycling Facility	2008	Mixed paper, cardboard, newsprint, scrap metal, plastic, glass	333-10 th Street, Nanaimo
Steel Pacific Recycling (Schnitzer Steel)	2008	Scrap metal	2079 Main Road, (Area A)
Emterra Environmental	2008	Mixed paper, cardboard, newsprint, scrap metal, plastic, glass	225 Eaton Street, Nanaimo
Timberland Industries Ltd.	2010	Clean wood, yard waste, land clearing	Weigles Rd. (Area C)
Pacific Coast Waste Management (PCWM)	2010	Clean wood, yard waste and land clearing.	4299 Biggs Road, (Area C)
Alpine	2011	Construction & demolition, gypsum	2250 McGarrigle Rd, Nanaimo
Porter Wood Recycling	2011	Clean wood, yard and garden and land clearing	911 Church Road (Area F)
Earthbank Resource Systems	2011	Fish waste, yard waste, clean wood waste	1424 Hodge's Road, (Area G)
Cascades Recovery Inc.	2012	Mixed paper, cardboard, newsprint, scrap metal, plastic, glass	800 Maughan Road, Nanaimo

Appendix 2



REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE
MEETING HELD ON FRIDAY, APRIL 27, 2012
IN THE RDN COMMITTEE ROOM**

Present:

D. Johnstone	Chairperson
B. Dempsey	District of Lantzville
J. Fell	Electoral Area F
J. McLeod	Representative (South)
C. Evans	Representative (South)
C. Springford	Representative (North)
A. Brown	Representative (North)
R. Wahlgren	Representative (North)

Also in Attendance:

I. Smith	Upland Consulting
A. Lawseth	AEL Agroecological Consulting
W. Haddow	BC Ministry of Agriculture
M. Young	Director, Electoral Area C
P. Thorkelsson	General Manager of Development Services
J. Holm	Manager, Current Planning
L. Rowett	Senior Planner
K. Sanders	Recording Secretary

Regrets:

A. Benson	Representative (South)
K. Reid	Representative (North)

CALL TO ORDER

The meeting was called to order at 2:02 pm by the Chair.

MINUTES

MOVED Director Fell, SECONDED Director Dempsey, that the minutes of the Agricultural Advisory Committee meeting held on February 24, 2012 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED J. McLeod, SECONDED Director Fell, that the Committee accept the Provincial Report on BC Agriculture Climate Change Adaptation for information.

REPORTS

Draft Agricultural Area Plan

The Committee discussed the draft Plan document with staff and the Consultant (Upland Consulting), and provided feedback on the Plan.

Staff provided an update on the next steps in the Plan process including additional public consultation.

MOVED Director Dempsey, SECONDED Director Fell, that verbal report on the Draft Agricultural Area Plan be accepted.

CARRIED

NEW BUSINESS

MOVED J. McLeod, SECONDED A. Brown, that a representative from the VIEx be invited to an AAC meeting.

ADJOURNMENT

MOVED J. McLeod, SECONDED Director Dempsey, that this meeting be adjourned.

CARRIED

Time: 3:40 pm

CHAIRPERSON