

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, NOVEMBER 10, 2015
7:10 PM**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

7 **Rob Bernhardt, Canadian Passive House Institute West**, re Benefits of Passive House Buildings.

8 **Brian Johnson, PERC**, re Recreation Facility, Programs, and Sports Field Services 2015 Survey.

MINUTES

9-13 Minutes of the Regular Committee of the Whole meeting held Tuesday, October 13, 2015.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

14 **Thomas W. Barnes, Municipal Insurance Association of BC**, re MIABC Dividend Cheque.

15-17 **Chief David Bob, Nanoose First Nation**, re Beachcomber Marina Proposed Expansion to the South.

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

18-54 To introduce sewer source control Bylaws 1730 and 1418.04.

55-80 Sanitary Sewer Use Agreement with Snuneymuxw First Nation and the City of Nanaimo.

- 81-84 Greater Nanaimo Pollution Control Centre Marine Outfall Engineering Services Award and Development Cost Charge Reserve Fund Expenditure Bylaw.

WATER AND UTILITY

- 85-92 Bylaws No. 867.07 and 1049.08 – Inclusion of 2 Parker Road Properties into the Nanoose Bay Peninsula Water Service Area, Electoral Area 'E'.

STRATEGIC AND COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

- 93-102 Establishment of a Community Health Service in School District 69.

RECREATION AND PARKS

RECREATION

- 103-130 Recreation Facility, Programs, and Sports Field Services 2015 Survey.

ADVISORY, SELECT COMMITTEE AND COMMISSION

Electoral Area 'B' Parks and Open Space Advisory Committee

- 131-134 Minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Tuesday, October 6, 2015 (for information).

Community Park Name Changes

That consultation with DeCourcey Island Residents be undertaken to allow them to choose names of their Community Parks.

Electoral Area 'F' Parks and Open Space Advisory Committee

- 135-137 Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee meeting held Wednesday, October 14, 2015 (for information).

District 69 Recreation Commission

138-141 Minutes of the District 69 Recreation Commission meeting held Thursday, October 15, 2015 (for information).

142-143 **District 69 Youth and Community Recreation Grants**

Youth Grants

That the following District 69 Youth Recreation Grant applications be approved:

Arrowsmith Community Recreation Association- youth sports programs	4,200
Bow Horne Bay Community Club- Halloween event	2,500
District 69 Family Resource Association- youth drop-in food	1,800
District 69 Family Resource Association- youth drop-in keyboard and acoustic guitar	500
Total	9,000

Community Recreation Grants

That the following District 69 Community Recreation Grant applications be approved:

Arrowsmith Agricultural Association - Family Day Celebration	1,982
Bowser Tennis Club- court cleaning and signage	2,484
Forward House Community Society- recreation activities	2,328
Lighthouse Community Centre Society- Soupy Café lunch social program	2,200
Lighthouse Community Slo-Pitch League- snow fencing	687
Oceanside Paddlers- boat and equipment	4,243
Qualicum and District Curling Club- BC Mixed Championships	2,000
Ravensong Masters Swim Club- pool rental	1,250
Total	17,174

District 69 Community Justice Select Committee

144-145 Minutes of the District 69 Community Justice Select Committee meeting held Monday, October 19, 2015 (for information).

Victim Services, Restorative Justice and Community Policing/Oceanside Community Safety Volunteers

That the 2016 requisition for funding to support the Oceanside Victim Services, Restorative Justice and Community Policing Programs be approved at \$122,300 and that the "Regional District of Nanaimo Crime Prevention and Community Justice Support Service Bylaw No. 1479, 2006" be amended accordingly.

Community Safety Grant-in-Aid Applications

1. *That a 2016 grant in the amount of \$5,000 for the Oceanside Community Safety Volunteers be approved.*
2. *That the grant request from Errington Preschool Parents Society be referred to the next intake of the D69 Recreation Grants Program.*

Regional Parks and Trails Select Committee

146-148 Minutes of the Regional Parks and Trails Select Committee meeting held Tuesday, October 20, 2015 (for information).

149-150 **Descanso Bay Oyster Harvesting.**

That the RDN write a letter to advise the Department of Fisheries and Oceans of the concerns of over harvesting of oysters at Descanso Bay Regional Park and those operating without a license.

Mt. Benson Race Request.

That the RDN not permit race requests to use the Mount Benson Regional Parks trail system at this time due to trail degradation and parking issues.

Grants-In-Aid Advisory Committee

151-152 Minutes of the Grants-in-Aid Advisory Committee meeting held Wednesday, October 21, 2015 (for information).

District 68

That Grant-in-Aid funds for District 68 be awarded as follows:

Scouts Canada 1st Gabriola Scouts Group – outdoor camping equipment	\$ 0.00
Tozan Cultural Society – complete the construction of a smaller wood-fired kiln	\$ 1,709.08
Yellow Point Drama Group – lighting upgrades for the stage	\$ 3,113.50
Total	\$ 4,822.58

District 69

That Grant-in-Aid funds for District 69 be awarded as follows:

Alpine Gardeners of Central Vancouver Island – toward the purchase of equipment (Power Point program, lap top, computer, screen, printer and materials), camera, library cart and books	\$ 2,915.64
Canadian Red Cross Society – computer, printer, and signage	\$ 1,480.00
Heartwood Home Learners Co-operative – equipment for outdoor programming	\$ 1,400.00
Lighthouse Community Centre Society – security escutcheons and weather-stripping for exterior doors for the hall	\$ 1,000.00
Oceanside Building Learning Together Society – Books for Babes Program	\$ 1,000.00
Oceanside Hospice Society – equipment for the Equipment Loan Program	\$ 5,000.00
Total	\$12,795.64

Agricultural Advisory Committee

153-154 Minutes of the Agricultural Advisory Committee meeting held Friday, October 23, 2015 (for information).

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

IN CAMERA

That pursuant to Sections 90 (1) (a) and (e), and 90 (2) (d) of the Community Charter the Committee proceed to an In Camera Meeting, for discussions related to Board nominations, land acquisitions, and third-party business interests.

ADJOURNMENT

Benefits of Passive House Buildings

From: Bernhardt Rob

Sent: Tuesday, October 06, 2015 3:25 PM

Subject: Request to appear at Board meeting

I am writing to request to appear as a delegation at the RDN Board meeting on behalf of CanPHI West to make a presentation on Passive House buildings and how they could benefit the region.

Please let me know if you require further information.

Best regards,

Rob Bernhardt | B.Comm, JD

President | Canadian Passive House Institute (CanPHI) West

rob@canphi.ca | 250-893-2514



**Canadian Passive
House Institute West**

Re: Recreation Facility, Programs, and Sports Field Services 2015 Survey.

From: Banman, Dean
Sent: Wednesday, October 07, 2015 4:48 PM
To: Brian Johnston
Subject: PERC Presentation on Usage Report

Hi Brian, following up on the meeting this afternoon, the staff report and your presentation will occur at the RDN November Committee of the Whole meeting starting at 7:00 PM on Tuesday, November 10 in the Board Chambers at the main RDN Office.

We can discuss more of the specifics when we chat again and get closer to the date. I will cover this on Friday when we meet via phone but I will provide you with the staff report in advance of the November 10th board meeting.

Dean Banman
Manager of Recreation Services
Regional District of Nanaimo, Recreation and Parks
830 West Island Highway
Parksville, BC
V9P 2X4
P: 250.248.3252 or 1.888.828.2069
F: 250.248.3159 www.rdn.bc.ca

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, OCTOBER 13, 2015 AT 7:02 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director C. Haime	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo
Alternate	
Director G. Fuller	City of Nanaimo
Alternate	
Director D. Brennan	City of Nanaimo
Director I. Thorpe	City of Nanaimo
Director B. Yoachim	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach

Regrets:

Director J. Kipp	City of Nanaimo
Director W. Pratt	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
D. Banman	A/Gen. Mgr. Recreation & Parks
G. Garbutt	Gen. Mgr. Strategic & Community Development
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 Brennan and Fuller to the meeting.

LATE DELEGATIONS

MOVED Director Westbroek, SECONDED Director Lefebvre, that late delegations be permitted to address the Board.

CARRIED

Tim and Holly Clermont, Guardians of Mid-Island Estuaries Society, re Canada Goose Management Strategy.

Holly and Tim Clermont provided a slide presentation highlighting management strategies of the Canada Goose population and asked for the Board's support by participating in a regional working group to plan next steps.

COMMITTEE OF THE WHOLE MINUTES

Minutes of the Regular Committee of the Whole meeting held Tuesday, September 8, 2015.

MOVED Director Houle, SECONDED Director Veenhof, that the minutes of the Regular Committee of the Whole meeting held Tuesday, September 8, 2015, be adopted.

CARRIED

CHIEF ADMINISTRATIVE OFFICER

Strategic Planning Process.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board receive for information the overview report on the Strategic Planning Process Session of July 31, 2015, provided by Paragon Strategic Services Ltd. as attached to the staff report.

CARRIED

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board adopt the recommended strategic plan process as outlined in the staff report, and direct the Chief Administrative Officer to schedule the sessions as described as soon as practically possible and engage Paragon Strategic Services (Tracey Lorensen) to facilitate the strategic planning process.

CARRIED

CORPORATE SERVICES

WHMIS Policy.

MOVED Director Lefebvre, SECONDED Director Thorpe, that Policy No. A4.2 - WHMIS be converted from a Board Policy to a Chief Administrative Officer Policy and referred to staff.

CARRIED

ADMINISTRATION

Alternative Approval Process to Establish a District 69 Search and Rescue Contribution Service – Bylaw No. 1736.

MOVED Director Fell, SECONDED Director Westbroek, that "Northern Community Search and Rescue Contribution Service Establishment Bylaw No. 1736, 2015" be introduced and read three times and be forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Fell, SECONDED Director Westbroek, that participating area approval is to be obtained for the entire proposed service area.

CARRIED

MOVED Director Fell, SECONDED Director Westbroek, that the Board establish 4:30 pm on Thursday, February 25, 2016, as the deadline for receiving elector responses for the alternative approval process.

CARRIED

MOVED Director Fell, SECONDED Director Westbroek, that the Board approve the Elector Response Form as provided in Attachment 2.

CARRIED

MOVED Director Fell, SECONDED Director Westbroek, that the Board determine the total number of electors to which the approval process applies to be 36,826.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER SERVICES

Bylaws No. 888.06 and 889.71 – Wastewater Service Requisition Amendments.

MOVED Director Lefebvre, SECONDED Director Yoachim, that "Regional District of Nanaimo Southern Community Sewer Local Service Amendment Bylaw No. 888.06, 2015" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Lefebvre, SECONDED Director Yoachim, that "Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.71, 2015" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED

Greater Nanaimo Pollution Control Centre Marine Outfall Replacement Construction Award.

MOVED Director Bestwick, SECONDED Director Rogers, that the Board award the construction contract for the Greater Nanaimo Pollution Control Centre Marine Outfall Replacement Project to Vancouver Pile Driving Ltd. for a value of \$8,829,000.

CARRIED

MOVED Director Bestwick, SECONDED Director Rogers, that the Board award the engineering services contract for the Greater Nanaimo Pollution Control Centre Marine Outfall Replacement Project to Opus Dayton Knight for \$600,000.

CARRIED

MOVED Director Bestwick, SECONDED Director Rogers, that "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1737, 2015" be introduced and read three times.

CARRIED

MOVED Director Bestwick, SECONDED Director Rogers, that "Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1737, 2015" be adopted.

CARRIED

ADVISORY, SELECT COMMITTEE AND COMMISSION

Electoral Area 'A' Parks, Recreation and Culture Commission.

Minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held Wednesday, September 16, 2015.

MOVED Director McPherson, SECONDED Director Young, that the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held Wednesday, September 16, 2015, be received for information.

CARRIED

Electoral Area 'H' Parks and Open Space Advisory Committee.

Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Wednesday, September 16, 2015.

MOVED Director Veenhof, SECONDED Director Thorpe, that the minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee meeting held Wednesday, September 16, 2015, be received for information.

CARRIED

Garbage and Recycling Cans at the Lighthouse Community Park Ball Fields.

MOVED Director Veenhof, SECONDED Director Thorpe, that staff be directed to initiate efforts to provide two garbage and recycling cans at the Lighthouse Community Park ball fields.

CARRIED

MOVED Director Veenhof, SECONDED Director Thorpe, that garbage pickup service for four garbage cans at the Lighthouse Community Park ball fields during the Slo-pitch season be allocated in the 2016 budget.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Guardians of Mid-Island Estuaries Society re Canada Goose Management Strategy.

MOVED Director Westbroek, SECONDED Director Lefebvre, that staff be directed to work with the regional working group to come up with a strategy to reduce the overabundance of Canada Geese.

CARRIED

NEW BUSINESS

Truth and Reconciliation Commission.

MOVED Director Veenhof, SECONDED Director Lefebvre, that staff be directed to hold a Board Seminar to examine those recommendations arising from the Truth and Reconciliation Commission that the Regional District of Nanaimo will act on in a meaningful manner, and the Chiefs of Snuneymuxw, Snaw-Naw-As, Qualicum and Stz'uminus First Nations be invited to attend.

CARRIED

Transit Fares on October 19, 2015.

MOVED Director Westbroek, SECONDED Director Yoachim, that the Board direct staff to waive daily transit fares on Monday, October 19, 2015, on both the conventional and handyDART systems to assist citizens with travel to voter stations.

CARRIED

Regional District of Nanaimo Strategic Plan.

MOVED Director Veenhof, SECONDED Director Rogers, that the Regional District of Nanaimo Board approve a new strategic plan before approving the 2016 budget and the supporting 5 year financial plan.

CARRIED

IN CAMERA

MOVED Director Lefebvre, SECONDED Director Thorpe, that pursuant to Sections 90 (1) (c), (e), and (j), and 90 (2) (d) of the *Community Charter* the Committee proceed to an In Camera Meeting, for discussions related to labour relations, land acquisitions, solicitor-client privilege, and third-party business interests.

CARRIED

TIME: 8:10 PM

ADJOURNMENT

MOVED Director Veenhof, SECONDED Director Lefebvre, that this meeting be adjourned.

CARRIED

TIME: 8:31 PM

CHAIRPERSON

CORPORATE OFFICER



390 – 1050 Homer Street
Vancouver, BC V6B 2W9
Phone: 604 683 6266 Fax: 604 683 6244
www.miabc.org
tbarnes@miabc.org

October 21, 2015

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

Dear Chair Stanhope:

Re: MIABC Dividend Cheque

Enclosed is your dividend cheque for the 2014 fiscal year. The enclosed cheque represents your portion of the dividend based on the size of your Subscriber Account Balance. All told, over the past ten years the Nanaimo, Regional has received a total return of \$502699 from the MIABC by way of dividends and Risk Management Grants.

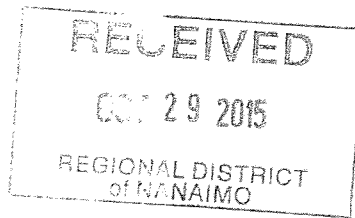
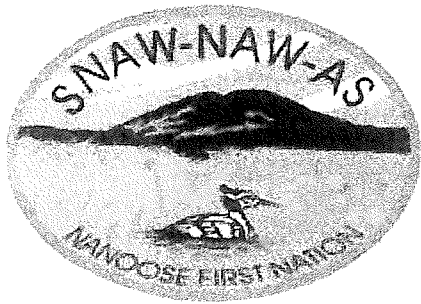
The Board declared a \$711,000 dividend at its June meeting, bringing the total dividends distributed over the last five years to \$5.2 million. The MIABC first began returning money to its members in 2002 by subsidizing reinsurance costs. By 2006 \$7.3 million was returning to members in this way. This was replaced by dividends following the 2005 fiscal year, which have now totaled \$12.2 million. /four years ago the Risk Management Grant debuted, which has resulted in a further \$2.8 million being paid out to members. All told MIABC members have received \$22.3 million back from their liability insurer. This represents a return of 11% of the total costs paid by members over the last ten years. In addition, during that period the MIABC members' total costs have dropped by 9%.

The MIABC is continuing to create more value for its members. Our Member Services Department is providing an impressive array of services.

Yours truly,

A handwritten signature in black ink, appearing to read "Tom Barnes", written in a cursive style.

Thomas W. Barnes LLB
Chief Executive Officer & General Counsel



**Nanoose First Nation
209 Mallard Way
Lantzville, B. C.
V0R 2H0**

October 26, 2015

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

Attention: Greg Keller, Senior Planner

Re: Beachcomber Marina Proposed Expansion to the South

Dear Mr. Keller,

I am writing, on behalf of the Nanoose (Snaw-naw-as) First Nation, to express strong opposition against the rezoning application to rezone the area to the south of the Beachcomber Marina to WA2 Zone for the extension and expansion of the Beachcomber Marina.

This entire area is a sacred site to the Nanoose (Snaw-naw-as) First Nation and extends beyond the foreshore, out into the waters where you are proposing your rezoning.

The reason this entire area is a sacred site to us, is that over the centuries the ocean levels have risen and fallen and there are significant middens in that area.

We have included a copy of a map showing our known extent of the Northwest Bay Sacred Site.

On October 20, 2015 you held a public information meeting on this expansion. You heard from myself and two elders who told you of the significance of this area to our people and how they did not want a re-occurrence of the Craig Bay problem as a result of you allowing this rezoning to proceed.

We would like to advise you that if you proceed with allowing this rezoning to occur, the Snaw-naw-as First Nation will oppose this legally, politically and take the necessary action to stop the expansion of this development in this area.

Yours truly,

Chief David Bob
Nanoose (Snaw-naw-as) First Nation

attach.

copy: (see attached list)

Regional Directors of the Regional District of Nanaimo:

Joe Stanhope, Board Chair, Director, Dashwood, Englishman River, French Creek
email: jstanhope@shaw.ca - 1025 West Island Highway, Parksville, BC V9P 2E1

Colin Haime, Deputy Board Chair, District of Lantzville
email: mayor.haime@lantzville.ca - 7192 Lantzville Rd (Box 100), Lantzville, BC V0R 2H0

Alex McPherson, Director, South Wellington, Cassidy, Cedar
email: alecmcpherson2011@gmail.com - 2768 Nicola Road, Nanaimo, BC V9X 1N4

Howard Houle, Director, Gabriola & Surrounding Islands
1070 North Road, Gabriola Island, BC V0R 1X3

Maureen Young, Director, Extension, East Wellington, Pleasant Valley
email: Maureen_young@shaw.ca - 2335 Godfrey Road, Nanaimo, BC V9X 1E7

Bob Rogers, Director, Nanoose
email: bobrogers4areaE@telus.net - 1578 Arbutus Lane, Nanoose Bay, BC V9P 9B5

Julian Fell, Director, Coombs, Hilliers, Errington
email: fjfell.at.rdn@gmail.com - 1555 Wells Place (Box 222), Errington, BC V0R 1V0

Bill Veenhof, Director, Shaw Hill, Deep Bay, Bowser
email: bill.veenhof@shaw.ca - 4737 Maple Guard Drive, Bowser, BC V0R 1G0

Bill McKay, City of Nanaimo Mayor's Office - email: bill.mckay@nanaimo.ca
City of Nanaimo Mayor's Office, 455 Wallace Street, Nanaimo, BC V9R 5J6

Bill Bestwick, City of Nanaimo - email: bill.bestwick@nanaimo.ca
c/o City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9S 5J6

Jerry Hong, City of Nanaimo - email: jim.kipp@nanaimo.ca
c/o City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9S 5J6

Jim Kipp, City of Nanaimo - email: jim.kipp@nanaimo.ca
c/o City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9S 5J6

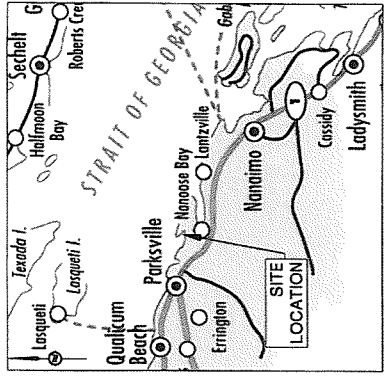
Wendy Pratt, City of Nanaimo - email: wendy.pratt@nanaimo.ca
c/o City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9S 5J6

Ian Thorpe, City of Nanaimo - email: ian.thorpe@nanaimo.ca
c/o City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9S 5J6

Bill Yoachim, City of Nanaimo - email: bill.yoachim@nanaimo.ca
c/o City of Nanaimo, 455 Wallace Street, Nanaimo, BC V9S 5J6

Marc Lefebvre, City of Parksville - email: mayor@parksville.ca
c/o City of Parksville, 100 E. Jensen Avenue (Box 1390), Parksville, BC V9P 2H3

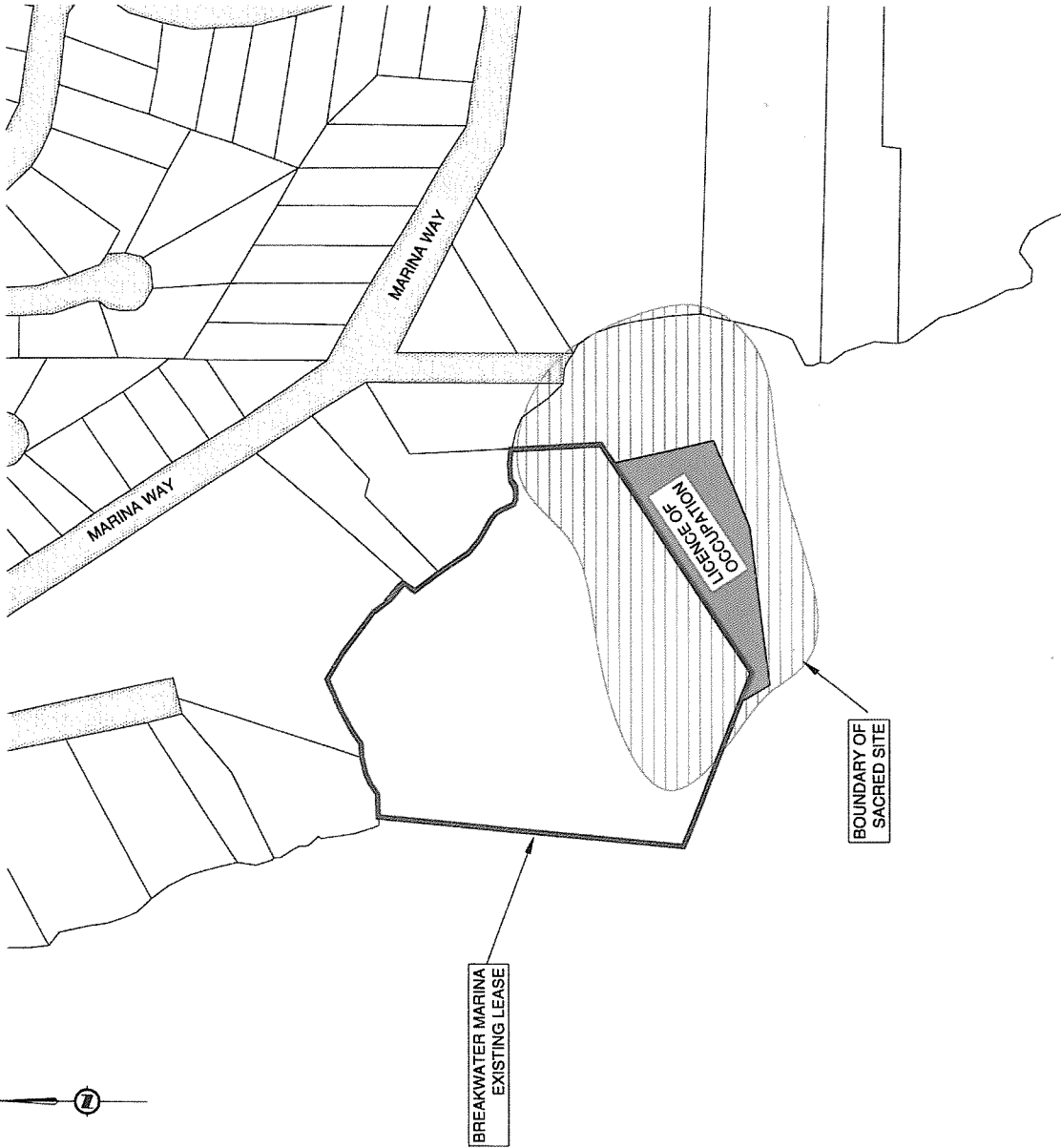
Teunis Westbroek, Town of Qualicum Beach, email: mayor@qualicumbeach.com
c/o Town of Qualicum Beach, 201-660 Primrose St. (Box 130), Qualicum Beach, BC V9K 1S7

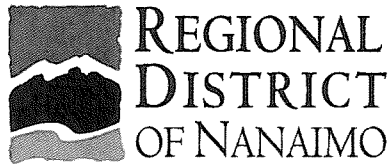


NORTHWEST BAY SACRED SITE



SNAW-NAW-AB
NANOOSE
FIRST NATIONS





RDN REPORT		[Handwritten signature]
CAO APPROVAL		
EAP		
COW	✓	
OCT 3 0 2015		
RHD		
BOARD		

STAFF REPORT

TO: Sean De Pol
Manager, Wastewater Services

DATE: October 14, 2015

FROM: Jolene Jackson
Special Projects Coordinator,
Wastewater Services

MEETING: CoW, November 10, 2015

FILE: 5340-04

SUBJECT: To introduce sewer source control Bylaws 1730 and 1418.04

RECOMMENDATION

1. That "Regional Sewage Source Control Bylaw No. 1730, 2015" be introduced and read three times;
2. That "Regional Sewage Source Control Bylaw No. 1730, 2015" be adopted;
3. That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.04, 2015" be introduced and read three times;
4. That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.04, 2015" be adopted.

PURPOSE

To bring forward Bylaws 1730 and 1418.04 for three readings and adoption.

BACKGROUND

The Regional District of Nanaimo (RDN) owns and operates four wastewater pollution control centres, which treat sewage from the Municipalities and the Electoral Areas. On March 12, 2002, the RDN adopted "Regional District of Nanaimo Sewer Use Regulatory Bylaw No. 1225" to regulate the discharge of any non-domestic waste that may enter the system. Bylaw No. 1225 is the key tool for the RDN's source control program. The RDN's Ministry-Approved Liquid Waste Management Plan (LWMP) has the commitment to update and enhance the source control program, which includes revising Bylaw No. 1225.

Upon the review of Bylaw No. 1225, a number of necessary changes emerged; thus replacing Bylaw No. 1225 with a new bylaw was deemed more effective than amending it. The new bylaw, "Regional Sewage Source Control Bylaw No. 1730, 2015", builds upon the foundations set by Bylaw No. 1225 and incorporates new commitments made in the LWMP.

The existing Bylaw No. 1225 identifies four objectives:

- the effective protection of the receiving environment, public health and safety, wastewater collection and treatment facilities, the quality of biosolids, and treatment processes;
- to provide consistent regulations throughout the RDN;
- to provide guidance for future industrial and commercial development with respect to wastewater treatment requirements; and,
- to promote good waste management practices.

Bylaw No. 1730 maintains these objectives by retaining many of the same provisions as Bylaw No. 1225. In order to address new LWMP commitments, Bylaw No. 1730 additionally:

- updates and improves contaminant restrictions, specifically to address emerging contaminants such as unused pharmaceutical wastes;
- introduces graded user-fees for waste discharge permits. Permits authorize commercial properties to discharge non-domestic waste. Non-domestic discharges put additional pressure on the system and cost more to treat. The RDN currently issues permits but does not have any cost recovery methods for the increased cost. Imposing waste discharge permit user-fees is standard practice across Canada;
- enhances consistency and transparency throughout the RDN by enabling the Municipalities to use Bylaw No. 1730 as their own source control bylaw.

These additions demonstrate tangible achievements made by the RDN on its LWMP commitments. RDN staff worked closely with legal advisors and wastewater staff from the Town of Qualicum Beach, City of Parksville, District of Lantzville, and City of Nanaimo to develop Bylaw No. 1730 and to ensure its success at addressing the breadth of issues that arise in the wastewater system.

Additionally, the proposed amendment to Bylaw No. 1418 includes the new provisions of Bylaw No. 1730 to the RDN's municipal enforcement and ticketing bylaw. The enforcement of the source control program is a specific commitment made in the LWMP. The Bylaw is tailored to the current needs of the region, including new regulatory requirements that the RDN must meet; as well, it is adaptable and durable for years to come as the region develops and the facilities undergo major upgrades. Staff recommend adopting Bylaws No. 1730 and No. 1418.04.

ALTERNATIVES

1. Give three readings to and adopt Bylaws No. 1730 and No. 1418.04;
2. Do not give three readings to and adopt Bylaws No. 1730 and No. 1418.04, and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

The fees introduced by Bylaw No. 1730 are entirely user-pay, meaning that they are issued solely to the businesses that discharge non-domestic waste under permit. These fees are graded based on the strength of the waste discharged, and they are entirely absorbed by the cost to treat that waste. Non-domestic discharges put additional pressure on the system and cost more to treat. The RDN currently issues permits but does not have any cost recovery methods for the increased cost. Imposing waste discharge permit fees is standard practice across Canada.

INTERGOVERNMENTAL IMPLICATIONS

In September 2015, Bylaw No. 1730 was reviewed by and presented to staff from each member municipality. RDN and municipal staff met at the Water & Wastewater Collaborative meeting on September 25, 2015 to go over the new Bylaw, its implementation, and each other's roles and responsibilities. Municipal staff support the adoption of Bylaws No. 1730 and 1418.04, and will draft amendments to their sewer regulation bylaws to incorporate the changes.

STRATEGIC PLAN IMPLICATIONS


The adoption of Bylaws No. 1730 and No. 1418.04 supports the Strategic Plan, as they demonstrate effective management of the publicly owned wastewater treatment facilities. The review and revision of the source control program is also a specific commitment in the LWMP. The enhanced source control program will help prevent harmful wastes from entering the system, meaning that effluent and biosolids will be kept to a high standard, allowing for their beneficial re-use and application. The costs associated with additional system pressure caused by non-domestic discharges will be recovered by the businesses that produced those discharges. With major upgrades and expansions at the facilities, it is imperative to protect and maintain these capital investments by ensuring their safe and proper use.

SUMMARY/CONCLUSIONS


Under the 2014 Ministry-Approved LWMP, the RDN is committed to updating and enhancing its source control program. Adopted in 2002, Bylaw No. 1225 is the key tool used to implement the source control program as it regulates the discharge of non-domestic waste to the sewage system. Bylaw No. 1730 replaces Bylaw No. 1225 with additional provisions that reflect the goals of the LWMP. The proposed amendment to Bylaw No. 1418 includes the new provisions of Bylaw No. 1730 to the RDN's municipal enforcement and ticketing bylaw; the enforcement of the source control program is a specific commitment made in the LWMP. Staff recommend introducing Bylaws No. 1730 and No. 1418.04 for three readings and adoption.



