

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, OCTOBER 28, 2014
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
 - 9-32 **Richard Rosenthal, Independent Investigations Office of BC**, re Overview of the IIO.
 - 33 **Rob Lawrance, City of Nanaimo, and Rob Grey, ReMax Nanaimo**, re Real Estate Energy Efficiency Project.
 - 34 **Lisa Berlin**, re Presentation on Open Burning / Backyard.
 - 35 **Dennis Lowen**, re Proposed RDN Water supply well at 2629 Parker Road, Nanoose.
- 3. BOARD MINUTES**
 - 36-48 Minutes of the Regular Board meeting held Tuesday, September 30, 2014 (All Directors – One Vote).
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**

(All Directors – One Vote)

 - 49-50 **John Horgan and Selina Robinson, Official Opposition**, re Meetings at 2014 UBCM Convention.
- 6. UNFINISHED BUSINESS**
- 7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
 - 7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**
 - 51-54 Minutes of the Electoral Area Planning Committee meeting held Tuesday, October 14, 2014 (for information) (All Directors – One Vote).

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2014-107 – Pennell – 5481 Deep Bay Drive, Electoral Area ‘H’ (Electoral Area Directors, except EA ‘B’ – One Vote).

That Development Permit No. PL2014-107 to permit the construction of an addition to a dwelling unit within the Hazard Lands DPA be approved subject to the conditions outlined in Attachments 2 to 4.

Development Permit Application No. PL2014-115 – FMC Holdings Ltd. – 1890 Schoolhouse Road, Electoral Area ‘A’ (Electoral Area Directors, except EA ‘B’ – One Vote).

That Development Permit No. PL2014-115 to amend previously issued Development Permit with Variance No. PL2012-166 be approved subject to the conditions outlined in Attachments 2 to 6.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2014-102 – Ryan & Kara Malcolm – 2962 Ridgeway Road, Electoral Area ‘C’ (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations Wishing to Speak to Development Variance Permit Application No. PL2014-102.

That Development Variance Permit No. PL2014-102 to increase the maximum permitted height and floor area for an accessory building containing a secondary suite be approved subject to the conditions outlined in Attachment 2 to 4.

Development Variance Permit Application No. PL2014-064 – Lindsay – 2410 Shady Lane, Electoral Area ‘H’ (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations Wishing to Speak to Development Variance Permit Application No. PL2014-064.

That Development Variance Permit No. PL2014-064 to reduce the setbacks to a watercourse from 15.0 metres to 6.2 metres be approved subject to the conditions outlined in Attachments 2 to 4.

Development Variance Permit Application No. PL2014-100 – Wheeler – 1403 Marina Way, Electoral Area ‘E’ (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations Wishing to Speak to Development Variance Permit Application No. PL2014-100.

That Development Variance Permit No. PL2014-100 to reduce the setbacks to the interior side lot lines, setback to the sea and increase the maximum allowable height to legalize the siting of an existing dwelling unit, be approved subject to the conditions outlined in Attachments 2 to 4.

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variance Application No. PL2014-032 – Parksville Redi-Mix Ltd. – 10 Nanaimo River Road, Electoral Area ‘A’ (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations Wishing to Speak to Development Permit with Variance Application No. PL2014-032.

That Development Permit with Variance No. PL2014-032 to permit the construction of a concrete batch plant be approved subject to the conditions outlined in Attachments 2 to 4.

Development Permit with Variance Application No. PL2014-089 – Johnson – 235 Driftwood Road, Electoral Area ‘H’ (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations Wishing to Speak to Development Permit with Variance Application No. PL2014-089.

That Development Permit with Variance No. PL2014-089 to legalize the siting of an existing dwelling unit and permit an addition to the dwelling unit within the Hazards Land Development Permit Area be approved subject to the conditions outlined in Attachments 2 to 4.

Development Permit with Variance Application No. PL2014-118 – Haggarty – 1318 Lanyon Drive, Electoral Area ‘G’ (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations Wishing to Speak to Development Permit with Variance Application No. PL2014-118.

That Development Permit with Variance No. PL2014-118 to permit the construction of an accessory building be approved subject to the conditions outlined in Attachments 2 and 3.

OTHER

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-046 – Lost Lake Properties Ltd. – Sumar Lane, Electoral Area ‘G’ (Electoral Area Directors, except EA ‘B’ – One Vote).

That the request to relax the minimum 10% perimeter frontage requirement for the remainder lot be approved.

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-077 – Giuriato – 2909 Turnbull Road, Electoral Area ‘H’ (Electoral Area Directors, except EA ‘B’ – One Vote).

That the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 3 be approved.

Amendments to Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987; Regional District of Nanaimo Electoral Area ‘F’ Zoning & Subdivision Bylaw No. 1285, 2012; and Board Policy B1.5 – Electoral Areas ‘A’, ‘C’, ‘E’, ‘F’, ‘G’, ‘H’ (Electoral Area Directors, except EA ‘B’ – One Vote).

1. *That the Summaries of the Public Information Meetings held on September 16, 17 and 18, 2014, be received.*
- 55-57 2. *That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.396, 2014", be introduced and read two times.*
3. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.396, 2014", be chaired by Director Stanhope or his alternate.*
- 58-60 4. *That "Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.22, 2014", be introduced and read two times.*
5. *That the Public Hearing on "Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.22, 2014", be chaired by Director Fell or his alternate.*
6. *That the Board approve the revision as proposed to Board Policy B1.5 Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation.*

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

61-65 Minutes of the Committee of the Whole meeting held Tuesday, October 14, 2014 (for information) (All Directors – One Vote).

COMMUNICATION/CORRESPONDENCE

(All Directors – One Vote)

Gary and Joan Lansdell, re Parker Road well and water to the RDN system.

That the correspondence from Gary and Joan Lansdell regarding the Parker Road well and water to the Regional District of Nanaimo system be received.

Leonard Krog, MLA, re Morden Colliery Historic Provincial Park.

That the correspondence from Leonard Krog, MLA, regarding Morden Colliery Historic Provincial Park be received.

Dawn Nedzelski and Elin Bjarnason, Island Health, re Meeting Request with Island Health Representatives and Nanaimo Regional Hospital Board.

That the correspondence from Dawn Nedzelski and Elin Bjarnason, Island Health, regarding a meeting request with Island Health Representatives and Nanaimo Regional Hospital Board be received.

Vancouver Island Regional Library, re 2015-2019 Adopted Financial Plan.

That the correspondence from Vancouver Island Regional Library regarding the 2015 – 2019 adopted Financial Plan be received.

CAO

2014 Service Area Work Plan Project Update (All Directors – One Vote).

That the Board receive the progress report on the 2014 Service Area Work Plan Project Update for the reporting period of January to September, 2014, for information.

RECREATION AND PARKS

RECREATION SERVICES

Gabriola Recreation Society Agreement Renewal 2015 – 2018 (All Directors – Weighted Vote).

That the Agreement attached as Appendix 'A' with the Gabriola Recreation Society be renewed for a three year term from January 1, 2015 through December 31, 2017.

ADVISORY AND SELECT COMMITTEE, AND COMMISSION

District 69 Recreation Commission.

Minutes of the District 69 Recreation Commission Meeting held Thursday, September 18, 2014 (All Directors – One Vote).

That the minutes of the District 69 Recreation Commission meeting held Thursday, September 18, 2014 be received for information.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

(All Directors – One Vote).

That the Regional District of Nanaimo Board direct staff to delay putting the well, located at 2729 Parker Road, Nanoose Bay, into regular service in the Nanoose Bay Peninsula Water Service Area, for a period of at least one year, pending further discussions with residents to address their concerns; and to develop and implement a local well water monitoring program, in consultation with local residents.

NEW BUSINESS

Ban on Large Scale Land Clearing (All Directors – One Vote).

That staff be directed to write to the appropriate provincial ministries to urge the consideration of a ban on large scale land clearing debris burning in electoral areas on municipal boundaries and that other more environmentally friendly methods be used to dispose of such debris.

7.4 COMMISSIONS

District 69 Recreation Commission

66-68

Minutes of the District 69 Recreation Commission Meeting, held Thursday, October 16, 2014 (All Directors – One Vote).

District 69 Grants (Parksville, Qualicum Beach, EAs E, F, G, H – Weighted Vote).

- 1. *That the following District 69 Youth Recreation Grant Applications be Approved:*

Arrowsmith Community Recreation Association	1,100
District 69 Family Resource Association- youth drop-in food	1,085
Ravensong Waterdancers Synchronized Swimming Club	1,780
Total	\$3,965

- 2. *That the following District 69 Community Recreation Grant applications be approved:*

Arrowsmith Agricultural Association – Family Day Celebration	725
Corcan Meadowood Residents Association – Halloween event	1,345
Family Resource Association – FASD activities/camps	1070
Forward House Community Society – recreation activities	2,230
Lighthouse Community Centre Society – stage lighting	2,500
Lighthouse Community Slo-Pitch League	1,200
Parksville Quilt House Quilter's Guild – facility and equipment rentals	2,500
Ravensong Masters Swim Club	1,250
Total	\$12,820

- 3. *That the unused portion of 2014 District 69 Recreation Grant funds (\$15,728) be placed into a reserve earmarked for the Ballenas track replacement.*

69-78 **District 69 Arena (Parksville Curling Club) Building and Systems Assessment 2014** (Parksville, Qualicum Beach, EAs E, F, G, H – Weighted Vote).

1. *That the Parksville Curling Club continue with capital plan responsibilities as per the existing lease agreement and staff be directed to review funding options, including grants, to replace systems and upgrade the facility to continue as a curling club.*
2. *That the Regional District consider alternative facility uses for the District 69 Arena and associated costs as part of the 2016 Recreation Services Master plan process for District 69.*

8. ADMINISTRATOR’S REPORTS

79-86 **Development Permit Application No. PL2014-121 – Isle West Investments Ltd. – Electoral Area ‘A’** (Electoral Area Directors, except EA ‘B’ – One Vote).

87-92 **Formal Acknowledgement of First Nations Traditional Territory** (All Directors – One Vote).

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

Notice of Motion – Bylaw 1250 (Electoral Areas Only – Weighted Vote) – *At the October 14 Electoral Area Planning Committee Meeting, Director Fell noted that he would be bringing the following motion to the October 28 Board Meeting Agenda:*

That staff be directed to meet with Directors for Electoral Areas ‘A’, ‘C’, ‘F’, and ‘H’ to start discussions on modifications to Bylaw 1250 for owner builders.

13. IN CAMERA

That pursuant to Sections 90 (1)(c) and (e) of the Community Charter the Committee proceed to an In Camera meeting for discussions related to labour relations and land acquisitions.

14. ADJOURNMENT

Re: Overview of the IIO

From: Krenz, Ralph

Sent: Friday, September 19, 2014 3:01 PM

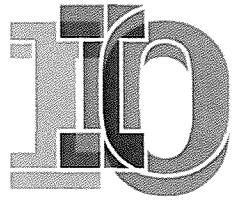
Subject: IIO Presentation to the RDN on October 28, 2014 at 7 pm

Thank you for taking my call!

I have attached some reference documents for information to the counselors in preparation for the presentation.

Thank you,

Ralph Krenz | Stakeholder Relations
Independent Investigations Office



INDEPENDENT Investigations Office of BC

The creation of the Independent Investigations Office (IIO) profoundly changes the way police in British Columbia are investigated as it is mandated to conduct investigations into police-related incidents of death or serious harm in order to determine whether or not an officer may have committed an offence. Incidents of serious harm include injury that may result in death, may cause serious disfigurement or may cause substantial loss or impairment of mobility of the body as a whole or of the function of any limb or organ.

The IIO's jurisdiction extends to, municipal constables and members of the RCMP in BC, the Stl'atl'imx Tribal Police and BC Transit police, both on and off duty and Special Provincial Constables.

The IIO believes that the best way to inform communities about our work is to meet them. To achieve this goal, the IIO has developed a Community Engagement strategy that extends through 2015. This strategy commits IIO staff to attending community meetings across the province to ensuring that communities are well informed of our mandate, operations and investigative structure and to answer any questions that those attending may wish to ask. The Chief Civilian Director Richard Rosenthal of the IIO will be presenting.

For further Information

Ralph Krenz

Ph 604-586-2750

Brief Biography of Richard Rosenthal

Richard Rosenthal was appointed BC's first Chief Civilian Director of the Independent Investigations Office on January 9, 2012. He has extensive experience in civilian oversight of law enforcement having served for 15 years as a Los Angeles County Deputy District Attorney, where he worked in various assignments, including:

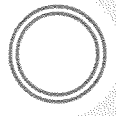
- The central trials division, prosecuting felony violations of the law, including homicides.
- The major fraud division, investigating and prosecuting high-profile financial crimes.
- The special investigation division, where he investigated and prosecuted public officials, judges and police officers.

In 2001, Mr. Rosenthal was hired as Portland's first director of the independent police review division of the city auditor's office. In that capacity, he created Portland's first professional police oversight agency.

In 2005, Mr. Rosenthal was hired to be the city and county of Denver's first Independent Monitor, with jurisdiction over Denver's police and sheriff departments. He was responsible for monitoring the investigations of all officer-involved shootings and in-custody deaths that occurred in Denver, as well as all internal criminal and administrative investigations of police misconduct. Mr. Rosenthal helped implement key changes to the Denver police and sheriff departments' disciplinary processes and created a community-police mediation program.

Mr. Rosenthal has held teaching positions at various universities, including Loyola Law School, Portland State University and the University of Colorado at Denver. He served for five years on the board of directors for the National Association of Civilian Oversight of Law Enforcement (NACOLE). He was also a member of the committee used to create the National Guidelines for Police Monitors, published by the Police Assessment Resource Center in 2008.