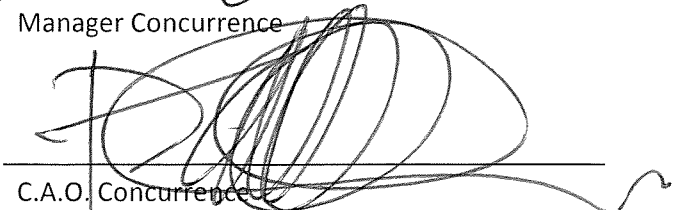
Report Writer



General Manager Concurrence



Manager Concurrence



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REGIONAL DISTRICT OF NANAIMO
Regional Sewage Source Control Bylaw No. 1730, 2015

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1730

**A BYLAW TO REGULATE THE DISCHARGE OF WASTE INTO ALL
SEWERS CONNECTED TO SEWAGE TREATMENT FACILITIES
OPERATED BY THE REGIONAL DISTRICT OF NANAIMO**

WHEREAS on January 8, 1998, the Lieutenant Governor in Council designated the Regional District of Nanaimo (the “Regional District”) as a sewage control area under section 29 of the *Environmental Management Act*;

AND WHEREAS under section 29 of the *Environmental Management Act*, the Board of the Regional District appointed a Sewage Control Manager and Sewage Control Officers;

AND WHEREAS under section 30 of the *Environmental Management Act*, the Board of the Regional District may make bylaws respecting the direct or indirect discharge of wastes into any sewer or drain connected to a sewage treatment facility operated by the Regional District;

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

PART I: INTERPRETATION

1. APPLICATION

This Bylaw applies to any discharge of waste into any sewer or drain connected to a sewage treatment facility that is operated by the Regional District.

2. CITATION

This Bylaw may be cited for all purposes as “Regional Sewage Source Control Bylaw No. 1730, 2015”.

3. DEFINITIONS

The following terms, words and phrases when used in this Bylaw shall have the meanings set forth in this section, whether appearing in capital or lower case form. If not defined below, the words and phrases used in this Bylaw shall have their common and ordinary meanings to the degree consistent with the technical subjects in this Bylaw.

AFFECTED PERSON

means a person affected by a decision, order, or requirement of the Sewage Control Manager.

AIR

means the atmosphere but, except in a sewer or a sewage facility or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

AIR CONTAMINANT

means any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:

- (1) injures or is capable of injuring the health or safety of a person,
- (2) injures or is capable of injuring property or any life form,
- (3) interferes or is capable of interfering with visibility,
- (4) interferes or is capable of interfering with the normal conduct of business,
- (5) causes or is capable of causing material physical discomfort to a person, or
- (6) damages or is capable of damaging the environment.

APPLICANT

means any person making an application, or a person authorized by a property or business owner to make an application on behalf of the owner, and shall become responsible for the discharge if the application is successful.

APPLICATION

means a request for one of the following:

- (1) a Permit;
- (2) an amendment, addition, or deletion of a term or condition of a Permit;
- (3) a change to the activity that is the subject of a Permit;
- (4) a renewal of a Permit.

APPROVAL

means the consent, in writing, of the Sewage Control Manager.

AUTHORIZED DISCHARGER

means the owner of the waste to be discharged or the person otherwise responsible for a discharge made under a Permit.

BETX

means benzene, ethyl benzene, toluene, xylenes

BIOMEDICAL WASTE

has the same meaning as defined in the *Hazardous Waste Regulation*.

BIOSOLIDS

means stabilized sewage sludge resulting from a wastewater treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the requirements of the *Organic Matter Recycling Regulation*.

BOARD

means the Board of Directors of the Regional District of Nanaimo.

BOD

means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic substances under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in Standard Methods.

CHLORINATED PHENOLS

means the chlorinated derivatives of phenols and as determined by the appropriate procedure described in Standard Methods.

CLASSIFICATION LEVEL

means the classification given to a discharge by the Sewage Control Manager based on the discharge's strength, as described in Schedule 'D'.

CLASSIFICATION RATE

means a rate listed in Schedule 'D' used to determine the cost to discharge non-domestic wastes.

COD

means Chemical Oxygen Demand, being a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidation, as determined by the appropriate procedure in Standard Methods.

COMBINED SEWER

means a sewer designed for the collection and transmission of uncontaminated water, wastewater, and stormwater.

COMPOSITE SAMPLE

means a sample of waste which is composed of equivalent portions of a specified number of grab samples collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

CONTAMINANT

means any substance, whether dissolved or suspended, or any wastewater quality parameter that, when present above a certain concentration in wastewater:

- (1) injures or is capable of injuring the health or safety of a person;
- (2) injures or is capable of injuring property or any life form;
- (3) interferes or is capable of interfering with the proper operation of a sewer or sewage facility;
- (4) causes or is capable of causing material physical discomfort to a person; or
- (5) damages or is capable of damaging the environment.

CONTROL WORKS

means any device, equipment, process, or method used to separate, treat, remove, or otherwise prevent restricted or prohibited waste from entering or forming part of a discharge, including, but not limited to, traps, interceptors, filters, and separators.

DISCHARGE

noun. means any substance that is directly or indirectly introduced into a sewer or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;

verb. means to directly or indirectly introduce a substance into a sewer or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

DISCHARGE POINT

means the location at which a discharge enters a sewer system.

DOMESTIC SEWAGE

means sewage produced on a residential premises, or sanitary sewage and wastewater resulting from the ordinary use of showers and restroom washbasins on a non-residential property.

ENACTMENT

means any act, regulation, bylaw, order, or authorization, including any amendments or replacements, by a federal, provincial, regional or municipal government or their authorized representatives.

GRAB SAMPLE

means a sample of waste collected at a particular time and place.

GROUND WATER

means water in a saturation zone or stratum beneath the surface of land or below a surface water body.

HAZARDOUS WASTE

has the same meaning as defined in the *Hazardous Waste Regulation*.

HIGH VOLUME DISCHARGE

means any discharge in excess of ten cubic metres per day (10m³/day) or three-hundred cubic metres over any consecutive thirty day period (300m³/30 consecutive days), but not including water from a pool.

INFLOW AND INFILTRATION

means water that enters a municipal wastewater collection system:

- (1) directly from a storm water connection (inflow),
- (2) indirectly through the land (infiltration), or
- (3) through both (A) and (B).

IMPROVEMENT DISTRICT

means an improvement district incorporated under the *Local Government Act*.

MONITORING POINT

means an access point to a sewer, private drainage system, or other sewer for the purpose of:

- (1) measuring the rate of flow or volume of wastewater being discharged from a premises;
- (2) collecting representative samples of wastewater being discharged from a premises.

MUNICIPALITY

means any participating member city, town, district, or other incorporated area of the Regional District of Nanaimo incorporated as a municipality or the Regional District of Nanaimo itself.

NON-DOMESTIC SEWAGE

means all sewage except domestic sewage, storm water, trucked liquid waste, and uncontaminated water.

NUCLEAR SUBSTANCE

has the same meaning as defined in the *Nuclear Safety and Control Act*.

OCCUPIER

in respect of property has the same meaning as defined in the *Community Charter*.

OFFICER

means a sewage control officer or a bylaw enforcement officer of the Regional District, as applicable.

OIL AND GREASE

means *n*-Hexane extractable matter as described in Standard Methods and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high-molecular weight carboxylic acids.

ORDER

means an order issued by the Sewage Control Manager.

OWNER

means:

- (1) in respect of property, has the same meaning as defined in the *Community Charter*;
- (2) in respect of business, means the owner, director, manager, president, or person who may otherwise act on behalf of a business;
- (3) in respect of waste, means the person who produces, discharges, carries, possesses, or is otherwise responsible for that waste.

PCB

means any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

PERMIT

see "WASTE DISCHARGE PERMIT".

PESTICIDE

has the same meaning as defined in the *Integrated Pest Management Act*.

pH

means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in Standard Methods.

PHENOLS

means the hydroxy derivatives or aromatic hydrocarbons as determined by the appropriate procedure described in Standard Methods.

POLYCYCLIC AROMATIC HYDROCARBONS (PAH)

means the total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, methyl naphthalene, naphthalene, phenanthrene, pyrene.

POOL

means any water receptacle used for swimming or as a bath or hot tub designed to accommodate more than one bather at a time or designed for decorative purposes.

PREMISES

means any land or building or both or any part thereof.

PRIVATE DRAINAGE SYSTEM

means a privately owned assembly of pipes, fittings, fixtures, traps, and appurtenances that is used to convey wastewater, uncontaminated water, storm water, or foundation drainage to a sewer, sewage facility, or a private wastewater disposal system.

PROHIBITED WASTE

means Prohibited Waste as defined in Schedule 'A' of this Bylaw.

RECREATIONAL VEHICLE WASTE

means sanitary sewage accumulated in a holding tank in a trailer, camper, transportable housing unit, manufactured home, bus, aircraft, boat, houseboat, long-haul truck with on-board personal lavatory fixtures, or similar vehicle, but specifically excludes wastes carried in trucked liquid waste hauling trucks.

REGIONAL DISTRICT

means the Regional District of Nanaimo.

RESIDENTIAL PROPERTY

means a property classified as "Class 1" by BC Assessment.

RESTRICTED WASTE

means Restricted Waste as defined in Schedule 'B' of this Bylaw.

SANI-DUMP

means any facility that is used or may be used for the discharge of recreational vehicle waste to a sewer.

SANITARY SEWAGE

means human excreta and waterborne waste from the non-commercial and non-industrial preparation and consumption of food and drink, dishwashing, bathing, showering, and general household cleaning and laundry.

SANITARY SEWER

means a sewer which carries sanitary sewage but which is not intended to carry storm water, ground water, or uncontaminated water.

SEAWATER

means any water from a marine environment.

SEWAGE

means the composite of water wastes and water-carried wastes from residential, commercial, industrial, or institutional premises or any other source.

SEWAGE CONTROL MANAGER

means the Sewage Control Manager appointed by the Board, or a person appointed by the Board as her or his deputy, under the *Environmental Management Act*.

SEWAGE CONTROL OFFICER

means a Municipal Sewage Control Officer appointed by the Board under the *Environmental Management Act*.

SEWAGE SLUDGE

means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of sewage.

SEWAGE TREATMENT FACILITY

means works operated by the Regional District to treat, store, utilize, or discharge sewage.

SEWER

means all pipes, conduits, drains, pumping stations, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Regional District or a municipality for the purpose of providing sewage collection, conveyance, treatment, or disposal.

SHARPS

means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects which have acute rigid corners, edges or protuberances.

SLUDGE

means sewage containing more than 0.5% total solids.

STANDARD METHODS

means the latest edition of "Standard Methods for the Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Environment Federation.

STORM SEWER

means a sewer for the collection and transmission of storm water.

STORM WATER

means water resulting from natural precipitation from the atmosphere, including water from inflow and infiltration.

SUBSTANCE

includes any solid, liquid, or gas.

SUSPENDED SOLIDS

means the portion of total solids retained by a filter, as determined by the appropriate procedure in Standard Methods.

TRUCKED LIQUID WASTE

means any waste that originates from any plumbing fixtures or works that are not directly and permanently connected to a sewer system, including, but not limited to, holding tank waste, septic tank waste, pit toilet waste, chemical toilet content, and other sludge of organic or inorganic origin, specifically excluding recreational vehicle wastes.

TRUCKED LIQUID WASTE HAULING TRUCK

means any vehicle that collects trucked liquid waste for the purposes of transporting and disposing of that waste.

UNCONTAMINATED WATER

means any water excluding storm water or ground water but including cooling water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use or to modify its use by any person.

WASTE

means any substance that is or is intended to be discharged or discarded, including sewage.

WASTE DISCHARGE PERMIT

means a Waste Discharge Permit of any Classification Level issued by the Sewage Control Manager under this Bylaw.

WASTEWATER

See "SEWAGE"

WATER

means any water including seawater, surface water, groundwater, and ice.

WATERWORKS

means any works owned or otherwise under the control or jurisdiction of the Regional District or one or more of its member municipalities or an improvement district that collects, treats, transports, or stores drinking water.

WORKS

includes:

- (1) a drain, sewer, or waste disposal system and their appurtenances including a sewage treatment plant, pumping station, or outfall;
- (2) a device, equipment, land, or a structure that:
 - (a) measures, handles, transports, stores, treats, or destroys waste or a contaminant; or
 - (b) introduces waste or a contaminant into the environment;
- (3) an installation, plant, machinery, equipment, land or a process that causes or may cause a release of a contaminant into the environment or is designed or used to measure or control the introduction of waste into the environment or to measure or control a contaminant;
- (4) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a contaminant or waste.

4. PROVINCIAL AND FEDERAL ENACTMENTS REFERENCED

The following enactments are specifically referenced in this Bylaw and may be referred to as necessary. Any changes, amendments, or replacements to these enactments shall be deemed effective as applicable. This list is for reference purposes only and in no way alters, limits, or enlarges the intent or scope of these and other enactments and their application to this Bylaw.

Title	Level	Reference
<i>Community Charter</i>	Provincial	[SBC 2003, c.26]
<i>Environmental Management Act</i>	Provincial	[RSBC 1996, c.118]
<ul style="list-style-type: none"> ▫ <i>Hazardous Waste Regulation</i> ▫ <i>Organic Matter Recycling Regulation</i> ▫ <i>Spill Reporting Regulation</i> 		
<i>Fertilizers Regulations</i>	Federal	[RSC 1985, c.F-10]
<i>Integrated Pest Management Act</i>	Provincial	[SBC 2003, c.58]
<i>Local Government Act</i>	Provincial	[RSBC 1996, c. 323]
<i>Nuclear Safety and Control Act</i>	Federal	[SC 1997, c.9]
<i>Taxation (Rural Area) Act</i>	Provincial	[RSBC 1996, c.448]

PART II: ALL DISCHARGES TO SEWER

5. RESTRICTIONS

Unless a person has first obtained a Permit under this Bylaw that specifically allows otherwise, no person shall directly or indirectly discharge or allow or cause to be discharged into a sewer connected to a sewage treatment facility operated by the Regional District:

- (1) any prohibited waste, in any volume, as described in Schedule 'A';
- (2) any restricted waste, in any volume unless specified, as described in Schedule 'B';

- (3) any high volume discharge;
- (4) any uncontaminated water, in a volume greater than 2.0 m³/day;
- (5) any storm water or ground water, in any volume;
- (6) any trucked liquid waste, in any volume;
- (7) any recreational vehicle waste, in any volume, except at a sani-dump;
- (8) any water or substance for the purpose of diluting any non-domestic waste, in any volume.

6. MUNICIPALITIES

A municipality is not in violation of section 5 where there is a discharge contrary to one or more of the subsections by a third party without the knowledge of that municipality into a sewer or sewage treatment facility connected to a sewage treatment facility operated by the Regional District.

PART III: ALL WASTE DISCHARGE PERMITS AND ORDERS

7. APPLICATION FOR A PERMIT

- (1) An applicant must submit an application in the form and manner as described in Schedule 'C';
- (2) An application for an amendment to an existing Permit shall be made in the same manner as an application for a new discharge as described in section 7(1);
- (3) All information, drawings, and specifications provided by an applicant as part of the application must be accurate and true to the knowledge of the applicant;
- (4) All applications must be signed by the applicant;
- (5) The Sewage Control Manager or an Officer may require that an applicant submit additional information relevant to the application;
- (6) An applicant must file an application with the Regional District not less than ninety (90) working days prior to the date for which a Permit is required;
- (7) An applicant must not discharge or cause or allow to be discharged any waste that is the subject of an application before a Permit is issued by the Sewage Control Manager;
- (8) The Sewage Control Manager may reject an application that is incomplete, or that the Sewage Control Manager considers would contravene any enactment.

8. APPLICATION AND AMENDMENT FEES

An applicant shall pay the Application Fee or Amendment Fee prescribed as follows:

- (1) Any person applying for a new Permit or a renewal of an existing Permit must pay the Application Fee as set in Schedule 'C';

- (2) Any person applying for an amendment to an existing Permit must pay the Amendment Fee as set in Schedule 'C', unless the amendment is to revise or update any information that does not alter the nature, volume, strength, duration, physical location, or other characteristics of the discharge;
- (3) The Application Fee and Amendment Fee are non-refundable;
- (4) The Application Fee or Amendment Fee must be paid in full at the time that the application is made;
- (5) An application for which the Application Fee or Amendment fee is not paid will not be considered or reviewed.

9. MULTIPLE DISCHARGES AND CHANGE OF OWNERSHIP

- (1) If an applicant has multiple discharges that require a Permit, she or he must submit a separate application for each discharge;
- (2) If the Authorized Discharger changes, the existing Permit is terminated, and the new person responsible for the discharge must submit a new application for that discharge.

10. CONDITIONS OF PERMITS

The Sewage Control Manager may, when issuing or amending a Permit under this Bylaw or making an order under the *Environmental Management Act*, impose conditions and requirements on the Authorized Discharger or other person to whom the order is made as follows:

- (1) limit the quantity or frequency of the discharge, or the nature of the waste permitted to be discharged;
- (2) require the repair, alteration, maintenance, removal, or addition of works, or construction of new works to ensure that the discharge will comply with the Permit, order, this Bylaw, and any applicable enactment;
- (3) require that the Authorized Discharger or other recipient of an order, monitor the waste being discharged in the manner specified by the Sewage Control Manager and to provide accurate information concerning the discharge as requested by the Sewage Control Manager or Officer, including, but not limited to, routine maintenance check dates, cleaning and waste removal dates, and the means of disposal of accumulated wastes and waste treatment residuals;
- (4) require that the Sewage Control Manager be provided detailed plans and operating procedures for all existing facilities installed on the premises for the purpose of preventing accidental discharge;
- (5) require compliance with such other enactments as the Sewage Control Manager considers necessary or desirable in the circumstances;

- (6) require compliance by the Authorized Discharger or recipient of an order with other requirements as the Sewage Control Manager deems necessary or desirable;
- (7) prohibit transfer or assignment of a Permit without the Sewage Control Manager's consent in writing.

11. COSTS FOR PERMITS AND COMPLYING WITH ORDERS

- (1) All costs directly or indirectly incurred by obtaining, maintaining, amending, suspending, or terminating a Permit shall be borne by the Authorized Discharger or the recipient of an order;
- (2) The Authorized Discharger or other recipient of an order is responsible for any costs directly or indirectly incurred for remedying, remediating, repairing, or otherwise addressing the incident in respect of which the order is issued;
- (3) Any costs or charges under this Bylaw are separate from and in addition to any other charges or costs, including sanitary sewage discharge fees and any charges or costs issued under another bylaw or enactment;
- (4) The Authorized Discharger or recipient of an order shall pay the Waste Discharge Permit Regular Fee set out in Schedule 'D' in accordance with the appropriate Permit Classification Level;
- (5) For any Waste Discharge Permit Regular Fee:
 - (a) where the duration of the discharge is less than one (1) year, the Authorized Discharger shall be invoiced on the last day of the discharge,
 - (b) where the duration of the discharge is one (1) year or longer, the Authorized Discharger shall be invoiced annually,
 - (c) payment shall be due within thirty (30) days of the invoice date,
 - (d) any amount that remains unpaid thirty (30) days after the invoice date shall bear interest at the rate of one and one-quarter percent (1.25%) per month,
 - (e) any amount that remains unpaid by December 31st of the same year of the last day of the discharge shall be deemed to be taxes in arrears on the property concerned in accordance with the *Local Government Act*.
 - (f) If the Waste Discharge Permit Regular Fee is not paid within ninety (90) days of the invoice date, the subject Permit will be without effect.
- (6) The total Waste Discharge Permit Regular Fee shall be calculated by multiplying the Classification Rate stated in Schedule 'D', by the maximum volume (in cubic metres) of waste allowed to be discharged in one day as stated in the Permit, by the number of days the discharge is made (for any portion of that day);
- (7) No complaint of an error in any fee shall be considered and no adjustment of any error shall be made after a period of one (1) year has elapsed since the end of the period for

which such charge was made. After the termination of this period, all such charges shall be deemed to have been properly and correctly made.

12. TRANSITION: EXISTING PERMITS

Where a Permit was approved under Regional District of Nanaimo Sewer Use Regulatory Bylaw No. 1225, 2002 prior to the adoption of this Bylaw:

- (1) The Authorized Discharger is exempt from the Application Fee, Amendment Fee, and Waste Discharge Permit Regular Fee for the discharge described by the existing permit, but is liable to any charges or fees in the existing permit;
- (2) The discharge made under the existing permit shall not be deemed unlawful under this Bylaw provided that the discharge meets any applicable enactments that were active at the time the permit was issued;
- (3) The provisions of this Bylaw shall apply to any renewals or extensions of existing Permits as of the end date stated on the permit;
- (4) The provisions of this Bylaw shall apply to any discharges from the Authorized Discharger that are not described in the existing permit including any applications for new discharges;
- (5) This section applies to the discharges under an authorization issued before the date this Bylaw comes into effect as if the authorization were a permit for the purposes of this section.

PART IV: MAINTENANCE, MONITORING, AND RECORDS FOR WASTE DISCHARGE PERMITS

13. MAINTENANCE OF WORKS

- (1) It is a condition of the discharge of waste produced on property other than residential property into a sanitary sewer by an Authorized Discharger or the recipient of an order or who otherwise discharges waste that all measures be taken to keep all equipment and facilities maintained and in good repair as may be necessary to ensure compliance with the terms and conditions of this Bylaw, a Permit, or order;
- (2) No person shall discharge or allow or cause to be discharged into a sewer any non-domestic waste which has bypassed any control works authorized and required by the Sewage Control Manager or which is not otherwise in compliance with this Bylaw.

14. PREVENTATIVE MEASURES IN CASE OF ACCIDENTAL DISCHARGE

The Authorized Discharger or recipient of an order shall:

- (1) provide and maintain facilities to prevent accidental discharge or a discharge contrary to a Permit, order, or this Bylaw, such as containment, recovery, or neutralization facilities for substances which, if accidentally discharged, would constitute a type of discharge listed in section 5;

- (2) post, and keep posted, signs in conspicuous locations on the premises of the discharge, displaying the name and telephone number of the person to call as prescribed in this Bylaw in the event of accidental discharge of any waste listed in section 5, for the entire duration of the discharge;
- (3) inform employees, who may cause or discover the discharge of any wastes listed in section 5, of the procedures set out in Part V of this Bylaw.

15. MONITORING OF DISCHARGES

- (1) The Sewage Control Manager may, pursuant to section 29 of the *Environmental Management Act*, require that an Authorized Discharger shall, at her or his expense, install one or more monitoring points suitable for inspection, flow monitoring, and sample collection at locations determined by the Sewage Control Manager, to be constructed in accordance with plans approved by the Sewage Control Manager, and maintained in good working order by the Authorized Discharger;
- (2) The Authorized Discharger or the recipient of an order shall install a monitoring point in a manner and location that will provide an accurate point for measuring the volume and composition of wastewater discharged from the premises and that is not affected by any discharge of sanitary sewage from the premises, unless otherwise authorized by the Sewage Control Manager;
- (3) In the absence of a monitoring point installed under subsection (2), the point of discharge into a sewer or sewage treatment facility shall be the location determined by the Sewage Control Manager where there is access to the discharge for the purpose of sampling and flow monitoring;
- (4) Where a person is required to install a monitoring point under subsection (2), and the person does not comply with such requirement within sixty (60) days of being notified of the requirement by the Sewage Control Manager, the person shall inform the Sewage Control Manager of her or his inability to install the monitoring point and the Regional District may install or cause to be installed the monitoring point at that person's expense;
- (5) The Authorized Discharger or the recipient of an order shall ensure that all monitoring points, flow measuring devices, and other devices, including water meters, are accessible for inspection by the Sewage Control Manager or an Officer at all times;
- (6) The Sewage Control Manager may require that a person who is discharging waste into a sewer undertake sampling and analysis of the waste discharged;
- (7) All sampling and analysis required by the Sewage Control Manager shall be carried out in accordance with methods and procedures specific in Standard Methods or in a manner specified by the Sewage Control Manager;

- (8) Samples which are collected as a result of a requirement of the Sewage Control Manager shall be analyzed by an independent agency or by a laboratory authorized by the Sewage Control Manager;
- (9) All results from the sampling, testing, and analysis of the discharge must be submitted to the Sewage Control Manager or Officer without unreasonable delay.

16. RECORDS RETENTION

The Authorized Discharger or the recipient of an order shall:

- (1) retain and preserve for not less than seven (7) years after their creation, any records, books, documents, memoranda, reports, correspondence, and any and all summaries of such documents, relating to monitoring, sampling and chemical analysis required by the Sewage Control Manager, a Permit, or order;
- (2) retain and preserve all records which pertain to issues which are the subject of administrative action or any other enforcement or litigation activities by the Regional District until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

PART V: SPILL NOTIFICATION

17. PERSONS TO CONTACT

Any person who discharges waste or allows the discharge of waste into a sewer or a sewage treatment facility in contravention of any Permit, order, this Bylaw, or any other applicable enactment, immediately after becoming aware of the discharge, shall stop the discharge, and after reporting the discharge in accordance with the *Spill Reporting Regulation* shall immediately notify:

- (1) the Sewage Control Manager or an Officer by telephone and provide the information specified in section 18 of this Bylaw;
- (2) the owner and occupier of the premises; and,
- (3) any other persons whom the person reporting knows, or reasonably should know, may be directly affected by the discharge.

18. INFORMATION TO THE SEWAGE CONTROL MANAGER

A person to whom section 17 applies must provide the Sewage Control Manager with the following information:

- (1) identification of the premises where the discharge occurred;
- (2) location of the discharge;
- (3) name of the person reporting the discharge and telephone number, or numbers, where that person can be reached;

- (4) date, time, and duration of the discharge;
- (5) type and concentration of all substances discharged and any known associated hazards;
- (6) total weight or volume of the material discharged; and,
- (7) corrective action being taken, or anticipated to be taken, to control the discharge or to prevent a similar discharge.

19. IMMEDIATE ACTIONS

If safe to do so, a person who discharged or allowed a discharge of waste referred to in section 17 shall, as soon as that person becomes aware or reasonably should have become aware of the discharge, take all reasonable measures to:

- (1) confine, minimize, counteract, mitigate, remedy, and repair the effects of the discharge; and,
- (2) remove or otherwise dispose of the substance discharged in a manner consistent with this Bylaw and other applicable enactments.

PART VI: FAILURE TO COMPLY

20. FAILURE TO COMPLY

- (1) The Sewage Control Manager may suspend or revoke a Permit if an Authorized Discharger fails to comply with the terms, conditions, or limitations of:
 - (a) a Permit issued under this Bylaw,
 - (b) an order,
 - (c) this Bylaw, or
 - (d) any applicable enactment;
- (2) The Sewage Control Manager may withhold consent where a person or Authorized Discharger breaches a condition of a Permit, order, this Bylaw, or any applicable enactment.

PART VII: WASTE DISCHARGE PERMIT CLASSIFICATION LEVELS

21. CLASSIFICATION LEVELS

- (1) All discharges made under a Permit shall be classified as Level I, Level II, Level III, or Level IV;
- (2) The Classification Level of the discharge shall be based on the information provided in the Application and any samples of the discharge, and as ranked in Schedule 'D';
- (3) If the discharge's contaminant levels fall under separate Classification Levels, the higher Classification Level shall apply to the discharge;

- (4) The Authorized Discharger shall be responsible for all fees and provisions associated with the discharge's Classification Level.

PART VIII: SPECIAL ARRANGEMENTS FOR WASTE DISCHARGE PERMITS

22. SPECIAL ARRANGEMENT

If the Sewage Control Manager deems that the circumstances of a discharge require special or alternate provisions, the Sewage Control Manager may, in writing and in accordance with applicable enactments:

- (1) exempt the Authorized Discharger from one or more conditions of this Bylaw;
- (2) require that any additional or alternative conditions apply to the discharge.

PART IX: POWERS OF THE SEWAGE CONTROL MANAGER AND OFFICERS

23. POWERS REGARDING THIS BYLAW AND OTHER ENACTMENTS

- (1) Nothing in this Bylaw shall be interpreted as restricting the powers of the Regional District, a municipality, the Sewage Control Manager, or an Officer under the *Environmental Management Act* or any other applicable enactment of the Province of British Columbia or the Government of Canada;
- (2) The Sewage Control Manager, an Officer, or a Bylaw Enforcement Officer may enforce the provisions of this Bylaw.

PART X: SANI-DUMPS

24. SANI-DUMP REQUIREMENTS

The owner or occupier of a property other than a residential property, excluding a property owned by the Regional District or a municipality, that has a sani-dump connected to a sewer system must, at her or his sole expense:

- (1) register with the Regional District in accordance with Schedule 'E' within thirty (30) days of commencing operation;
- (2) only accept and discharge recreational vehicle wastes;
- (3) not accept or discharge wastes from trucked liquid waste hauling trucks;
- (4) not discharge or allow or cause to be discharged any wastes that do not meet the provisions of this Bylaw or any other applicable enactment;
- (5) keep all equipment and facilities maintained and in good repair as may be necessary to prevent and respond to spills and accidental discharges.

25. TRANSITION: SANI-DUMPS

The owner or occupier of a property that has a sani-dump that is in operation prior to the adoption of this Bylaw must register within one (1) year of this Bylaw being adopted.

PART XI: WASTES FROM ALL NON-RESIDENTIAL PROPERTIES

26. WASTE FROM ALL NON-RESIDENTIAL PROPERTIES

An owner or occupier of a property other than a residential property must, at her or his expense:

- (1) install any equipment or control works necessary to ensure that any wastes from the premises comply with this Bylaw;
- (2) maintain all equipment and devices described in subsection 26(1) in good repair as may be necessary to prevent accidental discharges;
- (3) ensure that any waste other than domestic waste does not bypass any equipment, control works, or devices described in subsection 26(1);
- (4) ensure that any wastes collected in or by the equipment, control works, or devices described in subsection 26(1) are disposed of at a facility that accepts and disposes of that type of waste.

27. FAILURE TO INSTALL CONTROL WORKS

If an owner or occupier of a property other than a residential property does not meet the provisions of section 26 of this Bylaw, the Sewage Control Manager may do one or more of the following:

- (1) require an owner or occupier of the property to obtain a Permit under this Bylaw;
- (2) issue an order;
- (3) take other enforcement steps authorized by law.

28. TRANSITION: NON-RESIDENTIAL PROPERTIES

The owner or occupier of a property other than a residential property that discharges wastewater to a sewer connected to a wastewater treatment facility operated by the regional district must meet the provisions of section 26 within one (1) year from the date that this Bylaw is adopted.