TIO **INDEPENDENT** Investigations Office of BC



Overview



- Creation of the IIO
- The Jurisdiction of the IIO
- The composition of the IIO
- Notification
- Investigation framework/MOU
- Reporting

Creation of Civilian Oversight in Canada



1990
Creation
of Ontario
SIU

2008
Creation of
Alberta ASIRT

April 2012
Creation of Nova
Scotia SIRT

September 2012
Creation of BC IIO

March 2013
Announcement of
Manitoba IIU

December 6, 1998
Death of Frank Paul

October 14, 2007
Death of Robert
Dziekanski

Independent Investigations

- The Independent Investigations Office (IIO) has jurisdiction over incidents in B.C. involving on-duty and off-duty municipal police and the RCMP that result in serious harm or death
- The IIO also has jurisdiction over on-duty Provincial Special Constables while they are exercising their Special Constable authority
- Also includes Transit Police and Tribal Police

Defining Serious Harm



- Part 11 of the Police Act defines serious harm as:

“Injury that

- ✦ may result in death,
- ✦ may cause serious disfigurement, or
- ✦ may cause substantial loss or impairment of mobility of the body as a whole or of the function of any limb or organ”

The CCD and IIO Investigators

- The CCD is not permitted to have ever served as a police officer
- The CCD and IIO investigators have “all of the powers, duties and immunities of a peace officer and constable at common law and jurisdiction throughout the Province (s. 38.07(1))
- Currently, 45% of investigators have formerly been police officers. The other 55% have investigative experience in areas other than policing
- No investigator may have served as an officer in BC during the 5 years preceding his/her appointment

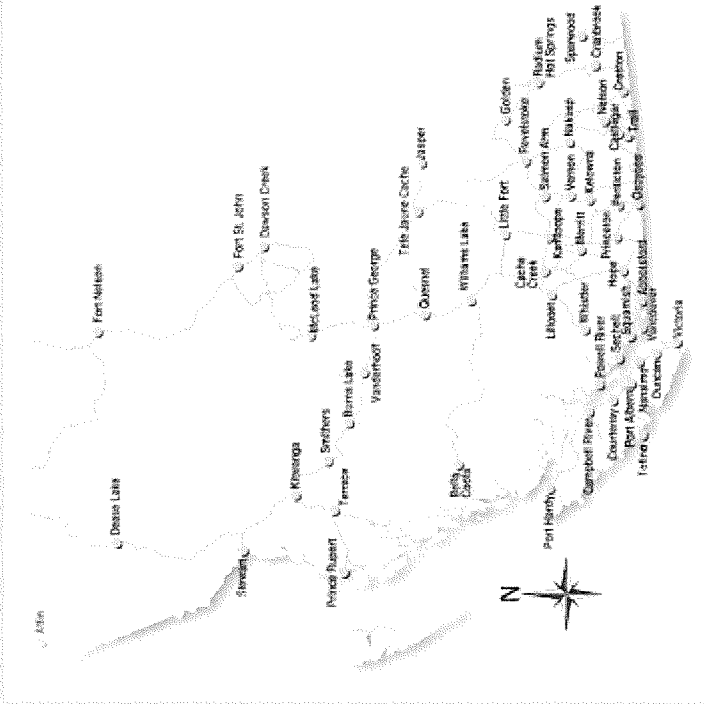
Goals of the IIO

- To complete fair, thorough investigations
- To improve the timeliness of investigations
- Transparency and accountability through public reporting

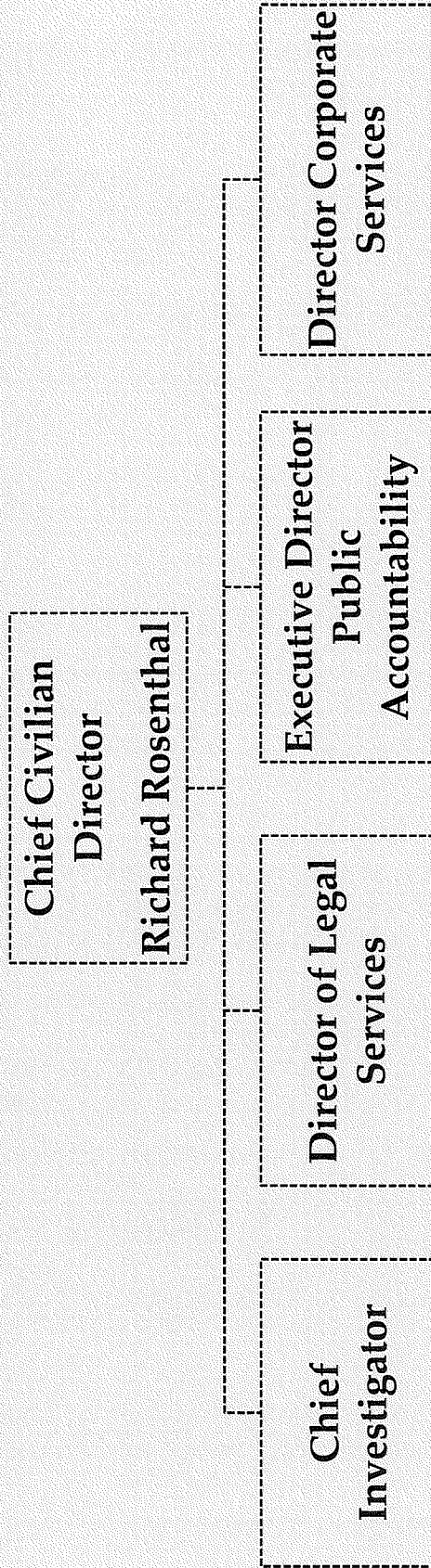
Office Location



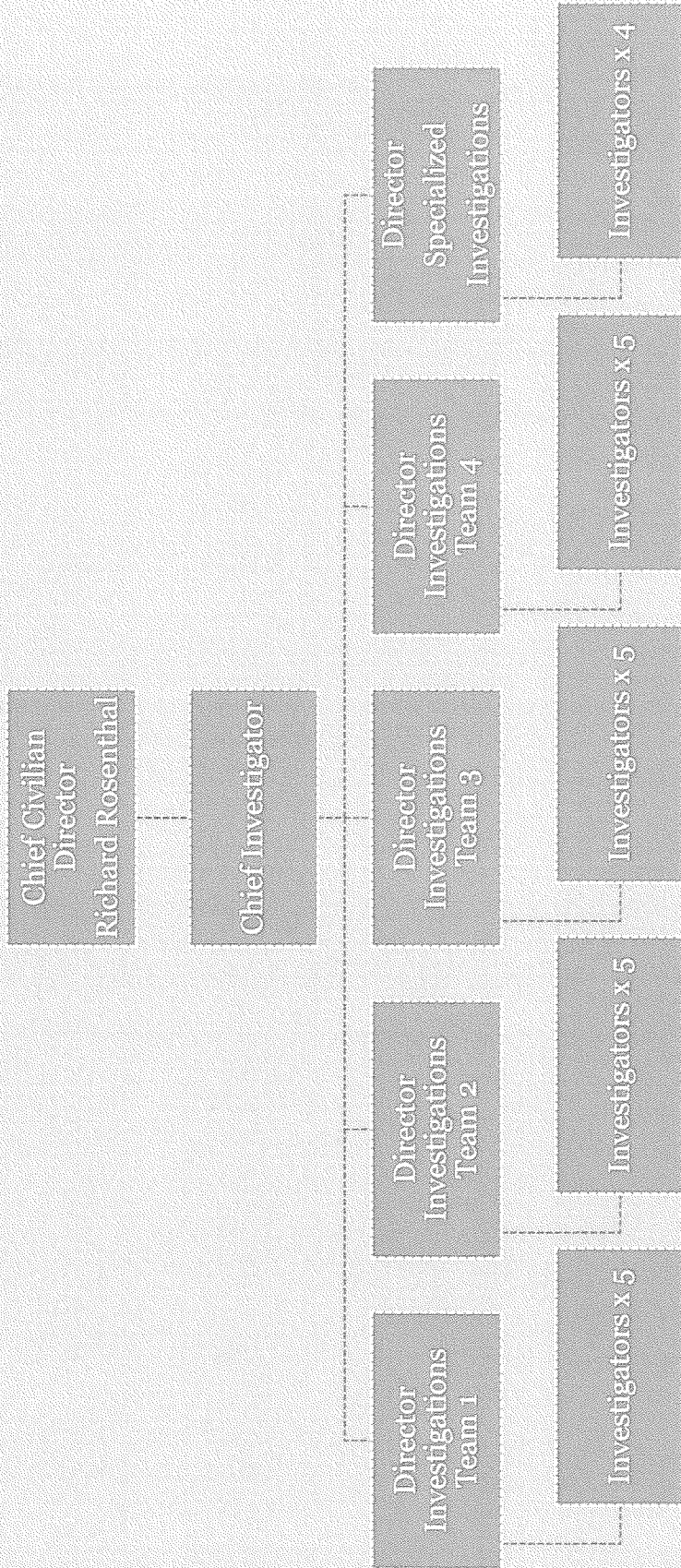
The IIO is located at Surrey Central



Executive Team



Investigation Teams



Memorandum of Understanding with the Police Agencies



Key concepts

- Notification
- Scene Security
- Parallel (concurrent) Investigations
- Specialized Field Services
- Forensic Support
- Exhibit Storage
- Officer Sequestration
- Witness Officer Responsibilities
- Timing of Interviews
- Video Recorded Interviews

Statutory Requirements Applicable to Police Agencies



- Immediate notification of the IIO with respect to cases falling within its mandate (38.09(1))
- Until IIO arrives at the scene of an incident, officers must take any lawful measures necessary to obtain and preserve evidence
- Upon IIO arrival, officers must relinquish control over the investigation of the incident

Statutory Requirements Applicable to Police Witnesses



- 38.101: An officer must cooperate fully with an IIO Investigator in the IIO Investigator’s exercise of powers or performance of duties
- As such, officers designated as “witness officers” may be compelled to make a statement to the IIO in a timely fashion
- Pursuant to 38.102(1): a statement provided during an IIO investigation is inadmissible in evidence in court in a civil proceeding where the officer is a defendant

IIO Notification Outcomes



47%
Decline Immediately

- Team Director determines no nexus and no death/serious harm; recommends decline
- No further IIO involvement

53%
Assert – Determine Serious Harm & Nexus

- Team Director asserts jurisdiction when he/she believes may be nexus and death/serious
- After preliminary investigation, recommends jurisdiction sustain or not
- About half of these result in a full investigation and the other half are closed

26%
Assert and Sustain

- Team Director asserts and CCD sustains immediately as Nexus is clear as is death/serious harm
- IIO conducts full investigation resulting in Public Report or RTCC

Responsibilities of the Chief Civilian Director



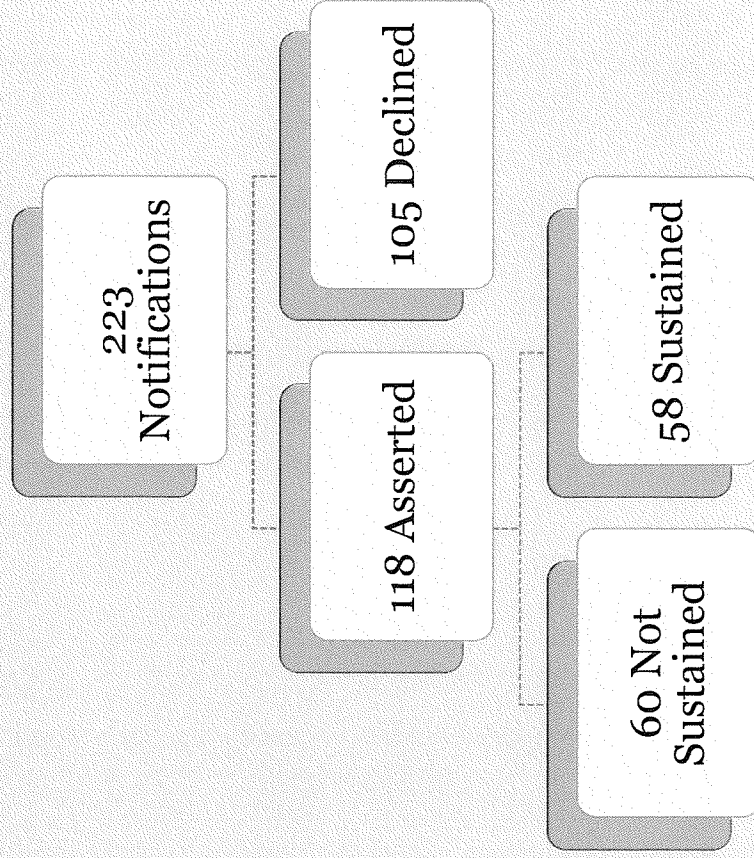
- Reporting to Crown Counsel if the CCD “considers that an officer may have committed an offence under any enactment”
- Where CCD does not make a report to crown, he will conclude the case with a public report after consulting with the Information and Privacy Commissioner

Public Reporting

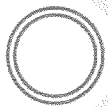
- Where there is a death or significant public interest in a case, and no report to Crown has been made, the CCD will issue a public report containing:
 - A summary of the investigation and its findings; and
 - An explanation as to why the matter is not being reported to Crown Counsel.
- Annual report containing statistical information including, the number and frequency of types of investigations, their outcome and any identified trend.

2013/14 Statistics

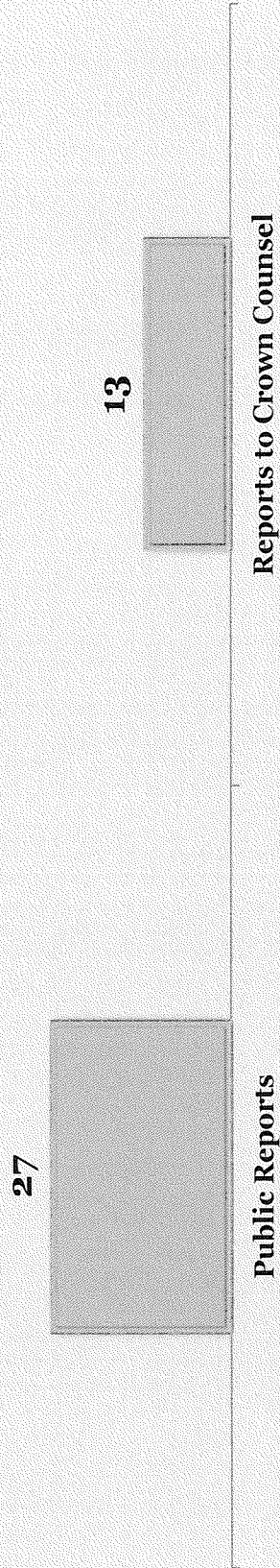
- 223 Notifications received
- 58 Investigations opened
- 40 Investigations closed
- 18 Cases were open as of March 31, 2014



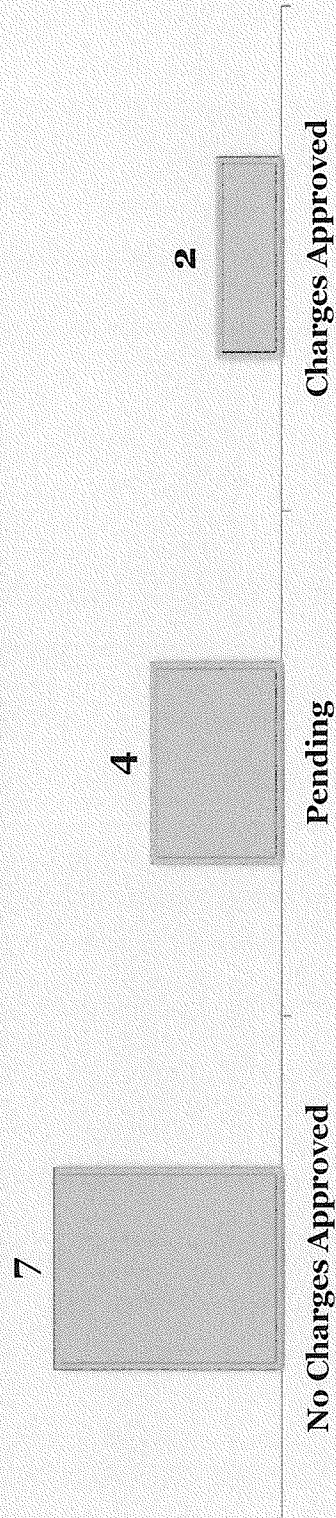
2013/14 Statistics



Closed Investigations 2013/14



Reports to Crown Counsel 2013/14



Legislative Review



- A Special Committee had been struck to review the administration, general operations of the Independent Investigations Office and progress towards civilianization of the investigative staff.
- To submit written and oral submissions from any interested person or organization by any means the committee considers appropriate. <http://www.leg.bc.ca/cmt/40thParl/session-2/iio/index.htm>
- A report will be submitted to the Legislative Assembly within one year, including any recommendations respecting the results of the review.

Contacting the IIO

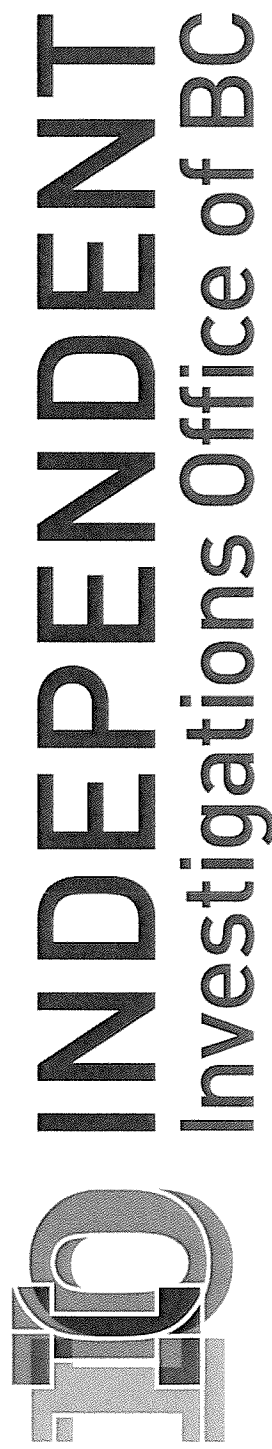


- If you would like to know more about the IIO, please contact:

info@iio.bc.ca

Tel: 604 586 5668

Questions?