PART XII: OFFENCES AND PENALTIES

29. OFFENCE AND MAXIMUM PENALTY

A person who contravenes a provision of this Bylaw or a term or condition of a permit or an order or other requirement made or imposed under this Bylaw, is guilty of an offence and is liable to a penalty not exceeding \$10,000.

30. RECURRING AND CONTINUING OFFENCES

Where an offence is committed or continues for more than one day, a person shall be deemed to have committed separate offences for each day on or during which an offence occurs or continues, and separate penalties, each not exceeding \$10,000, may be imposed for each day on or during which an offence occurs or continues.

31. OTHER REMEDIES

Nothing in this Bylaw shall limit the Regional District from pursuing any other remedies that are otherwise available to the Regional District at law.

PART XIII: REVIEW OF SEWAGE CONTROL MANAGER'S DECISION

32. REQUEST FOR REVIEW

(1) A person affected by a decision, order, or requirement of the Sewage Control Manager may request a review within 21 working days of delivery of the decision, order, or requirement by delivery of the "Notice of Review Request" as described in Schedule 'F' to the Sewage Control Manager.

(2) For the purposes of this section a "working day" means Monday to Friday other than a statutory holiday or other day when the Regional District offices are not open for business.

33. EXTENSION

The Sewage Control Manager may extend the time for requesting a review either before or after the time has elapsed.

34. INITIAL REVIEW

The matter will be reviewed by the Sewage Control Manager, unless the person seeking the review requests that the matter be referred first to mediation.

35. MEDIATOR

Mediation shall be conducted by a party agreeable to the Affected Person and to the Sewage Control Manager, and, if the parties cannot agree, then each party shall appoint a representative and the representatives shall jointly select a mediator.

36. COSTS OF MEDIATION

The costs of mediation shall be borne equally by all parties involved.

37. UNRESOLVED MEDIATION

If mediation does not resolve the matter in dispute, the review shall proceed to the Sewage Control Manager.

38. DECISION OF THE SEWAGE CONTROL MANAGER

Upon considering the matter under review and the results of the mediation, if any, the Sewage Control Manager may:

- (1) confirm, reverse, or vary the decision, order, or requirement under review; and,
- (2) make any decision that the Sewage Control Manager considers appropriate.

39. TIME TO RESPOND

- (1) Any decision made by the Sewage Control Manager under section 38 must be communicated in writing to the Affected Person within ten (10) working days of receiving the written Notice of Review Request or the results of the mediation;
- (2) In the event that the Sewage Control Manager is absent from the office due to vacation, illness, disability, or other reason, a decision of the Sewage Control Manager may be delayed until ten (10) working days following the Sewage Control Manager's return;
- (3) The Sewage Control Manager may extend the time limits set out in section 39(1) and 39(2) for doing any of the things referred to in section 38.

40. CONTINUATION OF OPERATIONS DURING REVIEW

A request for a review does not operate as a stay or suspend the operation of the decision being reviewed unless the Sewage Control Manager orders otherwise.

41. RIGHT OF APPEAL

A review under this Bylaw will not prejudice any right of appeal, which a person may have under the *Environmental Management Act*.

PART XIV: GENERAL

42. OTHER ENACTMENTS

Nothing in this Bylaw shall be interpreted as relieving a person from complying with federal, provincial, regional, and municipal enactments governing the discharge of waste into sewers.

43. AUTHORITY OF THE BOARD

Where the Board has authority to direct that a matter or thing be done by a person, the Board may also direct that, if the person fails to take the required action, the matter or thing shall be done at the expense of the person in default in accordance with the *Local Government Act*. If action in default is taken, the Board may recover the expense from the person together with costs and interest at the rate prescribed under section 11 of the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.

44. SCHEDULES

- (1) The schedules appended hereto shall be deemed to be an integral part of this Bylaw;

- (2) An employee of the Regional District may update, re-format, or edit any application, registration, or other form that accompanies a schedule as necessary, including both paper and digital forms, without an amendment to this Bylaw provided that the changes or edits made comply with this Bylaw.

45. SEVERABILITY

If any provision of this Bylaw is found to be invalid or unenforceable by a court of competent jurisdiction, it may be severed from the Bylaw, and such invalidity or unenforceability shall not affect the validity or enforceability of the remaining provisions.

46. HEADINGS AND TABLE OF CONTENTS

The headings and the table of contents in this Bylaw are inserted for convenience of reference only and in no way limit, expand, or alter the contents of this Bylaw.

47. REPEAL

“Regional District of Nanaimo Sewer Use Regulatory Bylaw No. 1225, 2002” is hereby repealed.

Introduced and read three times this day of , 2015.

Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER

Schedule 'A' to accompany
"Regional Sewage Source Control Bylaw No.
1730, 2015".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'A': PROHIBITED WASTE

Prohibited waste means any one (1) or more of the following, in any volume:

1. **HAZARDOUS WASTE** as defined by the *Hazardous Waste Regulation*.
2. **AIR CONTAMINANT WASTE**, meaning any waste, other than sanitary waste which, by itself or in combination with another substance is capable of creating, causing, or introducing an air contaminant outside any sewer or sewage facility or is capable of creating, causing, or introducing any air contaminant within any sewer or sewage facility which would prevent safe entry by authorized personnel.
3. **FLAMMABLE, COMBUSTIBLE, OR EXPLOSIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sewer or sewage facility including, but not limited to gasoline, naphtha, propane, diesel, fuel, oil, kerosene, or alcohol.
4. **OBSTRUCTIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of obstructing the flow of or interfering with the operation or performance of any sewer or sewage facility including, but not limited to, sludge, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, wipes, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish, or fowl, and solidified fat.
5. **CORROSIVE WASTE**, meaning any waste with corrosive properties which, by itself or in combination with any other substance, causes or may cause damage to any sewer or sewage facility or which may prevent safe entry by authorized personnel.
6. **HIGH TEMPERATURE WASTE**, meaning:
 - (1) any waste which, by itself or in combination with another substance, creates or will create heat in amounts which will interfere with the operation and maintenance of a sewer or sewage facility or with the treatment of waste in a sewage facility;
 - (2) any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
 - (3) any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. **BIOMEDICAL WASTE**, including, but not limited to, any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps, and untreated human blood and body fluids known to contain viruses and pathogens listed in “Risk Group 4” defined in “Laboratory Biosafety Guidelines” published by Health Canada.
8. **SPECIAL RISK ORGANIC WASTE**, meaning any substances that:
 - (1) are affected by bovine spongiform encephalopathy as defined by federal *Fertilizers Regulations*; or,
 - (2) are produced by the dissolving of remains.
9. **RADIOACTIVE WASTE**, meaning any waste containing nuclear substances that, at the point of discharge into a sewer, exceeds the limitations as established under the *Nuclear Safety and Control Act* and its Regulations.
10. **PCBs OR PESTICIDES**, meaning any waste containing PCBs or pesticides.
11. **PHARMACEUTICAL WASTE**, meaning any unused or unconsumed pharmaceutical substance, which, by itself or in combination with another substance, alters or may alter the chemical composition of treated effluent.
12. **CONTROL WORKS WASTE**, meaning any wastes accumulated in or collected by control works.
13. **ODOUROUS WASTE**, meaning any waste which, by itself or in combination with another substance, may cause offensive odour to emanate from sewage works or facilities, including hydrogen sulphide, carbon disulphide, other sulphur compounds, amines, or ammonia.
14. **MISCELLANEOUS WASTE**, meaning any substance which, by itself or in combination with another substance:
 - (1) constitutes or may constitute a significant health or safety hazard to any person, animal or vegetation;
 - (2) causes or may cause damage, pollution, or harm to any property or environment;
 - (3) causes or may cause any conveyance or treatment process to not comply with any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the conveyance or treatment process;
 - (4) causes or may cause a discharge from a sewage treatment facility to contravene any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the quality of the discharge;
 - (5) causes or may cause biosolids to fail criteria for beneficial land application use in British Columbia under the *Organic Matter Recycling Regulation*, or to fail any requirement of or under any other applicable permits, laws, certifications, enactments, or regulation governing the quality of biosolids.

Schedule 'B' to accompany
"Regional Sewage Source Control Bylaw No.
1730, 2015".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'B': RESTRICTED WASTE

Restricted waste means any one (1) or more of the following, in any volume unless otherwise specified:

- 1. CONTAMINATED WASTE**, meaning any waste which, by itself or in combination with another substance, contains contaminants at or above the limits identified as follows:

Item	Limit [mg/L]
Biochemical Oxygen Demand	300.00
Chemical Oxygen Demand	600.00
Oil and Grease, total	100.00
Total Suspended Solids	350.00
BETX	1.00
Chlorinated Phenols	0.05
Polycyclic Aromatic Hydrocarbons	0.05
Phenols	1.00
Petroleum Hydrocarbons	15.00
Arsenic	0.20
Cadmium	0.10
Chromium	5.00
Cobalt	5.00

Item	Limit [mg/L]
Copper	1.00
Cyanide	1.00
Iron	50.00
Lead	0.50
Manganese	5.00
Mercury	0.05
Molybdenum	5.00
Nickel	1.00
Silver	2.00
Sulphate	1500.00
Sulphide	1.00
Zinc	3.00

- (1) All concentrations expressed are total concentrations, which include all forms of the contaminant, whether dissolved or undissolved.
 - (2) The concentration limits expressed apply to both grab and composite samples.
 - (3) Contaminant definitions and methods of analysis to determine concentration limits are outlined in Standard Methods, or, where the Sewage Control Manager considers that the methods prescribed in Standard Methods are insufficient or inappropriate, as specified by the Sewage Control Manager.
- 2. ACIDIC OR ALKALINE WASTE** meaning any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 10.0, as determined by either a grab or a composite sample
- 3. NON-DOMESTIC FOOD WASTE** meaning any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.50 centimetres in any dimension.

4. **DYES AND COLOURING MATERIALS** meaning any dyes or colouring materials which may pass through a sewage treatment facility and discolour the effluent from a sewage treatment facility except where the dye is used by the Regional District, or one of the municipalities, as a tracer.
5. **SEAWATER** meaning any water from a marine environment.

Schedule 'C' to accompany
"Regional Sewage Source Control Bylaw No.
1730, 2015".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'C': WASTE DISCHARGE PERMIT APPLICATIONS

All applications for a Waste Discharge Permit shall be made in the manner and include the information prescribed in this schedule:

1. APPLICATION AND AMENDMENT FEES

The application and amendment fees are set as follows:

WASTE DISCHARGE PERMIT APPLICATION AND AMENDMENT FEES	
Application Fee	\$500.00
Amendment Fee	\$250.00

2. APPLICATION FORM

The application form must request from the Applicant, at least the following information:

- (1) Applicant information including her or his name and current contact information;
- (2) Emergency contact information for the Applicant or designated emergency contact;
- (3) Business information including the business name, type, and location;
- (4) Location of the discharge, if different from the information provided in section 2(B) of this schedule;
- (5) A summary of effluent discharge characteristics for the applicant to provide detailed information regarding the characteristics of the discharge, including, but not limited to, the duration, volume, frequency, and quality;
- (6) The number and type of connections from the site;
- (7) Each source of wastewater, detailing their specific locations and any control works;
- (8) Any site plans and drawings, detailing any property lines, buildings, connections, sewer lines, and any other information requested in the application form;
- (9) Declaration, where the application must be signed by the applicant.

The application form shall also include:

- (1) The Regional District's current address and contact information;
- (2) Information on how to obtain a copy of this Bylaw.

Schedule 'D' to accompany
 "Regional Sewage Source Control Bylaw No.
 1730, 2015".

 CHAIRPERSON

 CORPORATE OFFICER

SCHEDULE 'D': WASTE DISCHARGE FEE CLASSIFICATION LEVELS AND RATES

The Waste Discharge Permit Classification Levels and Regular Fees shall be determined in accordance with this Bylaw and with the information provided in the following table:

CLASSIFICATION LEVEL	CONTAMINANTS	RANGE	CLASSIFICATION RATE
Level I	BOD	up to 300 mg/L	\$0.8279
	COD	up to 600 mg/L	
	Oil & Grease	up to 100 mg/L	
	TSS	up to 350 mg/L	
Level II	BOD	300 to 600 mg/L	\$1.6558
	COD	600 to 1,200 mg/L	
	Oil & Grease	100 to 200 mg/L	
	TSS	350 to 700 mg/L	
Level III	BOD	600 to 1,200 mg/L	\$3.3116
	COD	1,200 to 2,400 mg/L	
	Oil & Grease	200 to 400 mg/L	
	TSS	700 to 1,400 mg/L	
Level IV	BOD	above 1,200 mg/L	\$4.9674
	COD	above 2,400 mg/L	
	Oil & Grease	above 400 mg/L	
	TSS	above 1,400 mg/L	

Schedule 'E' to accompany
"Regional Sewage Source Control Bylaw No.
1730, 2015".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'E': SANI-DUMP REGISTRATION

All registrations for the sani-dump registration shall be made in the manner and include the information prescribed in this schedule:

REGISTRATION FORM

The sani-dump registration form must request from the registrant at least the following information:

- (1) Business owner's full name and current contact information;
- (2) Civic address of the property where the sani-dump is located;
- (3) Number of sani-dumps located on the property;
- (4) Signature line for the business owner's signature.

The registration form shall also include the Regional District's current address and contact information.

Schedule 'F' to accompany
"Regional Sewage Source Control Bylaw No.
1730, 2015".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'F': NOTICE OF REVIEW REQUEST

All Notice of Review Requests shall be made in the manner and include the information prescribed in this schedule:

NOTICE OF REVIEW REQUEST FORM

The Notice of Review Request form must request from the Affected Person at least the following information:

- (1) Full and current contact information of the Affected Person;
- (2) Description of the decision to be reviewed and an attachment of a copy of the decision;
- (3) Reason for the review request;
- (4) Whether the Affected Person wishes for the review request to be completed by the Sewage Control Manager or by Third Party Mediation;

The Notice of Review Request form shall also include:

- (1) The contact information of the Regional District;
- (2) A note informing the Affected Person that she or he may be entitled to a time-limited statutory right of appeal to the Environmental Appeal Board under the *Environmental Management Act*, and to consult a copy of the *Environmental Management Act* for further details.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1418.04

A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO BYLAW ENFORCEMENT TICKET REGULATION BYLAW NO. 1418, 2005

WHEREAS the Board of the Regional District of Nanaimo wishes to amend "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005" to include "Regional Sewage Source Control Bylaw No. 1730, 2015";

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

1. Citation:

This Bylaw may be cited as "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.04, 2015."

2. Amendments:

"Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005" is amended as follows:

(1) By adding the following to the list in Schedule 1, formatted accordingly:

Column I Designated Bylaws	Column II Designated Bylaw Enforcement Officers
21. Regional Sewage Source Control Bylaw No. 1730, 2015	Sewage Control Manager Municipal Sewage Control Officers Bylaw Enforcement Officers

(2) By adding Schedule 22, as appended to this bylaw as Schedule 22.

Introduced and read three times this day of , 2015.

Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER

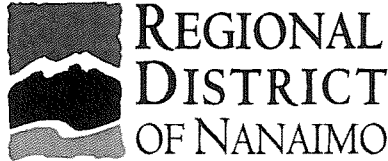
CHAIRPERSON

CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO
BYLAW ENFORCEMENT TICKET REGULATION
BYLAW NO. 1418, 2005**

SCHEDULE 22

Column I	Column II	Column III
Regional Sewage Source Control Bylaw No. 1730, 2015	Section of Bylaw 1730	Amount of Fine
1. Discharge of prohibited waste w/o permit	5(1)	\$2,500.00
2. Discharge of restricted waste w/o permit	5(2)	\$1,000.00
3. High volume discharge w/o permit	5(3)	\$500.00
4. Discharge of uncontaminated water over 2.0m ³ /day w/o permit	5(4)	\$250.00
5. Discharge of storm water or ground water w/o permit	5(5)	\$250.00
6. Discharge of trucked liquid waste w/o permit	5(6)	\$250.00
7. Discharge of recreational vehicle waste w/o permit	5(7)	\$100.00
8. Discharge of substance for dilution w/o permit	5(8)	\$250.00
9. Failure to meet term or condition of permit	10	\$500.00
10. Failure to install control works	26(1)	\$250.00



RDN REPORT	
CAO APPROVAL	
EAP	
CoW	✓
OCT 30 2015	
RHD	
BOARD	

STAFF REPORT

TO: Sean De Pol
Manager, Wastewater Services

DATE: October 21st, 2015

FROM: Jolene Jackson
Special Projects Coordinator,
Wastewater Services

MEETING: CoW, November 10th, 2015

FILE: 2240-20-SNUN

SUBJECT: Sanitary Sewer Use Agreement with Snuneymuxw First Nation and the City of Nanaimo

RECOMMENDATION

That the Board approve the attached Sanitary Sewer Use Agreement with Snuneymuxw First Nation and the City of Nanaimo

PURPOSE

To enter into a servicing agreement with the Snuneymuxw First Nation and the City of Nanaimo for the provision of sanitary sewer servicing of Reserves No. 2, 3, and 4.

BACKGROUND

The Regional District of Nanaimo (RDN) owns and operates the Greater Nanaimo Pollution Control Centre (GNPCC), which treats sewage from the City of Nanaimo (the City). The City owns and operates the sanitary sewer collection system within the municipality, which conveys sewage from communities to the RDN’s interceptor line and the GNPCC. In 2008, Snuneymuxw First Nation (SFN) expressed interest in providing sewer servicing to SFN Reserves No. 2, 3, and 4, which are located on the Nanaimo River between Chase River and Duke Point.

The most effective way to provide sewer servicing to IRs No. 2, 3, and 4, is for SFN to share existing infrastructure with the City and the RDN. Effluent generated by IRs No. 2, 3, and 4 will be collected by the SFN collection system, transported by one of the City’s lift stations and conveyance lines, and ultimately discharged to the RDN’s interceptor and the GNPCC. The City’s and RDN’s infrastructure has sufficient capacity to accommodate SFN’s effluent.

As such, SFN approached the RDN for a letter of support pertaining to a funding request to Indian and Northern Affairs Canada for the detailed design of the sanitary sewer collection system that is within IRs No. 2, 3, and 4. On July 22, 2008, the RDN Board resolved:

That the Board provide a letter of support to Snuneymuxw First Nation for Indian & Northern Affairs Canada to provide funding to advance to detailed design the project for sewer servicing of the Snuneymuxw Nation communities on the Nanaimo River IR #2, #3, #4.

Report to CoW, Nov 2015 - Sanitary Sewer Use Agreement with Snuneymuxw First Nation and the City of Nanaimo

Funding for this design work was subsequently approved and the works completed. Due to the inter-jurisdictional use and administration of the system, SFN, the City, and the RDN have collaboratively drafted and finalized the Sanitary Sewer Use Agreement (Attachment #1), which is herein presented to the RDN Board for review and authorization.

The Agreement was approved by Snuneymuxw First Nation Chief and Council on August 6th, 2015, and by the City of Nanaimo Mayor and Council on October 19th, 2015.

DISCUSSION

- SFN is responsible for maintaining the sanitary sewer system within IRs No. 2, 3, and 4, and within the right-of-way from IR No. 4 to the Cedar Road lift station.
- SFN will pay to the RDN the same operating fees as applicable to other users of the sanitary sewer system.
- SFN will pay connection fees for each existing structure connected to the system, mirroring the existing DCC system applied to other users of the sanitary sewer system.
- The maximum discharge volume for this agreement is 16 L/s.
- If SFN wishes to discharge more than the 16 L/s, they may utilize available capacity in the system or undertake system expansion. If system expansion cost exceeds any monies available in the reserve account, they will be the responsibility of the SFN.
- The term of the agreement is 40 years with an optional 15 year renewal.

ALTERNATIVES

1. Approve the Agreement; or,
2. Do not approve the Agreement and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

Section 4.00 of the Agreement details cost recovery for SFN's use of the sanitary sewer system. The SFN service will be administered similarly to other service areas, and the RDN will recover costs from SFN through the "Regional District Operating Fee". SFN will notify the RDN and the City of any new developments, which may be subject to a "new connection fee" to help recover the costs of system expansion, similar to the RDN's and City's DCC programs.

STRATEGIC PLAN IMPLICATIONS


The Agreement supports the RDN's Strategic Plan as it enhances relationships between the RDN, the City of Nanaimo, and Snuneymuxw First Nation by facilitating effective dialogue about matters of mutual interest. The Agreement also supports the Liquid Waste Management Plan as it protects the Nanaimo River delta from failing on-site septic systems by allowing property owners to connect to the community sewer system

SUMMARY/CONCLUSIONS


The Regional District of Nanaimo (RDN) owns and operates the Greater Nanaimo Pollution Control Centre (GNPCC), which treats sewage from the City of Nanaimo (the City). The City owns and operates the sanitary sewer collection system within the municipality, which conveys sewage from communities to the RDN's interceptor line and the GNPCC.

In 2008, Snuneymuxw First Nation (SFN) expressed interest in providing sewer servicing to SFN Reserves No. 2, 3, and 4, which are located on the Nanaimo River between Chase River and Duke Point. The most effective way to provide sewer servicing to IRs No. 2, 3, and 4, is for SFN to share existing infrastructure with the City and the RDN. The City's and RDN's infrastructure has sufficient capacity to accommodate SFN's effluent.

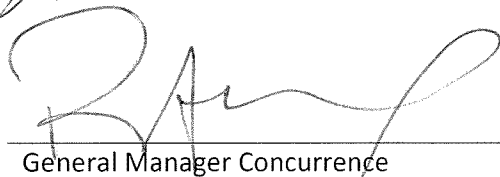
Due to the inter-jurisdictional use and administration of the system, SFN, the City, and the RDN have collaboratively drafted and finalized an agreement, which is herein presented to the RDN Board for review and authorization. The Agreement was approved by Snuneymuxw First Nation Chief and Council on August 6th, 2015, and by the City of Nanaimo Mayor and Council on October 19th, 2015.



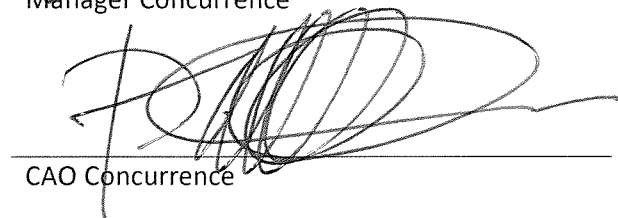
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

ATTACHMENT 1

SNUNEYMUXW FIRST NATION
SEWER USE AGREEMENT

THIS AGREEMENT made this ____ day of _____, 2015.

BETWEEN:

SNUNEYMUXW FIRST NATION

A Band within the meaning of the *Indian Act* (Canada)
668 Centre Street, Nanaimo, B.C. V9R 4Z4

(the "First Nation")

OF THE FIRST PART

AND:

THE REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road, Nanaimo, BC V9T 6N2

(the "Regional District")

OF THE SECOND PART

AND:

THE CITY OF NANAIMO

455 Wallace Street, Nanaimo, B.C. V9R 5J6

(the "City")

OF THE THIRD PART

WHEREAS:

- A. The Regional District is empowered under section 176(1)(b) of the *Local Government Act* to make agreements with a public authority respecting activities, works or services within the powers of a party to the agreement, including the undertaking, provision and operation of activities, works and services;
- B. The City has authority under the *Community Charter* to make agreements with a public authority respecting activities, works or services within the powers of a party to the agreement, including the undertaking, provision and operation of activities, works and services;
- C. The First Nation is defined as a public authority under the schedule to the *Community Charter*;

- D. The First Nation wishes to obtain sewage treatment for Reserve No. 2, Reserve No. 3 and Reserve No. 4 (collectively, the “Reserves” and individually, a “Reserve”) from the Regional District under its bylaws, rules and regulations.
- E. The Regional District has agreed to accept sewage from the Reserves and the First Nation has agreed to pay to the Regional District fees in relation to sewage treatment and disposal as set out in this Agreement.
- F. The City has agreed to accept sewage from the Reserves for conveyance to the trunk sewer system operated by the Regional District and the First Nation has agreed to pay to the City fees in relation to use of the City Sewer System as set out in this Agreement.
- G. The First Nation acknowledges that the terms and conditions applying to its use of the Regional District Sewer System and the City Sewer System are intended to be substantially the same as the terms and conditions governing the use of the Regional District Sewer System and the City Sewer System by others.
- H. The Council of Spuneymuxw First Nation pursuant to Band Council Resolution dated the 6th day of August, 2015 has approved and authorized this agreement. A certified copy of the Band Council Resolution is attached as Schedule “A”.

NOW THEREFORE IN CONSIDERATION of the mutual covenants and agreements contained herein the parties hereby covenant and agree each with the other as follows:

1.00 DEFINITIONS

1.01 For the purposes of this Agreement, the following definitions shall apply:

“City DCC Bylaw” means the City of Nanaimo Sanitary Sewer Development Cost Charge Bylaw 2008 No. 7066, as amended or replaced;

“City Operating Fee” means an annual fee that represents the annual cost of maintaining, operating, repairing and upgrading the City Sewer System as set out in section 4.06;

“City Sewer System” means the sewage collection system and other facilities or equipment owned or under the control of the City that transports sewage or other water-borne waste from the First Nation System to the Regional District Sewer System;

“Commencement Date” means the ___ day of _____, 2015;

“Connection Fee” means a fee payable by the First Nation that is equivalent to the sanitary sewer development cost charge that is in effect for similar developments within the City of Nanaimo. It includes the amount payable for both the City and Regional District sanitary sewer development cost charges;

“Connection Point” means a point where the First Nation System meets and is connected with the City Sewer System;

“Dispute Notice” has the meaning given in section 8.03;

“Existing Buildings and Properties” means all buildings and properties existing on the Commencement Date, as listed separately under each heading in Schedule “B”, that will be connected from the First Nation System to the City Sewer System and the Regional District Sewer System;

“First Nation System” means the sewage collection system and other facilities or equipment owned or under the control of the First Nation that transports sewage or other water-borne waste from the Reserves to the City Sewer System including the force mains located on “Cedar Road from the City limits to Frew Road” and any other sanitary sewer works installed by the First Nation in or on any highway or other property located outside the Reserves;

“New Connection Fee” means the connection fee payable by the First Nation for a New Development, as set out in section 4.14;

“New Development” means the construction of a new building, or units within a building on a Reserve, or the alteration, renovation, modification or change in the use of land or an existing building or structure on a Reserve, or the carrying-out of any construction, engineering or other operations in, on, over or under land or structures on a Reserve, or any other activity, which will result in the need for sanitary sewer to be collected from the new development to the City Sewer System;

“Notice of New Developments” has the meaning given in section 4.14(a);

“Notice to Correct” has the meaning given in section 7.01;

“RDN DCC Bylaw” means the Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547, 1996, as amended or replaced;

“Regional District Operating Fee” means an annual fee that represents the annual cost of maintaining, operating, repairing and upgrading the Regional District Sewer System as set out in section 4.01;

“Regional District Sewer System” means any sewage collection system, sewage treatment and disposal facilities, and other equipment owned or otherwise under the control or jurisdiction of the Regional District that gathers, treats, transports, stores, utilizes or discharges waste for the First Nation;

“Reserves” and **“Reserve”** have the meanings given in Recital D;

“Term” has the meaning given in section 2.01.

- 1.02 Where the singular or masculine is used in this Agreement, it will be deemed to include the plural, the feminine or the body corporate or politic where the context so requires, and vice versa.
- 1.03 References to a statute, regulation or bylaw (including bylaws of the City) are deemed to include any amendments and any statute, regulation or bylaw that replaces or re-enacts any of the foregoing and has substantially the same purpose.

Schedules

1.04 The following schedules are incorporated into and form part of this Agreement:

Schedule "A"	-	Band Council Resolution
Schedule "B"	-	Existing Buildings and Properties
Schedule "C"	-	Notification of New Developments
Schedule "D"	-	Communications Protocol

2.00 TERM

2.01 This Agreement shall come into full force and effect on the day first set out above and shall have an initial term of 40 years (the "Term").

2.02 At the written request of the First Nation made during the year that is the 5th year before the end of the Term, or any renewal thereof, the Regional District and the City will agree to renew the Term of this Agreement for a further Term of 15 years, commencing that year, if the Regional District and the City determine, each acting reasonably and in good faith, that there is sufficient capacity in the City Sewer System and the Regional District Sewer System to supply the forecast service needs of the City, the Regional District and the First Nation for the applicable renewal Term.

3.00 USE OF CITY AND REGIONAL DISTRICT SYSTEMS

3.01 Beginning on the Commencement Date, the Regional District shall accept sewage originating from the Reserves and conveyed through the City Sewer System to the Regional District Sewer System for treatment in accordance with and subject to the terms and conditions of this Agreement.

3.02 Beginning on the Commencement Date, the City shall accept sewage originating from the Reserves and conveyed by the First Nation System to the City Sewer System for treatment in accordance with and subject to the terms and conditions of this Agreement.

3.03 The Regional District will maintain the Regional District Sewer System in accordance with all governing laws, standards and guidelines in place from time to time.

3.04 The City will maintain the City Sewer System in accordance with all governing laws, standards and guidelines in place from time to time.

3.05 Nothing in this Agreement imposes any obligations on the City or the Regional District to make any capital expenditure or to incur any liability of a capital nature in relation to the City Sewer System or the Regional District Sewer System and any decision of the City or the Regional District whether to make such an expenditure or to incur such a liability may be made as if this Agreement had not been made. For greater certainty, the foregoing does not relieve the City or the Regional District of any obligations to accept from the Reserve the 16 l/s referred to in section 3.07. The City and the Regional District will provide the services required by this Agreement to the same standard and

quality as such services are provided to other users of the City Sewer System and the Regional District Sewer System.

- 3.06 All sewage flows originating from the Reserve shall be conveyed to the City Sewer System at the Connection Point and thence to the Regional District Sewer System.
- 3.07 Subject to sections 3.08 and 3.09, the maximum volume that the First Nation may discharge into the City Sewer System for conveyance to the Regional District Sewer System shall not exceed a pumped flow of 16 l/s.
- 3.08 When the discharge from the Reserves needs to expand beyond the 16 l/s, the First Nation may utilize capacity available at the time in the City Sewer System and the Regional District Sewer System.
- 3.09 In the event that the First Nation has proposed developments for the Reserve that may result in sewage flows in excess of the maximum flows set out in section 3.07 and existing additional capacity in the City or the Regional District sewer systems is not available, the Parties agree to negotiate in good faith to amend this Agreement or conclude a new agreement to allow for servicing of the increased flows. To the extent costs of the design, construction, installation or enlargement of the City or Regional District Sewer Systems related to the expansion beyond 16 l/s from the Reserves under this Agreement are not otherwise covered by the connection fees for New Developments paid to the City by the First Nation under section 4.14, the First Nation will be responsible for the additional costs.
- 3.10 The Parties agree to promptly meet at the request of any Party and at least once every 5 years to discuss the implementation of this Agreement.

Interruption and Suspension of Services

- 3.11 The Regional District or the City may interrupt or suspend service:
 - (a) without notice in the event of an emergency; or
 - (b) following discussion and reasonable written notice in the event of planned operational maintenance.

4.00 FEES

Regional District Operating Fee

- 4.01 The First Nation will pay an annual operating fee to the Regional District for the use of the Regional District Sewer System (the "**Regional District Operating Fee**").
- 4.02 Annually on or about June 1st of each year, the Regional District will invoice the First Nation for the Regional District Operating Fee. The invoice will show the calculation of the Regional District Operating Fee. The calculation period runs from October 1 to September 30 to harmonize with the budget preparation process.

- 4.03 The Regional District Operating Fee payable by the First Nation will be calculated by apportionment of Annual Costs as defined in the Regional District's *Community Sewer Local Service Conversion Bylaw No. 888, 1993*, as amended, amongst the benefitting areas in the Southern Community Sewer Local Service Area and the First Nation based on percent of use, which shall be measured as a function of sewage flow as determined by the flow meter in Articles 5.04 to 5.06.
- 4.04 Invoices from the Regional District shall be due and payable within sixty (60) days of the date of the invoice. Invoices unpaid after that time will bear interest at one percent (1%) per month or portion of a month until payment is received.
- 4.05 The Regional District will upon request make available to the First Nation for inspection and copy, records of the Regional District which would allow the First Nation to confirm the calculation of the Regional District Operating Fee.

City Operating Fee

- 4.06 The First Nation will pay an operating fee to the City for use of the City Sewer System (the "City Operating Fee").
- 4.07 Approximately every four months the City will invoice the First Nation for the City Operating Fee. The invoice will show the calculation of the City Operating Fee.
- 4.08 The City Operating Fee payable shall be calculated in the same manner as similar users within the City of Nanaimo as set out in the City's *Sewer Regulation and Charge Bylaw 1982, No. 2496*, as updated from time to time. The Existing Buildings and Properties and the Notice of New Developments will be used to calculate the City Operating Fee.
- 4.09 Invoices from the City rendered in a calendar year that remain unpaid at the end of that calendar year will be deemed to be in default and subject to an interest charge equal to the amount applicable to all other users of the City Sewer System as established by the City from time to time.
- 4.10 The City will upon request make available to the First Nation for inspection and copy, records of the City which would allow the First Nation to confirm the calculation of the City Operating Fee.

Initial Connection Fees

- 4.11 The First Nation will initially connect only the pump station for the First Nation System to the City Sewer System and Regional District System for testing purposes and will pay the Connection Fee equivalent to a single family home under the City DCC Bylaw and the RDN DCC Bylaw.
- 4.12 Upon initial connection of the First Nation System to the City Sewer System and Regional District Sewer System, the First Nation will pay the Connection Fee to the City for the Existing Buildings and Properties. The City will then transfer the appropriate fees to the Regional District, according to the RDN DCC Bylaw.

- 4.13 The Connection Fee payable by the First Nation under section 4.12 shall be calculated by applying to each Existing Building and Property listed at Schedule “B” of this Agreement the charges equivalent to or corresponding with all development cost charges applicable to new building permits and subdivisions within City boundaries pursuant to the City DCC Bylaw and the RDN DCC Bylaw.

New Connection Fees

- 4.14 By April 1st each year, the First Nation will:
- (a) provide a completed notice of New Developments for the most recent calendar year ending December 31st using the headings provided in Schedule “C”, or headings amended as reasonably required to correspond with the City DCC Bylaw and the RDN DCC Bylaw from time to time (“**Notice of New Developments**”). Upon reasonable advance notice to the First Nation, the Regional District and the City may each carry out an onsite review of New Developments on the Reserves to confirm the accuracy of the Notice of New Developments and the First Nation agrees to assist the Regional District and the City with site visits and by providing reasonably required records and other documentation to complete the onsite review, and
 - (b) on receipt of an invoice from the City, pay the New Connection Fee to the City calculated by applying to each New Development item listed in the form provided at Schedule “C” of this Agreement the charges equivalent to or corresponding with all development cost charges applicable to new building permits and subdivisions within City boundaries pursuant to the City DCC Bylaw and the RDN DCC Bylaw.

The portion of any New Connection Fee paid by the First Nation that is equivalent to charges under the City DCC Bylaw will be placed in a reserve account and will be available for use in relation to the City Sewer System that will directly or indirectly benefit the First Nation.

5.00 FIRST NATION COVENANTS

- 5.01 The First Nation is responsible for ensuring that no sewage originating from the Reserve is discharged into the City Sewer System except in compliance with all statutes, regulations, bylaws or other enactments applicable to discharges into the City Sewer System or the Regional District Sewer System, including the City’s *Sewer Regulation and Charges Bylaw 1982, No. 2496* and the *Regional District of Nanaimo Sewer Use Regulatory Bylaw 2002, No. 1225*.
- 5.02 Where the First Nation establishes a sewer use bylaw it should be consistent with bylaws of the City and the Regional District Sewer Use Bylaw and the First Nation should make reasonable efforts to carry out enforcement consistent with Regional District and City enforcement policies, with the exception of the ability to issue waste discharge permits or authorizations. The Regional District and the City may take action against the First Nation under sections 7.00, 8.00 and 9.00 if the Regional District or the City

becomes aware that there is a sewage discharge from the Reserve that is in contravention of *City's Sewer Regulation and Charges Bylaw 1982, No. 2496* and the *Regional District of Nanaimo Sewer Use Regulatory Bylaw 2002, No. 1225*, as amended or replaced.

- 5.03 The First Nation shall construct, repair, operate and maintain the First Nation System at its sole cost in accordance with good engineering standards, the British Columbia Plumbing Code, and applicable federal, provincial and local government laws, regulations, bylaws, orders and permits and any plan that may be prepared by the Regional District and approved by the Minister of Environment (or its replacement) under the *Environmental Management Act* (British Columbia) and which governs what wastes may or may not be discharged into the Regional District Sewer System or the City Sewer System.
- 5.04 The Regional District and the City shall require the First Nation to install one flow meter for the purpose of monitoring flows and for calculating the Regional District Operating Fee.
- 5.05 The First Nation shall retain a qualified third party contractor to construct and install, at its own cost, a flow meter in accordance with the following criteria:
- (a) the flow meter must be located and installed on the First Nation System in accordance with good engineering standards;
 - (b) the flow meter must be located at a point in the First Nation System where all sewage flow originating from the Reserves and to be conveyed to the City System or the Regional District System can be measured with sufficient accuracy that the data can be used for the purpose of charging the annual Regional District Operating Fee. This location shall be at the most downstream point from the Reserves before entering the City Sewer System;
 - (c) the type of flow meter and location of the flow meter must be approved by the Regional District and the City prior to installation;
 - (d) the initial installation will include the flow meter and chamber and a manual "touch read" system for reporting data. In the future when more development occurs on the Reserve, the reporting of the data from the flow meter will be by wireless data logger to a web based software program which will allow the data to be available to the First Nation, the Regional District and the City,
- and ownership of the flow meter must be transferred to the Regional District following installation. The Regional District will be responsible for all maintenance and any replacement of the flow meter following transfer of ownership.
- 5.06 In the event that the First Nation provides evidence that certain data from the flow meter is inaccurate, and this evidence is accepted by the City and Regional District, the Regional District Operating Fee will be adjusted to reflect the actual flow. This evidence must be received by the City and the Regional District within thirty (30) days of invoicing

for the Regional District Operating Fee to the First Nation. If the parties cannot agree, the dispute shall be determined by arbitration under the *Arbitration Act* (British Columbia).

- 5.07 The First Nation shall take reasonable steps to prevent storm water or rain water from being discharged into the First Nation System.
- 5.08 Neither the Regional District nor the City shall be responsible for the extension, construction, repair, operation or maintenance of the First Nation System or its use or any costs associated therewith, and shall not be liable to the First Nation for any loss, damage or liability arising from the inability of the First Nation to discharge sewage to the City Sewer System or the Regional District Sewer System.
- 5.09 The First Nation shall release, indemnify and save harmless the Regional District and its elected and volunteer officials, officers, employees, contractors and agents from and against all claims, demands, losses, penalties, damages, actions, suits, fines or proceedings by whomever made, brought or prosecuted, and in any manner based upon, arising out of or related to, occasioned by or attributed to any failure to maintain, operate or repair the First Nation System or to the original design and construction of the First Nation System or to a breach of any provision of this Agreement to be performed by the First Nation or its members, employees, agents, occupiers, subtenants and contractors and, without restricting the generality of the foregoing, arising out of a failure by the First Nation, its lessees, employees, contractors or agents to comply with this Agreement.
- 5.10 The First Nation shall release, indemnify and save harmless the City and its elected and appointed officials, officers, employees, contractors and agents from and against all claims, demands, losses, penalties, damages, actions, suits, fines or proceedings by whomever made, brought or prosecuted, and in any manner based upon, arising out of or related to, occasioned by or attributed to any failure to maintain, operate or repair the First Nation System or to the original design and construction of the First Nation System or to a breach of any provision of this Agreement to be performed by the First Nation or its members, employees, agents, occupiers, subtenants and contractors and, without restricting the generality of the foregoing, arising out of a failure by the First Nation, its lessees, employees, contractors or agents to comply with this Agreement.
- 5.11 The Regional District shall indemnify and save harmless the First Nation and its Chief and Council, officers, employees, contractors and agents from and against all claims, actions, causes of action, suits or other liability resulting from any breach of any provisions of this Agreement to be performed by the Regional District, except if caused by the negligence or willful misconduct of the First Nation.
- 5.12 The City shall indemnify and save harmless the First Nation and its Chief and Council, officers, employees, contractors and agents from and against all claims, actions, causes of action, suits or other liability resulting from any breach of any provisions of this Agreement to be performed by the City, except if caused by the negligence or willful misconduct of the First Nation.

6.00 RIGHT OF ENTRY FOR INSPECTION

6.01 The Council of the First Nation hereby authorizes the Regional District and the City and their respective officers, officials, employees, contractors and agents to enter upon the Reserve upon reasonable advance notice for the purposes of:

- (a) determining whether or not the requirements of this Agreement are being met;
- (b) investigating observed increases in sewage flow or to determine the source and quantity of chemical or other contaminants entering the Regional District Sewer System or the City Sewer System, where or when such increased flow or contamination is judged by the Regional District or the City to be adversely affecting the operation or the performance of the Regional District Sewer System or the City Sewer System, respectively, to which the First Nation System is connected, or to be preventing the Regional District or the City from meeting regulatory requirements, or to be resulting in sewage spills;
- (c) completing a review of New Developments under section 4.14(a);
- (d) inspecting, maintaining and replacing the flow meter.

and the First Nation will make reasonable efforts to cause all members of First Nation and all lessees and other occupants of the Reserve to be notified of and permit the Regional District's and the City entry upon their premises for the purposes set out in section 6.01.

6.02 The Parties agree that they will follow the communications protocol set out in Schedule "D" as may be amended from time to time.

7.00 NOTICE TO CORRECT

7.01 The Regional District or the City may, at any time, give to the First Nation notice that, in the opinion of the Regional District or the City, the First Nation is not operating, maintaining or repairing the First Nation System in accordance with this Agreement or as otherwise required for the purpose of ensuring that the First Nation System will not cause damage to persons or property or to the Regional District Sewer System or the City Sewer System, respectively, or affect the proper and permitted operation of the Regional District Sewer System or the City Sewer System (the "**Notice to Correct**"). The Notice to Correct must be accompanied by copies of reports or other information upon which the Regional District or the City relied in making the Notice to Correct.

7.02 The Regional District and the City shall each notify the other prior to issuing a Notice to Correct under section 7.01.

8.00 REMEDIAL ACTION

8.01 Subject to section 8.03 and section 8.12, upon receipt of a Notice to Correct, the First Nation will within thirty (30) days carry out such remedial action as is required to

remedy the deficiencies set out in the Notice to Correct, except that in the case of an emergency, such remedial action shall be carried out immediately.

- 8.02 Subject to section 8.12, if the First Nation fails to carry out remedial action to remedy the deficiencies set out in the Notice to Correct, the Regional District or the City may take such measures as are necessary to correct the deficiency and the First Nation shall indemnify and save harmless the Regional District and the City from any and all costs, fines, fees, expenses, actions and other expenditures incurred by the Regional District or the City respectively to do so, subject to the First Nation's right to issue a Dispute Notice under section 8.03. The Regional District and the City shall cooperate between themselves to avoid unnecessary duplication of remedial action.
- 8.03 Within ten (10) days of receiving the Notice to Correct the First Nation may, if it is of the opinion that the Notice to Correct should not have been issued, issue to the Regional District or the City, as applicable a notice protesting the Notice to Correct (the "**Dispute Notice**") containing an outline of the reasons on which the Dispute Notice is based.
- 8.04 Within fourteen (14) days of the First Nation issuing a Dispute Notice, representatives of the First Nation and the party that issued the Notice to Correct (in sections 8.05 through 8.09, the "parties") shall meet to attempt to resolve the dispute.
- 8.05 If the parties cannot resolve the dispute between themselves, then the dispute shall be settled by an arbitrator to be chosen by the Regional District or the City, as applicable and the First Nation within ten (10) days of the issuance of the Dispute Notice. If the parties are unable to agree upon an arbitrator within that time, he or she shall be selected by a Judge of the Supreme Court of British Columbia.
- 8.06 The Parties shall immediately forward to the arbitrator the Notice to Correct, the Dispute Notice, and other information on which the Notices are based.
- 8.07 The parties shall request that the arbitrator shall select a time and place for a meeting to be held amongst the parties to be not more than thirty (30) days after receiving the material referred to in section 8.06 at which time the parties may appear and be heard regarding the dispute.
- 8.08 The decision of the arbitrator shall be made not more than thirty (30) days after the meeting referred to in section 8.07.
- 8.09 The decision of the arbitrator shall be final and binding on the parties.
- 8.10 Unless otherwise determined by the arbitrator, if the arbitrator concludes that the Regional District or the City, as applicable had sufficient and reasonable grounds to issue the Notice to Correct, then the First Nation shall pay all costs of the arbitration including without limitation the reasonable legal costs and administrative costs incurred by the Regional District or the City as applicable, in relation to the arbitration, which costs shall be paid to the Regional District or the City, as applicable within thirty (30) days of receipt of an invoice.

- 8.11 Unless otherwise determined by the arbitrator, if the arbitrator concludes that the Regional District or the City, as applicable had insufficient or unreasonable grounds to issue a Notice to Correct, then the Regional District or the City, as applicable shall pay all costs of the arbitration including without limitation the reasonable legal and administrative costs of the First Nation, which costs shall be paid to the First Nation within thirty (30) days of receipt of an invoice.
- 8.12 Despite Section 8.01 if the First Nation reasonably requires more than thirty (30) days to carry out the remedial action required by the Notice to Correct, the First Nation shall not be in default, provided that the curing of the default is promptly commenced upon receipt of the Notice to Correct, and with due diligence is thereafter continuously prosecuted to completion and is completed within a reasonable period of time, and provided that the First Nation keeps the Regional District and the City well informed at all times of its progress in carrying out the remedial work.

9.00 DEFAULT AND TERMINATION

- 9.01 If there is default in any payment required to be made to the Regional District or the City by the First Nation under this Agreement the amount in arrears shall bear interest at the rate of one percent (1%) per month or a portion of a month from the date of default to the date of payment. For certainty, a default in payment under this section means a failure to make the required payment within the time required.
- 9.02 If any payment the First Nation is required to make under this Agreement remains outstanding for more than six (6) months after the date on which payment is due, the party to whom the payment is due may give the First Nation six (6) months' written notice of termination of this Agreement. If a notice of termination is given to the First Nation under this section, this Agreement terminates on the date which is six (6) months after the date on which the notice is given unless
- (a) the First Nation makes the outstanding payment, with the interest required under this Agreement within sixty (60) days of the date of the notice, or
 - (b) the party which gave the notice of termination, in its sole and unfettered discretion, gives written notice to the First Nation cancelling the notice of termination.
- 9.03 If a Notice to Correct has been issued and the matter has not been referred to arbitration, then if the First Nation does not undertake remedial action in the time required under Part 8, the Regional District or the City may provide ninety (90) days written notice of termination. If a notice of termination is given to the First Nation under this section, this Agreement terminates on the date which is ninety (90) days after the date on which the notice is given unless
- (a) the First Nation completes the remedial action within sixty (60) days of the date of the notice, or

- (b) the party which gave the notice of termination, in its sole and unfettered discretion, gives written notice to the First Nation cancelling the notice of termination
- 9.04 If a Notice to Correct has been issued and the matter has been referred to an arbitrator, the City or the Regional District may terminate this Agreement upon written notice to the First Nation if
 - (a) the arbitrator concludes that the First Nation is required to undertake remedial action; and
 - (b) the First Nation does not undertake the remedial action in the time required by the arbitrator.
- 9.05 Neither the Regional District nor the City may terminate the Agreement under section 9.03 or 9.04, unless it has first provided the First Nation with an opportunity to make representations to the Regional District and the City regarding a possible termination under that section.
- 9.06 If the Regional District or the City permanently stops or restricts the flow of sewage from the First Nation System to the City Sewer System under sections 9.02, 9.03 or 9.04 then the First Nation shall have no claim of action or cause of action against the Regional District or the City arising from or related to such stoppage or restriction of sewage flow and shall release and save harmless the Regional District and the City of and from any claims, demands, losses, penalties, damages, actions, suits, fines or proceedings by whomever made, brought or prosecuted, and in any manner based upon, arising out of or related to, occasioned by or attributed to any failure to maintain, operate or repair the First Nation System or to the original design and construction of the First Nation System or to the original design and construction of the First Nation System or to a breach of any provision of this Agreement to be performed by the First Nation or its members, employees, agents, occupiers, subtenants and contractors and, without restricting the generality of the foregoing, arising out of a failure to comply with this Agreement.
- 9.07 If the Regional District fails to perform or observe any material term or condition contained in this Agreement and fails to remedy the default within thirty (30) days of notice to the Regional District, then the First Nation may terminate this Agreement by giving thirty (30) days' notice to the Regional District and thereafter shall cease to discharge sewage to the Regional District Sewer System or to a sewer system connected to the Regional District Sewer System.
- 9.08 Any right of action arising out of or prior to the breach shall not be prejudiced by termination of this Agreement.
- 9.09 The First Nation may terminate this Agreement on three (3) months' notice to the Regional District and the City if the First Nation wishes to make use of alternative methods of sewage treatment.

- 9.10 Upon the termination of this Agreement, the Regional District and the City may disconnect the Regional District Sewer System and the City Sewer System from the First Nation System.

10.00 SPILLS

- 10.01 The Regional District shall be responsible for clean up and report all spills which take place as a result of the operation of the Regional District Sewer System, to the Environmental Protection Branch and/or the Provincial Emergency Program and/or Environment Canada as the case may be, in accordance with all applicable laws.
- 10.02 The City shall be responsible for clean up and report all spills which take place as a result of the operation of the City Sewer System, to the Environmental Protection Branch and/or the Provincial Emergency Program and/or Environment Canada as the case may be, in accordance with all applicable laws.
- 10.03 The First Nation shall be responsible for clean up and report all spills which take place as a result of the operation of the First Nation System to the Environmental Protection Branch and/or the Provincial Emergency Program and/or Environment Canada as the case may be, in accordance with all applicable laws.

11.00 ASSIGNMENT

- 11.01 The First Nation shall not assign its interest in this Agreement without the prior written consent of the Regional District and the City.

12.00 DISPUTE RESOLUTION

- 12.01 The Parties agree that during the term of this Agreement and in the performance of each of their responsibilities under this Agreement, each of them will:
- (a) make bona fide efforts to resolve by amicable negotiations any disputes arising between them under this Agreement; and
 - (b) provide frank, candid and timely disclosure of all relevant facts, information and documents to facilitate those negotiations.
- 12.02 The Parties further agree to use their best efforts to conduct any dispute resolution procedure under this Agreement as efficiently and cost effectively as possible.
- 12.03 Other than disputes under section 5.06 or with respect to a Notice to Correct under Parts 7 and 8, any and all disputes between or among the Parties to this Agreement arising under, out of or in any way relating to this Agreement will be determined under this section.
- 12.04 Where a dispute arising out of or in connection with this Agreement is not promptly resolved by amicable negotiations the Parties agree to attempt to resolve the dispute by mediated negotiation with the assistance of a neutral person mutually agreed upon, or should the Parties be unable to agree upon such person within thirty (30) days of either

Party serving notice of its intention to proceed to mediation, a neutral person appointed by the British Columbia International Commercial Arbitration Centre administered under its Mediation Rules.

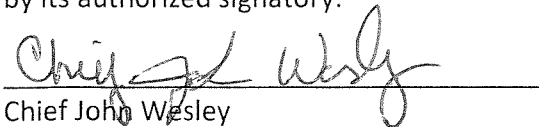
- 12.05 If the dispute cannot be settled within thirty (30) days after the mediator has been appointed or such lesser or longer period otherwise agreed to in writing by the Parties, the dispute will be referred to and finally resolved by arbitration administered by the British Columbia International Commercial Arbitration Centre, under its Rules.
- 12.06 Subject to any ruling or recommendation to the contrary by the Arbitrator or Mediator respectively, the Parties agree that the costs of such mediation or arbitration shall be shared equally between them. Costs in this context shall not include any costs incurred by a Party in preparation for and attending upon or settling a matter through mediation or arbitration.

13.00 MISCELLANEOUS

- 13.01 The parties hereto shall execute such further and other documents and do such further and other things as might be necessary to carry out and give effect to the intent of this Agreement.
- 13.02 This Agreement constitutes the entire agreement between the parties and there are no representations or warranties, express or implied, statutory or otherwise, and no agreement collateral to this Agreement other than as expressly set forth or referred to in this Agreement.
- 13.03 Neither the making of the Agreement nor anything herein contained will be construed for any purpose as abrogating or limiting:
- (a) the jurisdiction of the First Nation in respect of any lands that have been set apart for the use and benefit of the First Nation, including without limiting the generality of the foregoing, the jurisdiction of the First Nation in respect of the control of the use or the development of such lands; or
 - (b) the right of the First Nation to provide services other than those specifically provided for in this Agreement to or in respect of the First Nation lands by any lawful means not contemplated by this Agreement.
- 13.04 Nothing contained or implied herein shall prejudice or affect the rights and powers of the Regional District or the City in the exercise of its functions under any public and private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Regional District Sewer System or the City Sewer System as if this Agreement had not been executed and delivered by the parties and the interpretation of this Agreement shall be subject to and consistent with statutory restrictions imposed on the Regional District or the City under the *Local Government Act*.

- 13.05 This Agreement shall not be construed so as to create any greater standard of care or liability on the part of the Regional District or the City in respect of the supplying of sanitary sewage services to the First Nation than that which applies to the supply of such services to other operations of the Regional District or the City respectively.
- 13.06 Nothing in this Agreement shall be interpreted as transferring to the First Nation any right, title or interest in the Regional District Sewer System or the City Sewer System, which at all times shall remain the property of the Regional District and the City respectively.
- 13.07 Nothing in this Agreement shall be interpreted as creating an agency, partnership or joint ventureship between the Regional District and the First Nation or the City and the First Nation.
- 13.08 Time shall be the essence of this Agreement.
- 13.09 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- 13.10 No waiver of any term or condition of this Agreement or of a breach of any term or condition of this Agreement by either party hereto shall be effective unless it is in writing and no waiver of breach even if in writing shall be construed as a waiver of any future breach.
- 13.11 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, successors and assigns.


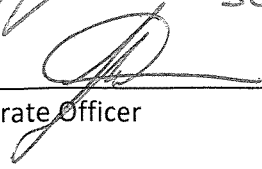
WITNESS WHEREOF the Snuneymuxw First Nation, the Regional District of Nanaimo and the City of Nanaimo have executed this Agreement as of the day, month and year first above written hereto have set their hands and seals as of the day and year first above written.

SNUNEYMUXW FIRST NATION,)
 by its authorized signatory:)
)
)
 Chief John Wesley)
)

REGIONAL DISTRICT OF NANAIMO,)
 by its authorized signatories:)
)
 _____)
 Chief Administrative Officer)
)
 _____)
 Senior Manager Corporate Administration)

CITY OF NANAIMO,

by its authorized signatories:

A-  _____ JERRY HOWE
 _____
Corporate Officer

)
)
)
)
)
)
)
)
)
)

SCHEDULE A

CERTIFIED COPY OF THE BAND COUNCIL RESOLUTION

CERTIFIED TRUE COPY
Vanessa Wyse

BAND COUNCIL RESOLUTION

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds.

Vanessa Wyse
Indian Registry Administrator

The Council of the		Snuneymuxw First Nation			Cash free balance	
					Capital Account	\$
Date of duly convened meeting ▶	D	M	Y	Province		
	6	08	15	British Columbia	Revenue account	\$

DO HEREBY RESOLVE:

WHEREAS:

- A. Snuneymuxw proposes to enter into a sewer use agreement with the Regional District of Nanaimo and the City of Nanaimo in order to obtain sewage treatment services for Reserve No. 2, Reserve No. 3 and Reserve No.4; and
- B. Council of Snuneymuxw considers it in the best interests of the Snuneymuxw community to enter into the agreement substantially in the form of agreement reviewed by Council (the "Agreement").

THEREFORE BE IT RESOLVED that:

- 1. The Agreement is hereby approved;
- 2. Snuneymuxw enter into and perform the terms of the Agreement;
- 3. Any one member of Council is hereby authorized and directed to execute the Agreement on behalf of Snuneymuxw and his or her signature thereon will be conclusive evidence of such approval; and
- 4. These resolutions may be signed by the Council members in as many counterparts as may be necessary and delivered by facsimile or email, each of which so signed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

Quorum 5

Karen Ahenakew
Councillor Karen Ahenakew

John G. Wesley
Chief John G. Wesley

Christopher Good
Councillor Christopher Good

Emily Manson
Councillor Emily Manson

James Seward
Councillor James Seward

Regan Seward
Councillor Regan Seward

Erralyn Thomas
Councillor Erralyn Thomas

Eric Wesley
Councillor Eric Wesley

Michael Wyse
Councillor Michael Wyse

Paul Wyse-Seward
Councillor Paul Wyse-Seward

FOR DEPARTMENTAL USE ONLY

Expenditure	Authority (Indian Act Section)	Source of funds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of Funds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
Recommending Officer			Recommending Officer		
Signature _____ Date _____			Signature _____ Date _____		
Approving Officer			Approving Officer		
Signature _____ Date _____			Signature _____ Date _____		

SCHEDULE B

EXISTING BUILDINGS AND PROPERTIES

Each heading below shall have the same meaning as defined in the RDN DCC Bylaw or City DCC Bylaw, as applicable.

1 Single Family

45 residential units

(This does not include the pump station which is charged an equivalent to a single family unit under section 4.11)

2 Multi-Family

three 4-plex units (each unit is 390.43 square meters)

3 Mobile Home Park

Nil

4 Commercial

Community kitchen (464.50 square meters)

Youth centre (87.33 square meters)

5 Industrial

Nil

6 Campground

Nil

7 Institutional

Nil

SCHEDULE C

NOTICE OF NEW DEVELOPMENTS

Each heading below shall have the same meaning as defined in the RDN DCC Bylaw or City DCC Bylaw, as applicable.

1 Single Family

2 Multi-Family

3 Mobile Home Park

4 Commercial

5 Industrial

6 Campground

7 Institutional

SCHEDULE D

COMMUNICATIONS PROTOCOL

1. If the City or the Regional District wishes to enter upon the Reserve for the purposes under this Agreement, the City or the Regional District, as the case may be, will contact Snuneymuxw First Nation's (SFN's) Community Infrastructure Housing Coordinator and arrange for access. If he or she is not available, the City or the Regional District may arrange for access with the SFN Maintenance Coordinator.
2. Representatives of the City and the Regional District will check in at the SFN Band Office upon arrival to the Reserve and when they are departing from Reserve. The SFN infrastructure or maintenance coordinator or other appropriate SFN staff will accompany representatives of the City and the Regional District while they undertake any activities on the Reserve.
3. The City, Regional District and SFN will exchange and update emergency contacts and plans and maintain open communications in the event of an emergency. In the event of an emergency the contacts for the Parties are as set out below in order of priority.

SFN

	Position	Name	Contact #
#1	Community Infrastructure Housing Coordinator	Doug Muir	250-740-2331 Cell 250-802-5651
#2	Maintenance Coordinator	James Wesley	250-740-2300 Cell 250-713-7402
#3	Executive Director	Ken Cossey	250-740-2310
#4	Housing Manager	Jackie Good	250-740-2355 Cell 250-716-6550

City of Nanaimo

	Position	Name	Contact #
#1	PW Commissionaire (24/7)		250-758-5222
#2	Director of Engineering & Public Works	Geoff Goodall	250-756-5301 Cell 250-851-6599
#3	Manager of Utilities	John Elliot	250-756-5305 Cell 250-755-5186

Regional District

	<i>Position</i>	<i>Name</i>	<i>Contact #</i>
<i>#1</i>	<i>Greater Nanaimo Pollution Control Centre (GNPCC)</i>		<i>250-758-1157</i>
<i>#2</i>	<i>GNPCC Emergency Pager</i>		<i>1-888-777-5998</i>
<i>#3</i>	<i>Manager, Wastewater Services</i>	<i>Sean De Pol</i>	<i>250-390-6547</i> <i>Cell 250-713-5896</i>
<i>#4</i>	<i>General Manager, Regional & Community Utilities</i>	<i>Randy Alexander</i>	<i>250-390-6543</i> <i>Cell 250-729-5073</i>

4. The Parties will update the emergency contact information as necessary and may otherwise amend this protocol from time to time.



RDN REPORT	
CAO APPROVAL	✓
EAP	
CoW	✓
NOV 04 2015	
RHD	
BOARD	

STAFF REPORT

TO: Sean De Pol
Manager, Wastewater Services

DATE: November 3, 2015

FROM: Maurice Mauch
Project Engineer, Wastewater Services

MEETING: CoW, November 10, 2015

FILE: 5330-20-GNPCC–Marine Outfall

SUBJECT: Greater Nanaimo Pollution Control Centre Marine Outfall Engineering Services Award and Development Cost Charge Reserve Fund Expenditure Bylaw

RECOMMENDATION

1. That the Board award the engineering services contract for the Greater Nanaimo Pollution Control Centre (GNPCC) Marine Outfall Replacement Project to Opus Dayton Knight (ODK) for \$600,000.
2. That “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1737, 2015” be introduced and read three times.
3. That “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1737, 2015” be adopted.