Re: Real Estate Energy Efficiency Project

From: Pan, Ting

Sent: Thursday, September 04, 2014 1:31 PM

Subject: delegation

Rob Lawrance from the City of Nanaimo and Rob Grey from ReMax Nanaimo would like to appear as a delegation to the Board to present Real Estate Energy Efficiency Project.

Ting Pan, LEED AP BD+C

Sustainability Coordinator

Regional District of Nanaimo

t: 250 390 6506

e: tpan@rdn.bc.ca

Re: Presentation on Open Burning / Backyard

From: Lisa Berlin

Sent: Monday, October 20, 2014 10:52 AM

Subject: RDN Board Meeting, October 28th 7pm...Lisa Berlin - presentation on Open Burning/Backyard Burning

I would like to make my concern known in regards to the recent open burning of land clearing material on both a Church Road in Parksville and also the land clearing burning that we have endured for the past year in the Dashwood area of Qualicum Beach.

Many thanks

Lisa

Lisa Berlin, MFA, PDPP
White Swan Studio
Qualicum Beach, BC

C: [604.351.2512](tel:604.351.2512)

S: 250.580.1383

www.whiteswanstudio.ca

Re: Proposed RND Water supply well at 2629 Parker Road, Nanoose

From: Dennis Lowen

Sent: Tuesday, October 21, 2014 4:17 PM

Subject: Oct. 28, 2014 RDN Directors Meeting

I would like to submit a request to present a 10 minute talk at the up-coming Regional District of Nanaimo (RDN) director's meeting on October 28, 2014.

The subject of my talk is the proposed RDN water supply well at 2629 Parker Road, Nanoose. I am the consulting hydrogeologist who has been working for the proponent.

Please confirm receipt of this e-mail. Thank you.

Dennis Lowen, P.Eng., P.Geo.

Lowen Hydrogeology Consulting Ltd.

www.lowenhc.ca

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, SEPTEMBER 30, 2014 AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

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
Alternate	
Director F. Van Eynde	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director J. de Jong	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Regrets:

Director G. Holme	Electoral Area E
Director G. Anderson	City of Nanaimo

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and welcomed Alternate Directors' Van Eynde and Pattje to the meeting.

DELEGATIONS

Diane Cornish, Gabriola Historical and Museum Society, re Society Activities and Use of Funds.

Diane Cornish presented a slide show detailing the activities and exhibits that have been featured this year, and provided an overview of the society's use of the funding provided by the Regional District.

Jillian Kim, re Request for Bylaw 500 Amendment to Permit Chickens on Smaller Parcels.

Jillian Kim expressed how having hens has benefited her family and shared her view that raising backyard hens on smaller lots is feasible and environmentally friendly, and can be done safely without creating health or noise concerns.

Clinton Murray, re 1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises.

Clinton Murray expressed his concern for his property value, and safety due to the sanitation issues, rodents, and lack of running water and power due to the unsightly premises next door to his home.

Lori Spoor, re 1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises.

Lori Spoor shared her concerns regarding the worsening state of her neighbor's property and for her family's health and safety due to the increase of rodents, lack of running water, and power.

Allen Lauriente, re 1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises.

Allen Lauriente expressed his concerns regarding the state of his neighbor's property and the effects it is having on the enjoyment of his own property and stated that the problem needs to be dealt with for the health and safety of the neighborhood.

Scott Morrison, Zero Waste Canada, re Zero Waste Alliance Conference, October 2 – 4, 2014.

Scott Morrison shared a brief history of Zero Waste Canada and asked for the Board's support in leaving a legacy in Nanaimo by sponsoring reduced ticket prices for students and Regional District Solid Waste Advisory Committee members to attend the Zero Waste Alliance Conference.

LATE DELEGATIONS

14-626 MOVED Director Van Eynde, SECONDED Director Young, that late delegations be permitted to address the Board.

CARRIED

Lehann Wallace, re Wildflower Application.

Lehann Wallace provided an update to the Board on the activities and efforts of the citizen's group opposed to the wildflower application and stated her concerns for the residents in the surrounding area should the application be approved.

BOARD MINUTES

Minutes of the Regular Board meeting held Tuesday, August 26, 2014.

- 14-627 MOVED Director Young, SECONDED Director Houle, that the minutes of the Regular Board meeting held Tuesday, August 26, 2014, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Barbara Hetherington, Zero Waste Canada, re Zero Waste Alliance Conference, October 2 – 4, 2014.

- 14-628 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence from Barbara Hetherington, Zero Waste Canada, regarding the Zero Waste Alliance Conference, October 2 - 4, 2014 be received.

CARRIED

Manjit Sidhu, Ministry of Health, re Funding Support for the Englishman River Water Service Project.

- 14-629 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence from Manjit Sidhu, Ministry of Health, regarding funding support for the Englishman River Water Service Project be received.

CARRIED

Bert van Daltsen, Ministry of Agriculture, re Draft Minister's Bylaw Standard on Medical Marihuana Production Facilities.

- 14-630 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence from Bert van Daltsen, Ministry of Agriculture, regarding the draft Minister's Bylaw Standard on Medical Marihuana Production Facilities be received.

CARRIED

Concerned Citizens of Deep Bay, re Seaweed Harvest.

- 14-631 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence from the Concerned Citizens of Deep Bay regarding seaweed harvesting be received.

Phyllis Horne, re Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area 'E'.

- 14-632 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence from Phyllis Horne regarding Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area 'E' be received.

CARRIED

Diana Morton, re 1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises.

- 14-633 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence from Diana Morton regarding 1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises be received.

CARRIED

Cpl. Jesse Forman, Oceanside Community Policing, re Acknowledgement of RDN Financial Support.

14-634 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence received from Cpl. Jesse Forman, Oceanside Community Policing, regarding acknowledgement of Regional District of Nanaimo financial support be received.

CARRIED

UBCM, re Tsilhqot'in Decision Impacts Considered.

14-635 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence received from Union of BC Municipalities, regarding Tsilhqot'in Decision Impacts Considered be received.

CARRIED

Stephen Pearce, Wildflower Marijuana Inc., re Wildflower Marijuana Inc.

14-636 MOVED Director Lefebvre, SECONDED Director Willie, that the correspondence received from Stephen Pearce, Wildflower Marijuana Inc., regarding Wildflower Marijuana Inc. be received.

CARRIED

UNFINISHED BUSINESS

BYLAW ADOPTION

Bylaws No. 813.52, 889.68, 1707, 1708, 1709, and 1710 – Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw and Loan Authorization Bylaw.

14-637 MOVED Director Willie, SECONDED Director Lefebvre, that Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw No. 1707, 2014" be adopted.

CARRIED

14-638 MOVED Director Willie, SECONDED Director Greves, that Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Loan Authorization Bylaw No. 1708, 2014" be adopted.

CARRIED

14-639 MOVED Director Willie, SECONDED Director Greves, that Regional District of Nanaimo "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.52, 2014" be adopted.

CARRIED

14-640 MOVED Director Willie, SECONDED Director Greves, that "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.68, 2014" be adopted.

CARRIED

14-641 MOVED Director Willie, SECONDED Director Greves, that Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Service Security Issuing Bylaw No. 1709, 2014" be adopted.

CARRIED

14-642 MOVED Director Willie, SECONDED Director Greves, that Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Service Interim Financing Bylaw No. 1710, 2014" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES & RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

Minutes of the Electoral Area Planning Committee meeting held Tuesday, September 9, 2014.

- 14-643 MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, September 9, 2014 be received for information.
CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2014-084 – Shepherd – 853 Miller Road, Electoral Area ‘G’.

- 14-644 MOVED Director Veenhof, SECONDED Director Van Eynde, that Development Permit No. PL2014-084 to permit a subdivision and future residential construction on proposed Lots A and B in the Hazard Lands and Environmentally Sensitive Features (Aquifer Protection) DPA's be approved subject to the conditions outlined in Attachments 2 and 3.
CARRIED

Development Permit Application No. PL2014-075 – 0873123 BC Ltd. – Forgotten Drive, Electoral Area ‘G’.

- 14-645 MOVED Director Veenhof, SECONDED Director Fell, that Development Permit No. PL2014-075 to permit the construction of a dwelling unit within the Hazard Lands Development Permit Area be approved subject to the conditions outlined in Attachments 2 and 3.
CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area ‘E’.

- 14-646 MOVED Director Van Eynde, SECONDED Director Young, that Development Variance Permit No. PL2014-091 to permit the construction of a dwelling unit on an existing foundation be approved subject to the conditions outlined in Attachments 2 to 5.
CARRIED

Development Variance Permit Application No. PL2014-024 – Ball – Lot 7, Block 359, Newcastle District, Plan VIP64696 – Electoral Area ‘F’.

- 14-647 MOVED Director Fell, SECONDED Director Young, that Development Variance Permit No. PL2014-024 to reduce the required lot frontage from 40.0 metres to 20.0 metres for the proposed subdivision be approved subject to the conditions outlined in Attachments 2 and 3.
CARRIED

OTHER

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement – Subdivision Application No. PL2014-053 – Sylvia and Terry Birkholz – 2881 Ashcraft Road, Electoral Area ‘E’.

- 14-648 MOVED Director Van Eynde, SECONDED Director Fell, that the request to relax the minimum 10% perimeter frontage requirement for the remainder lot be approved.
CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

Minutes of the Committee of the Whole meeting held Tuesday, September 9, 2014.

- 14-649 MOVED Director Johnstone, SECONDED Director Brennan, that the minutes of the Committee of the Whole meeting held Tuesday, September 9, 2014 be received.

CARRIED

COMMUNICATION/CORRESPONDENCE

Denis Lebel, Minister of Infrastructure, Government of Canada, re Request for funding for a new water treatment facility.

- 14-650 MOVED Director Veenhof, SECONDED Director Lefebvre, that the correspondence from Denis Lebel, Minister of Infrastructure, Government of Canada, regarding the request for funding for a new water treatment facility be received.

CARRIED

Malcolm Brodie, Metro Vancouver, re Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280.

- 14-651 MOVED Director Veenhof, SECONDED Director Lefebvre, that the correspondence from Malcolm Brodie, Metro Vancouver, regarding Metro Vancouver waste flow management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280 be received.

CARRIED

Taryn O'Flanagan, re \$5,000 Grant to Restorative Justice.

- 14-652 MOVED Director Veenhof, SECONDED Director Lefebvre, that the correspondence from Taryn O'Flanagan regarding the \$5,000 grant to Restorative Justice be received.

CARRIED

Selina Robinson, MLA, re Official Opposition Hosted Breakfast and Meetings at 2014 UBCM.

- 14-653 MOVED Director Veenhof, SECONDED Director Lefebvre, that the correspondence from Selina Robinson, MLA, regarding the official opposition hosted breakfast and meetings at the 2014 Union of BC Municipalities Convention be received.

CARRIED

David Brown, re Proposed Medical Marihuana Facility in Yellowpoint.

- 14-654 MOVED Director Veenhof, SECONDED Director Lefebvre, that the correspondence from David Brown, regarding the proposed medical marihuana facility in Yellowpoint be received.

CARRIED

CAO

Regional District of Nanaimo – Operational and Efficiency Review, 2014 Community Survey.

- 14-655 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board receive the Final Report on the results of 2014 Community Survey and direct staff to release and distribute the information through the Regional District of Nanaimo website, local media and any other appropriate communication channels.

CARRIED

Board Remuneration - Bylaw No. 1078.08 and Bylaw No. 1317.04.

- 14-656 MOVED Director de Jong, SECONDED Director Veenhof, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" be introduced and read three times.

CARRIED

- 14-657 MOVED Director de Jong, SECONDED Director Veenhof, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" be adopted.

CARRIED

- 14-658 MOVED Director de Jong, SECONDED Director Kipp, that "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.04, 2014" be introduced and read three times.

CARRIED

- 14-659 MOVED Director de Jong, SECONDED Director Kipp, that "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.04, 2014" be adopted.

CARRIED

- 14-660 MOVED Director de Jong, SECONDED Director Kipp, that Board Remuneration Review Committee be dissolved.

CARRIED

- 14-661 MOVED Director de Jong, SECONDED Director Kipp, that prior to the next municipal elections in 2018 that Regional District of Nanaimo staff be directed to engage an independent, qualified consultant to review and report on the Regional District of Nanaimo's Director Remuneration and how it compares to the remuneration paid to Directors in other comparable regional districts.

CARRIED

CORPORATE SERVICES

ADMINISTRATION

Amendment to Officers Appointment and Delegation Bylaw No. 1661.

- 14-662 MOVED Director Veenhof, SECONDED Director Houle, that "Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No. 1661.01, 2014" be introduced and read three times.

CARRIED

- 14-663 MOVED Director Veenhof, SECONDED Director Houle, that "Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No. 1661.01, 2014" be adopted.

CARRIED

FINANCE

Operating Results for the Period Ending June 30, 2014.

- 14-664 MOVED Director Veenhof, SECONDED Director Lefebvre, that the summary report of financial results from operations to June 30, 2014 be received for information.

CARRIED

RECREATION AND PARKS SERVICES

Request for Acceptance of Park Land Dedication – 1965 Walsh Road, Electoral Area 'A'.

- 14-665 MOVED Director McPherson, SECONDED Director Young, that the proposed park dedication in the proximity of York Lake be accepted in conjunction with a proposed subdivision as shown on Attachment 2.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WATER AND UTILITY

Bylaws No. 1004.07, 1445.05, and 1521.02 – Cedar and Duke Point Sewer Boundary Amendment – 1965 Walsh Road and 1812 Cedar Road, Electoral Area 'A'.

- 14-666 MOVED Director McPherson, SECONDED Director Young, that "Duke Point Sewer Service Amendment Bylaw No. 1004.07, 2014" be introduced and read three times.

CARRIED

- 14-667 MOVED Director McPherson, SECONDED Director Brennan, that "Cedar Sewer Service Amendment Bylaw No. 1445.05, 2014" be introduced and read three times.

CARRIED

- 14-668 MOVED Director McPherson, SECONDED Director Brennan, that "Cedar Sewer Small Residential Properties Capital Financing Service Amendment Bylaw No. 1521.02, 2014" be introduced and read three times.

CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

BUILDING, BYLAW, AND EMERGENCY PLANNING SERVICES

1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises.

- 14-669 MOVED Director McPherson, SECONDED Director Bestwick, that the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 2, Section 16, Range 8, Cranberry District, Plan 11970, (1673 Gerrand Road), to remove the accumulation of disused, discarded materials and refuse, unlicensed derelict vehicles, boats, recreational vehicles, scrap metal, automotive parts, scrap wood and refuse from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo or its agents at the owner's cost.

CARRIED

1016 Harrison Way – Electoral Area ‘B’ – Unsightly Premises.

- 14-670 MOVED Director Houle, SECONDED Director Greves, that the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 35, Section 12, Gabriola Island, Nanaimo District, Plan 23619, (1016 Harrison Way), to remove the accumulation of discarded and disused wood waste, miscellaneous debris, scrap metal, old bikes, building materials, plastic and several structures from the property within sixty (60) days, or the work will be undertaken by the Regional District of Nanaimo or its agents at the owner's cost.

CARRIED

EXTERNAL BOARDS

Englishman River Water Service.

Minutes of the Englishman River Water Service Management Board meeting held Tuesday, June 24, 2014.

- 14-671 MOVED Director Lefebvre, SECONDED Director Willie, that the minutes of the Englishman River Water Service Management Board meeting held Tuesday, June 24, 2014 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATION OR CORRESPONDENCE

Marihuana for Medical Purposes in River’s Edge.

- 14-672 MOVED Director Veenhof, SECONDED Director Lefebvre, that correspondence be sent to Health Canada by the Regional District of Nanaimo opposing the issuance of a permit for the production of medical marihuana at 1085 Paradise Place due to concerns regarding the potential for negative impacts on adjacent residential areas, lack of water and sewer infrastructure, traffic and security concerns.

CARRIED

Metro Vancouver Solid Waste Bylaw 280.