PURPOSE

To consider awarding the engineering services contract for the GNPCC Marine Outfall Replacement Project and adopting the “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1737, 2015”.

BACKGROUND

Treated effluent from the GNPCC flows 2.5 kilometers through the 36 inch diameter epoxy coated steel pipe outfall to a discharge point 70 meters below sea level near Five Fingers Island in the Salish Sea. The outfall constructed in 1973 has reached the end of its service life, and requires replacement. In 2012, the Regional District of Nanaimo (RDN) Board approved the allocation of funds for the design and construction of the replacement of the land section of the outfall, that work was completed in the fall of 2014. In July 2014, the RDN Board directed staff to award the detailed design services for the Marine Section of the outfall to ODK. The design work has been completed, the project was tendered and RDN Board has directed staff to award to McNally Construction Inc at a special Board meeting November 3, 2015.

The engineering services, which include inspection, material testing contract administration and field engineering services will be required to ensure design goals and quality assurance are maintained through to completion of the construction contract. ODK have been involved in the project from the beginning, it is recommended that they be retained for the completion of the project. The following is our most recent costing for the completion of the project:

Projected Final Costs

Detailed Design (Completed)	\$ 742,000
Tendering and Permitting Services	\$ 50,000
Construction and Post Construction Engineering Services	\$ 600,000
Construction Project	\$ 12,805,655
Emergency Tie in Work	\$ 750,000
Environmental, Geotechnical and Archeological Monitoring	\$ 200,000
Receiving Environmental Monitoring Report	\$ 250,000
Morningside Park Landscape Restoration	\$ 100,000
Project Contingency	\$ 600,000
Total Project Cost	\$ 16,097,655

The total projected cost for the Marine Outfall Replacement Project exceeds the previously approved budget by approximately \$600,000. This cost increase will be incorporated into the 2016-2020 5 year Financial Plan.

ALTERNATIVES

1. Award the engineering services contract for the GNPCC Outfall to ODK for a budget of \$600,000.
2. Do not award the contract and re-assess project inspection requirements.

FINANCIAL IMPLICATIONS

Alternative 1

This construction project will be funded 50% by DCC reserves and 50% by general reserves. Bylaw No. 1737 is included with this report; the bylaw authorizes the use of DCC reserves to fund that portion of the project

Alternative 2

The existing Marine Outfall is at the end of its service life and has experienced a number of failures. If the engineering services contract for the GNPCC Marine Outfall Replacement Project construction contract is not awarded at this time, there may be issues with the quality of the installation, contractor performance which may result in a poor finished product, further leaks and compliance issues.

STRATEGIC PLAN IMPLICATIONS

The GNPCC Marine Outfall is a critical piece of infrastructure that must be replaced to continue protecting the environment. Protecting and maintaining assets and protecting the overall health of the region’s ecosystems are objectives which directly align with the Strategic Plan.

SUMMARY/CONCLUSIONS

The construction of GNPCC Marine Outfall Replacement Project must be completed to ensure it continues to operate as authorized by the Ministry of Environment. The detailed design has been completed by ODK and reviewed by RDN staff.

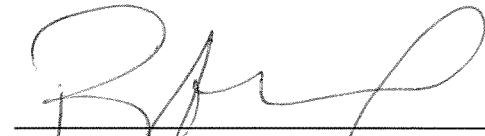
The engineering construction services estimate of \$600,000 by ODK is in line with industry standards for projects of this nature. ODK is the Engineer of Record for the GNPCC Marine Outfall Replacement Project design, to maintain the integrity of design it is important that they provide the inspection, construction management and engineering field services.



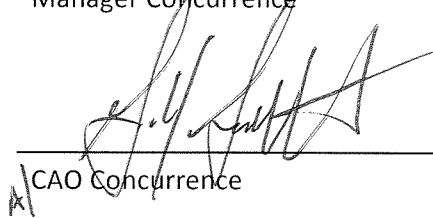
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1737

A BYLAW TO AUTHORIZE AN EXPENDITURE FROM THE
SOUTHERN COMMUNITY SEWER SERVICE AREA
DEVELOPMENT COST CHARGE RESERVE FUND

WHEREAS “Southern Community Sewer Service Area Development Cost Charges Bylaw No. 1547, 2009” established a development cost charge reserve fund for the purposes of the expansion and improvement of the Greater Nanaimo Pollution Control Centre and related infrastructure systems;

AND WHEREAS under section 935(5) of the *Local Government Act*, authority to make payments from the reserve fund must be authorized by bylaw;

AND WHEREAS the Regional Board of the Regional District of Nanaimo approved the use of the reserve fund for the purpose of the construction of the Greater Nanaimo Pollution Control Centre’s marine outfall, and the purpose is deemed eligible as a reserve fund expenditure;

AND WHEREAS the estimated amount to be expended is \$7,600,000;

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

Citation

This bylaw may be cited as the “Southern Community Sewer Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1737, 2015.”

Amendments

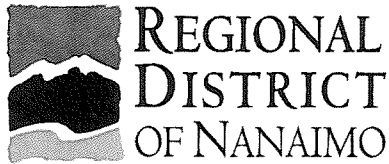
1. That the sum of seven-million-six-hundred-thousand dollars (\$7,600,000) is hereby appropriated for the purpose of the construction of the Greater Nanaimo Pollution Control Centre’s marine outfall; and,
2. That should any of the above amount remain unexpended, such unexpended balance shall be returned to the credit of the reserve fund;

Introduced and read three times this day of , 2015.

Adopted this day of , 2015.

CHAIRPERSON

CORPORATE OFFICER



RDN REPORT		[Signature]
CAO APPROVAL		
EAP		
COW	✓	
NOV 02 2015		
RHD		
BOARD		

STAFF REPORT

TO: Mike Donnelly
Manager, Water & Utility Services

FROM: Deb Churko
Engineering Technologist, Water & Utility Services

SUBJECT: Bylaws No. 867.07 and 1049.08 - Inclusion of 2 Parker Road Properties into the Nanoose Bay Peninsula Water Service Area, Electoral Area 'E'

DATE: November 2, 2015

MEETING: CoW, November 10, 2015

FILE: 5500-22-NBP-01

RECOMMENDATIONS

1. That "Nanoose Bay Peninsula Water Service Area Amendment Bylaw No. 867.07, 2015" be introduced and read three times.
2. That "Nanoose Bay Bulk Water Supply Local Service Area Amendment Bylaw No. 1049.08, 2015" be introduced and read three times.

PURPOSE

To consider the inclusion of 2729 and 2751 Parker Road (Lot A, Plan EPP51762, and Lot 3, Plan 29941) into the Nanoose Bay Peninsula Water Service Area (NBPWSA) and the Nanoose Bay Bulk Water Service area. (See location plan in Figure 1).

BACKGROUND

At the October 2013 Regional District of Nanaimo (RDN) Board meeting the following resolutions were adopted;

That the Board authorize staff to enter into a Water System Transfer Agreement with Maz-Can Investments Ltd. for Lot 3 VIP 29941, 2729 Parker Road in Nanoose.

That subject to the completion of the Water System Transfer Agreement, the Board direct staff to initiate the process for inclusion into the NBPWSA of Lot 3 VIP 29941, 2729 Parker Road and provide a report complete with any bylaw amendments for the Board's consideration.

The Water System Transfer Agreement has now been finalized subject to final registration of the subject properties at the Land Title Office. Under the Water Transfer Agreement the property at 2729 Parker Road was to be subdivided to allow for a separate well site to be held by the RDN in fee simple (2751 Parker Road). The remainder of the parent property is to remain residential, and be prohibited from drilling any further wells or any future development. The owner requested that the Board consider a water service to 2729 Parker Road once the Water Transfer agreement was finalized. The subject properties are located outside of the Growth Containment Boundary (GCB).

As part of the off-site works and services required for this project the developer, Maz-Can Investments, installed a water service to 2729 Parker Road in preparation for the possible inclusion of the property into the water service area.

Including the properties in the NBPWSA requires an amendment to the boundaries of the Nanoose Bay Bulk Water Supply Local Service Area so that both of these service areas are contiguous for administrative purposes. A Capital Charge of \$2,346 is payable for 2729 Parker Road only. This is pursuant to *Nanoose Bay Bulk Water Supply Local Service Area Capital Improvement Charge Bylaw No.1323 (2002)*.

The *Nanoose Bay Peninsula Water Service Area Development Cost Charge Bylaw No. 1715* was adopted by the RDN Board in May of this year, however Section 6(b) indicates that this bylaw, "... does not apply to a subdivision or an application for a building permit made prior to the adoption of this bylaw."

ALTERNATIVES

1. Include the properties in the Nanoose Bay Peninsula Water Local Service Area and the Nanoose Bay Bulk Water Supply Local Service Area subject to final registration of the properties and executed petition documentation.
2. Do not include the properties into the water service areas.

FINANCIAL IMPLICATIONS

Under Option 1, if the subject properties on Parker Road are approved for inclusion into the Nanoose Bay Peninsula Water Service Area and the Nanoose Bay Peninsula Bulk Water Supply Service Area, there are no financial implications to the RDN. Capital Charges in the amount of \$2,346 have been paid to the RDN, and all other costs associated with constructing a connection to the community water system will be paid by the property owner.

Under Option 2, if the subject properties are not included into the water service areas, there would be no financial implications to the RDN. The \$2,346 collected in Capital Charges would be returned to the developer.

STRATEGIC PLAN IMPLICATIONS

The inclusion of the properties in the water service area aligns with the Strategic Plan goals of protecting groundwater resources and efficiently meeting water needs.

SUMMARY/CONCLUSIONS

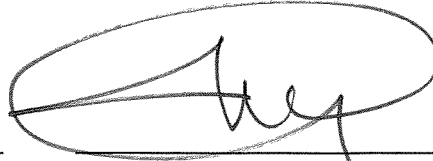
Maz-Can Investments has requested that 2729 Parker Road be included in the Nanoose Bay Peninsula Water Service Area for the purpose of gaining a connection to the community water system. Inclusion is also requested for 2751 Parker Road to allow the new community water supply infrastructure to be located within the water service area boundary.

Capital Charges in the amount of \$2,346 have been paid to the RDN. All other costs associated with connecting to the community water system have been paid for by the developer. No further development of the single family lot at 2729 Parker Road will be permitted.

This inclusion of 2729 Parker Road would be subject to final registration of the properties at the Land Titles Office, anticipated in mid-November, and executed petition documentation by the owner.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 867.07

**A BYLAW TO AMEND THE BOUNDARIES OF THE
NANOOSE BAY PENINSULA WATER SERVICE AREA**

WHEREAS the Regional District of Nanaimo established the Nanoose Bay Peninsula Water Service, pursuant to Bylaw No. 867, cited as "Nanoose Bay Peninsula Water Service Area Establishment Bylaw No. 867, 1992";

AND WHEREAS the Board of the Regional District of Nanaimo wishes to extend the boundaries of the service area to include the lands shown outlined in black on Schedule 'B' of this bylaw and legally described as:

- Remainder of Lot 3, District Lot 69, Nanoose Land District, Plan 29941 Except Those Parts in Plan EPP51762; and
- Lot 'A', District Lot 69, Nanoose Land District, Plan EPP51762;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

1. Amendment

"Nanoose Bay Peninsula Water Service Area Establishment Bylaw No. 867, 1992" is amended as follows:

By amending Schedule 'A' of Bylaw No. 867 to add the lands outlined in black on Schedule 'B' of this bylaw.

2. Citation

This bylaw may be cited for all purposes as "Nanoose Bay Peninsula Water Service Area Amendment Bylaw No. 867.07, 2015".

Introduced and read three times this 24th day of November, 2015.

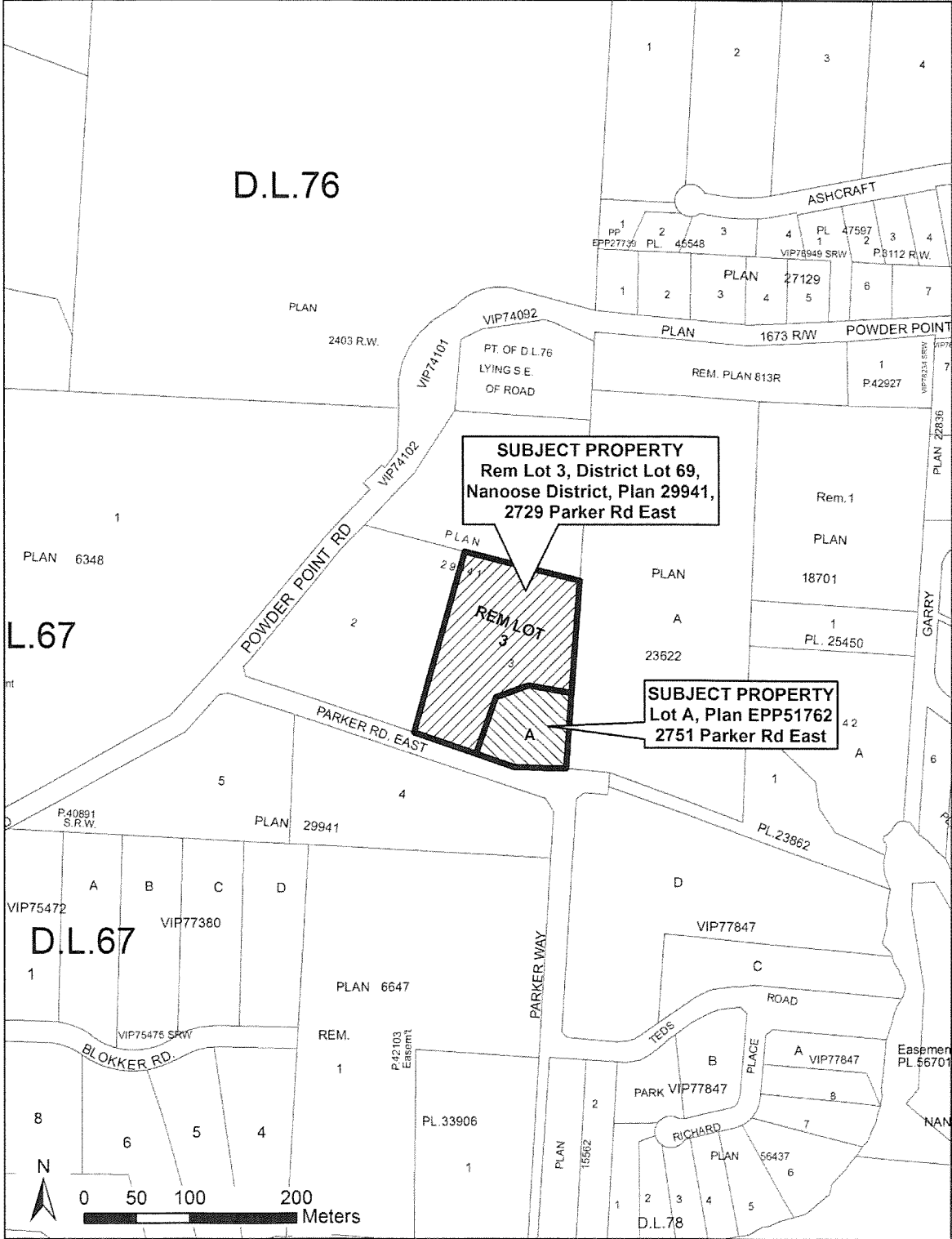
Adopted this ___ day of _____, 2015.

CHAIRPERSON

CORPORATE OFFICER

Chairperson

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1049.08

**A BYLAW TO AMEND THE BOUNDARIES
OF THE NANOOSE BAY BULK WATER SUPPLY
LOCAL SERVICE AREA**

WHEREAS the Regional District of Nanaimo established the Nanoose Bay Bulk Water Supply Service, pursuant to Bylaw No. 1049, cited as “Nanoose Bay Bulk Water Supply Local Service Area Establishment Bylaw No. 1049, 1996”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to extend the boundaries of the service area to include the lands shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Remainder of Lot 3, District Lot 69, Nanoose Land District, Plan 29941 Except Those Parts in Plan EPP51762; and
- Lot 'A', District Lot 69, Nanoose Land District, Plan EPP51762;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

1. Amendment

“Nanoose Bay Bulk Water Supply Local Service Area Establishment Bylaw No. 1049, 1996” is amended as follows:

By amending Schedule ‘A’ of Bylaw No. 1049 to add the lands outlined in black on Schedule ‘B’ of this bylaw.

2. Citation

This bylaw may be cited for all purposes as “Nanoose Bay Bulk Water Supply Local Service Area Amendment Bylaw No. 1049.08, 2015”.

Introduced and read three times this this ____ day of _____, 2015.

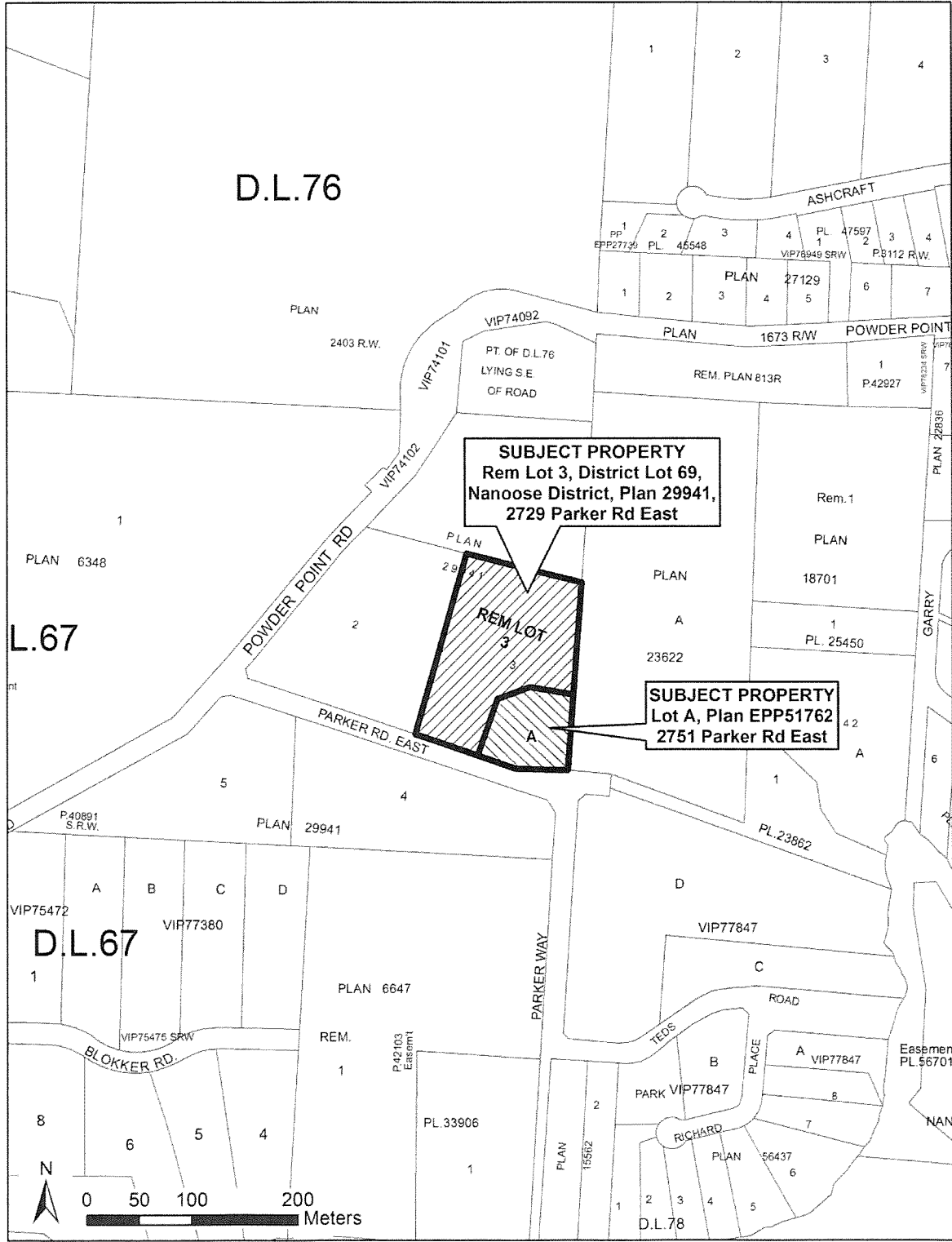
Adopted this ____ day of _____, 2015.

CHAIRPERSON

CORPORATE OFFICER

Chairperson

Corporate Officer





RDN REPORT	
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STAFF REPORT

TO: Paul Thompson
Manager of Long Range Planning

DATE: October 29, 2015

FROM: Courtney Simpson
Senior Planner

MEETING: COW - November 10, 2015

FILE: 4920 20 CHS SD69

SUBJECT: Establishment of a Community Health Service in School District 69

RECOMMENDATIONS

1. That staff be directed to proceed with an alternative approval process for establishment of a new District 69 Community Health contribution service.
2. That staff be directed to establish the District 69 Community Health Service based on a tax requisition of \$50,000 annually with the purpose being to provide funds to one or more non-governmental funding organizations for their distribution to local service-delivery organizations based on a board-endorsed strategic plan to address community health and wellbeing in School District 69.

PURPOSE

To review options for creating and administering a new service to address community health in School District 69 (SD69), covering the same area as the Qualicum Local Health Area.

BACKGROUND

A healthy community is one where residents experience a state of physical, mental and social well-being. There is a growing understanding that health is not determined by purely biological factors such as genetics and age or by access to health services, but is shaped by wider social and environmental factors and influences known as “social determinants of health”.

Adequate and secure housing is one of the determinants of health, which the RDN has been involved with in recent years. Between 2010 and 2012 the Regional District of Nanaimo received funding from Island Health for programs and projects to build capacity to end homelessness. As a possible way to address the loss of this funding and to expand the focus from only homelessness, the RDN Board adopted the following resolution at its June, 2014 meeting:

That staff be directed to prepare a report for the Board that examines holding a referendum during the next election to create a District 69 service area that supports minor funding for serious social issues.

Since the resolution was adopted, the election passed without a referendum because consultation was being undertaken with stakeholders to ensure development of a truly helpful service. Holding a stand-alone referendum is significantly more costly than holding one in conjunction with an election so this report also explores establishing the service through the alternative approval process.

Consultation with stakeholders has helped shape the recommended approach in this report. The main principles of the recommended approach are that the funds should:

- be distributed strategically;
- provide continuing funding to the same organizations over multiple years;
- be used to leverage additional funding from other sources.

Past & Current RDN Involvement in Community Health

Between 2010 and 2012, the RDN received a total of \$570,000 from Island Health to be used to address homelessness. As the RDN was not directly involved in any homelessness initiatives, these funds were disbursed to organizations in the City of Nanaimo and SD69 that did have active homelessness programs.

The SD69 region received \$166,320 of the funds with the majority going to the Oceanside Task Force on Homelessness who redistributed much of it to other community organizations with projects or programs that assist the homeless.

In addition, RDN staff time goes into maintaining a list of current housing resources and shelters on its webpage, and publishing a brochure and poster "Need Shelter or Food?". RDN staff sit on the Oceanside Task Force on Homelessness, and the Oceanside Health and Wellness Network. The RDN Recreation Department has been part of addressing community health for many years through its recreation and wellness programs.

Model for Administering a New Service to Address Community Health

Stakeholder consultation has confirmed that the key principles for a useful service to address community health in SD69 are: funds should be distributed strategically; funding should go to the same organizations for multiple years; and, funds should be used to leverage additional funding from other sources. The Oceanside Health and Wellness Network (OHWN) is working towards developing a strategic plan for improving community health and wellbeing in SD69. This strategic plan could be endorsed by the RDN Board and used to guide decisions on funding allocation in order for funding to be allocated strategically. The Parksville Qualicum Community Foundation (PQCF) and United Way Local Impact Council (UW) are currently involved in funding service providers in the area, and also play a strategic role in the proposed model for delivery of this new service.

The Oceanside Health and Wellness Network is a group made up of representatives from government, non-governmental organizations (NGOs), and the community, whose purpose is to work together to enhance the health and well-being of SD69 residents through collaborative planning and collective action. Through a three year partnership with the RDN, Island Health is funding a coordinator position for OHWN, who will be responsible for advancing its purpose, and facilitating development of a strategic plan. Using this strategic plan to establish priority areas for funding as part of a new RDN Community Health Service is a key component of the possible approaches outlined below.

The Parksville Qualicum Community Foundation and United Way Local Impact Council are both currently involved in funding organizations that provide services in the SD69 community to improve health and

wellness. They receive their funding from donations and grants, and distribute it through a combination of direct, multi-year relationships with organizations, and grant programs based on application. The PQCF and UW have years of experience funding local organizations engaged in this work, and coordinating their funding with the OHWN strategic plan and with the RDN is a way to be more strategic and to leverage more funding from other sources.

Option 1: (recommended) - Enter into an agreement with one or more external organizations to grant the funds based on a strategic plan

An organization such as the UW or PQCF would award the funds on behalf of the RDN based on criteria in the Board-endorsed OHWN strategic plan and the organization's knowledge and expertise about appropriate local NGOs to help achieve the goals of the plan. Consultation with these two organizations indicates the most effective approach would involve them working together on this initiative. The strategic plan would be developed by OHWN, reviewed annually, and endorsed annually by the RDN Board. UW and PQCF would fund the same organizations over multiple years for the funds to be most effective.

This is considered a "contribution service". The RDN would be one of several sources of funding going through the PQCF or UW for this work. The optics of the RDN's contribution is expected to be a catalyst for more community donations or other grants for the overall improvement of community health and wellbeing in the region.

This is the recommended option due to the following factors:

- limited RDN staff time required to administer the service;
- takes advantage of expertise in the existing local community of funders;
- likely to leverage additional funding for community health and well-being

Option 2: Provide the Funds to One or More Organizations for Their Use

Based on direction in the Board-endorsed OHWN strategic plan, staff would make a recommendation to the Board on which organizations should receive funding and the amount of funding to go to each organization. This option would require a 3-5 year financial plan for the service and would most likely include funding the same organizations over multiple years for the funds to be most effective.

This is considered a "contribution service" and is similar to how the Crime Prevention and Community Justice Support Service in SD69 is administered. Funds are distributed directly to three organizations and the organizations are required to report annually to the SD69 Community Justice Select Committee. However, for the Community Health Service, the OHWN strategic plan will help decide which organizations should receive the funding, which can change over time as community needs change, and therefore the strategic plan changes.

This is not the recommended option due to the following factors:

- significant RDN staff time required;
- does not take advantage of expertise in the existing local community of funders;
- less likely to leverage additional funding.

Option 3: Appoint a Select Committee to Advise the Board on Distribution of the Funds

A committee of RDN Directors would receive and make decisions on grant applications. Eligibility criteria and priority areas for funding would guide decisions on grants. Community groups would be eligible to apply for funding if they can meet the criteria outlined in the Board-endorsed OHWN strategic plan.

This would function similarly to the Northern Community Economic Development Select Committee and would have similarities to the Grants-in-Aid program but would focus on grants to address social issues in SD69. This is considered a “regular service”.

This is not the recommended option due to the following factors:

- significant RDN staff time required;
- does not take advantage of expertise in the existing local community of funders;
- unlikely to leverage additional funding;
- application-based grants were not recommended in stakeholder consultation.

Options 1 and 2 involve the new service being established as a “contribution service”. This means that the RDN enters into an agreement with an external organization to administer the service. This is the recommended model based on feedback from the social services community who identified: a strategic approach to distributing the funds is needed; there is no social planning staff position in the RDN; and, at least two local organizations are already engaged in this type of work. This approach would cost less in staff time once established, and is expected to result in more effective distribution of the funds.

Table 1 – Comparison of Three Funding Models

	Staff Time	Use of local expertise	Ability to leverage more \$	Direct funding (no applications)
Option 1	Low	High	High	Yes
Option 2	High	Medium	Medium	Yes
Option 3	High	Low	Low	No

ALTERNATIVES

1. Direct staff to proceed with the alternative approval process for establishment of a new District 69 Community Health contribution service with:
 - ongoing annual funding of \$50,000;
 - the purpose being to provide funds to one or more non-governmental funding organization for their distribution to local service-delivery organizations based on a board-endorsed strategic plan to address community health and wellbeing in SD69.
2. Direct staff to proceed with the alternative approval process for establishment of a new District 69 Community Health contribution service with a different annual funding amount and/or a different purpose.
3. Direct staff to proceed with establishment of a new District 69 Community Health regular service with a specific funding amount.
4. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

A target level of annual funding for this service has not been clearly established. The survey of service providers in 2014 asked “How much money should the RDN collect from property taxes each year to contribute to a fund to address social issues?” but respondents either did not provide a number, or only provided the level of funding their specific organization needs annually. Based on those responses, upwards of \$300,000 annually could easily be put to use by the organizations surveyed. However, the Board indicated the service would provide “minor” funding. In the absence of a specific figure for “minor”, there are alternatives below for the Board’s consideration, where the cost works out to \$0.10 per \$100,000 assessed value to raise \$10,000 for the service.

Alternative 1

A \$50,000 annual funding amount is approximately the average annual amount granted to SD69 organizations between 2012 and 2014 from the Island Health’s capacity to end homelessness funding. Providing \$50,000 annually in social services funding in SD69 equates to a \$0.50 amount per \$100,000 of 2015 assessed property value as follows:

	Allocation to raise \$50,000	Cost per \$100,000
Parksville	\$12,605	\$0.50
Qualicum Beach	\$10,055	\$0.50
Electoral Area E	\$8,900	\$0.50
Electoral Area F	\$6,110	\$0.50
Electoral Area G	\$7,580	\$0.50
Electoral Area H	\$4,750	\$0.50

For a property assessed at \$400,000, the property tax would be \$2.00. There would also be a requisition in the first year for staff administration and to complete an elector approval process which is estimated at \$3,000 for an alternative approval process; or if the Board wishes to do a full referendum, costs are estimated at upwards of \$80,000.

Alternative 2

While a \$50,000 annual funding amount would maintain the level of funding provided to SD69 over the past three years, the Board indicated the funding should be “minor” without an indication of what amount is considered minor. If the Board wishes to proceed with an alternate amount of funding, the cost implications would depend on the amount to be raised. For example, for every \$10,000 raised based on 2015 assessments, there is a cost of \$0.10 per \$100,000 of assessment value.

Alternative 3

Alternative 3 establishes the new service as a regular service as opposed to a contribution service which means that the RDN administers the service itself. The Board could establish a select committee to provide advice on distribution of the funds. This alternative would require more staff time to evaluate applications for funding, provide advice to the select committee, arrange meetings, and prepare agendas and minutes. This would entail a higher requisition amount to provide an allowance for administrative support for the service.