- 14-673 MOVED Director Willie, SECONDED Director Lefebvre, that staff be directed to prepare correspondence from the Regional District of Nanaimo Board Chair to the appropriate Provincial Ministries reaffirming the Board’s support for Metro Vancouver’s Bylaw 280, encouraging the Minister to approve the Bylaw; and that staff be directed to forward copies of the correspondence to all Association of Vancouver Island and Coastal Communities members encouraging those jurisdictions to send similar indications of support for the Bylaw to the Province.

CARRIED

SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

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

Minutes of the Electoral Area ‘F’ Parks and Open Space Advisory Committee Meeting held Wednesday, July 9, 2014.

- 14-674 MOVED Director Fell, SECONDED Director Brennan, that the minutes of the Electoral Area ‘F’ Parks and Open Space Advisory Committee meeting held Wednesday, July 9, 2014, be received for information.

CARRIED

Sustainability Select Committee

Minutes of the Sustainability Select Committee Meeting held Tuesday, September 16, 2014.

- 14-675 MOVED Director Veenhof, SECONDED Director Houle, that the minutes of the Sustainability Select Committee meeting held Tuesday, September 16, 2014, be received for information.

CARRIED

Release of Corporate Climate Action Reserve Funds – September 2014.

- 14-676 MOVED Director Willie, SECONDED Director Veenhof, that the Board approve the release of up to \$30,000 from the Corporate Climate Action Reserve Fund for investment in a variable frequency drive pump speed controller for the Departure Bay Pump Station.

CARRIED

- 14-677 MOVED Director Willie, SECONDED Director Veenhof, that the Board approve the release of up to \$4,500 from the Corporate Climate Action Reserve Fund for the regional purchase of SMARTTool.

CARRIED

2014 Regional Emission Reduction Targets.

- 14-678 MOVED Director McPherson, SECONDED Director Brennan, that staff proceed with developing a request for proposals from qualified professionals to evaluate potential legal instruments and develop the legal language necessary to protect private forest land in perpetuity for the purpose of implementing regional emission reduction targets.

CARRIED

Transit Select Committee

Minutes of the Transit Select Committee Meeting held Thursday, September 18, 2014.

- 14-679 MOVED Director Brennan, SECONDED Director McPherson, that the minutes of the Transit Select Committee meeting held Thursday, September 18, 2014, be received for information.

CARRIED

BC Transit 3 Year Expansion – Memorandum of Understanding.

- 14-680 MOVED Director Brennan, SECONDED Director Ruttan, that the 3 year Expansion Memorandum of Understanding between BC Transit and the Regional District of Nanaimo be approved.

CARRIED

Transit Service from Comox Valley Regional District to Electoral Area 'H'.

- 14-681 MOVED Director Veenhof, SECONDED Director Brennan, that staff be directed to send a letter to the Comox Valley Regional District and BC Transit to request consideration of their transit service being extended into Electoral Area 'H', and, if the response indicates it is feasible, that a service agreement be prepared for consideration of the Regional District of Nanaimo Board.

CARRIED

Removal of Route 15A VIU.

14-682 MOVED Director Brennan, SECONDED Director Young, that staff be directed to bring a report to the Board on options to remove Conventional Transit from Electoral Area 'C' while retaining Custom Transit.

CARRIED

ADMINISTRATOR'S REPORTS

Zoning Amendment Application No. PL2014-028 – Bylaw 500.393, 2014 – Third Reading – Steve Atkinson – 3119 Jameson Road, Electoral Area 'C'.

14-683 MOVED Director Young, SECONDED Director Van Eyne, that the report of the Public Hearing held on September 16, 2014 for "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014" be received.

CARRIED

14-684 MOVED Director Young, SECONDED Director Van Eynde, that the "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014", be read a third time.

CARRIED

Zoning Amendment Application No. PL2013-089 – Bylaw 500.390 – Adoption – Robert and Gigi Obradovic – 3389 Jingle Pot Road, Electoral Area 'C'.

14-685 MOVED Director Young, SECONDED Director McPherson, that the "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.390, 2013" be adopted.

CARRIED

Proposed Schedule to Approve the 2015-2019 Financial Plan.

14-686 MOVED Director Veenhof, SECONDED Director Houle, that the following schedule for the review and adoption of the 2015 to 2019 financial plan be approved:

December 11, 2014	Information seminar to Board for 2015 preliminary budget
January 13, 2015	Presentation of 2015 preliminary budget at Committee of the Whole
February 3, 2015	Presentation of 2015 to 2019 financial plan at Special Committee of the Whole Meeting
February 10, 2015	Presentation of financial plan at Committee of the Whole Meeting
February 16, 2015	Publication of budget edition of Regional Perspectives
March 10, 2015	Introduce bylaw to adopt the 2015 to 2019 financial plan
March 24, 2015	Adopt financial plan bylaw

CARRIED

2014 Gas Tax Transfer and Community Works Fund Program Update.

14-687 MOVED Director Brennan, SECONDED Director Lefebvre, that the report on the renewed Gas Tax Funding Program be received for information.

CARRIED

14-688 MOVED Director Johnstone, SECONDED Director Veenhof, that the 2014 Community Works Funds program attached as Schedule A be approved and that staff be authorized to continue work on the projects as needed.

CARRIED

Nanoose Bay Peninsula Water Service Development Cost Charge Bylaw Introduction.

14-689 MOVED Director Van Eynde, SECONDED Director Lefebvre, that “Nanoose Bay Peninsula Water Service Development Cost Charge Bylaw No. 1715, 2014” be introduced and read a first time.

CARRIED

14-690 MOVED Director Van Eynde, SECONDED Director Lefebvre, that staff be directed to obtain public and development community input on the bylaw prior to 2nd and 3rd reading.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Wildflower Inc., re Letter from Wildflower Inc.

14-691 MOVED Director Veenhof, SECONDED Director Lefebvre, that staff be directed to refer the letter received from Wildflower Marijuana Inc. to the Regional District of Nanaimo Solicitor for comment and action as deemed appropriate.

CARRIED

Bert van Dalfsen, Ministry of Agriculture, re Draft Minister’s Bylaw Standard on Medical Marijuana Production Facilities.

14-692 MOVED Director de Jong, SECONDED Director Kipp, that staff prepare a report on the provision of medical marijuana production facilities in Agricultural Land Reserve lands outlining the alignment of the current Regional District bylaws with the recommendations for local governments provided by the Ministry of Agriculture.

CARRIED

14-693 MOVED Director Veenhof, SECONDED Director Fell, that a seminar be scheduled for Electoral Area Directors to provide for a free and open exchange of ideas as it relates to medical marijuana production facilities in Agricultural Land Reserve lands.

CARRIED

Jillian Kim, re Request for Bylaw 500 Amendment to Permit Chickens on Smaller Parcels.

14-694 MOVED Director Bestwick, SECONDED Director Young, that staff be directed not to take enforcement action on complaints with regard to backyard chickens on smaller lots while the bylaw is under review.

CARRIED

IN CAMERA

14-695 MOVED Director Lefebvre, SECONDED Director Houle, that pursuant to Section 90 (1)(a) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to Board appointments.

CARRIED

TIME: 9:35 PM

RISE AND REPORT

14-696 MOVED Director McPherson, SECONDED Director Brennan, that staff be directed to correspond with the North Cedar Improvement District (NCID) to advise that the Regional District of Nanaimo Board does not support the provision of Community Works Funding for NCID water system upgrades at this time.

CARRIED

ADJOURNMENT

MOVED Director Johnstone, SECONDED Director Lefebvre, that this meeting terminate.

CARRIED

TIME: 9:42 PM

CHAIRPERSON

CORPORATE OFFICER

John Horgan, Leader
 Official Opposition
 Room 109 – Parliament Buildings
 Victoria, B.C. V8V 1X4
 P: 250-953-4838



Selina Robinson, M.L.A.
 Coquitlam-Maillardville
 Room 201 – Parliament Buildings
 Victoria, B.C. V8V 1X4
 P: 250-387-3655

October 2, 2014

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

RDN CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GM R&P	
GMS&CD		GM T&SW	
GM R&CU		DF	
OCT - 7 2014			
DCS		BOARD	<input checked="" type="checkbox"/>
CHAIR	<input checked="" type="checkbox"/>		

Dear Chair Stanhope and Board Members:

My team and I enjoyed meeting so many dedicated mayors, councillors and directors at the 2014 UBCM convention last week. As I said in Whistler, you've had to work hard to get a fair shake for your communities in a time of dwindling resources and increased need.

We spoke with many of you about the timing and one-sided nature of the BC Public Sector Compensation Review. We are concerned that the timing of this report was more about embarrassing local government than addressing the issues UBCM has outlined in the Strong Fiscal Futures report. We also heard your disappointment about the Minister of Transportation Todd Stone's response to UBCM's excellent research on ferry fares and the BC economy. The report put out by AVICC and UBCM is the only research done to date studying the impact of ferry rates on local economies. Despite having no research of his own, the Minister dismissed that report and failed to address the impact of ferry fares on coastal economies.

The Premier in her talk to UBCM talked about working in partnership. We observe a gap between what is said by this government and how they actually interact with their partners.

We value the important work of local governments in our towns, rural areas, villages and cities. We recognize that senior levels of government have moved responsibility for problems to you, without the funding to address those problems. As a result, local governments are grappling with how to address the challenges of homelessness, addictions and mental health problems among others. It doesn't make sense and it doesn't serve BC residents. Our vision is that the provincial government will work closely with local government as partners in building stronger, more vibrant communities where British Columbia families and individuals thrive.

.../2

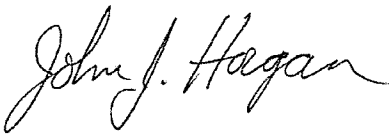
We paid close attention to the resolution work you did at UBCM and will monitor the government response to those resolutions. In Question Period and during Budget Estimate debates in the spring, we intend to remind the government to follow through on their commitments to you.

Your information and knowledge is invaluable to us in doing that work. As we head into the Legislature this October 6th I invite you to keep us informed about successes and problems you see in your community that we can help you to amplify.

Selina Robinson, our Opposition Spokesperson for Local Government, is your contact with our team. You can reach Selina by phone at 250-953-4701 in Victoria or 604-933-2001 in Coquitlam or by email at Selina.Robinson.mla@leg.bc.ca

To those of you running for re-election, we wish you the best of luck for the November election. To those of you choosing to end your time in local government, thank you for your service and dedication to your communities. We wish you all the best in the future.

Sincerely,



John Horgan, Leader
OfficialOpposition



Selina Robinson, MLA
Coquitlam-Maillardville

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, OCTOBER 14, 2014 AT 6:30 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director G. Holme	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. Veenhof	Electoral Area H

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
D. Pearce	A/Gen. Mgr. Transportation and Solid Waste
J. Hill	Mgr. Administrative Services
J. Holm	Mgr. Current Planning
C. Midgley	Mgr. Energy & Sustainability
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

Minutes of the regular Electoral Area Planning Committee.

MOVED Director Stanhope, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, September 9, 2014, be adopted.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2014-107 – Pennell – 5481 Deep Bay Drive, Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director Fell, that Development Permit No. PL2014-107 to permit the construction of an addition to a dwelling unit within the Hazard Lands DPA be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Permit Application No. PL2014-115 – FMC Holdings Ltd. – 1890 Schoolhouse Road, Electoral Area ‘A’.

MOVED Director McPherson, SECONDED Director Young, that Development Permit No. PL2014-115 to amend previously issued Development Permit with Variance No. PL2012-166 be approved subject to the conditions outlined in Attachments 2 to 6.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2014-102 – Ryan & Kara Malcolm – 2962 Ridgeway Road, Electoral Area ‘C’.

MOVED Director Young, SECONDED Director McPherson, that staff be directed to complete the required notification.

CARRIED

MOVED Director Young, SECONDED Director McPherson, that Development Variance Permit No. PL2014-102 to increase the maximum permitted height and floor area for an accessory building containing a secondary suite be approved subject to the conditions outlined in Attachment 2 to 4.

CARRIED

Development Variance Permit Application No. PL2014-064 – Lindsay – 2410 Shady Lane, Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director McPherson, that staff be directed to complete the required notification.

CARRIED

MOVED Director Veenhof, SECONDED Director McPherson, that Development Variance Permit No. PL2014-064 to reduce the setbacks to a watercourse from 15.0 metres to 6.2 metres be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Variance Permit Application No. PL2014-100 – Wheeler – 1403 Marina Way, Electoral Area ‘E’.

MOVED Director Stanhope, SECONDED Director Young, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that Development Variance Permit No. PL2014-100 to reduce the setbacks to the interior side lot lines, setback to the sea and increase the maximum allowable height to legalize the siting of an existing dwelling unit, be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variance Application No. PL2014-032 – Parksville Redi- Mix Ltd. – 10 Nanaimo River Road, Electoral Area ‘A’.

MOVED Director McPherson, SECONDED Director Fell, that staff be directed to complete the required notification.

CARRIED

MOVED Director McPherson, SECONDED Director Fell, that Development Permit with Variance No. PL2014-032 to permit the construction of a concrete batch plant be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Permit with Variance Application No. PL2014-089 – Johnson – 235 Driftwood Road, Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director McPherson, that staff be directed to complete the required notification.

CARRIED

MOVED Director Veenhof, SECONDED Director McPherson, that Development Permit with Variance No. PL2014-089 to legalize the siting of an existing dwelling unit and permit an addition to the dwelling unit within the Hazards Land Development Permit Area be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Permit with Variance Application No. PL2014-118 – Haggarty – 1318 Lanyon Drive, Electoral Area ‘G’.

MOVED Director Stanhope, SECONDED Director Young, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that Development Permit with Variance No. PL2014-118 to permit the construction of an accessory building be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

OTHER

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-046 – Lost Lake Properties Ltd. – Sumar Lane, Electoral Area ‘G’.

MOVED Director Stanhope, SECONDED Director Fell, that the request to relax the minimum 10% perimeter frontage requirement for the remainder lot be approved.

CARRIED

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2014-077 – Giuriato – 2909 Turnbull Road, Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director Fell, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 3 be approved.

CARRIED

Amendments to Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987; Regional District of Nanaimo Electoral Area 'F' Zoning & Subdivision Bylaw No. 1285, 2012; and Board Policy B1.5 – Electoral Areas 'A', 'C', 'E', 'F', 'G', 'H'.

MOVED Director Stanhope, SECONDED Director Fell, that the Summaries of the Public Information Meetings held on September 16, 17 and 18, 2014, be received.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.396, 2014", be introduced and read two times.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.396, 2014", be chaired by Director Stanhope or his alternate.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.22, 2014", be introduced and read two times.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.22, 2014", be chaired by Director Fell or his alternate.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that the Board approve the revision as proposed to Board Policy B1.5 *Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation*.

CARRIED

NOTICE OF MOTION

Bylaw 1250

Director Fell noted that the following motion will be brought forward to the October 28, 2014 Board Agenda:

That staff be directed to meet with Directors for Electoral Areas 'A', 'C', 'F', and 'H' to start discussions on modifications to Bylaw 1250 for owner builders.

ADJOURNMENT

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

CARRIED

TIME: 6:52 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.396
A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987

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

A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.396, 2014”.

B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. **Part 2 Interpretation, Section 2.1 Definitions**, by deleting the definition of “floor area” and replacing with the following:

floor area means the sum total of the gross horizontal area of each floor of a building as measured from the inside surface of the outermost exterior walls.

2. **Part 2 Interpretation, Section 2.1 Definitions**, by deleting the following text from the definition of “height”:

“but specifically excludes chimney, mast aerial, church spire, flag pole, watertank, observation and transmission tower, mechanical devices necessary for the operation of a building, and agricultural buildings or structures where permitted in the applicable zone.”

3. **Part 2 Interpretation, Section 2.1 Definitions**, by inserting the following definition after “medium industry”:

micro wind turbine system means a wind energy conversion system consisting of a wind turbine, associated structures and mechanical devices with a nameplate rated capacity of not more than 1 kW.

4. **Part 3 Land Use Regulations, Section 3.3 General Regulations**, by renaming subsection 10) Setbacks - Agricultural Buildings to:

10) Setbacks – Buildings and Structures

and replace the text in subsection 10) with the following:

- a) Agricultural Buildings

All buildings and structures for housing animals, other than pets, and for the storage of manure shall be a minimum of 30.0 metres from a watercourse or any property line adjoining a residential zone.

- b) Micro wind turbine systems
 - i) For a system installed on the ground, the minimum setback from all parcel boundaries shall be equal to the height of the system as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc; or
 - ii) For a system installed on a rooftop or side of a building, the minimum setback from all parcel boundaries shall be equal to the height of the system as measured from the lowest point of the micro wind turbine system to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc.
 - iii) No such system shall be located within 60 metres of any eagle or heron nesting tree, as determined by a Qualified Environmental Professional (QEP), measured from the base of the nesting tree to the base of the wind turbine system.

5. **Part 3 Land Use Regulations, Section 3.3 General Regulations**, by inserting the following text as a new subsection 11) and renumbering subsections 11) through 16) in sequential order:

11) Height Exemptions

The following structures, mechanical devices or parts of buildings may exceed a height restriction under this Bylaw:

- a) Chimney stacks, mast aerals, church spires, flag poles, water tanks, observation and transmission towers, mechanical devices necessary for the operation of a building, and agricultural buildings or structures.
- b) Components of solar photovoltaic or solar thermal systems where:
 - i) On a parcel less than 5,000 m² in area
 - a. the over-height portion of such system is limited to 50% of the roof width to which the system is attached; and
 - b. no portion of such system exceeds 0.6 metre above the maximum permitted height.
 - ii) On a parcel 5,000 m² or greater in area, no portion of such system exceeds 0.6 metre above the maximum permitted height.
- c) One over-height micro wind turbine system per parcel provided that no such system exceeds twice the maximum permitted height, as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc.

Introduced and read two times this ___ day of _____ 20__.

Public Hearing held this ___ day of _____ 20__.

Read a third time this ___ day of _____ 20__.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20__.

Adopted this ___ day of _____ 20__.

Chairperson

Corporate Officer

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.22
A Bylaw to Amend Regional District of Nanaimo
Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002

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

A. This Bylaw may be cited as “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.22, 2014”.

B. The “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”, is hereby amended as follows:

1. **Section 5 Definitions**, by deleting the definition of “floor area” and replacing with the following:

floor area means the sum total of the gross horizontal area of each floor of a building as measured from the inside surface of the outermost exterior wall.

2. **Section 5 Definitions**, by inserting the following definition after “Medical Marihuana Production”:

Micro Wind Turbine System means a wind energy conversion system consisting of a wind turbine, associated structures and mechanical devices with a nameplate rated capacity of not more than 1 kW.

3. **Section 5 Definitions**, by inserting the following definition after “Silviculture”:

Small Wind Turbine System means a wind energy conversion system consisting of a wind turbine, a wind turbine tower and associated equipment, machinery, and structures with a nameplate rated capacity of greater than 1 kW but not more than 10 kW.

4. **Section 2 General Regulations**, by renaming subsection 2.9 Setbacks to:

2.9 Setbacks – Buildings and Structures

and add the following text after d):

e) Micro wind turbine systems

i) For a system installed on the ground, the minimum setback from all parcel boundaries shall be equal to the height of the system as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc; or

ii) For a system installed on a rooftop or side of a building, the minimum setback from all parcel boundaries shall be equal to the height of the system as measured from the lowest point of the micro wind turbine system to the top of

the highest vertical extension of the wind turbine at the top of the rotor blade arc.

- iii) No such system shall be located within 60 metres of any eagle or heron nesting tree, as determined by a Qualified Environmental Professional (QEP), measured from the base of the nesting tree to the base of the wind turbine system.

f) Small wind turbine systems

- i) The minimum setback from all parcel boundaries shall be equal to the height of the small wind turbine system as measured from natural grade at the base of the wind turbine tower to the highest vertical extension of a wind turbine at the top of the rotor blade arc.
- ii) No such system shall be located within 100 metres of any eagle or heron nesting tree, as determined by a Qualified Environmental Professional (QEP), measured from the base of the nesting tree to the base of the wind turbine system.

5. **Section 2 General Regulations, subsection 2.11 Setback Exemptions**, by adding the following text after h):

- i) rainwater harvesting structures, equipment and apparatus, including rain barrels and cisterns which are 2.0 metres or less in height and 4,546 litres or less in volume.

6. **Section 2 General Regulations, subsection 2.12 Height Exemptions**, by adding the following text after i):

j) Components of solar photovoltaic and solar thermal systems where:

(i) On a parcel less than 5,000 m² in area

- a. the over-height portion of such system is limited to 50% of the roof width to which the system is attached; and
- b. no portion of such system exceeds 1.0 metre above the highest point of the roof to which the system is attached.

(ii) On a parcel 5,000 m² or greater in area, no portion of such system exceeds 1.0 metre above the highest point of the roof to which the system is attached.

- k) One over-height micro wind turbine system per parcel provided that no such system exceeds twice the maximum permitted height, as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc.
- l) One over-height small wind turbine system per parcel provided that no such system exceeds 30 metres in height as measured from the natural grade at the base of the wind turbine tower to the highest vertical extension of a wind turbine at the top of the rotor blade arc.

Introduced and read two times this ___ day of _____ 20__.

Public Hearing held this ___ day of _____ 20__.

Read a third time this ___ day of _____ 20__.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20__.

Adopted this ___ day of _____ 20__.

Chairperson

Corporate Officer

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY OCTOBER 14, 2014 AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

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 B. Veenhof	Electoral Area H
Director J. de Jong	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Regrets:

Director G. Anderson	City of Nanaimo
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Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
D. Pearce	A/Gen. Mgr. Transportation & Solid Waste
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

DELEGATIONS

Brian Humber, Nanaimo Marine Rescue, re 2014 Activities.

Brian Humber provided an overview of Royal Canadian Marine Search and Rescue activities for 2014 and a review of boating safety activities for Nanaimo Marine Rescue Society and Royal Canadian Marine Search and Rescue Station 27.

LATE DELEGATIONS

MOVED Director Holme, SECONDED Director Johnstone, that late delegations be permitted to address the Board.

CARRIED

Ken Collingwood, re Residents' Objection to Tie in Large Capacity Well on 2487 Parker Road, Nanoose Bay.

Ken Collingwood presented a petition to the Board and voiced his concerns regarding large extractions of water that could reduce water flow to neighbouring residents and requested the Board defer the agreement until the new Board is sworn in.

Melissa MacNeill, re Development of the Well on Parker Road in Nanoose Bay.

Melissa MacNeill advised the Board that her well was monitored during the well testing which showed a static level drop of 30 feet and shared her concerns regarding the productivity of her well and potential impacts to area residents.

Penny Spence, re Water for Development Scheme.

Penny Spence shared her concerns regarding the potential reduction of her well production and the well production in surrounding areas stating that lack of water will decrease property values and requested the Board to put the project on hold.

Kim Mauriks, re Nanoose Bay Water Issue.

Kim Mauriks voiced his concerns regarding the potential impacts to his water supply for his farm stating that farming potential and local food production depend on adequate water supply, and requested the project not move forward until the impacts to residents' water is fully understood.

Bryan Little, re Water Development Project on Parker Road, Nanoose Bay.

Bryan Little expressed his views regarding concerns of reduced water supply and the effect on his property value and investment if the well goes into production, stating that the well testing lacked quality and quantity benchmarks and requested the project to be deferred until the new Board is sworn in.

Gareth Slocombe, re Water Development on Parker Road, Nanoose Bay.

Gareth Slocombe expressed his disappointment with the lack of transparency regarding the written approvals and compromises with Mazcan Investments and asked for full consultation with the stakeholders, full notice of the decision making process, and for residents to be given full opportunity to exercise their rights to be heard and have real input into the process.

Sue Davies, re Water for Development Scheme.

Sue Davies shared her concerns of the potential impacts to her business due to potential water contamination, salt water intrusion, decreasing property value, and stated that without a guaranteed water source Fisheries and Oceans will not permit them to re-build their wash plant to process their clams.

COMMITTEE OF THE WHOLE MINUTES

Minutes of the Regular Committee of the Whole meeting held Tuesday, September 9, 2014.

MOVED Director Kipp, SECONDED Director Lefebvre, that the minutes of the regular Committee of the Whole meeting held Tuesday, September 9, 2014 be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Gary and Joan Lansdell, re Parker Road well and water to the RDN system.

MOVED Director Bestwick, SECONDED Director Johnstone, that the correspondence from Gary and Joan Lansdell regarding the Parker Road well and water to the Regional District of Nanaimo system be received.

CARRIED

Leonard Krog, MLA, re Morden Colliery Historic Provincial Park.

MOVED Director Bestwick, SECONDED Director Johnstone, that the correspondence from Leonard Krog, MLA, regarding Morden Colliery Historic Provincial Park be received.

CARRIED

Dawn Nedzelski and Elin Bjarnason, Island Health, re Meeting Request with Island Health Representatives and Nanaimo Regional Hospital Board.

MOVED Director Bestwick, SECONDED Director Johnstone, that the correspondence from Dawn Nedzelski and Elin Bjarnason, Island Health, regarding a meeting request with Island Health Representatives and Nanaimo Regional Hospital Board be received.

CARRIED

Vancouver Island Regional Library, re 2015-2019 Adopted Financial Plan.

MOVED Director Bestwick, SECONDED Director Johnstone, that the correspondence from Vancouver Island Regional Library regarding the 2015 – 2019 adopted Financial Plan be received.

CARRIED

CAO

2014 Service Area Work Plan Project Update.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board receive the progress report on the 2014 Service Area Work Plan Project Update for the reporting period of January to September, 2014, for information.

CARRIED

RECREATION AND PARKS

RECREATION SERVICES

Gabriola Recreation Society Agreement Renewal 2015 – 2018.

MOVED Director Houle, SECONDED Director Veenhof, that the Agreement attached as Appendix 'A' with the Gabriola Recreation Society be renewed for a three year term from January 1, 2015 through December 31, 2017.

CARRIED

ADVISORY AND SELECT COMMITTEE, AND COMMISSION

District 69 Recreation Commission

Minutes of the District 69 Recreation Commission Meeting held Thursday, September 18, 2014.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the minutes of the District 69 Recreation Commission meeting held Thursday, September 18, 2014 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

MOVED Director Holme, SECONDED Director Ruttan, that the Regional District of Nanaimo Board direct staff to delay putting the well, located at 2729 Parker Road, Nanoose Bay, into regular service in the Nanoose Bay Peninsula Water Service Area, for a period of at least one year, pending further discussions with residents to address their concerns; and to develop and implement a local well water monitoring program, in consultation with local residents.

CARRIED

NEW BUSINESS

Ban on Large Scale Land Clearing.

MOVED Director Lefebvre, SECONDED Director Bestwick, that staff be directed to write to the appropriate provincial ministries to urge the consideration of a ban on large scale land clearing debris burning in electoral areas on municipal boundaries and that other more environmentally friendly methods be used to dispose of such debris.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Young, that pursuant to Section 90(1)(e) of the *Community Charter* the Committee proceed to an In Camera Meeting for discussions related to land acquisitions.

CARRIED

TIME: 8:11 PM

ADJOURNMENT

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

CARRIED

TIME: 8:20 PM

CHAIRPERSON

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
DISTRICT 69 RECREATION COMMISSION REGULAR MEETING
HELD ON THURSDAY, OCTOBER 16, 2014 AT 2:30PM
AT OCEANSIDE PLACE MULTIPURPOSE ROOM

Attendance: Bill Veenhof, Director, RDN Board Appointee
Gordon Wiebe, Electoral Area 'E'
Richard Leontowich, Electoral Area 'H'
Joe Stanhope, Director, RDN Board, Electoral Area 'G'
Peter Morrison, Councillor, City of Parksville

Staff: Tom Osborne, General Manager of Recreation and Parks
Dean Banman, Manager of Recreation Services
Ann-Marie Harvey, Recording Secretary

Regrets: Scott Tanner, Councillor, Town of Qualicum Beach
Ross Milligan, Trustee, District #69 School Board
David Edgeley, Electoral Area 'F'

CALL TO ORDER

Deputy Chair Veenhof called the meeting to order at 2:32pm

PRESENTATION

J. Hopewell & K. Valade – Summer Recreation Presentation

Ms. Valade and Ms. Hopewell, RDN Recreation Programmers, gave a presentation about 2014 Summer Recreation and highlighted some of the trends and experiences in the summer recreation programs.

MINUTES

MOVED Commissioner Wiebe SECONDED Commissioner Morrison that the Minutes of the Regular District 69 Recreation Commission meeting September 18, 2014 be approved.

CARRIED

MOVED Commissioner Wiebe, SECONDED Commissioner Leontowich that the Minutes of the District 69 Grants Sub-Committee held October 2, 2014 be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

MOVED Commissioner Stanhope, SECONDED Commissioner Wiebe that the following District 69 Youth Recreation Grant applications be approved:

Community Group	
Arrowsmith Community Recreation Association	1,100
District 69 Family Resource Association- youth drop-in food	1,085
Ravensong Waterdancers Synchronized Swimming Club	1,780
Total	3,965

MOVED Commissioner Wiebe, SECONDED Commissioner Leontowich that the following District 69 Community Recreation Grant applications be approved:

Community Group	
Arrowsmith Agricultural Association – Family Day Celebration	725
Corcan Meadowood Residents Association – Halloween event	1,345
Family Resource Association- FASD activities/camps	1,070
Forward House Community Society- recreation activities	2,230
Lighthouse Community Centre Society- stage lighting	2,500
Lighthouse Community Slo-Pitch League	1,200
Parksville Quilt House Quilter's Guild- facility and equipment rentals	2,500
Ravensong Masters Swim Club	1,250
Total	12,820

CARRIED

MOVED Commissioner Morrison, SECONDED Commissioner Wiebe that the unused portion of 2014 District 69 Recreation Grant funds (\$15,728) be placed into a reserve earmarked for the Ballenas track replacement.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Commissioner Morrison, SECONDED Commissioner Stanhope that the following correspondence be received:

S. Miller to D. Banman, RDN, **RE: Age for Free Swimming**

M. Pedriks DeBarros, PGOSA to J. Hopewell, RDN, **RE: PGOSA at Oceanside Arena**

D. Banman, RDN to S. Miller, **RE: Reply to District 69 Recreation Commission Delegation**

D. Banman, RDN to R. Boag, Parksville Curling Club, **RE: Building & Major System Review**

CARRIED

REPORTS

Monthly Update – Oceanside Place – September 2014

Mr. Banman gave summary of the Oceanside Place September report. He passed around a copy of the 2016 U18 Women’s National Hockey Bid for the Commission members to review.

Monthly Update – Ravensong Aquatic Centre – September 2014

Mr. Banman gave a summary of the Ravensong September report, noting the Island Swim Challenge has started at the pool and a Lifesaving Society Audit will be happening in the near future.

Monthly Update – Northern Recreation Program Services – September 2014

Mr. Banman gave a summary of Northern Recreation Program Services report, noting that staff have issued an RFP for Outdoor Programming in Park that will close today.

Monthly Update of Community and Regional Parks and Trails Projects (Handout)

Mr. Osborne gave a summary of the Community and Regional Parks and Trails projects for District 69 area.

MOVED Commissioner Wiebe, SECONDED Commissioner Leontowich that the Monthly Update reports be received.

CARRIED

District 69 Arena (Parkville Curling Club) Building and Systems Assessment 2014

MOVED Commissioner Stanhope, SECONDED Commissioner Morrison that the Parkville Curling Club continue with capital plan responsibilities as per the existing lease agreement and staff be directed to review funding options, including grants, to replace systems and upgrade the facility to continue as a curling club.

MOVED Commissioner Morrison, SECONDED Commissioner Stanhope that the Regional District consider alternative facility uses for the District 69 Arena and associated costs as part of the 2016 Recreation Services Master plan process for District 69.

CARRIED

COMMISSIONER ROUND TABLE

Commissioner Stanhope comment on the great turn out of the E & N Rail Trail (Coombs-Parkville) Open House, noting it was the highest attended public open house he has seen. He said there was a lot of positive interest in the project.