Alternative 4

The financial implications of Alternative 4 are unknown at this time and would depend on what alternate direction was provided.

STRATEGIC PLAN IMPLICATIONS

This project is consistent with the RDN Board Strategic Plan 2013-2015 as detailed below:

Vision

The Board's vision for the RDN to year 2050 includes the following relevant to this initiative: "...The region's population is healthy, and healthcare services and facilities are available when needed..." (page 12).

Regional Collaboration

The following objective under the strategic priority of regional collaboration is relevant to this initiative:

- To recognize the importance of social inclusion and social equity in working towards regional resilience. (page 19).

Strategic and Community Development Strategic Goals and Actions

This initiative would address Strategic and Community Development Goal 3: "increase affordable, adaptable housing to support all members of a community", and action 3.d): "work with VIHA, member municipalities and other non-profit organizations to establish partnerships and build capacity to address homelessness in the region" (page 25).

PUBLIC CONSULTATION IMPLICATIONS

To proceed with either Alternative 1 or Alternative 2 requires that information packages be prepared that clearly outline what the new service is for, how it will function and the cost of running the service. Staff will prepare the information required for an alternative approval process and develop a consultation plan.

INTER-GOVERNMENTAL IMPLICATIONS

The service includes properties within the municipalities of Parksville and Qualicum Beach. Before proceeding with the alternative approval process, the proposed new service will be discussed with the municipalities and planning staff would be available to meet with and/or present to them.

SUMMARY/CONCLUSIONS

The Regional District of Nanaimo is seeking to contribute to the health and wellness of the SD69 community through establishment of a new service to fund the work of local organizations. From 2012-2014, the RDN distributed \$166,320 of Island Health grant funding to build capacity to end homelessness. To enable the good work that was undertaken with these funds, the Board is interested in establishing a new service to provide minor funding for community health and wellbeing.

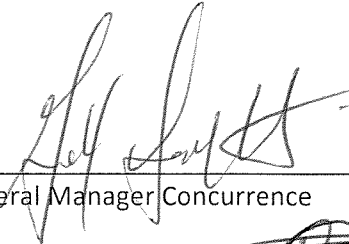
The \$166,320 distributed from 2012-2014, is equivalent to \$55,440 per year. Providing \$50,000 annually in social services funding in SD69 equates to requisitioning \$0.50 per \$100,000 of assessed property value, or \$2.00 in property tax for a property assessed at \$400,000. The costs in the first year

for an elector approval process would be drawn from the money collected, and these costs are estimated at upwards of \$80,000 for a full referendum versus \$3,000 for an alternative approval process.

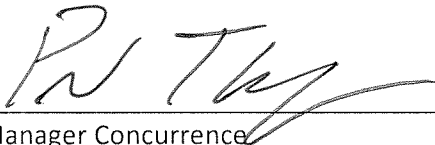
Administration of the service is recommended to be through agreement with one or more external organizations that would coordinate distribution of funds to a variety of organizations delivering programs based on a Board-endorsed strategic plan prepared by the Oceanside Health and Wellness Network. Organizations already exist who are doing this work or are well positioned to do it, and this approach is expected to result in a more strategic and effective use of the funds and act as a catalyst for more funding, with a lower requirement for staff time.



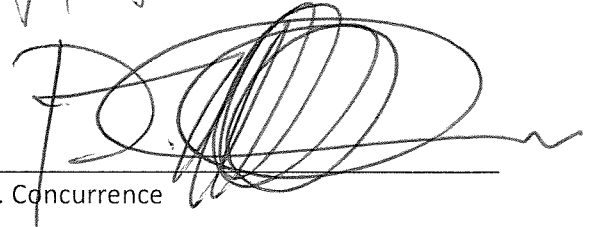
Report Writer



General Manager Concurrence



Manager Concurrence



C.A.O. Concurrence

Attachment 1

Timeline of Work Since June 2014 on Establishing SD69 Community Health Service

October 16, 2014	The RDN hosted a meeting with Directors in SD69 and representatives from the local health and wellness community to discuss potential funding for social issues in SD69.
November – December, 2014	RDN emailed survey to October meeting participants from the community to get more information on the type of services that should be funded, administration of the program, and how much money should be collected from property taxes per year.
November 6, 2014	RDN staff met with YouthLink, and asked the group the same questions. In the emailed survey.
November, 2014 – April, 2015	Discussions with Island Health regarding use of Oceanside Health and wellness network to develop strategic plan and participate in decisions about use of the RDN funds.
April 29, 2015	The RDN and Island Health co-hosted a workshop for staff and Board members and representatives from the School Districts and Division of Family Practice to “foster the development of partnerships to address community health and wellbeing”.
August, 2015	Met with OWHN co-conveners and Island Health to discuss funding model and next steps in consultation.
September, 2015	Met with local funding agencies and OHWN to discuss service function.

Attachment 2

Summary of Stakeholder Input on Ideas for a New RDN Service to Support Social Service Issues in SD69

Stakeholder responses include feedback received from: Nanoose Community Services, Manna Homelessness Society, The United Way Central Vancouver Island, Oceanside Hospice, Oceanside Task Force on Homelessness, Society of Organized Services (SOS), and the Oceanside Health and Wellness Network. Feedback is summarized below:

1. What are the types of social issues that should be eligible for funding?
 - Need for more coordination, communication, and collaboration amongst different agencies addressing social issues to avoid potential duplication of service
 - More focus on prevention programs. This is long term, resilience building approach where the results may not be apparent for a long time.
 - Issues that affect social determinants of health
 - Focus on gaps in funding such as hunger, affordable housing, transportation, homelessness, child poverty, hunger, mental health, seniors services, community schools, social enterprise, support for those with disabilities
 - Hospice, crime watch, suicide and grief counselling
 - Align with United Way and City of Nanaimo to be part of a bigger strategy
 - Choose a few areas to focus on and develop a strategy

2. How much money should the RDN collect from property taxes each year to contribute to a fund to address social issues?

Most respondents commented that they were not sure. Some non-specific comments were: enough to support programs and enough to make a difference. Other answers were specific amounts for a particular organization.

3. How should the program be administered?
 - There is a need for ongoing secure funding
 - Need to have a neutral group overseeing the distribution of funds
 - The RDN should coordinate
 - Provide to programs with low operating costs
 - Develop criteria to review applications
 - Contract with a non-profit or the RDN could provide the service; RDN Committee or staff
 - Use the United Way and their Local Impact Council to make recommendations to the RDN Board; have RDN representatives sit on the Council
 - Develop a strategy with other funders

4. Are there opportunities for money collected by the RDN to contribute to an existing program or position?

Most respondents were not sure. Other suggestions were to provide the funding to OHWN for administration, continue to fund the homeless coordinator and to coordinate efforts with other funders.

5. Are there partnership opportunities so that money collected by the RDN can be combined with funding from other sources to provide a new or enhanced service?

Many respondents were not sure. Some suggestions are to coordinate with Island Health, OHWN, the United Way Local Impact Council, and to work with other funders.



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STAFF REPORT

TO: Tom Osborne
General Manager of Recreation and Parks

DATE: October 30, 2015

FROM: Dean Banman
Manager, Recreation Services

MEETING: CoW - November 10, 2015

SUBJECT: Recreation Facility, Programs and Sports Field Services 2015 Survey

FILE:

RECOMMENDATION

That the Recreation Facility and Sports Field Services 2015 Survey report be received as information and the results used in the apportionment of tax requisitions related to existing usage agreements with City of Nanaimo, City of Parksville and Town of Qualicum Beach.

PURPOSE

To provide the results of the 2015 Recreation Facility, Programs and Sports Field Services Survey and the participant cost allocation information be used in the calculation of financial contributions per the usage agreements and related Service Bylaws with City of Nanaimo, City of Parksville and Town of Qualicum Beach.

BACKGROUND

The Regional District has since 2000, shared in the annual operating cost of certain municipal recreation facilities and sports fields through agreements with the City of Nanaimo, the City of Parksville and the Town of Qualicum Beach.

In District 68 the City of Nanaimo, District of Lantzville and Electoral Areas 'A', 'B' and 'C' share in the annual operating costs of the City's four major recreation centres (ice arenas and pools), eleven City sports fields and two Electoral Area sports fields (Area 'B' and Area 'C'). In District 69 the City of Parksville, Town of Qualicum Beach, Electoral Areas 'E', 'F', 'G' and 'H' share in the annual operating costs of Oceanside Place, Ravensong Aquatic Centre (minus EA 'E'), two City of Parksville sports fields, one Town of Qualicum Beach sports field, and one in Electoral Area 'E'. Both agreements expire December 31, 2025.

Established under Bylaw #1059.04 – Southern Community Recreation Local Service Area, funding from each District 68 partner is calculated based on a three year moving average of usage percentages established by a survey of sports fields and recreation facilities.

Funding calculations for District 69 partners is established for Oceanside Place (Bylaw #1358) and Ravensong Aquatic Centre (Bylaw #899). The apportionment (land value and usage) is defined below in Table I which also shows the percentage of usage apportioned to land improvements.

Table I – Apportionment District 69 Recreation Facilities (Oceanside Place & Ravensong Aquatic Centre)

Requisition Year	Percentage allocation of requisition to be based on converted value of land and improvements for hospital purposes	Percentage allocation of requisition to be based on a survey of usage carried out by the Regional District of Nanaimo
2014	Ninety percent (90%)	Ten percent (10%)
2015	Eighty percent (80%)	Twenty percent (20%)
2016	Seventy percent (70%)	Thirty percent (30%)
2017	Sixty percent (60%)	Forty percent (40%)
2018	Fifty percent (50%)	Fifty percent (50%)
2019 and thereafter	Fifty percent (50%)	Fifty percent (50%)

Identical to the funding apportionment in District 68 the Northern Recreation (Bylaw #861.03) field requisition is based solely on usage as determined by a survey that is done every five years with a three survey moving average.

The firm Professional Environmental Recreation Consultants Ltd. (PERC) was engaged in 2015 to carry out the survey and tabulation of the results and provide the usage rates of residents from contributing areas. Their report *2015 Recreation Facility and Field Use Analysis* is attached as Appendix I. PERC also presented to the RDN Board the survey methodology to be used at the regular January 2015 Board meeting.

Survey Methodology

Data was obtained in three ways; 1) reviewing registration data from the City of Nanaimo's and Regional District's recreation program registration systems, 2) attending public drop in sessions at which residential address information related to actual participation was obtained from patrons exiting the facility, 3) collecting sport membership lists and tabulating the residential addresses of their members and calculating usage percentages.

Usage at the three types of facilities (arenas, pools, sports fields) was weighted to provide an accurate reflection of how the facilities are used. The profile of usage at pools is typically 50% from drop in use, 40% from program registrations and 10% through rentals. Profile usage at arenas was weighted at 10% drop in use, 25% program usage and 65% rentals. Sports fields were weighted at 100% rentals.

The methodology used provided results with a margin of error no greater than 2%, 19 times out of 20. This level of accuracy exceeded the industry standard of 5%, 19 times out of 20 replications.

Trending Changes in Use

Since 2000 the RDN has been conducting similar surveys as the one presented to the RDN Board in this report. Replicated below is Figure 19 from Appendix 'I' showing the changes of use since 2005 as well as the percentage each contributing partner's population makes up the entire RDN population based on 2011 Census data.

Table II – RDN Contributing Partners Recreation Facilities and Sports Fields Usage by Percentage

Jurisdiction	Pools			Arenas			Sports Fields			Population
	2005	2010	2015	2005	2010	2015	2005	2010	2015	2011
Nanaimo	88.6	88.8	88.8	88.6	84.1	86.8	86.7	85.3	89.4	82.8
Lantzville	3.2	4.7	3.7	3.2	5.0	4.1	6.0	7.1	4.3	3.6
EA A	4.2	3.7	1.8	4.2	5.8	5.8	3.4	3.4	2.5	6.8
EA B	1.7	1.1	.9	1.7	.2	1.0	.3	.6	.5	4.0
EA C	2.3	1.7	4.8	2.3	4.9	2.3	3.6	3.6	3.3	2.8
EA E	NA	NA	NA	11.2	13.3	11.3	11.2	12.0	13.4	12.8
EA F	12.6	16.2	21.6	12.6	9.6	12.8	12.6	20.2	16.1	16.7
EA G	21.4	17.6	20.7	21.4	23.3	22.4	21.4	17.1	22.3	16.1
EA H	4.6	8.1	7.0	4.6	2.6	4.2	4.6	5.0	4.8	7.9
Parksville	31.4	28.2	26.8	31.4	35.1	34.0	31.4	28.2	29.5	27.0
Qualicum Beach	18.8	29.8	24.0	18.8	15.8	15.3	18.8	17.5	13.9	19.6

ALTERNATIVES

1. That the Recreation Facility and Sports Field Services 2015 Survey report be received as information and the results used in the apportionment of tax requisitions related to existing usage agreements with City of Nanaimo, City of Parksville and Town of Qualicum Beach.
2. That the report on the Recreation Facility and Sports Field Services 2015 Survey be received as information and alternate direction be provided.

FINANCIAL IMPLICATIONS

The financial implications of the 2015 survey results are shown in the four tables below. As per the agreements the results from the 2015 analysis is combined with the results from 2010 and 2005 and an average usage percentage is determined and used. This averaging approach has been useful in other situations which rely on survey type data such as the measurement of annual sewage flows which is used for apportioning costs for wastewater treatment.

Table III – Southern Community Contributing Partners Recreation Facilities and Sports Fields Apportionment

Southern Community Recreation (facilities & sports fields)	2010 Survey average % allocation fields	2015 Survey average % allocation fields	2010 Survey average % allocation facilities	2015 Survey average % allocation facilities	2015 Budget	2015 Revised Allocation	Dollar Change
City of Nanaimo	85.7	87.1	87.6	87.6	7,548,699	7,574,470	25,771
District of Lantzville	6.0	5.8	4.1	4.0	389,067	378,613	-10,454
Area A	4.8	3.1	4.6	4.3	401,783	348,356	-53,427
Area B	1.4	0.5	1.4	1.1	105,005	84,974	-20,031
Area C	2.3	3.5	2.3	3.0	211,679	269,820	58,141

Table IV – Northern Community Contributing Partners Sports Fields Apportionment

Northern Community Recreation (sports fields)	2010 Survey average % allocation	2015 Survey average % allocation	2015 Budget	2015 Revised Allocation	Dollar Change
City of Parksville	30.1	29.7	155,615	153,547	-2,068
Town of Qualicum Beach	19.6	16.7	101,331	86,510	-14,821
Area E	11.2	12.2	57,903	63,073	5,170
Area F	15.8	16.3	81,685	84,270	2,585
Area G	18.6	20.3	96,161	104,777	8,616
Area H	4.7	4.8	24,298	24,816	518

Table V – Northern Community Contributing Partners Oceanside Place Apportionment

Oceanside Place (20% Usage/80% Assessment)	2010 Survey average % allocation	2015 Survey average % allocation	2015 Budget	2015 Revised Allocation	Dollar Change
City of Parksville	35.1	34.6	495,834	493,828	-2,006
Town of Qualicum Beach	15.8	15.6	351,130	350,218	-912
Area E	13.6	12.4	309,371	305,176	-4,195
Area F	9.6	11.2	213,288	219,125	5,837
Area G	23.3	22.8	306,201	304,560	-1,641
Area H	2.6	3.4	148,004	150,921	2,917

Table VII – Northern Community Contributing Partners Ravensong Aquatic Centre Apportionment

Ravensong Aquatic Centre (20% Usage/80% Assessment)	2010 Survey average % allocation	2015 Survey average % allocation	2015 Budget	2015 Revised Allocation	Dollar Change
City of Parksville	28.3	27.5	761,925	758,390	-3,535
Town of Qualicum Beach	29.8	26.9	644,850	630,205	-14,645
Area F	16.2	18.9	382,086	395,722	13,636
Area G	17.6	19.2	461,989	469,311	7,322
Area H	8.1	7.5	274,224	271,446	-2,778

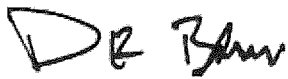
STRATEGIC PLAN IMPLICATIONS

The availability of regionally significant recreational facilities is of benefit to all residents in the region. The current approach to funding these facilities achieves the goal of recognizing that not all areas benefit in quite the same way, particularly with respect to access. A survey every five years captures the ebb and flow of usage within the region ensuring that the cost of local government facilities is reasonably shared by all who use them. The amount of use could be expected to correspond to some degree with the proportion of population in each area of the Regional District.

SUMMARY

As per the terms of the two recreation facilities and sport fields cost sharing agreements and related Bylaws with local government partners in both District 68 and 69, a usage survey of regionally significant pools, arenas and sport fields was recently completed.

This survey is meant to apportion annual operating costs of specific recreation facilities that are used by all members of the Regional District. Usage information from the 2015 survey is to be used to calculate apportionment payments towards annual facility and sport field operating costs from 2016 – 2021. The changes in both dollar value and percent are shown in the tables under Financial Implications.



Report Writer



General Manager Concurrence



CAO Concurrence

APPENDIX A

PERC 2015 RECREATION FACILITY AND SPORTS FIELD SURVEY USAGE RESULTS

**Regional District
Of Nanaimo**

**2015
Recreation Facility and
Field Use Analysis**

Final Report

October 29th, 2015

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Introduction

In February 2015 PERC was retained by the Regional District of Nanaimo (RDN) to undertake an independent analysis of the geographic residency of the users of specific public recreation facilities that are supported by RDN taxpayers. The information from the analysis would be used for three purposes;

- For general management information about where users reside to support marketing campaigns and other service delivery decisions,
- To provide a basis for apportioning the net public subsidy to specific members of the RDN,
- To fulfill the requirements of existing facility cost sharing agreements for a survey of facility use every five years.

PERC has completed that assignment and is pleased to present the results in this report. It is hoped that the information will be useful in its own right, and that the methodology will also be helpful for future attempts to repeat the analysis on a periodic basis.

Background

Since 2000 the Regional District of Nanaimo entered into agreements with its municipal members to share the operating costs of specific recreation facilities (i.e. pools and arenas) and specific sports fields in electoral areas and in the municipalities. These agreements specify that at least some of the costs will be shared in the basis of proportionate usage from residents of participating jurisdictions.

Usage of these facilities and sports fields has been based upon three different types of collection methods. For sports fields, usage has been determined by tabulating residential addresses of members of rental groups as determined from lists supplied by the organizations representing both youth and adult organized leagues and associations. For aquatic and arena facilities, usage is determined by surveys of drop in participants during public swim and skate sessions, as well as analysis of the residency of members of user groups and of registrants to programs at the facilities.

Deliverables

The terms of reference for this project called for a final report to be delivered as an electronic document suitable for printing as well as a searchable electronic database for more flexible future use.

The report must include:

- In percentage terms, a breakdown of users of Recreation Facilities and sports fields that reside in District 68 by area of residence (i.e. which of the participating members of the RDN the user resides in),
- In percentage terms, a breakdown of users of sports fields that reside in District 69 by area of residence (i.e. which of the participating members of the RDN the user resides in),

- In percentage terms, a breakdown of users of Ravensong Aquatic Centre, Oceanside Place and Northern Community Recreation Programs that reside in District 69 by area of residence (i.e. which of the participating members of the RDN the user resides in),

The user data will be analyzed for area of residency only, and that area will be attributed to a geographic member of the RDN (or “other” designation). The data base will be provided in Microsoft Excel format with one worksheet for each of the facility/sports field/program registration categories as follows.

District 68 Users for Recreation Facilities (Arenas and Pools) and Sports Fields

- City of Nanaimo
- District of Lantzville
- Electoral Area A
- Electoral Area B
- Electoral Area C

District 69 Users for Sports Fields, Oceanside Place & Northern Community Recreation Services (community recreation programs)

- City of Parksville
- Town of Qualicum Beach
- Electoral Area E
- Electoral Area F
- Electoral Area G
- Electoral Area H

District 69 Users of Ravensong Aquatic Centre

- City of Parksville
- Town of Qualicum Beach
- Electoral Area F
- Electoral Area G
- Electoral Area H

Once the consultants were retained to deliver on the above described outcomes, it was decided that the Oliver Woods Community Centre in Nanaimo might, at some point in the future, become a regional use recreation facility and be added to the list of shared cost facilities within the RDN. Therefore, it was decided to investigate how much information was available about usage of this facility. Similarly, there was some interest in analyzing the area of residency of the outdoor tennis complexes in Arrowsmith, Qualicum Beach and Nanaimo, and the Kin Outdoor pool in Nanaimo. Attempts were made to solicit group membership data for all these facilities. However, results were mixed. For some, sufficient data was available to make some estimates of area of residency, but for others, the data was insufficient to make any conclusions as to proportionate usage from each jurisdiction within the RDN.

Methodology

Typically, a recreation facility has three modes of use; namely

- Drop in uses – where a patron makes a decision on a use-by-use basis to use the facility, and typically pays a user fee to use a facility during a public use session;

- Program uses – where a user typically pre-commits, through a registration process, to a series of uses, usually involving some form of instruction, and then attends for most or all of those programmed uses;
- Rental uses – where a group or individual rents a space or a portion of a space and then controls of the uses and users of that rented space for the period of the rental.

In the case of the three public swimming pools and the three arena sites in the scope of this study, all three modes of use apply in significant portions and all three were measured. For sports fields, the Kin Pool, and the tennis court complexes, the vast majority of use relates to the rental category, with only incidental use in the program or drop in types of use. Therefore, only data on user group residency was used to determine overall area of use of all users.

Based on the three modes of use, three types of data were collected using three separate techniques.

Pool and Arena User Survey

Since the pools enjoy a significant amount of drop in use, it was decided that public drop in users would be sampled and each would be asked to provide their residential address. A variety of days of the week and times of day were chosen during February and again for the period mid-May to early June, at each pool where there was space available in the pool for drop in use. A team of two researchers (i.e. students in the recreation and tourism program at Vancouver Island University) were assigned to most of the identified sessions and one researcher for the less busy sessions in June. They set up a large sign that illustrated what they were doing (see *Appendix A*) and approached all parties as they exited the building, asking three questions:

1. How many members of the party used the facility (i.e. changed into a bathing suit or used equipment in the associated fitness centre in the case of a pool, or put on skates in the case of an arena),
2. How many of those used the facility for drop in use (i.e. a paid use that was not part of a registered program or group rental),
3. The detailed residential address of the party.

The teams found that they were able to approach the vast majority of parties leaving the facility. They missed approaching about 7% of the parties during particularly busy periods. The vast majority of parties that were approached agreed to answer all three questions. About 13% declined to participate, primarily due to lack of time or they had previously taken the survey in phase one.

There is no reason to indicate that the survey periods in February and May/June of 2015 were atypical of users or uses during other months of that year. There is also no reason to assume that the year 2015 is atypical of recent years. Therefore, the consultants believe that this methodology, which solicits residency from a large sample of facility users from each pool, is quite valid and reliably represents all drop-in users of each pool with an accuracy of about +/- 4% nineteen times out of twenty.

Analysis of use of each pool's operating format indicates that drop in use represents about 50% of all use; with program uses representing a further 40% and rentals representing the final 10% of all uses. This is consistent across all three pools, and is quite consistent with BC's public indoor pools.

Drop-in use of the three arenas in the scope of this study was also surveyed during the month of February 2015. This was chosen as one of the most typical months of arena use. The survey format and process was similar to the one used for the pool, but the sample sizes were smaller to account for the lower proportion of drop-in use in arenas. The teams found that they were able to approach the vast majority of parties leaving the facility. They did not miss approaching any parties. The vast majority of parties that were approached agreed to answer all three questions. About 2% declined to participate, primarily due to lack of time. Staff members were able to determine that about 10% of arena use is attributed to the drop-in category, about 25% to the program category, and the remaining 65% was attributed to the user group rental category.

The list of pool and arena sessions surveyed is included in *Appendix A*.

Program Registration Database

Both the City and Regional District of Nanaimo utilize a sophisticated program registration system called CLASS. This system records and reports on all registrations and registrants including their detailed address. Therefore, this information is available in report form and can be sorted by facility and session.

For the arenas, pools, and Northern Recreation Programs, the CLASS data was extracted and analyzed from the City's and RDN's databases. All programs for the previous twelve months were used in the analysis.

For the pools that information was used to determine breakdown by residency of the 40% of all pool uses that relate to program uses. For arenas, it was used to determine the 25% of all uses associated with this category of use.

For the RDN, the program registration data base was also used to determine, for management purposes, the residency of all registrants in programs which did not have a pool or arena base of facility provision. This was used for the Northern Community Recreation Services analysis.

Because the program data base is so accurate, it is assumed that the usage information that comes from this source is 100% accurate.

User Group Membership Lists

All significant user groups that rented local sports fields, arenas, pools and tennis courts were identified by the City and the RDN staff. Each was requested to provide a list of all members along with the residential address for each member. This proved to be a somewhat more involved process than it was first thought, as many groups either did not have, or were in the process of updating their lists. Repeated attempts were made to solicit all significantly sized groups to the point where information was obtained from any groups that were of significant size. These lists were then formatted by the RDN staff in a manner where addresses could be categorized into areas of residency and checked.

The information was then used to provide 100% of field use analysis, 65% of arena use analysis and 10% of pool use analysis. It was also used to provide information on 100% of the Northern Recreation Services analysis, tennis court use and use of the Kin Pool. However, insufficient data was received to determine use of Oliver Woods Community Centre, or the Nanaimo tennis court complex at Bowen Park. Whereas pools, arenas and sports fields are used intensively by the same groups all season long, group rental use by Oliver Woods is characterized by many groups that

use the facility on a “one off” basis. Those groups are difficult to incent to provide membership residency lists, and many don’t have any record of the residency of their members.

Overall, information was received from 50 user groups which collectively represented 5128 users of indoor pools, arenas, an outdoor pool, tennis courts, and sports fields. This is actually 25% more groups than provided information in 2010, but they represent 25% fewer members, suggesting that user groups are trending toward a larger number of mostly smaller leagues and clubs.

Because almost all of the significant facility and field user groups responded with residency information of their members, this source of data is considered to be about 99% accurate.

Analysis of Pool Use

The use of the three aquatic venues was calculated and analyzed as follows in the next two subsections. All three categories of use where used to derive usage in each case.

District 68 Pools: Nanaimo Aquatic Facilities

Usage for the Nanaimo Aquatic Centre and the Beban Park Pool are combined because the membership survey and the program database don’t distinguish between the two. The raw data (users and uses) used to start the analysis is summarized in **Figure One**. The first row represents the actual number of drop in swims recorded by the survey teams in the sample survey conducted in February and May/June of 2015. The second row represents the number of times a resident of each jurisdiction registered for a program based at a Nanaimo pool, not the number of program uses. The third row represents the number of members of all groups that rented space at the two Nanaimo aquatic facilities that reside in each of the jurisdictions.

Figure One
Summary of Raw Usage Data at Nanaimo Pools

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	7	6	9	12	12	0	0	915	11	7	37	96	1113
Program	180	67	153	75	1	6	0	5127	0	0	218	0	5827
Rentals	9	6	153	5	0	0	0	287	1	1	15	11	488

In order to use the raw data in **Figure One**, it is first turned into percentages. That is done in **Figure Two**. This determines the percentage of each category of use that comes from residents of each of the jurisdictions.

Figure Two
Summary of Raw Usage Data for Nanaimo Pools in Percentage Terms

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0.6	0.5	0.8	1.1	1.1	0.0	0.0	82.2	1.0	0.6	3.3	8.6	100
Program	3.1	1.1	2.6	1.3	0.0	0.1	0.0	88.0	0.0	0.0	3.7	0.0	100
Rentals	1.8	1.2	31.4	1.0	0.0	0.0	0.0	58.8	0.2	0.2	3.1	2.2	100

However, the raw percentages are not usable as the first row represents only a sample of uses, the second row represents program registrations rather than uses, and the third row represents only a percentage of members. To properly determine how these percentages relate to total uses of the facility, they are multiplied by the proportion of use that each category of use makes up of the total annual facility uses.

In this case, the percentage breakdowns for the first row are multiplied by .5 to indicate that public uses make up 50% of total facility uses. The second row percentages are multiplied by .4 to indicate that programs represent another 40% of total facility uses. And, the third row percentages are multiplied by .1 to represent the fact that group rentals constitute only 10% of all annual facility uses. The resultant proportions can then be added to equal 100% of uses that are derived from each of the areas of residency. *Figure Three* shows that final analysis. Only *Figure Three* can be used as a basis for determining residency of uses.

Figure Three
Proportion of Nanaimo Pool Uses from Each Jurisdiction

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop-in	0.3	0.3	0.4	0.5	0.5	0.0	0.0	41.1	0.5	0.3	1.7	4.3	50
Program	1.2	0.5	1.1	0.5	0.0	0.0	0.0	35.2	0.0	0.0	1.5	0.0	40
Rentals	0.2	0.1	3.1	0.1	0.0	0.0	0.0	5.9	0.0	0.0	0.3	.3	10
Total	1.7	0.9	4.6	1.2	0.5	0.0	0.0	82.2	0.5	0.3	3.5	4.5	100

It is important to note that when attributing the net costs for each of the participating jurisdictions, the percentages in *Figure Three* cannot be used as they are now. Non-participating jurisdictions need to be netted out, as they will pay nothing, and their share needs to be distributed to the participating jurisdictions before final calculations are made. In this case, since only Nanaimo and Lantzville and Electoral Areas A, B, and C contribute to District 68 pools, the remaining 7% of uses need to be netted out and the result is as follows:

- Electoral Area A taxpayers would pay 1.8% of the net cost,
- Electoral Area B taxpayers would pay .9% of the net cost,
- Electoral Area C taxpayers would pay 4.8% of the net cost,
- District of Lantzville taxpayers would pay 3.7% of the net cost,
- The City of Nanaimo taxpayers would pay 88.8% of the net cost,

And the total would be 100% of the costs. The figures in the bullets above can be used to calculate, averaging with previous sets of percentages, the portion of costs associated with Nanaimo pools to each of the participating jurisdictions.

District 69 Pool: Ravensong Aquatic Centre

Usage for the Ravensong Aquatic Centre is summarized in the next three figures. The raw data (users and uses) used to start the analysis is summarized in *Figure Four*. The first row represents the actual number of drop in swims recorded by the survey teams in the sample survey conducted in February and May/June of 2015. The second row represents the number of registrations a resident of each jurisdiction made in the program category for a program based at Ravensong.

The third row represents the number of members of all groups that rented space at Ravensong that reside in each of the jurisdictions.

Figure Four
Summary of Raw Usage Data at Ravensong

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop-in	0	0	0	9	96	76	27	1	94	112	1	27	443
Program	0	0	0	156	513	490	190	23	664	446	1	71	2554
Rentals	0	0	0	6	9	31	4	7	41	27	0	2	127

In order to use the raw data in *Figure Four*, it is first turned into percentages. That is done in *Figure Five*. This determines the percentage of each category of use that comes from residents of each of the jurisdictions.