IN CAMERA

MOVED Commissioner Stanhope, SECONDED Commissioner Wiebe that pursuant to Section 90(1) (e) of the Community Charter the Committee proceeds to an In Camera Committee meeting to consider items related to land and legal issues.

CARRIED

Time: 3:44

ADJOURNMENT

MOVED Commissioner Wiebe that the meeting be adjourned at 3:55 pm.

CARRIED

Chair



RDN REPORT		DIA
CAO APPROVAL		
EAP		
COW		
OCT 10 2014		
RHD		
BOARD		

MEMORANDUM

TO: Tom Osborne
General Manager, Recreation and Parks Services

DATE: October 7, 2014

FROM: Dean Banman
Manager of Recreation Services

FILE:

SUBJECT: RDN District 69 Arena (Parksville Curling Club) Building Assessment

PURPOSE

To provide the findings and recommendations related to the independent building assessment of the District 69 Arena to confirm the integrity and life expectancy of the structure and major operating systems to use in long term management of the asset.

BACKGROUND

Since the fall of 2013 the District 69 Arena and its use by the Parksville Curling Club (PCC) under a five year lease with the RDN has been a topic at both the District 69 Recreation Commission and RDN Board. Upon receiving notice from the City of Parksville that their tax exemption had been reduced to 50% from 100% PCC has sought help from both the City of Parksville (request for 100% tax exemption) and RDN. PCC appeared as a delegation at the February 2014 District 69 Recreation Commission and the March 2014 City of Parksville Council Meeting. The District 69 Recreation Commission passed the following resolution (#14-264) that was approved by the RDN Board at their Regular Meeting in March 2014;

1. *That staff prepare a report on the impacts the Parksville Curling Club and the District 69 Arena facility is facing with the reduction and removal of the Permissive Tax Exemption by the City of Parksville for the leased parklands and to provide options that will ensure the club and the regional district facility can be sustained in the long term.*

In June of this year the D69 Recreation Commission and RDN Board considered alternatives that would help PCC via a staff report. The three recommendations listed below were considered by the D69 Recreation Commission at their regular June meeting;

1. *That the Regional District request the City of Parksville to grant 100% tax exemption status for the land and building leased by the Parksville Curling Club Society excluding the commercial area of the building (licensed lounge) in the calculation of taxation assessment.*
2. *That the Regional District commission an independent building assessment of the District 69 Arena through the Corporate Climate Action fund (CCAF) to confirm the integrity and life expectancy of the structure and major operating systems to use in long term management of the asset.*

3. *That the District 69 Arena Reserve Fund Bylaw #1504 be amended to allow funds to be allocated for the eventual removal of the District 69 Arena when required.*

Recommendation #1 and #2 were endorsed by the Commission and forwarded to the June 24th 2014 RDN Board Meeting where only recommendation #2 was passed.

Herold Engineering was commissioned in July of 2014 to oversee the assessment and carry out portions of the District 69 Arena Building and Major Systems Review. Appendix 'A' is the Executive Summary, including recommendations. Presented in Table I further condensed are the critical results of the assessment.

Two broad based categories should be considered regarding the building. Category one includes systems and structures that are required to maintain and if possible extend the life of the building and its critical systems. Category one includes safety/fire, electrical, HVAC systems along with main building envelope systems such as roof, structural walls, windows, and doors. Category two encompasses factors required to maintain the facility for the specialized purpose it currently provides along with improvements to the facility. This includes the refrigeration system (chiller, condenser, brine system, dehumidification, etc.) and their associated pumps and motors along with upgrades to the facility that would increase patron comfort or improve efficiencies of the current systems. Replacement of the dehumidification units (\$75,000 - \$100,000) and recommended work on the exterior walls related to comfort and thermal properties (\$3,000 – \$810,000) shown in Table I and Appendix 'A', at this time can be classified as category two considerations.

In 2003, when Oceanside Place was opened and PCC showed interest in leasing the District 69 Arena, Board direction was provided to staff that any lease include terms that annual maintenance and capital projects are the responsibility of the lessee. All past leases and the existing lease with PCC include terms to this affect.

Of importance is the confluence of the expiration of the current lease agreement between PCC and the RDN (March 31, 2018), expiration of the land lease between the City of Parkville and the RDN (March 31, 2018), the future purpose of the District 69 Arena and the likely review in 2016 or 2017 of the Recreation Services Master Plan for District 69. This confluence of timing allows the existing operation of the facility as a curling club under PCC operation to continue while the master plan process engages the community on the future desired use for the facility. Questions around the demand for the continuation as a curling club, a facility with ice making capabilities, repurposing the facility or its removal can be posed directly to the community and other stakeholders through the master plan process. This would provide the Board with timely information from the community on the future for the facility.

TABLE I - District 69 Arena Building and Major Systems Review

Building Envelope	Time Frame	OPC
Immediate (< 1 year) replacement of the roofing system (3 options)		
#1 Roofing – Target Repair	< 1 yr.	\$20/sq.ft
#2 Re-roofing Flat	< 1 yr.	\$140,000
#3 Re-roofing Sloped	< 1 yr.	\$280,000
Building Envelope		
Within (1-5 years) an over-clad of the current wall system for comfort, and thermal properties (3 options)		
#1 Over Clad Exterior Walls	1-5 yrs. As required	\$810,000
#2 Sealant Renewal	1-2 yrs.	\$3,000
#3 Vapour Permeable Paint	1-5 yrs. As required	\$607,500
Engineering Electrical		
Upgrade / Replacement of the fire alarm system to ensure all required devices are in place and verified	< 1 yr.	\$7,500
Expand / Replace the emergency lighting system throughout the building to meet BCBC requirements	< 1 yr.	\$7,500
Add additional signage to ensure that all exits and exit paths meet BCBC requirements	< 1 yr.	\$2,500
Thermographic scan and full servicing of the unit Substation	< 1 yr.	\$5,000
Thermographic scan of all major distribution panels and exercise all circuit breakers and disconnect switches	< 1 yr.	\$2,000
Engineering Mechanical		
Replacement of the damaged wall mounted exhaust fan.	< 1 yr.	\$3,000
Replacement of the two rooftop gas-fired air handling units.	1-5 yr.	(\$15,000 - \$25,000)
System serving concourse replaced with a packaged heat pump air handling unit.	1-5 yr.	\$20,000
System serving the storage rooms replaced with a new gas-fired make-up air unit.	1-5 yr.	\$20,000
Replacement of the three arena dehumidification units	1-5 yr.	(\$75,000 - 100,000)
Replacement of arena louvres	1-5 yr.	(\$7,500 - \$10,000)
Replacement of the washroom plumbing fixtures	1-5 yr.	(\$4,000 - \$5,000)
Replacement of the service sinks	1-5 yr.	(\$2,000 - \$3,000)
Replacement of the existing roof and wall mounted exhaust fans	1-5 yr.	(\$15,000 – 20,000)
Anticipated replacement of the gas-fired water heater installed within the last 8 years will be required	5-10 yr.	\$5,000
Anticipated replacement of original copper domestic water piping.	10 yr.	TBA

ALTERNATIVES

- 1) That the Parksville Curling Club to continue with capital plan responsibilities as per the existing lease agreement and staff be directed to review funding options, including grants, to replace systems and upgrade the facility to continue as a curling club.
- 2) That the Regional District consider alternative facility uses for the District 69 Arena and associated costs as part of the 2016 Recreation Services Master plan process for District 69.
- 3) That the Parksville Curling Club to continue with capital plan responsibilities as per the existing lease agreement and staff be directed to prepare for the removal of the facility.
- 4) That alternative direction be provided.

FINANCIAL IMPLICATIONS

The building assessment completed in July 2014 indicates that capital work in a range of \$350,000 to \$500,000 will likely be required over the next five years. Without other funding opportunities it is questionable whether PCC would have the financial ability to meet the terms of the existing agreement requiring them to maintain the larger capital projects prior to the expiration of their existing lease. The Board may decide to address this potential scenario by directing staff to look for financial avenues of support for the District 69 Arena and PCC. If the intention of the Board at this time is consistent with Board direction from 2003 in that the operation and upkeep of the District 69 Arena needs to be done without tax requisition support then the only alternative would be for financial support from grant funding. If the Board wishes to consider District 69 Arena funding via tax requisitions then staff could be directed to report back on this option as well.

Table 1 categorizes the capital work required in two broad categories. Category one capital work would be required regardless if PCC is a tenant and the Board wishes to extend the life of the District 69 Arena and consider other alternatives for the facility. If the desire for alternate use is strong it may be possible that outstanding category one capital work can be included in a new lease agreement as lessee improvements and become the responsibility of a new lessee.

In the event the Parksville Curling Club is unable to operate the District 69 Arena or decides not to renew after expiration of the existing agreement or terminate the existing agreement and the RDN Board decides to demolish the building, the cost to undertake this work would be borne by participants of the District 69 Arena function. This includes Parksville, Qualicum Beach, Electoral Area's E, F, G and H.

In 2012 the RDN commissioned a facility asset appraisal for the District 69 Arena and the demolition costs for the facility (not including any soil remediation if required) was estimated to be \$235,000. This figure may be low when considering that the City of Nanaimo's Civic Arena was demolished in 2006 for the cost of \$739,645 (not including soil remediation). As the range between the two samples is relatively large, the RDN would need to confirm the demolition costs as part of their long term financial planning process. Table II outlines the proportional share for both cost removal estimates.

Table II - Proportional Share of District 69 Arena Demolition Costs

\$235,000 Estimate		\$739,645 Estimate	
Parkville (26%) -	\$61,940	Parkville -	\$194,950
Qualicum Beach(20%) -	\$45,988	Qualicum Beach -	\$144,742
EA E (18%) -	\$41,514	EA E -	\$130,662
EA F (12%) -	\$27,187	EA F -	\$85,569
EA G (16%) -	\$37,712	EA G -	\$118,696
EA H (8%)-	\$20,659	EA H -	\$65,026

A revision to Bylaw #1504 may be necessary to expand the ability to use reserve funds for the demolition of the District 69 Arena should it be required. For illustrative purposes if \$20,000 was annually budgeted under Bylaw #1504 the impact on the tax assessment of the contributing areas is shown in Table III.

Table III - Proportional Share of District 69 Arena Annual \$20,000 Contribution to Bylaw #1504

Parkville	\$5,200	EA F	\$2,400
Qualicum Beach	\$4,000	EA G	\$3,200
EA E	\$3,600	EA H	\$1,600

An amendment to Bylaw #1504 does not mean funds will automatically be contributed annually. Any contribution to this reserve fund requires Board approval as part of the annual financial plan process. Existing and future funds under Bylaw #1504 could also be used to finance category one or category two capital projects should the Board decide. The current amount in the reserve fund is \$58,000.

Table II can also be used to show the proportional share of each contributing member if tax requisitions are to be considered as a source for the capital work outlined in Table I and in more detail within Appendix 'A'. If \$235,000 of capital work was to be completed by the RDN, Table II shows the tax requisition required from each member.

STRATEGIC PLAN IMPLICATIONS

The delivery of recreation services is carried out either through direct delivery or through support to other organizations in their delivery of recreation services to residents. A goal of the strategic plan is to ensure the provision of recreation services is delivered in the most effective and efficient way. RDN staff through direction from the Board work with other organizations and members of the community in providing recreation opportunities. The existing relationship with PCC is an example of this. The Board is now faced with determining the level of support that should be provided.

Within the common vision of the strategic plan is the desire to meet the needs of residents by providing or supporting services and amenities related to recreation in a fiscally responsible manner. The use of operational planning tools such as the recreation services master planning process aids in the Board's ability to carry out the wishes of the community.

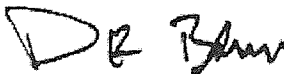
SUMMARY

Upon receiving notice from the City of Parkville that their tax exemption had been reduced to 50% from 100% PCC sought help from both the City of Parkville (request for 100% tax exemption) and the RDN. Parkville Curling Club (PCC) leases the District 69 Arena under a three year lease for operation of a curling club. The financial implications of the tax exemption reduction will significantly impact PCC's ability to operate the District 69 Arena.

Herold Engineering oversaw the completion of facility and systems assessment and determined that between \$350,000 - \$500,000 is required over the next three to five years to maintain basic functions of the facility. The Board is now faced with deciding whether or not to direct PCC to carry out the capital work as per the terms of the existing lease agreement and/or provide support with the required capital work to keep the District 69 Arena basic structure and operating systems viable either as a curling club or possible alternative use. The RDN Recreation Services Master Plan for Oceanside expires in 2016 and the creation of a new plan could take into consideration the future of the District 69 Arena.

RECOMMENDATIONS

1. That the Parkville Curling Club continue with capital plan responsibilities as per the existing lease agreement and staff be directed to review funding options, including grants, to replace systems and upgrade the facility to continue as a curling club.
2. That Regional District consider alternative facility uses for the District 69 Arena and associated costs as part of the 2016 Recreation Services Master plan process for District 69.



Report Writer



(AGM) General Manager Concurrence



C.A.O. Concurrence

APPENDIX 'A'

Herold Engineering - RDN District 69 Arena (Parkville Curling Club) Building Assessment

Executive Recommendation Summary:

HEL Building Envelope Review

Based on our condition assessment, some elements of the Regional District 69 Arena are experiencing varying degrees of deterioration that, if left unaddressed, can impact the service life. Below we have broken out our recommendations into a Short Term (<1year), Mid Term (1-5years) and Long Term (5-10years).

Short Term (<1year)

- Based on our review we recommend an immediate replacement of the roofing system. Our findings on July 10 2014 yielded numerous deficiencies which all impact the remaining service life of the roofing system. Below are our recommended costs for roof replacement.

Item #	Recommendation	Time Frame	OPC
1	Roofing – Target Repair	Immediate	\$20/sq.ft
2	Re-roofing Flat	Immediate	\$140,000
3	Re-roofing Sloped	Immediate	\$280,000

Mid Term (1-5years)

- We recommend an over-clad of the current wall system, which would include cladding with separate layers of materials to perform the various functions and performance standards required of an exterior wall such as separation of environments for comfort, and thermal properties.
- An alternative and more cost effective option would be to review concrete joint condition and repair where needed and re-paint the exterior walls with an approved Vapour Permeable paint.
- The sealant around most openings is starting to fail and we recommend renewal.

Item #	Recommendation	Time Frame	OPC
1	Over Clad Exterior Walls	As Required	\$810,000
2	Sealant Renewal	1-2 years	\$3,000.00
3	Vapour Permeable Paint	Optional / Line Item 4	\$607,500

Long Term (5-10years)

- Due to the current condition and age of the Arena we recommend all items be completed within 10 years.

Block-Tech Environmental Review

Short Term (<1 year)

The mould-impacted material in the New York Storage Room and Tunnel Hallway should be removed using specific procedures outlined in the Mould Guidelines for the Canadian Construction Industry, Guide 82, Canadian Construction Association.

Remediation work should be designed and supervised by a health and safety professional with experience in performing mould assessments and remediation.

Further testing, including mould air sampling should be performed in all of the storage areas and Tunnel Hallway that have been impacted by the water leaks to determine if additional areas have been impacted with mould.

The lead-containing paint in the Tunnel Hallway that is peeling and impacted with mould requires abatement.

Mid Term (1-5 years)

All asbestos materials not removed in conjunction with the planned renovations must be managed through the development and implementation of an Asbestos Management Program.

The lead paint and asbestos-containing materials should undergo annual inspections to determine the conditions of the hazardous building materials.

If any hazardous building materials are found to have deteriorated the material should be repaired or abated.

Long Term (5-10 years)

The paint on the Mechanical Room compressor can remain until repairs will negatively impact it or the compressor is replaced.

The black vinyl flooring is in good condition and can remain as is until renovations or other types of work could negatively impact it.

The asbestos-containing insulation surrounding the domestic water tank is in good condition and can remain in place until renovations or repairs are required.

RB Engineering Electrical Review

Based on our review, there are a number of avenues available for potential energy savings (see main body of this audit), these items would need to be further explored on a case to case basis. Below are the electrical infrastructure required upgrades broken down into, Immediate (Life Safety), Short Term (<1 year), Mid Term (1-5 years) and Long Term (5-10 years).