Figure Five
Raw Usage Data for Ravensong in Percentage Terms

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0	0	0	2	22	17	6	0	21	25	0	6	100
Program	0	0	0	6	20	19	7	1	26	17	0	3	100
Rentals	0	0	0	5	7	24	3	6	32	21	0	2	100

However, the raw percentages are not usable as the first row represents only a sample of uses, the second row represents all program registrations, and the third row represents only a percentage of members, not uses. To properly determine how these percentages relate to total uses of the facility, they are multiplied by the proportion of use that each category of use makes up of the total annual facility uses.

In this case, the percentage breakdowns for the first row are multiplied by .5 to indicate that public uses make up 50% of total facility uses. The second row percentages are multiplied by .4 to indicate that programs represent another 40% of total facility uses. And, the third row percentages are multiplied by .1 to represent the fact that group rentals constitute only 10% of all annual facility uses. The resultant proportions represent the correct “weight” of each row, and therefore, can then be added to equal 100% of uses that are derived from each of the areas of residency. *Figure Six* shows that final analysis. Only *Figure Six* can be used as a basis for determining the residency of uses of this facility.

Figure Six
Proportion of All Ravensong Uses from Each Jurisdiction

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0	0	0	1.0	10.8	8.6	3.0	0.1	10.6	12.6	0.1	3.0	50
Program	0	0	0	2.4	8.0	7.7	3.0	0.4	10.4	7.0	0.0	1.1	40
Rentals	0	0	0	0.5	0.7	2.4	0.3	0.6	3.2	2.1	0.0	0.2	10
Total	0	0	0	3.9	19.6	18.7	6.3	1.0	24.2	21.8	0.1	4.3	100

It is important to note that when attributing the net costs for each of the participating jurisdictions, the percentages in **Figure Six** could not be used as they are now. Jurisdictions which don't participate in the cost would need to be netted out, as they would pay nothing, and their share would need to be distributed to the participating jurisdictions before final calculations are made. In this case, if the only jurisdictions that participate in the cost sharing are Electoral Areas F, G, H and Parksville and Qualicum Beach, then the remaining 9.3% use by Electoral Area E, Nanaimo, Lantzville, and Other would be netted out, and the results would be as follows:

- Electoral Area F taxpayers would pay 21.6% of the net cost,
- Electoral Area G taxpayers would pay 20.7% of the net cost,
- Electoral Area H taxpayers would pay 7.0% of the net cost,
- The City of Parksville taxpayers would pay 26.8% of the net cost,
- The Town of Qualicum Beach taxpayers would pay 24.0% of the net cost.

The total would then equal 100% of the net cost. The figures in the bullets above can be used to calculate, averaging with previous sets of percentages, the portion of costs associated with Ravensong Aquatic Centre to each of the participating jurisdictions.

Analysis of Arena Use

There are three arena sites in the study area; two in the City of Nanaimo and one in Parksville. The majority of all uses in these arenas are attributed to group rentals. So, user groups were surveyed to determine the area of residency of their members. Since a significant number of programmed uses were relatively easy to collect, it is also added to the analysis. And, while only about 10% of arena use is by way of drop-in public use sessions, a small sample of these users was collected during exit interviews of drop-in users during the month of February.

District 68 Arenas: (City of Nanaimo Arenas)

Usage for the two arena facilities which are located within the City of Nanaimo is summarized in the next three figures. The raw data (users and uses) used to start the analysis is summarized in **Figure Seven**. The first row represents the sample of drop-in uses. The second represents the number of times a resident of each jurisdiction registered for a program based at those arenas, not the number of uses. The third row represents the number of members of all groups that rented ice that reside in each of the jurisdictions.

Figure Seven
Summary of Raw Usage Data at Nanaimo Arenas

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	11	1	4	2	2	0	0	381	11	0	7	45	464
Program	162	96	134	27	8	8	0	3571	0	0	121	0	4127
Rentals	140	12	44	16	2	6	1	1723	10	2	99	124	2179

In order to use the raw data in **Figure Seven**, it is first turned into percentages. That is done in **Figure Eight**. This determines the percentage of each category of use that comes from residents of each of the jurisdictions.

Figure Eight
Raw Usage Data for Nanaimo Arenas in Percentage Terms

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	2.4	0.2	0.9	0.4	0.4	0.0	0.0	82.1	2.4	0.0	1.5	9.7	100
Program	3.9	2.3	3.2	0.7	0.2	0.2	0.0	86.5	0.0	0.0	2.9	0.0	100
Rentals	6.4	0.6	2.0	0.7	0.1	0.3	0.0	79.1	0.5	0.1	4.5	5.7	100

However, the raw percentages are not usable as the first row represents the survey of drop-in users. The second represents the program registrations rather than uses, and the third row represents only a percentage of members rather than uses. To properly determine how these percentages relate to total uses of the facility, they are multiplied by the proportion of use that each category of use makes up of the total annual facility uses.

In this case, the percentage breakdowns for the first row are multiplied by .1 to indicate that drop in uses account for only 10% of uses. The programs account for a further 25% of total facility uses. The last row percentages are multiplied by .65 to indicate that they represent the remaining 65% of total facility uses. The resultant proportions can then be added to equal 100% of uses that are derived from each of the areas of residency. **Figure Nine** shows that final analysis. Only **Figure Nine** can be used as a basis for determining the residency of uses.

Figure Nine
Proportion of All Nanaimo Arena Uses from Each Jurisdiction

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0.2	0.0	0.1	0.0	0.0	0.0	0.0	8.2	0.2	0.0	0.2	0.9	10
Program	1.0	0.6	0.8	0.2	0.0	0.0	0.0	21.6	0.0	0.0	0.7	0.0	25
Rentals	4.2	0.4	1.3	0.5	0.1	0.2	0.0	51.4	0.3	0.1	3.0	3.7	65
Total	5.4	1.0	2.2	0.7	0.2	0.2	0.0	81.2	0.5	0.1	3.8	4.7	100

It is important to note that when attributing the net costs for each of the participating jurisdictions, the percentages in **Figure Nine** cannot be used as they are now. Non-participating jurisdictions need to be netted out, as they will pay nothing, and their share needs to be distributed to the participating jurisdictions before final calculations are made. In this case, since only Nanaimo and Lantzville and Electoral Areas A, B, and C contribute to District 68 arenas, the remaining 6.4% of uses need to be netted out and the result is as follows:

- Electoral Area A taxpayers would pay 5.8% of the net cost,
- Electoral Area B taxpayers would pay 1.0% of the net cost,
- Electoral Area C taxpayers would pay 2.3% of the net cost,
- District of Lantzville taxpayers would pay 4.1% of the net cost,
- The City of Nanaimo taxpayers would pay 86.8% of the net cost,

And the total would be 100% of the costs. The figures in the bullets above can be used to calculate, averaging with previous sets of percentages, the portion of costs associated with Nanaimo arenas to be paid by each of the participating jurisdictions.

District 69 Arena: Oceanside Place Arena

Usage for Oceanside Place, is summarized in the next three figures. The raw data (users and uses) used to start the analysis is summarized in **Figure Ten**. The first row represents the survey of drop-in users during public skate sessions. The second represents the number of times a resident of each jurisdiction registered for a program based at Oceanside arena. The third row represents the number of members of all groups that rented ice at Oceanside Place that reside in each of the jurisdictions.

Figure Ten
Summary of Raw Usage Data at Oceanside Arena

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0	0	0	4	50	34	13	8	84	25	0	10	228
Program	0	0	0	68	88	130	29	24	180	99	2	62	682
Rentals	0	1	0	84	69	156	24	37	229	101	2	14	717

In order to use the raw data in **Figure Ten**, it is first turned into percentages. That is done in **Figure Eleven**. This determines the percentage of each category of use that comes from residents of each of the jurisdictions.

Figure Eleven
Raw Usage Data for Oceanside Place in Percentage Terms

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0	0	0	1.8	21.9	14.9	5.7	3.5	36.8	11.0	0.0	4.4	100
Program	0	0	0	10.0	12.9	19.1	4.3	3.5	26.4	14.5	0.3	9.1	100
Rentals	0	0.1	0.0	11.7	9.6	21.8	3.3	5.2	31.9	14.1	0.3	2.0	100

However, the raw percentages are not usable as the first row represents program visits, but the second row represents only a percentage of members not uses. To properly determine how these percentages relate to total available uses of the facility, they are multiplied by the proportion of use that each category of use makes up of the total annual available facility uses. In this case, the percentage breakdowns for the first row are multiplied by .1 to indicate that public uses make up 10% of available facility uses according to the survey of users during public skate sessions. The second row percentages are multiplied by .25 to indicate that 25% of all arena use is attributed to program registrants. And, in the third row, all figures are multiplied by .65 to indicate that the remaining 65% of available facility uses is attributed to those users who rent space in the arena. The resultant proportions can then be added to equal 100% of uses that are derived from each of the areas of residency. **Figure Twelve** shows that final analysis. Only **Figure Twelve** can be used as a basis for determining the residency of uses.

Figure Twelve
Proportion of All Oceanside Arena Uses from Each Jurisdiction

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Drop in	0	0	0	0.2	2.2	1.5	0.6	0.4	3.7	1.1	0.0	0.4	10
Program	0	0	0	2.5	3.2	4.8	1.1	0.9	6.6	3.6	0.1	2.3	25
Rentals	0	0.1	0	7.6	6.3	14.1	2.2	3.4	20.8	9.2	0.2	1.3	65
Total	0	0.1	0	10.3	11.7	20.4	3.8	4.6	31.0	13.9	0.3	4.0	100

It is important to note that when attributing the net costs for each of the participating jurisdictions, the percentages in *Figure Twelve* could not be used as they are now. Non-participating jurisdictions would need to be netted out, as they would pay nothing, and their share would need to be distributed to the participating jurisdictions before final calculations are made. In this case, since the costs of the Oceanside Arena would be shared only by Parksville, Qualicum Beach and Electoral Areas E, F, G, and H, the remaining 9% of uses from non participating jurisdictions needs to be netted out. The result would be as follows:

- Electoral Area E taxpayers would pay 11.3% of the net cost,
- Electoral Area F taxpayers would pay 12.8% of the net cost,
- Electoral Area G taxpayers would pay 22.4% of the net cost,
- Electoral Area H taxpayers would pay 4.2% of the net cost,
- The City of Parksville taxpayers would pay 34.0% of the net cost,
- The Town of Qualicum Beach taxpayers would pay 15.3% of the net cost,

And the total would be 100% of the costs. The figures in the bullets above can be used to calculate, averaging with previous sets of percentages, the portion of costs associated with Oceanside Place arena to each of the participating jurisdictions.

Analysis of Sports Field Use

Almost all available capacity for sports fields within the Regional District of Nanaimo is rented to groups. Therefore, the analysis of usage relates exclusively to a breakdown in the membership of those groups. The raw data (users) used to start the analysis is summarized in *Figure Thirteen*. Each row in this table represents the actual number of members in all the groups that use each of the categories of sports fields in one portion of the Regional District. The assumption is that each group, and therefore each member, used the fields weekly and, therefore, about the same as all other users. Based on that assumption, the number of members relates directly to the proportion of use from each of the jurisdictions.

Figure Thirteen
Summary of Raw Membership Data for Sports Field Use

Location of Facilities	A	B	C	E	F	G	H	NA	PV	QB	LZ	Other	Total
District 68 Fields	83	17	109	40	8	6	6	2959	13	2	143	171	3557
District 69 Fields	2	1	1	192	230	320	69	44	422	199	2	141	1623

In order to use the raw data in *Figure Thirteen*, it is first turned into percentages. That is done in *Figure Fourteen*. This determines the percentage of each category of use that comes from residents of each of the jurisdictions.

Figure Fourteen
Summary of Percentage Breakdown of Field Usage

Location of Facilities	A	B	C	E	F	G	H	NA	PV	QB	LZ	Other	Total
District 68 Fields	2.3	.5	3.1	1.1	.2	.2	.2	83.2	.4	.1	4.0	4.8	100.1*
District 69 Fields	.1	.1	.1	11.8	14.2	19.7	4.3	2.7	26.0	12.3	.1	8.7	100.1*

* Totals don't add to 100 due to rounding

It is important to note that when attributing the net costs for each of the participating jurisdictions, the percentages in *Figure Fourteen* cannot be used as they are now. Non participating jurisdictions need to be netted out, as they will pay nothing, and their share needs to be distributed to the participating jurisdictions before final calculations are made. In this case, since only Nanaimo and Lantzville and Electoral Areas A, B, and C contribute to District 68 fields, the remaining 7.0% of uses need to be netted out and the result is as follows:

- Electoral Area A taxpayers would pay 2.5% of the net cost,
- Electoral Area B taxpayers would pay .5% of the net cost,
- Electoral Area C taxpayers would pay 3.3% of the net cost,
- District of Lantzville taxpayers would pay 4.3% of the net cost,
- The City of Nanaimo taxpayers would pay 89.4% of the net cost,

And the total would be 100% of the costs. The figures in the bullets above can be used to calculate, averaging with previous sets of percentages, the portion of costs associated with District 68 field use to each of the participating jurisdictions.

And, since only Parksville, Qualicum, and Electoral Areas E, F, G, and H contribute to District 69 fields, the remaining 11.8% of uses need to be netted out, and the result is as follows:

- Electoral Area E taxpayers would pay 13.4% of the net cost,

- Electoral Area F taxpayers would pay 16.1% of the net cost,
- Electoral Area G taxpayers would pay 22.3% of the net cost,
- Electoral Area H taxpayers would pay 4.8% of the net cost,
- The City of Parksville taxpayers would pay 29.5% of the net cost,
- The Town of Qualicum Beach taxpayers would pay 13.9% of the net cost,

And the total would be 100% of the costs. The figures in the bullets above can be used to calculate, averaging with previous sets of percentages, the portion of costs associated with District 69 field use to each of the participating jurisdictions.

Analysis of Use of Other Facilities

Data for the uses associated with the Oliver Woods Community Centre are incomplete. In fact, only one of the user groups responded. So, it is impossible to draw any conclusions about use of the Community Centre from what has been collected. The same is true of groups using the Bowen Park tennis courts. The only reliable data that was available was for the users of the tennis courts in District 69 and for the use of Kin Outdoor Pool. Both of these are primarily used by one user group which responded to the request for membership addresses. Both are summarized below as *Figure Fifteen* and *Figure Sixteen*.

**Figure Fifteen
Summary of Users of Kin Outdoor Pool**

Area of residency	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Rental Members	6	0	9	4	0	0	0	141	3	0	9	17	189
Percentage	3.2	0.0	4.8	2.1	0.0	0.0	0.0	74.6	1.6	0.0	4.8	9.0	100

**Figure Sixteen
Summary of Usage of District 69 Tennis Courts**

Area of Residency	A	B	C	E	F	G	H	NA	PV	QB	LZ	OTHER	Total
Rental Members	0	2	0	33	9	37	4	12	50	52	0	15	214
Percentage	0.0	0.9	0.0	15.4	4.2	17.3	1.9	5.6	23.4	24.3	0.0	7.0	100.0

Analysis of Northern Recreation Services Registrants

The RDN also provided data from its CLASS program data base that related to programs not accommodated within arenas or pools. This data is summarized in the following two figures.

Figure Seventeen summarizes raw data which relates to all programs for the most recent twelve month period. It represents all program uses.

Figure Seventeen
Summary of Raw Usage Data for RDN Programs

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	Other	Total
Program Uses	60	43	13	541	622	1024	252	140	1240	720	13	80	4748

In order to use the raw data in *Figure Seventeen*, it is first turned into percentages. That is done in *Figure Eighteen*.

Figure Eighteen
Summary of Raw Usage Data in Percentage Terms

Category of Use	A	B	C	E	F	G	H	NA	PV	QB	LZ	Other	Total
Program Uses	1.3	.9	.3	11.4	13.1	21.6	5.3	2.9	26.1	15.2	.3	1.7	100.1*

* totals don't add to 100 due to rounding of data

The information in *Figures Seventeen and Eighteen* are provided only to support management and marketing decisions.

Trending Changes in Use

For some of the facilities in the figures above, information has been gathered three times over the past fifteen years. To illustrate the trends and changes in utilization of those facilities and fields, *Figure Nineteen* summarizes that information.

Figure Nineteen
Summary of Raw Usage Data in Percentage Terms

Jurisdiction	Pools			Arenas			Sports Fields			Population
	2005	2010	2015	2005	2010	2015	2005	2010	2015	2011
Nanaimo	88.6	88.8	88.8	88.6	84.1	86.8	86.7	85.3	89.4	82.8
Lantzville	3.2	4.7	3.7	3.2	5.0	4.1	6.0	7.1	4.3	3.6
EA A	4.2	3.7	1.8	4.2	5.8	5.8	3.4	3.4	2.5	6.8
EA B	1.7	1.1	.9	1.7	.2	1.0	.3	.6	.5	4.0
EA C	2.3	1.7	4.8	2.3	4.9	2.3	3.6	3.6	3.3	2.8
EA E	NA	NA	NA	11.2	13.3	11.3	11.2	12.0	13.4	12.8
EA F	12.6	16.2	21.6	12.6	9.6	12.8	12.6	20.2	16.1	16.7
EA G	21.4	17.6	20.7	21.4	23.3	22.4	21.4	17.1	22.3	16.1
EA H	4.6	8.1	7.0	4.6	2.6	4.2	4.6	5.0	4.8	7.9
Parksville	31.4	28.2	26.8	31.4	35.1	34.0	31.4	28.2	29.5	27.0
Qualicum Beach	18.8	29.8	24.0	18.8	15.8	15.3	18.8	17.5	13.9	19.6

Summary

Based on the analysis above, the consultants are able to draw a number of conclusions.

1. The methodology used for this project is sufficiently valid and reliable to be used to apportion net costs of operation for pools, arenas, and sports fields. While no data is perfect, the consultants assert that the information available and its analysis generate results which are more reliable and valid than industry standard levels of confidence. Industry standard level of confidence in survey data is plus or minus 5% nineteen times out of twenty. For this study, the combination of data sources with different levels of reliability are complicated to combine into a cohesive confidence level. However, the overall result is almost certainly within 2% nineteen times out of twenty.
2. This means that if the methodology were repeated consistently, use by area of residency would have to shift by more than 2% for it to be reliably picked up (nineteen times out of twenty) by the process.
3. This level of reliability is better than in past surveys of use. The methodology is improving over time, rendering results which are more reliable.
4. The information available for the Oliver Woods Community Centre and the Bowen Park tennis complex are not sufficient to make any overall assessment about the area of residency of users.
5. The methodology used for this project could fairly easily be incorporated into the City and RDN operating plan and implemented internally in future, negating the need for retaining outside expertise to achieve the same outcome. However, the RDN and the City may wish to have an objective outside agency to collect the data on their behalf.
6. In future iterations of this study, it will be important to give user groups lots of lead time and incentives to cooperate by collecting and submitting residential addresses of their members.

Appendix A – Details of Pool and Arena Use Survey

Survey Schedule for Three Public Pools and Arenas

Beban Pool-Nanaimo				
Date	Day	Time	Program Covered	Hours
16-Feb	Monday	5:00 to 8:00 pm	Leisure Only Swim	3
17-Feb	Tuesday	7:00 to 9:00 am	Everyone Welcome	2
19-Feb	Thursday	4:00 to 7:00 pm	Leisure Only Swim	3
01-Mar	Sunday	12:00 to 4:00 pm	Everyone Welcome	4
11-May	Monday	6:15 to 8:15 pm	Leisure Only Swim	2
12-May	Tuesday	7:30 to 9:30 am	Everyone Welcome	2
14-May	Thursday	5:15 to 7:15 pm	Leisure Only Swim	2
17-May	Sunday	2:15 to 4:15 pm	Everyone Welcome	2
09-Jun	Tuesday	2:00 to 3:30 pm	Adult and Senior	1.5
10-Jun	Wednesday	2:00 to 3:30 pm	Adult and Senior	1.5
11-Jun	Thursday	10:30 to 12:30	Everyone Welcome	2
				25

Nanaimo Aquatic Centre Nanaimo				
Dates	Day	Time	Program Covered	Hours
23-Feb	Monday	7:00 to 9:00 am	Everyone Welcome	2
17-Feb	Tuesday	4:30 to 7:00 pm	25m length	2.5
19-Feb	Thursday	7:30 to 9:30 pm	Everyone Welcome and 25m length	2
28-Feb	Saturday	1:30 to 4:00 pm	Everyone Welcome and Waves	2.5
18-May	Monday	1:00 to 3:00 pm	Everyone Welcome	2
19-May	Tuesday	5:15 to 7:15 pm	25m length	2
21-May	Thursday	7:45 to 9:45 pm	Everyone Welcome and Waves	2
23-May	Saturday	2:15 to 4:15 pm	Everyone Welcome and Waves	2
				17

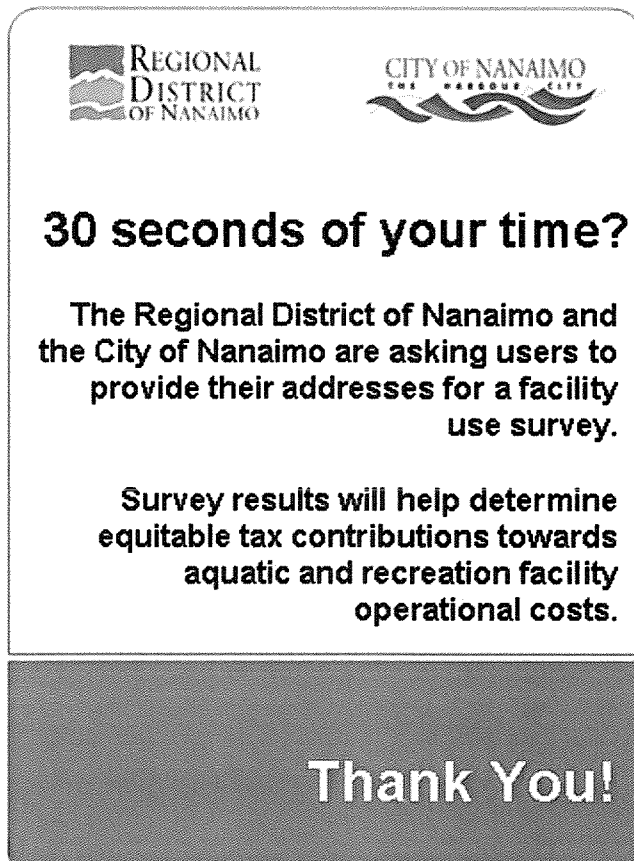
Ravensong Aquatic Centre-Qualicum Beach				
Dates	Day	Time	Program Covered	Hours
15-Feb	Sunday	11:00 to 4:00 pm	Family Swim & Everyone Welcome	5
16-Feb	Monday	7:00 to 9:00 am	Early Bird	2
17-Feb	Tuesday	8:00 to 10:00 pm	Aquafit and widths	2
15-Mar	Sunday	2:00 to 5:15 pm	Everyone Welcome	3.25
23-May	Saturday	2:15 to 4:15 pm	Everyone Welcome	2
24-May	Sunday	3:15 to 5:15 pm	Everyone Welcome	2
25-May	Monday	6:30 to 8:30 pm	Everyone Welcome	2
26-May	Tuesday	7:00 to 9:00 am	Early Bird	2
				20.25

Nanaimo Ice Centre- Nanaimo				
Dates	Day	Time	Program Covered	Hours
25-Feb	Wednesday	11:00 to 1:30 pm	Adult and Adult Leisure Skate	2.5
20-Feb	Friday	2:00 to 4:00 pm	Everyone Welcome	2
22-Feb	Sunday	3:30 to 5:30 pm	Everyone Welcome	2
08-Mar	Sunday	3:30 to 5:30 pm	Everyone Welcome	2
15-Mar	Sunday	3:30 to 5:30 pm	Everyone Welcome	2
				10.5

Frank Crane Arena- Nanaimo				
Dates	Day	Time	Program Covered	Hours
17-Feb	Tuesday	7:00 to 8:30 pm	Everyone Welcome	1.5
21-Feb	Saturday	1:30 to 3:00 pm	Everyone Welcome	1.5
22-Feb	Sunday	11:30 to 1:30pm	Family Skate	2
				5

Oceanside Place Arena Parksville				
Dates	Day	Time	Program Covered	Hours
18-Feb	Wednesday	4:00 to 5:30 pm	Everyone Welcome	1.5
21-Feb	Saturday	2:30 to 4:00 pm	Everyone Welcome	1.5
22-Feb	Sunday	1:45-3:45pm	EW Family Skate	2
07-Mar	Saturday	2:30 to 4:00 pm	Everyone Welcome	1.5
18-Mar	Wednesday	7 to 8:30 pm	Everyone Welcome	1.5
19-Mar	Thur	12:45 to 2:15	Everyone Welcome	1.5
26-Mar	Thursday	1 to 3 pm	Everyone Welcome	2
				11.5

Copy of Sign at Each Survey Station (different sign for City and RDN facilities)





30 seconds of your time?

The Regional District of Nanaimo is asking users to provide their addresses for a facility use survey.

Survey results will help determine how tax contributions are shared to fund this facility.

Thank You!

Appendix B – Calculations for Cost Sharing

The body of the report provides information separately for each type of facility. However, the facility sharing agreement for Nanaimo facilities stipulates that the cost of the City’s pools and arenas be lumped together. The following figure does that.

Figure Nine
Proportion of All Nanaimo Arena Uses from Each Jurisdiction

Category of Use	Area A	Area B	Area C	Nanaimo	Lantzville	Total
Total of Pool Use	1.8	.9	4.8	88.8	3.7	100
Total of Arena Use	5.8	1.0	2.3	86.8	4.1	100
Total of All Facility Use	3.8	.95	3.55	87.8	3.9	100

It is important to understand that this study did not determine the total number of uses of Nanaimo pools or arenas. It simply determined the percentages of use. So, all the consultants can do to combine the two initial rows above is to calculate an average and assume that the total number of uses of arenas was similar to the total number of uses of pools. If they are not, the more accurate total percentage on the bottom row would migrate more toward the percentage in the row above that had more uses.

The only other way of approaching this problem is to calculate the net costs of pools and use the breakdown of use in the bulleted list on page six to apportion those costs and then calculate the net of arenas and use the breakdown of use in the bulleted list on page ten to apportion those costs. Then the two totals can be combined to get all sharable costs for Nanaimo recreation facilities. While this wouldn’t make much difference to the net financial contribution to the City of Nanaimo, it would make a significant difference to a jurisdiction like Electoral Area A, where the percent of use of pools varies significantly from the percentage of use of arenas.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'B' PARKS AND OPEN SPACE ADVISORY
REGULAR COMMITTEE MEETING HELD
TUESDAY, OCTOBER 6, 2015
7:00pm**

(WOMEN' INSTITUTE HALL)

Attendance: Howard Houle, Director, RDN Board, Chair
Sam Betts
Randy Young
Megan Walker
Megan Osmond-Jones

Staff: Elaine McCulloch, Park Planner

Regrets: Jacinthe Eastick
Mark Wooley

CALL TO ORDER

Chair Houle called the meeting to order at 7:00 p.m.

AGENDA

MOVED S. Betts, SECONDED M. Walker to adopt the agenda after adding a letter from Susan Yates as Late Correspondence.

CARRIED

DELEGATION - None

MINUTES

MOVED M. Walker, SECONDED R. Young to receive the Minutes of the Regular Electoral Area 'B' Parks and Open Space Advisory Committee meeting held June 2, 2015, as presented.

CARRIED

BUSINESS ARISING FROM THE MINUTES

2015-2019 Work Plan – updated

The 2015-2019 Work Plan as presented is up-to date, after a couple of projects were added this summer at Director Houle's request.

Status of High Priorities:

- Huxley Park Skate Board Park Concept Plan – on hold until we know the fate of the Canada 150 application for federal funding for Huxley Park (the Plaza, the upgrade of the tennis courts and the Sports Courts) which will not be known until after the federal elections. If the application is unsuccessful, the planning and design for the skate park will be given priority.
- The Village Trail design costing should be ready by November and will be considered by the RDN Board at their January 2016 Meeting.
- The Mudge Island water accesses identification by volunteers is on-going.
- Rollo McClay parking lot improvement is almost finished. The Playground installation is scheduled for early November. The Softball Association raised \$12,000 which was matched by the RDN through the Community Works Fund. Disbursement from that Fund is at the discretion of the RDN Board.
- The RDN has secured a 30 year lease renewal for the Joyce Lockwood Park from the Provincial Crown.
- The cost for the Cox Community Park signage has been approved by the RDN Board. GALTT will work with RDN staffer Jonathan for the installation. A 'Welcome' sign and two benches have been budgeted for 2016.
- Whalebone Parks Improvements brushing, surveying, etc...are ongoing. GALTT refuses to clean or clear trails which they perceive as infringing on people's privacy. RDN staff will proceed with this work having received requests from some residents to do so.
- 707 Signage Review: RDN staffer and GALTT will do an assessment of all existing signage, their height, their orientation and identify the additional signage required e.g. side-signs to Fisher Road, and a map and sign to South Road and Wilkinson Way off the Erratic Trail already identified by GALTT as needed.

Status of Follow ups:

- R. Young stated that if \$575 of Highway crush could be found, the Emcon grader operator would use it to improve the drainage at the Strand's Bells Landing.
- There is still \$12,000 for the beach accesses project on Mudge Island.
- Joyce Lockwood Park – toilet clean-up and garbage pick-up need to be addressed
- Spring Beach Stairs- more permanent solution needs to be found, R. Young suggested that a draw-bridge type of section would provide more longevity to the stairs
- Request for stairs repair on Decourcey Drive
- Shaw Road water access – R. Young suggested that a rope was needed.
- Easthom Rd water access GI 52 needs to be cleared
- Signage relocated by GALTT at the end of Island View Drive and on the beach
- GALTT will hold a daphne removal work party at the water access at the end of Sir William/St-Catherine
- Honeysuckle Trail - work has been completed, would be wheelchair accessible if gravel was laid in a couple of areas on the two routes. The incline off Honeysuckle Rd remains a concern for wheelchair access

CORRESPONDENCE/COMMUNICATIONS

MOVED R. Young, SECONDED M. Walker to receive the following correspondence:

B. Meyer, Gabriola Softball Association to H. Houle, RE: Rollo/McClay Playground

J.Hill, RDN, to B. Meyer, Gabriola Softball Association, RE: Funding Request for Playground at Rollo/McClay

J. Anderson, RE: Barge & Boat Launch Facility on Mudge Island

S. Yates, RE: Concern about excessive/indiscriminate shellfish harvesting on the foreshore of Descanso Park

CARRIED

BUSINESS ARISING FROM CORRESPONDENCE/COMMUNICATIONS

It was agreed to forward J. Anderson's letter to the RDN Transportation Committee and Susan Yates's letter to Tom Osborne.