Immediate (Life Safety) – Total Estimated Cost \$17,500

There are currently some life safety issues that reside within the building that currently do not meet BCBC (British Columbia Building Code) and should be addressed immediately. They are as follows;

- Upgrade / Replacement of the fire alarm system to ensure all required devices are in place and verified - \$7,500
- Expand / Replace the emergency lighting system throughout the building to meet BCBC requirements - \$7,500
- Add additional signage to ensure that all exits and exit paths meet BCBC requirements - \$2,500

Short Term (<1 year) – Total Estimated Cost \$7,000

In the short term, we recommend the following;

- Thermographic Scan and full servicing of the unit Substation - \$5,000
- Thermographic Scan of all major distribution panels and exercise all circuit breakers and disconnect switches - \$2,000

Mid Term (1-5 years) – Total Estimated Cost \$100,000

- Based on the estimated age of the building being around 40 years, all major electrical distribution appears to be original and is starting to show signs of rust and the panels are no longer supported by the manufacturers. With average lifespans of this equipment being around 30 years and after the results of our findings we recommend a full replacement of the equipment will be necessary.

Long Term (5-10years) – Total Estimated Cost \$124,500

- Due to the current condition and age of the Arena, we recommend all items to be completed within 10 years.

RP Engineering Mechanical Review

Rocky Point Engineering Ltd. has been engaged to review the condition of the Mechanical systems for the Regional District 69 Arena located at 220 Corfield Street North in Parksville and provide a Mechanical Systems Condition Assessment Report.

Noted below is a broad scope estimation of probable cost for capital expenditures exceeding \$5,000 in short term (<1yr), mid-term (1–5 yrs) and long term (5-10yrs).

Short Term (<1yr)

- There are a few items that should be addressed immediately but they are not expected to exceed \$5,000. This includes the following:
 - Replacement of the existing drinking fountain in the concourse area.
 - Replacement of the pressure gauge at the domestic water main prior to the pressure reducing valve in the storage room.
 - Replacement of the damaged wall mounted exhaust fan.

- As many of the mechanical systems noted are at or near the end their useful service life there is a possibility that some of these systems may fail within the year. I am considering that with regular maintenance these system would be able be functionally used for this following year.

Mid Term (1 – 5yrs) (Total estimated costs \$119,000 - \$163,000)

- Replacement of the two rooftop gas-fire air handling units. (\$15,000 - \$25,000)
 - The system serving the concourse should be replaced with a packaged heat pump air handling unit.
 - The system serving the storage rooms could be replaced with a new gas-fired make-up air unit.
- Replacement of the three arena dehumidification units (\$75,000 – 100,000)
 - Recommend units be replaced with systems allowing treatment of outdoor air for space ventilation.
- Replacement of arena louvres (\$7,500 - \$10,000)
- Replacement of the washroom plumbing fixtures (\$4,000 - \$5,000)
- Replacement of the service sinks (\$2,000 - \$3,000)
- Replacement of the existing roof and wall mounted exhaust fans (\$15,000 – 20,000)

Long Term (5 – 10yrs)

- It is expected that replacement of the gas-fired water heater installed within the last 8 years will be required but it is not expected to exceed \$5,000
- It is expected that any copper type domestic water piping installed with the original building construction would need to be replaced after 10 years' time. It may continue to function but general failure can be expected around this time which includes leaks. It was not clear which areas had been renovated and much of the piping systems where redundant so it was not possible to quantify the amount of piping that will be affected. Further investigation may be required.



RDN REPORT	
CAO APPROVAL ###	
EAP	
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RHD	
BOARD	✓

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: October 16, 2014

FROM: Tyler Brown
Planner

FILE: PL2014-121

SUBJECT: Development Permit Application No. PL2014-121 – Isle West Investments Ltd.
The South ½ of Section 17, Range 8, Cranberry District, Except Parts in Plans 7978, 1337R, 2735 RW, VIP62879 and VIP80143
Electoral Area 'A'

PURPOSE

To consider an application for a Development Permit to permit the placement of fill and establish a building envelope for a future dwelling within the Nanaimo River Floodplain Development Permit Area (DPA) on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Isle West Investments Ltd. in order to permit the placement of fill and establish a building envelope for a future dwelling unit within the Nanaimo River Floodplain Development Permit Area. The subject property is approximately 2.55 ha in area and is split zoned Rural 4 (RU4), Subdivision District 'D' and Residential 2 (RS2), Subdivision District 'M' pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The RU4 zoned portion of the parcel is north of Harmac Road and bordered by other RU4 zoned parcels. The RS2 zoned portion of the parcel is south of Harmac Road and bounded by the Duke Point Highway along the southern property boundary (see Attachment 1 — Subject Property Map). The applicant is currently in the process of subdividing the subject property and fill is required to create a geotechnically safe building envelope on proposed Lot 1 (see Attachment 3 – Proposed Plan of Subdivision).

The proposed development is subject to the Nanaimo River Floodplain Development Permit Area in accordance with the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011". Development Permit PL2014-085 was issued on August 26, 2014, which established a 15.0 metre Streamside Protection and Enhancement Area for the watercourse on the subject property.

Proposed Development

The applicant is in the process of subdividing the parent parcel into two lots by subdivision approval under the *Land Title Act*. Proposed Lot 1 is within the Nanaimo River Floodplain Development Permit Area and the placement of structural fill is required to create a geotechnically safe building site (see Attachment 3 – Proposed Plan of Subdivision). The applicant is proposing to place engineered fill on the subject property in accordance with the submitted Geotechnical Report, prepared Lewkowich Engineering Associates Ltd. and dated July 8, 2013, to create a building envelope on the location

identified on the Proposed Plan of Subdivision. Based on the topographic survey, it is estimated the maximum depth of the fill will be approximately 2.5 metres from the current ground surface (see Attachment 4 – Topographic Site Plan).

ALTERNATIVES

1. To approve Development Permit No. PL2014-121 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2014-121.

LAND USE IMPLICATIONS

Development Implications

The applicant has provided a Geotechnical Report prepared by Lewkowich Engineering Associates Ltd., dated July 8, 2013, to satisfy the requirements of the Nanaimo River Floodplain Development Permit Area. The report concludes that safe residential construction should be 7.5 metres above geodetic elevation in the event of a one in 200 year flooding event of the Nanaimo River, engineered fill should be used to achieve a minimum residential floor elevation of 7.5 metres geodetic, and the engineered fill should be protected by an apron of fill with a slope of at least 2H:1V. Furthermore, the report concludes that if the recommendations of the report are followed the subject property is safe and suitable for the proposed development. Staff recommend that the applicant be required to register the Geotechnical Report on the property title as a Section 219 restrictive covenant which also includes a save harmless clause that releases the RDN from all losses and damages as a result of potential flood hazards.

Environmental Implications

A 15.0 metre Streamside Protection and Enhancement Area (SPEA) has been established for the watercourse on the western portion of the subject property. The proposed fill is to be placed outside of the SPEA and therefore no environmental implications are anticipated.

Inter-governmental Implications

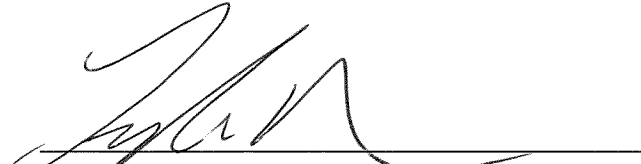
Covenant EX162636 is registered on the property title in favour of the Ministry of Transportation and Infrastructure (MOTI) and restricts any structure from being built or erected on proposed Lot 1. As a condition of subdivision, MOTI will release covenant EX162636 on the condition that the applicant register a new Section 219 covenant on proposed Lot 1 outlining the parameters of the Geotechnical Report prepared by Lewkowich Engineering Associates Ltd., dated July 8, 2013.

SUMMARY/CONCLUSIONS

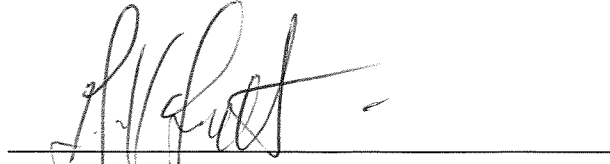
This is an application for a Development Permit to permit the placement of fill and establish a building site for a future dwelling within the Nanaimo River Floodplain Development Permit Area on the subject property. The applicant has provided a Geotechnical Report prepared by Lewkowich Engineering Associates Ltd., dated July 8, 2013, to satisfy the applicable development permit area guidelines and determine that the site is safe for the proposed development works. The applicant will be required to register the Geotechnical Report on title as a Section 219 restrictive covenant with a clause that releases the Regional District of Nanaimo from all losses and damages as a result of potential flood hazards. As such, staff recommend approval of Development Permit No. PL2014-121.

RECOMMENDATION


That Development Permit No. PL2014-121 to permit the placement of fill and establish a building envelope for a future dwelling within the Nanaimo River Floodplain Development Permit Area be approved subject to the conditions outlined in Attachments 2 to 4.




Report Writer



General Manager Concurrence

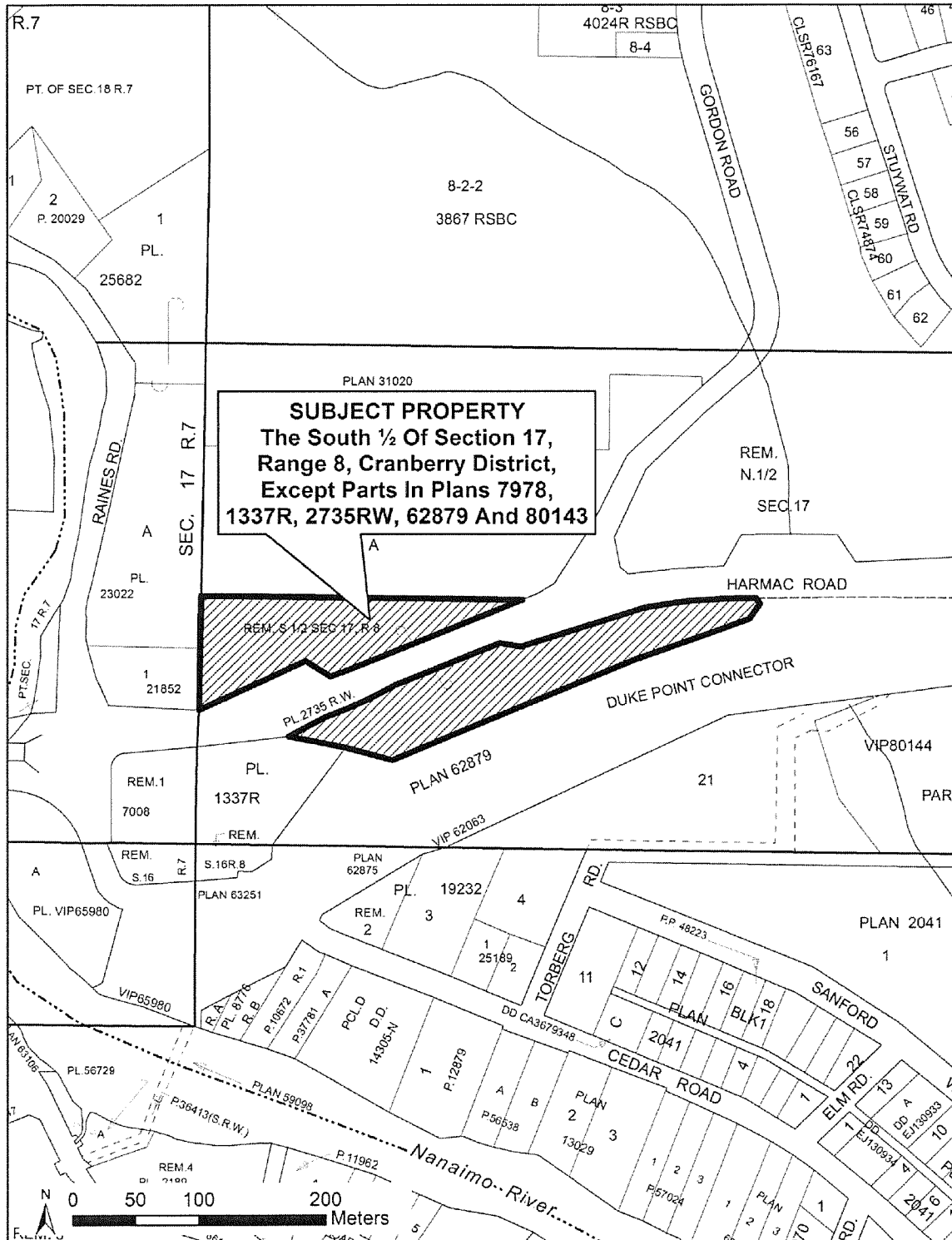


Manager Concurrence



CAO Concurrence

Attachment 1
Subject Property Map



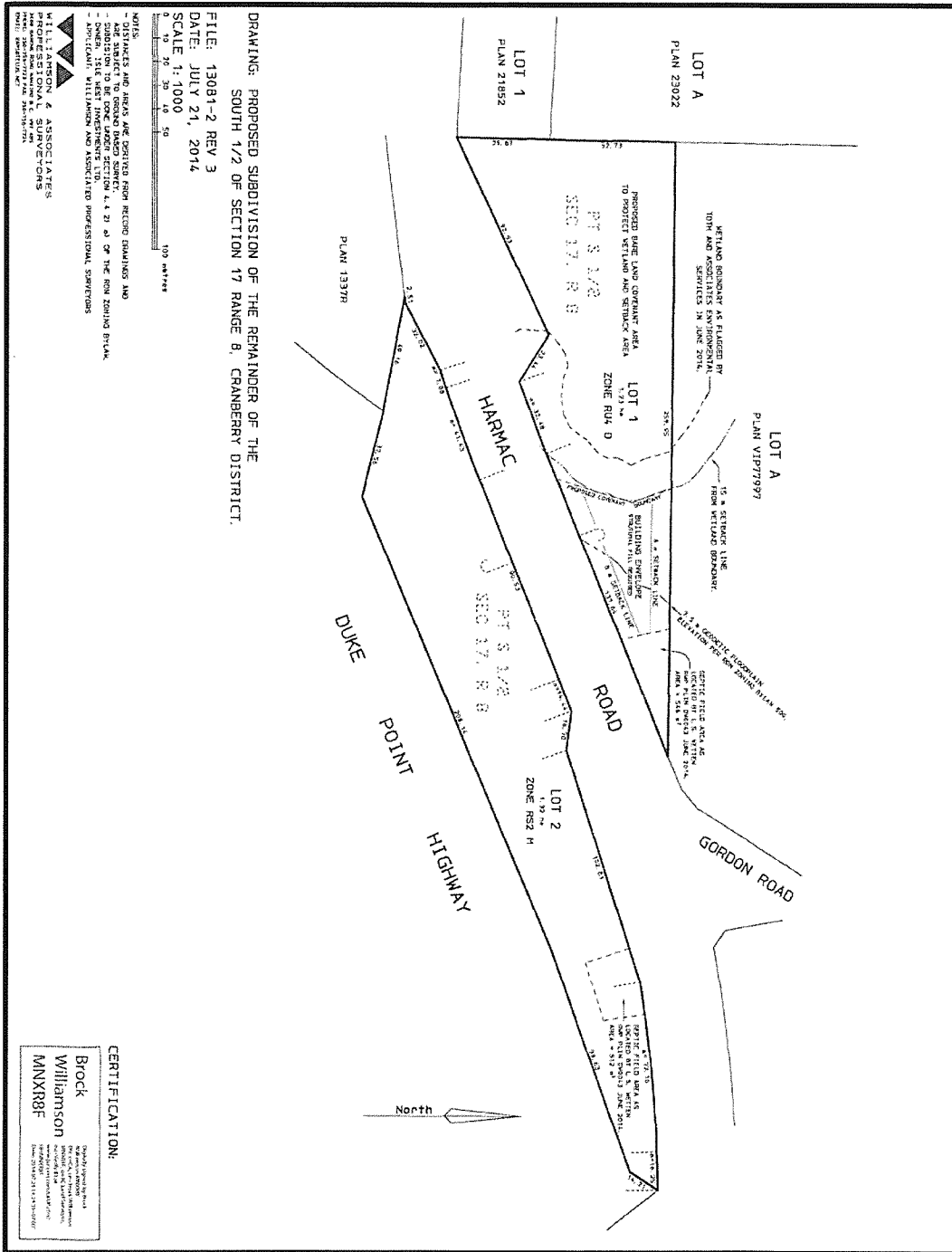
Attachment 2
Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit No. PL2014-121:

Conditions of Approval

1. The site be developed in accordance with the Site Plan prepared by Williamson & Associates Professional Surveyors, dated July 21, 2014, as shown in Attachment 3.
2. The property shall be developed in accordance with the recommendations of the Geotechnical Report prepared by Lewkowich Engineering Associates Ltd. dated July 8, 2013.
3. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 covenant that registers the Geotechnical Report, prepared by Lewkowich Engineering Associates Ltd. and dated July 8, 2013, on the property title and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of potential flood hazards.
4. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.
5. That the fill placement take place in a manner consistent with approvals issued under Development Permit PL2014-085.