R. Young commented that the location of the playground at Rollo McClay looks ideal

REPORTS

Monthly Update Regional and Community Parks and Trail Projects – May 2015

Page 15- R. Young is concerned that water leveller is not adequate to keep water off the trail in Coats Regional Park, problem being compounded by beaver activities.

MOVED R. Young, SECONDED M. Osmond-Jones to ask RDN staff to look into the water problems for the Coats Marsh Regional Park trail.

CARRIED

Monthly Update Regional and Community Parks and Trail Projects – June, July, August 2015

Page 20- New set of stairs down to the beach now available at the end of Island View Drive.

MOVED M. Young, SECONDED S. Betts to receive the Reports

CARRIED

NEW BUSINESS

Community Park Name Changes

A Chart of a regional review of all Parks & Trails name & civic address in Area B to ensure clarity of location for emergency response and wayfinding was reviewed. Amendments to the Chart are attached to these Minutes.

MOVED R. Young, SECONDED S. Betts that consultation with DeCourcey Island residents be undertaken to allow them to choose names of their Community Parks.

CARRIED

POSAC Term Expiries

POSAC term for M. Wooley, J. Eastick & Megan Osmond-Jones expire in December 2015. All are invited to re-apply.

ADJOURNMENT

MOVED R. Young to adjourn 9.15.

CARRIED

Chairperson

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE AREA 'F' PARKS AND OPEN SPACE ADVISORY COMMITTEE (POSAC)
REGULAR COMMITTEE MEETING HELD
WEDNESDAY, OCTOBER 14, 2015
7:00PM
AT THE ARROWSMITH HALL, COOMBS

ATTENDANCE: Julian Fell, director RDN Board, Chair
Alfred Jablonski
Reg Nosworthy
Earl Billingsley
David Edgeley

REGRETS: Barbara Smith
Colin Anderson

STAFF: Wendy Marshall
Elaine McCulloch

CALL TO ORDER

Chair Fell called the meeting to order 7:05 p.m.

DELEGATION

No delegations in attendance.

MINUTES

MOVED R. Nosworthy, SECONDED A. Jablonski that the Minutes of the Electoral Area F Parks and Open Space Advisory Committee (POSAC) dated June 10th, 2015 be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

5-Year Planning Review 2015-2019

The revised planning sheet was presented for POSAC review.

COMMUNICATION/CORRESPONDENCE

UNFINISHED BUSINESS

None

REPORTS

Monthly Update of Community Parks and Regional Parks and Trail Projects – May 2015

Monthly Update of Community Parks and Regional Parks and Trail Projects – June - August 2015

E. McCulloch provided a verbal update on Errington Community Park. Staff attended a site meeting with the playground development volunteers. The group will be putting together a proposal in early 2016. The roadside parking along Veterans' Road has been completed. This was funded through an amenity contribution from the Evergreen Way rezoning.

Arrowsmith Community Trail (ACT) Update – Price Rd.

W. Marshall provided a verbal update on the Price Rd. trail project. The trail is substantially complete – gravel, signs and boulders have been installed and the ditch has been cleared to the satisfaction of the neighbour. The final outstanding item is to complete the gravel compaction.

Meadowood Community Park Portable Update

E. McCulloch provided a verbal update that the portable moving and installation tender closed on October 13th. Tender documents were posted on the RDN website and a report will go to the October Board meeting to award the contract to the successful bidder. If approved work is planned to start immediately and trailers will be on site by the end of November with a Marsh 1st date for significant completion. A staff report recommending that the RDN enter into a License of Use agreement with the Corcan Meadowood Residents Association (CMRA) to manage the buildings once they are complete will be going to the October Board meeting.

E&N Regional Trail Update

Plans have been submitted to the Island Corridor Foundation (ICF), the Ministry of Transportation and Infrastructure (MoTI) and the Agricultural Land Commission (ALC). The RDN is working with ICF on the road crossing details and are waiting to hear back from the ALC. A route change through the City of Parksville's Springwood Park has now become a possibility due to water pipeline upgrades they are undertaking, details are currently being worked out with the City.

MOVED D. Edgeley, SECONDED R. Nosworthy to receive the Reports.

CARRIED

NEW BUSINESS

ACT Trails Sub-Committee Meeting

E. McCulloch will follow up with an email to all Committee members to set up a meeting to discuss the next steps for the ACT trails development plan. A tentative meeting date of Thursday, November 26, 2015 at 10am at the new Parks Building at 1490 Springhill Rd was discussed.

POSAC Member Term Expiry 2015

A. Jablonski, B. Smith and E. Billingsley were reminded that their terms are up at the end of December and were encouraged to reapply.

Grafton/Cranswick Flooding

Chair Fell reported on the issues centered on the Grafton/Cranswick Flooding. The Ministry of Transportation and Infrastructure will be clearing and ditching the Cranswick undeveloped road allowance from Grafton Rd to Matterson Rd. E.McCulloch to follow up with MoTI to see if arrangements can be made to allow for a trail along this corridor.

First Nations Land Acquisition

Chair Fell reported that the Nanoose First Nations has recently acquired a number of large Crown Land lots in the Errington Area which did not include the Little Mount Properties at this time. Director Fell suggested he would confirm the status of the Little Mountain properties for the next meeting.

ADJOURNMENT

MOVED E. Billingsley to adjourn at 8:00 p.m.

CARRIED

Chairperson

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE DISTRICT 69 RECREATION COMMISSION

REGULAR MEETING

HELD THURSDAY OCTOBER 15, 2015

2:00PM

(OCEANSIDE PLACE)

- Attendance:** Reg Nosworthy, Electoral Area 'F'
Julie Austin, School District 69 Trustee
Gordon Wiebe, Electoral Area 'E'
Bill Veenhof, Director, RDN Board
Al Grier, Councillor, City of Parksville
- Staff:** Dean Banman, Manager of Recreation Services
Hannah King, Superintendent of Recreation Program Services
Ann-Marie Harvey, Recording Secretary
- Regrets:** Joe Stanhope, Director, Electoral Area 'G'
Neil Horner, Councillor, Town of Qualicum Beach
- Also in Attendance:** Director Rogers, Electoral Area 'E'
-

CALL TO ORDER

Chair Veenhof called the meeting to order at 2:04pm.

DELEGATIONS/ PRESENTATION

RDN Summer Camp Presentation – Kelly Valade/Chrissie Finnie

Ms. Valade and Ms. Finnie presented the Commission with an overview of the RDN summer camp programs successes and challenges, along with registration numbers and parent feedback.

Commissioners thanked Ms. Valade and Ms. Finnie for a thorough presentation and recommended they present this at an RDN Board meeting.

MINUTES

- MOVED Commissioner Wiebe SECONDED Commissioner Grier that the Minutes of the Regular District 69 Recreation Commission meeting held June 18, 2015 be approved. CARRIED
- MOVED Commissioner Nosworthy, SECONED Wiebe that the Minutes of the District 69 Recreation Grants Sub-Committee meeting held October 6, 2015 be approved. CARRIED

BUSINESS ARISING FROM THE MINUTES

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

Community Group	2015
Arrowsmith Community Recreation Association- youth sports programs	4,200
Bow Horne Bay Community Club- Halloween event	2,500
District 69 Family Resource Association- youth drop-in food	1,800
District 69 Family Resource Association- youth drop-in keyboard and acoustic guitar	500
Total	9,000

CARRIED

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

Community Group	2015
Arrowsmith Agricultural Association - Family Day Celebration	1,982
Bowser Tennis Club- court cleaning and signage	2,484
Forward House Community Society- recreation activities	2,328
Lighthouse Community Centre Society- Soupy Café lunch social program	2,200
Lighthouse Community Slo-Pitch League- snow fencing	687
Oceanside Paddlers- boat and equipment	4,243
Qualicum and District Curling Club- BC Mixed Championships	2,000
Ravensong Masters Swim Club- pool rental	1,250
Total	17,174

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Commissioner Wiebe, SECONDED Commissioner Nosworthy that the following Communications/ Correspondence be received:

M. Butts, Bard to Broadway Theatre Society to B. Veenhof, D69 Commission Chair, **RE: Grant Thank You**

Parksville Qualicum Beach News – **School Board wants input on future of Parksville high school track.**

D. Banman, RDN to R. Koop, SD69, **RE: Partnership Opportunities – Outdoor Multi-Sports Complex in District 69**

Family Resource Association to Regional District of Nanaimo, **RE: Grant Thank You**

CARRIED

UNFINISHED BUSINESS

Outdoor Multi-Sport Complex

Mr. Banman gave a summary of where staff are at with the resolution that the commission put forward for staff to speak to community groups about the interest and support for an Outdoor Multi- Sport Complex.

At the next meeting he will provide a list of organizations and groups that have been contacted and their input. Then the masterplan in 2016 will build on a bigger scale.

Ms. Austin asked if the contact letter could be sent to the school board and a cc to SD staff.

Mr. Banman said a copy would be sent to all commissioners.

REPORTS

Monthly Update – Oceanside Place – June 2015

Monthly Update – Oceanside Place – July 2015

Monthly Update – Oceanside Place – August 2015

Monthly Update – Oceanside Place – September 2015

Mr. Banman gave an overview of the four monthly Oceanside Place reports. He noted the prospect of a Provincial Lacrosse tournament in 2016.

Monthly Update – Ravensong Aquatic Centre – June 2015

Monthly Update – Ravensong Aquatic Centre – July 2015

Monthly Update – Ravensong Aquatic Centre – August 2015

Monthly Update – Ravensong Aquatic Centre – September 2015

Mr. Banman gave an overview of the four Ravensong reports. He noted the upcoming October 29th Ravensong 20year anniversary.

Monthly Update – Northern Recreation Program Services – June 2015

Monthly Update – Northern Recreation Program Services – July 2015

Monthly Update – Northern Recreation Program Services – August 2015

Monthly Update – Northern Recreation Program Services – September 2015

Mr. Banman gave an overview of the four Northern Recreation Program Services. He gave an update to the Commission about the Meadowood portable project and the next steps.

Ms. King thanked the Commission for the support of Qualicum Commons recreation space and noted the activities and positive outcomes of having the space to use.

Monthly Update of Community and Regional Parks and Trails Projects – June - August 2015

Monthly Update of Community and Regional Parks and Trails Projects – September 2015

Mr. Banman took any questions from the commissioners about the Community Parks and Trails projects Reports. There were none.

MOVED Commissioner Grier, SECONDED Commissioner Wiebe that the Monthly Update Reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Parkville Qualicum Beach News – **School Board wants input on future of Parkville high school track.**

D. Banman, RDN to R. Koop, SD69, **RE: Partnership Opportunities – Outdoor Multi-Sports Complex in District 69**

Commissioners discussed some of the history and probabilities of the Outdoor Multi Sportsplex and their desire to move forward. Commissioner Nosworthy noted that after the passed resolution is fulfilled the information from the organizations will allow them to move in a more focused direction.

NEW BUSINESS

COMMISSIONER ROUNDTABLE

Commissioner Wiebe mentioned a sign at an EA 'E' community park that was recently put up that was all negative and not welcoming to the park. He is bringing it to their next Parks and Open Space Advisory Committee meeting.

ADJOURNMENT

MOVED Commissioner Grier that the meeting be adjourned at 3:27 pm.

CARRIED

Chair



REGIONAL DISTRICT OF NANAIMO

**DISTRICT 69 RECREATION COMMISSION
GRANTS COMMITTEE MEETING MINUTES**

**HELD AT 2:00 P.M. ON TUESDAY, OCTOBER 6, 2015
OCEANSIDE PLACE, PARKSVILLE**

Present:

N. Horner	District 69 Recreation Commission
R. Nosworthy	District 69 Recreation Commission
G. Wiebe	District 69 Recreation Commission

Minutes: C. MacKenzie Recreation Programmer

BUDGET

Total Grants available for 2015	\$78,228
Dispersed to date in 2015	\$52,054
Remainder to date 2015	\$26,174

REVIEW OF FALL 2015 APPLICATIONS

The Grants Committee reviewed applications for Youth and Community Grants. Priority was given to new applicants and/or projects that benefited people in all areas of the Regional District.

Five applications were received for Youth Grants, requesting \$11,400. Four Youth Grant applications met grant criteria and are recommended for the full amount of their requests. One application from the Whalers Football Support Society was incomplete and is not recommended for funding.

Eight applications were received for Community Grants, requesting \$19,764. All eight Community Grant applications met the grant criteria and are recommended for funding for a total of \$17,174.

RECOMMENDATIONS

1. That the following District 69 Youth Recreation Grant applications be approved:

Community Group	Approved in 2014	Current Request 2015	2015 Recommended
Arrowsmith Community Recreation Association- youth sports programs	2,900	4,200	4,200
Bow Horne Bay Community Club- Halloween event	0	2,500	2,500

District 69 Family Resource Association- youth drop-in food	1,085	1,800	1,800
District 69 Family Resource Association- youth drop-in keyboard and acoustic guitar	0	500	500
Total			9,000

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

Community Group	Approved in 2014	Current Request 2015	2015 Recommended
Arrowsmith Agricultural Association - Family Day Celebration	2,725	1,982	1,982
Bowser Tennis Club- court cleaning and signage	0	2,484	2,484
Forward House Community Society- recreation activities	2,230	2,328	2,328
Lighthouse Community Centre Society- Soupy Café lunch social program	0	2,200	2,200
Lighthouse Community Slo-Pitch League- snow fencing	1,200	2,020	687
Oceanside Paddlers- boat and equipment	0	5,000	4,243
Qualicum and District Curling Club- BC Mixed Championships	0	2,500	2,000
Ravensong Masters Swim Club- pool rental	1,250	1,250	1,250
Total			17,174

3. That the following District 69 Recreation Grant application not be approved:

Community Group	Current Request 2015
Whalers Football Support Society- observation shelter	2,400

ADJOURNMENT

The meeting adjourned at 2:40pm.

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE DISTRICT 69 COMMUNITY JUSTICE
SELECT COMMITTEE MEETING
HELD ON MONDAY, OCTOBER 19, 2015 AT 2:00 PM
IN THE OCEANSIDE PLACE MEETING ROOM, PARKSVILLE, BC

Present:

Director Marc Lefebvre	City of Parksville, Chairperson
Director Teunis Westbroek	Town of Qualicum Beach
Director Bob Rogers	Electoral Area E
Director Julian Fell	Electoral Area F
Director Joe Stanhope	Electoral Area G
Director Bill Veenhof	Electoral Area H

Also in attendance:

Wendy Idema	Director of Finance
Tiffany Moore	Manager, Accounting Services
Staff Sgt. Brian Hunter	Oceanside RCMP Detachment
Cpl Jesse Foreman	Oceanside RCMP Detachment

CALL TO ORDER

The Chairperson called the meeting to order at 1:50 pm.

DELEGATION

Victim Services, Restorative Justice and Community Policing/Oceanside Community Safety Volunteers Update

Staff Sgt. Brian Hunter, Oceanside RCMP Detachment updated the Committee regarding the Victim Services and Restorative Justice Programs. Staff Sgt. Hunter indicated there was an increase of \$10,500 in the funding request for Oceanside Victim Services from \$52,580 to \$63,080 for 2016. The \$10,500 is to be used to pay Victim Services staff \$1.50 per hour while on-call on weekends. It was noted that neighbouring RCMP Victims Services programs have had to suspend on-call weekend support due to lack of funding. There is one full-time employee and one part-time employee and there were 42 call-outs in 2014 with 283 new clients.

Staff Sgt. Hunter updated the committee on the Arrowsmith Community Restorative Justice Program. He reported that Crown Council in Victoria and the Minister of Justice have looked at this program as one that might be more widely used. He indicated that the request for funding for 2016 for this program is at the same level as 2015 of \$30,000.

Cpl. Jesse Foreman, Community Policing NCO, reported on the Oceanside Community Safety Volunteers. He noted that the volunteers are a good conduit for getting information from the community. The new streamlined approach is working well with the Citizens on Patrol, Speedwatch and Community Policing coming together requiring only one governance, one accounting and one society. The funding request remains at \$29,220 consistent with the previous year. He mentioned that they have created a part-time paid administrator position working 17 hours per week to coordinate the volunteers, programs and events.

MINUTES

MOVED Director Stanhope, SECONDED Director Veenhof, that the minutes of the District 69 Community Justice Select Committee meeting held October 20, 2014, be adopted.

CARRIED

BUSINESS ARISING FROM THE DELEGATION

MOVED Director Stanhope, SECONDED Director Fell, that the report of the delegation be received.

CARRIED

MOVED Director Rogers, SECONDED Director Stanhope, that the 2016 requisition for funding to support the Oceanside Victims Services, Restorative Justice and Community Policing Programs be approved at \$122,300 and that the "Regional District of Nanaimo Crime Prevention and Community Justice Support Service Bylaw No. 1479, 2006" be amended accordingly.

CARRIED

ADMINISTRATION

Community Safety Grant-in-Aid Applications

MOVED Director Fell, SECONDED Director Rogers, that a 2016 grant in the amount of \$5,000 for the Oceanside Community Safety Volunteers be approved.

CARRIED

MOVED Director Fell, SECONDED Director Westbroek, that the grant request from Errington Preschool Parents Society be referred to the next intake of the D69 Recreation Grants program.

CARRIED

NEW BUSINESS

ADJOURNMENT

MOVED Director Stanhope, SECONDED Director Veenhof, that the meeting adjourn.

CARRIED

TIME: 2:41 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE
REGIONAL PARKS AND TRAILS SELECT COMMITTEE MEETING
HELD ON TUESDAY OCTOBER 20, 2015 AT 12:00 PM
IN THE RDN COMMITTEE ROOM

Attendance: Director Maureen Young, Electoral Area 'C'
Director Alec McPherson, Electoral Area 'A'
Director Bob Rogers, Electoral Area 'E'
Director Ian Thorpe, City of Nanaimo
Director Teunis Westbroek, Town of Qualicum Beach
Director Marc Lefebvre, City of Parksville

Staff: Tom Osborne, General Manager of Recreation and Parks
Paul Thorkelsson, Chief Administrative Officer
Wendy Marshall, Manager of Park Services
Ann-Marie Harvey, Recording Secretary

Regrets: Director Colin Haime, Chair, District of Lantzville
Director Julian Fell, Electoral Area 'F'

CALL TO ORDER

Due to Director Haime's absence, the Committee appointed Director Westbroek to Chair the meeting.

Chair Westbroek called the meeting to order at 11:57 am.

MINUTES

MOVED Director Lefebvre, SECONDED Director Thorpe that the Minutes of the Regular Regional Parks and Trails Select Committee meeting held June 16, 2015 be approved.

CARRIED

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

Mr. Osborne noted that the correspondence from J. Turlock should be titled Benson Creek Falls, not Mt. Benson.

MOVED Director Lefebvre, SECONDED Director McPherson that the following Correspondence be received as corrected:

J. Turlock, Prov. Of BC – MFLNRO to L. Fesiak, RDN, **RE: Benson Creek Falls Renewal of Crown Land**

B. Smith, Canadian Wildlife Service to E. McCulloch, RDN, **RE: Request for Authorization of Proposed Change in Use for Ecological Gift BC109**

S. Yates to Director Houle, RDN, **RE: Descanso Bay Oyster Harvesting**

CARRIED

REPORTS

Monthly Update of Community and Regional Parks and Trails Projects –June - August 2015

Monthly Update of Community and Regional Parks and Trails Projects –September 2015

Ms. Marshall answered questions from the directors regarding items in the report.

E & N Trail

Ms. Marshall updated that staff are at the permitting stage. She noted that at the Church Rd crossing the original plan was to swing the trail away from the rail by 30meters to avoid a \$500,000.00 crossing. ICF have told staff that a cueing study would have to be done and that a 30 meter distance may not be adequate. Because the rail is not in use at this time, the cost of the study can be put off with the understanding that once the rail line becomes active again that the study would then need to be done and the crossing upgraded at that time. MOU in works now with ICF. Staff have met with the City of Parksville to work around the water line and to use Springwood Park and the service road to access the trail head. This new plan in Springwood will provide some cost savings.

MOVED Director Lefebvre, **SECONDED Director** Rogers that the reports be received.

CARRIED

BUSINESS ARISING FROM THE COMMUNICATIONS/CORRESPONDENCE/DELEGATONS

S. Yates to Director Houle, RDN, **RE: Descanso Bay Oyster Harvesting**

MOVED Director Thorpe, **SECONDED Director** Lefebvre that the RDN write a letter to advise the Department of Fisheries and Oceans of the concerns of over harvesting of oysters at Descanso Bay Regional Park and those operating without a license.

CARRIED

NEW BUSINESS

Mt. Benson Race Request

Ms. Marshall told the Committee of the requests from groups who want run “Grouse Grind” type races at Mt. Benson Regional Park. The issues is that Mt. Benson does not have the level of development as the North Vancouver trail and RDN and NALT staff already are concerned with the volume of use as it is now, as well, there is no staging area to support a race.

She said staff would take the next few years to look at the volume and development potential to support these kinds of races.

MOVED Director Thorpe, **SECONDED Director** Young that the RDN not permit race requests to use the Mount Benson Regional Parks trail system at this time due to trail degradation and parking issues.

CARRIED

TLC Transfer of Properties

Mr. Osborne gave an update with TLC and Nanaimo River Regional Park. The Nature Conservancy Canada is now on title for the park and the RDN has worked with the agency with Moorecroft and Englishman River Regional Parks.

IN CAMERA

MOVED Director Rogers, SECONDED Director Lefebvre that pursuant to Sections 90(1) (e) and (i), and 90 (2) (d) of the Community Charter the Committee proceed to an In Camera Committee meeting to consider items related to land acquisition, solicitor-client privilege, and third-party business interests.

Time: 12:35pm

CARRIED

ADJOURNMENT

MOVED Director Lefebvre, SECONDED Director Rogers that the meeting be adjourned at 1:25pm.

CARRIED

Chairperson

From: [Osborne, Tom](#)
To: [Marshall, Wendy](#); [Harvey, Ann-Marie](#)
Subject: Fwd: Item for POSAC agenda
Date: Monday, October 05, 2015 2:39:33 PM
Attachments: [Descanso Bay oyster harvesting.docx](#)
[ATT00001.htm](#)
[ATT00001.html](#)
[ATT00002.htm](#)

Tom Osborne
General Manager
RDN Recreation & Parks Dept.

Begin forwarded message:

From: Howard Houle <howardhoule@yahoo.ca>
Date: October 5, 2015 at 2:30:08 PM PDT
To: "Osborne, Tom" <TOsborne@rdn.bc.ca>
Subject: Fwd: Item for POSAC agenda

Hi tom one for the RPTSC
Howard

Sent from my iPad

Begin forwarded message:

From: Susan <susan@rdn.bc.ca>
Date: October 5, 2015 at 12:37:55 PM PDT
To: Howard Houle <howardhoule@yahoo.ca>
Subject: Item for POSAC agenda

Hi Howard - could you forward the attached letter to the appropriate POSAC person if need be? Thanks very much,
Regards,
Susan

Dear Editor,

For the first time since the Clayoquot summer of 1993 I feel compelled to engage in civil disobedience in defense of my island home, and it's not because of anchor-rage, pipeline protest, or ferry frustrations, all well-known problems we must continue to work on. No, my distress, shared equally by my Descanso Bay park and campground friends, results from watching van-loads of visitors and campers come once or twice a year during our summer's lowest tides, to pillage the intertidal zone from its lowest to highest point.

These visitors have no compunction about filling bags full of oysters *without a licence*, from the shores of one of our favourite natural areas, beloved by residents and off-island campers. I endured the rage-inducing experience of having two of the oyster pillagers ask me if I had a printer, so that they could print as many licences as possible before the low-tide was over, on Sunday August 2. You see, our diligent campground operator had told this group of 'harvesters' that they could not take bag-loads of oysters from the park beach without a licence, something they very well knew before they started their illegal activity.

Given that this activity is legal once a licence is issued, and given that this is just one more environmental travesty we must endure because of provincial and federal government regulations that are not actually regulatory at all, but rather easy money-grabs (for the licences) that allow degradation in environmentally precious areas, I'm ready to walk the beach at low tide and prevent the pillaging. After discussing this with a few friends, apparently others are willing to join me in saying, "enough is enough."

Those of us who live here, and who have spent many years working diligently to preserve and protect what little is left of our beleaguered natural spaces, would never consider the shellfish in our coastal parks to be ours for the taking in such a greedy and selfish manner. The oysters in Descanso Bay campground have been carefully restocked over the past 30 years so that there are enough for each of us to take just a few, and leave some, especially the ones in the very low tide zone, for re-seeding.

I am wondering whether we might convince our Regional District, via POSAC or another supportive group, to request that the provincial/federal government does NOT issue licences for harvesting shellfish from the beaches in our parks, and in this specific case, our popular and much-appreciated campground park. As dwellers on this fragile island it is our responsibility to protect and steward its natural environment for future generations. If regulations cannot be changed swiftly and effectively, civil disobedience may be the only route, and I will consider standing in front of incoming careless oyster pickers in defense of my home.

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE GRANTS-IN-AID ADVISORY COMMITTEE MEETING
HELD ON WEDNESDAY, OCTOBER 21, 2015 AT 1:30 PM IN THE
COMMITTEE ROOM

Present:	M. Young	Chairperson
	E. Yewchin	Citizen Advisory Member
	B. Erickson	Citizen Advisory Member
	G. Wiebe	Citizen Advisory Member
Regrets:	M. Lefebvre	Director, District 69
	A. Fabris	Citizen Advisory Member
Staff:	J. Hill	Manager, Administrative Services
	C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

MINUTES

MOVED E. Yewchin, SECONDED B. Erickson, that the minutes of the Grants-in-Aid Committee meeting held Wednesday, May 20, 2015, be adopted, as amended.

CARRIED

CORRESPONDENCE

MOVED G. Wiebe, SECONDED E. Yewchin, that the correspondence from Joe Straka, President, Oceanside Community Arts Council, regarding the return of unused awarded funds from Spring 2014 be received.

CARRIED

DISTRICT 68

Funds available: \$4,822.58

MOVED G. Wiebe, SECONDED E. Yewchin, that Grant-in-Aid funds for District 68 be awarded as follows:

Scouts Canada 1st Gabriola Scouts Group – outdoor camping equipment	\$ 0.00
Tozan Cultural Society – complete the construction of a smaller wood-fired kiln	\$ 1,709.08
Yellow Point Drama Group – lighting upgrades for the stage	\$ 3,113.50
Total	\$ 4,822.58

CARRIED

DISTRICT 69

Funds available: \$ 12,795.64

MOVED E. Yewchin, SECONDED G. Wiebe, that Grant-in-Aid funds for District 69 be awarded as follows:

Alpine Gardeners of Central Vancouver Island – toward the purchase of equipment (Power Point program, lap top, computer, screen, printer and materials), camera, library cart and books	\$ 2,915.64
Canadian Red Cross Society – computer, printer, and signage	\$ 1,480.00
Heartwood Home Learners Co-operative – equipment for outdoor programming	\$ 1,400.00
Lighthouse Community Centre Society –security escutcheons and weather-stripping for exterior doors for the hall	\$ 1,000.00
Oceanside Building Learning Together Society – Books for Babes Program	\$ 1,000.00
Oceanside Hospice Society – equipment for the Equipment Loan Program	\$ 5,000.00
Total	\$12,795.64

CARRIED

ADJOURNMENT

MOVED G. Wiebe, SECONDED B. Erickson, that this meeting adjourn.

CARRIED

TIME: 2:33 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO
AGRICULTURAL ADVISORY COMMITTEE
FRIDAY, OCTOBER 23, 2015 AT 2:00 PM
IN THE RDN BOARD CHAMBERS

Present:

Director H. Houle	Chairperson
Director C. Haime	District of Lantzville
Director J. Fell	Electoral Area 'F'
K. Reid	Regional Aquaculture Organization
J. McLeod	Regional Agricultural Organization
R. Thompson	Representative (North)
C. Watson	Representative (North)
M. Ryn	Representative (South)
K. Wilson	Representative (South)
J. Thony	Regional Agricultural Organization

Also in Attendance:

R. Turner	Turner Land Surveyor
M. Young	Electoral Area C
P. Thompson	Manager of Long Range Planning
J. Holm	Manager of Current Planning
K. Marks	Senior Planner
S. Boogaards	Planner
N. Hewitt	Recording Secretary

CALL TO ORDER

Chairperson Houle called the meeting to order at 2:00 pm.

MINUTES

Minutes of the Agricultural Advisory Committee meeting held Friday July 3, 2015.

MOVED K. Reid, SECONDED M. Ryn, that the minutes of the Agricultural Advisory Committee meeting held Friday July 3, 2015 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Ministry of Agriculture, re Regulating Agri-Tourism and Farm Retail Sales in the Agricultural Land Reserve – Discussion Paper and Proposed Minister's Bylaw Standards.

MOVED K. Reid, SECONDED J. Fell, that the correspondence from the Ministry Agriculture re: Regulating Agri-Tourism and Farm Retail Sales in the Agricultural Land Reserve – Discussion Paper and Proposed Minister's Bylaw Standards be received.

CARRIED

REPORTS

ALR Application No. PL2014-017– Paugh– 2670 McLean’s Road, Electoral Area ‘C’.

MOVED K. Reid, SECONDED M. Ryn, that the Agricultural Advisory Committee recommends the Agricultural Land Commission approve Section 946 subdivision application No. PL2014-017 – Paugh – 2670 McLean’s Road, Electoral Area ‘C’ as submitted.

CARRIED

Bylaw and Policy Update Project – Current Status.

K. Marks provided a brief verbal update on the Bylaw and Policy Update project.

Dogs at Large Bylaw Amendment.

J. Holm provided a brief verbal update on bylaw amendments to address dogs at large in Electoral Area ‘F’.

Agricultural Land Use Inventory Update.

K. Marks provided a brief verbal update on the agricultural land use inventory update.

AAC Membership expiring at the end of this year.

J. Holm thanked the Committee members for their work with the AAC and advised that members are welcome to re-apply for positions on the Committee and that the Board will approve new committee appointments in January.

NEW BUSINESS

Agricultural Study Tour - UBCM.

Director Houle joined the BC Ministry of Agriculture on a tour showing the latest in livestock production. The tour included an organic chicken egg farm, dairy farm, goat farm and a retired racehorse farm.

ADJOURNMENT

MOVED K. Reid, SECONDED C. Watson, that this meeting be adjourned.

CARRIED

Time 2:51 pm

CHAIRPERSON