Attachment 3 Proposed Plan of Subdivision (page 1 of 2)



DRAWING: PROPOSED SUBDIVISION OF THE REMAINDER OF THE SOUTH 1/2 OF SECTION 17 RANGE 8, GRANBERRY DISTRICT.

FILE: 13081-2 REV 3
DATE: JULY 21, 2014
SCALE: 1:1000

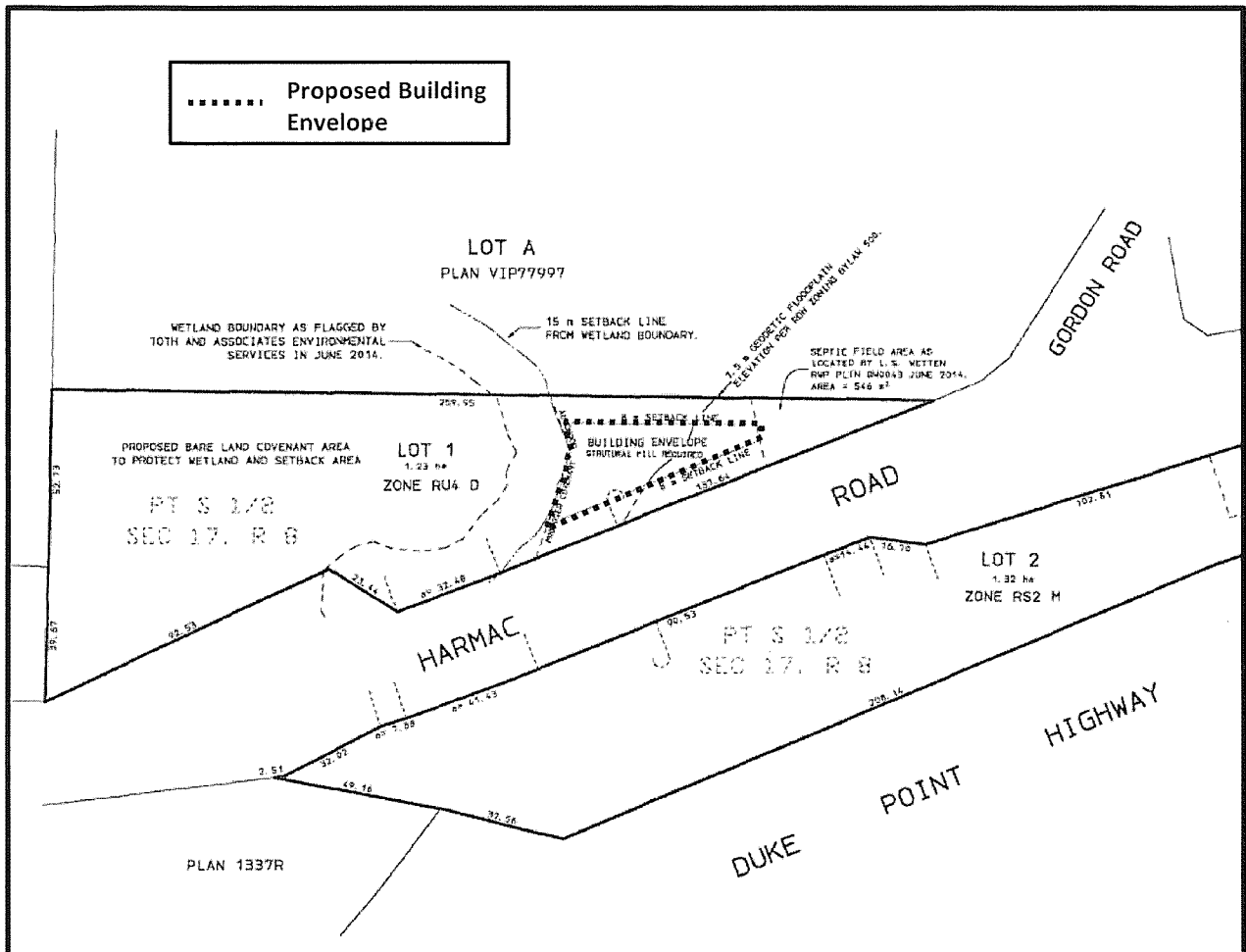


- NOTES:
- DISTANCES AND ANGLES ARE DERIVED FROM RECORDED DRAWINGS AND SURVEY DATA.
 - ALL DISTANCES ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 - OWNER: ISLE HEST INVESTMENTS LTD.
 - SPECIALTY: WILLIAMSON AND ASSOCIATED PROFESSIONAL SURVEYORS

WILLIAMSON & ASSOCIATES
PROFESSIONAL SURVEYORS
1000 WEST 10TH AVENUE
EDMONTON, ALBERTA T6P 0K6
CANADA

CERTIFICATION:
Brock Williamson
MNXRBF

Attachment 3
Proposed Plan of Subdivision (page 2 of 2)





RDN REPORT	
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EAP	<input type="checkbox"/>
COW	<input type="checkbox"/>
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RHD	<input type="checkbox"/>
BOARD	<input checked="" type="checkbox"/>

MEMORANDUM

TO: Geoff Garbutt
General Manager,
Strategic & Community Development

DATE: October 20, 2014

FROM: Lisa Bhopalsingh
Senior Planner

FILE: 0400-70-01

SUBJECT: Formal Acknowledgment of First Nations Traditional Territory

PURPOSE

The purpose of this report is to provide the Regional District of Nanaimo (RDN) Board with information on appropriate ways to respectfully acknowledge First Nations traditional territory and the presence of First Nations leaders.

BACKGROUND INFORMATION

The RDN 2013-2015 Board Strategic Plan and Regional Growth Strategy (RGS) both identify actions that work towards enhancing relationships with First Nations. The Strategic Plan specifically identifies facilitating “effective dialogue about matters of mutual interests between the RDN...and other orders of government including First Nations.” Consistent with the Strategic Plan, the 2011 RGS identifies continued outreach initiatives to First Nations including signing of protocol agreements as an action item to implement RGS Goal 11– Cooperation Among Jurisdictions.

In keeping with both the Strategic Plan and RGS, on June 25, 2013, the RDN Board expressed a desire to find out more about protocols for acknowledging First Nations traditional territory. The RDN Board directed staff to “engage First Nations and prepare examples of suitable wording consistent with First Nations protocols for the Board’s consideration”.

This report presents the RDN Board with information to consider regarding when and how to acknowledge First Nations and their traditional territory (see Attachment 1). This information is consistent with First Nations protocols and was drafted with input from First Nations including the Chiefs of two First Nations whose traditional territory the RDN is within. This includes suitable language depending on the type of meeting/event, who is hosting, the location, and the known presence of First Nations leaders.

DISCUSSION

For the past few years the RDN has started to follow First Nations protocols for RDN special events and key meetings involving First Nations. As part of planning these events, RDN staff seek guidance from First Nations leaders, elders or staff to ensure that appropriate protocols are followed. This typically

involves RDN representatives following protocol by acknowledging First Nations traditional territory and the presence of First Nations leaders. At past events First Nations have welcomed people onto their traditional territory and have performed a blessing or special ceremony.

There are now several local governments in British Columbia acknowledging First Nations communities and their traditional territory at the outset of important meetings. For example, the Alberni-Clayoquot Regional District adopted a resolution directing its Chair to recognize that board meetings are being held within First Nations traditional territory. This is done immediately after calling the meeting to order and then recorded in the minutes.

Although there is no formal policy adopted, the Islands Trust Chair acknowledges traditional territory at the outset of all Trust Council meetings: *"I would like to recognize that we are in the traditional territory of the Coast Salish Peoples (on Gabriola, she says Snuneymuxw) and thank them for their stewardship of the islands"*. These words are often repeated twice in one meeting if more members of the public arrive during the proceedings. This is typically prior to the start of delegations or town hall meetings that form part of the Council meeting agendas. For all other regular Islands Trust meetings including smaller committee meetings, representatives use discretion regarding whether or not they do acknowledgments (this is typically based on comfort levels and training of the representative).

Like the Islands Trust, the City of Nanaimo does not have a formal policy regarding doing traditional territory acknowledgments, however it has become customary for elected officials to acknowledge traditional territory when opening special events and as appropriate invite a First Nations elder to do a welcome. The City of Nanaimo does not currently do acknowledgments at the start of each Council Meeting.

In addition to special events, there are important regular meetings involving the RDN Board (including regular board meetings) where doing acknowledgments would be in keeping with First Nations protocols. Both Chief David Bob of Snaw-Naw-As and Chief Michael Recalma of the Qualicum First Nation during discussions about when and how often it is appropriate to use acknowledgement protocols, have advised that *protocol never gets worn out or old*. Based on discussions with these leaders it is understood that following acknowledgment protocols goes beyond "special" one-off events and is a standard way of showing respect on a regular basis.

ALTERNATIVES

1. To acknowledge First Nations traditional territory (using the guidelines suggested in Attachment 1) at the beginning of RDN Board meetings and special events hosted by the RDN.
2. To not acknowledge First Nations traditional territory (using the guidelines suggested in Attachment 1) at the beginning of RDN Board meetings and special events hosted by the RDN.

STRATEGIC AND INTERGOVERNMENTAL IMPLICATIONS

Acknowledging First Nations people and their territory at the start of meetings held on First Nations traditional territory is considered one of the most important ways of showing respect. In recognition of this, First Nations acknowledgment protocols are starting to become standard practice for local government elected officials and staff in British Columbia.

Ensuring that the RDN understands, respects and follows First Nations' protocols is part of the RDN Board's commitment to strengthening working relationships with First Nations governments. A representative of the First Nations Summit advises that if acknowledgment is going to be done by representatives of a local government then it should be clear that the local government is committed to taking steps to build a mutually beneficial relationship at the same time.

The RDN has been demonstrating this commitment through actions taken to develop working relationships to collaborate on a variety of issues with Qualicum, Snaw-Naw-As and Snuneymuxw First Nation. Formal examples of this include the June 2009 protocol agreement with Snuneymuxw First Nation, and the November 2013 agreement to provide customized handyDART service to Snaw-Naw-As. There have also been ongoing discussions to address shared interests and ideas for collaboration involving parks, recreation and watershed protection. A strong example of this is the RDN Board's actions to consider Snaw-Naw-As traditional territory interests in the Fairwinds Comprehensive Zoning and Phased Development Agreement. The strengthening of relationships is also reflected by greater participation of First Nations and RDN representatives in each other's special events.

To address concerns of unintentionally causing offence by excluding a First Nation when doing acknowledgments in situations where there may be overlapping or shared traditional territory, it has been suggested by Chief Bob that recognition be given more broadly to "Coast Salish Nations" or "Coast Salish People". However, both he and Chief Recalma indicated that if it is clear or has been confirmed that a meeting or event is taking place on the traditional territory of a specific First Nation then that Nation should be specifically recognized.

FINANCIAL IMPLICATIONS

While there are no immediate financial implications related to any of the options contained in this report, there is much evidence that consistent actions to demonstrate respect are central to building trusting and respectful relationships with First Nations.

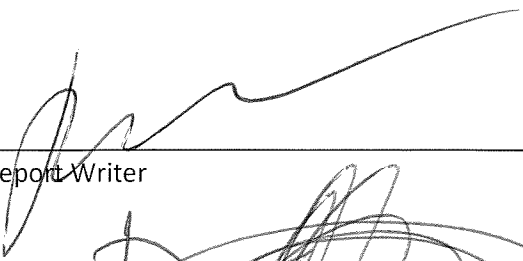
Acknowledgement protocols are about respect and trust. Relationships built on trust and respect bring tangible social and economic benefits to communities, organizations and individuals. This includes smoother development of partnerships, and of great significance the ability to avoid or more quickly resolve disagreements.

SUMMARY/CONCLUSIONS

This report provides the RDN Board with examples of suitable wording and suggested contexts for usage to acknowledge First Nations communities and their traditional territory. The examples provided account for instances where traditional territories of two or more First Nations overlap.

RECOMMENDATION

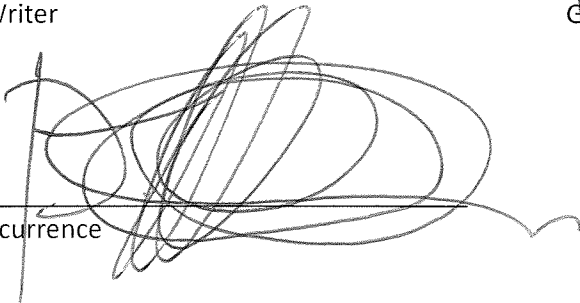
To acknowledge First Nations traditional territory (using the guidelines suggested in Attachment 1) at the beginning of RDN Board meetings and special events hosted by the RDN.



Report Writer



General Manager Concurrence



CAO Concurrence

Attachment 1

Guidelines for Acknowledging First Nations Traditional Territory

A RDN Hosted Events at the RDN Administration Offices, 6300 Hammond Bay Road

The following wording is suitable for use at the RDN Administration Offices for regular meetings of the RDN Board, other important meetings or special events hosted by the RDN (including celebrations involving First Nations):

I would like to respectfully recognize the Coast Salish Nations whose traditional territory we are on.

B RDN Hosted Events at the other locations in the region

The following wording is suitable for use at other locations in the region for important meetings or special events hosted by the RDN (including celebrations involving First Nations):

For one First Nation

I would like to respectfully recognize _____ First Nation [insert appropriate name] whose traditional territory we are on.

For more than one First Nation

I would like to respectfully recognize that we are on the traditional territory of several First Nations including _____ [insert appropriate First Nations in order]*

C RDN Hosted Special Events

For larger special events it is appropriate and respectful to invite a member of a First Nation to do a welcome (this may involve doing a blessing or another ceremony). Ideally the welcome will be done by a respected elder suggested by the First Nation. In such instances it is customary to provide an honorarium or gift to acknowledge and thank the person doing the welcome.

Please note that the only person who would “welcome” people onto a First Nation’s territory would be a member of that First Nation. A “welcome” would follow the initial RDN acknowledgment of traditional territory.

I would now like to invite _____ to welcome us to their traditional territory.

D Recognizing and Introducing First Nations Chiefs/ Elected Officials

Following acknowledgment of the First Nation/s and their traditional territory, elected and hereditary First Nations Chiefs should be recognized and invited to speak. Where there are one or more Chiefs present, then the order of introductions starts with the Chief whose traditional territory to the meeting site is on*. Elected Chiefs are introduced before hereditary chiefs.

I would like to acknowledge the presence of Chief _____ of _____ First Nation. Chief _____ we invite you to speak.

E Events Hosted by First Nations

The following wording is suitable for use at important meetings or special events hosted by First Nations where RDN representatives are invited to speak:

I would like to respectfully thank _____ First Nation [insert appropriate name] for welcoming us onto your traditional territory.

* Where a meeting/event takes place on overlapping or shared territory then it is recommended that discussions take place beforehand with each Nation to confirm protocols and determine the order in which each First Nation is recognized and the Chiefs that are present introduced.