

**REGIONAL DISTRICT OF NANAIMO
REGULAR BOARD MEETING
AGENDA**

Tuesday, January 22, 2019

7:00 P.M.

Board Chambers

This meeting will be recorded

Pages

1. **CALL TO ORDER**
2. **APPROVAL OF THE AGENDA**
3. **ADOPTION OF MINUTES**
 - 3.1 **Regular Board Meeting - December 4, 2018** 14

(All Directors - One Vote)

That the minutes of the Regular Board meeting held December 4, 2018, be adopted.
4. **INVITED PRESENTATIONS**
 - 4.1 **Maurice Primeau, Deputy Assessor – Vancouver Island Region, BC Assessment**
5. **DELEGATIONS - AGENDA ITEMS**
 - 5.1 **Carol O'Connor, re Request for Support of the Mid Island Child Care Planning Collaborate Grant Application** 34
6. **CORRESPONDENCE**
7. **COMMITTEE MINUTES**

(All Directors - One Vote)

That the following minutes be received for information:

 - 7.1 **Electoral Area Services Committee - January 8, 2019** 35
 - 7.2 **Committee of the Whole - January 8, 2019** 39

- 7.3 Special Committee of the Whole - December 4, 2018 49
- 7.4 Solid Waste Management Select Committee - January 10, 2019 51

8. COMMITTEE RECOMMENDATIONS

8.1 Electoral Area Services Committee

- 8.1.1 Development Permit with Variance Application No. PL2018-175 - 2110 and 2118 Schoolhouse Road, Electoral Area A 53

Delegations Wishing to Speak to Development Permit with Variance Application No. PL2018-175 - 2110 and 2118 Schoolhouse Road, Electoral Area A

(Electoral Area Directors, except EA B - One Vote)

That the Board approve Development Permit with Variance No. PL2018-175 to permit the construction of an industrial building and related site improvements subject to the terms and conditions outlined in Attachments 2 to 7.

- 8.1.2 Development Permit with Variance Application No. PL2018-196 - 4647 Maple Guard Drive, Electoral Area H 72

Delegations Wishing to Speak to Development Permit with Variance Application No. PL2018-196 - 4647 Maple Guard Drive, Electoral Area H

(Electoral Area Directors, except EA B - One Vote)

That the Board approve Development Permit with Variance No. PL2018-196 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

- 8.1.3 Development Permit with Variance Application No. PL2018-149 - 6820 Island Highway West, Electoral Area H 82

Delegations Wishing to Speak to Development Permit with Variance Application No. PL2018-149 - 6820 Island Highway West, Electoral Area H

(Electoral Area Directors, except EA B - One Vote)

That the Board approve Development Permit with Variance No. PL2018-149 to permit a parcel depth variance for proposed Lots A and B in conjunction with a two lot subdivision subject to the terms and conditions outlined in Attachments 2 to 5.

- 8.1.4 Zoning Amendment Application No. PL2018-092 - 2995 Ridgeway Road, Electoral Area C - Amendment Bylaw 500.423, 2019 – Introduction** 93
- (Electoral Area Directors, except EA B - One Vote - Must be taken separately)
1. That the Board receive the Summary of the Public Information Meeting held on November 6, 2018.
 2. That the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.423 being considered for adoption.
 3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be introduced and read two times.
 4. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be waived in accordance with Section 464(2) of the *Local Government Act*.
 5. That staff be directed to proceed with notification in accordance with Section 467 of *The Local Government Act* of the Board’s intent to consider third reading of “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” at a regular Board meeting to be held on March 26, 2019
- 8.1.5 Nanaimo Airport Planning Consultation Plan** 107
- (All Directors - One Vote)
- That the Terms of Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.
- 8.1.6 FireSmart Community Funding Grant** 121
- (All Directors - One Vote)
- That the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.
- 8.2 Committee of the Whole**
- 8.2.1 Town of Qualicum Beach, re Request for Letter of Support for Qualicum Beach Community Park All-Season Field Upgrade**
Please note: Committee recommendation came from Business Arising from Correspondence

(All Directors - One Vote)

That the Regional District of Nanaimo provide a letter of support to the Town of Qualicum Beach, for the Qualicum Beach Community Park All-Season Field Upgrade.

8.2.2 Public Engagement Review of the 2019 Proposed Budget 123

(All Directors - Weighted Vote)

That the public consultation results be incorporated into the Board's deliberations on the proposed 2019 budget.

8.2.3 Web Map Request for Proposals 134

(All Directors - Weighted Vote)

That the contract for the Web Map Request for Proposals be awarded to ESRI Canada for \$151,810 (excluding GST), subject to Board approval of the 2019 budget.

8.2.4 Grant Funding Applications for Huxley Community Park Improvements 137

(All Directors - One Vote)

1. That an application for grant funding be submitted for the Huxley Community Park Improvements, Phase II through the *ICIP - Community, Culture and Recreation Program*.

2. That an application for grant funding be submitted for the Huxley Community Park Improvements, Phase II and Phase III through the *ICIP - Northern and Rural Communities Program*.

3. That the Board supports the Huxley Community Park Improvements and commits its funding share of the project costs in the amount of \$206,346.

- 8.2.5 Grant Funding Applications for Benson Creek Falls Regional Park Infrastructure** 142
- (All Directors - One Vote)
1. That an application for grant funding be submitted for the Benson Creek Falls Regional Park Infrastructure Project through the *ICIP - Community, Culture and Recreation Program*.
 2. That the Board support the Benson Creek Falls Infrastructure Project and commit the Regional District's share of the project costs under the *ICIP - Community, Culture and Recreation Program* in the amount of \$146,685.
 3. That an application for grant funding be submitted for the Benson Creek Falls Regional Park Infrastructure Project through the *ICET - Economic Infrastructure and Innovation Program*.
 4. That the Board support the Benson Creek Falls Regional Park Infrastructure Program and commit the Regional District's share of the project costs under the *ICET - Economic Infrastructure and Innovation Program* in the amount of \$412,500.
- 8.2.6 Mount Benson Regional Park Parking Lot – Tender Award Approval** 149
- (All Directors - Weighted Vote)
1. That the tender award for the Mount Benson parking lot project be approved and that Notice of Award be issued to Milestone Equipment Contracting Inc. for a value of \$526,758.15 (plus GST).
 2. That the Construction Contract between the Regional District of Nanaimo and Milestone Equipment Contracting Inc. for the Mount Benson parking lot project be executed.
 3. That an additional 15% contingency in the amount of \$80,000.00 be carried for the Mount Benson parking lot project.
- 8.2.7 Conditional Management Plan for French Creek Pollution Control Centre Pump Stations** 157
- (All Directors - Weighted Vote)
- That the Board approve the 2019-2022 Conditional Management Plan agreement between the Regional District of Nanaimo, Canadian Food Inspection Agency, Environment and Climate Change Canada, Fisheries and Oceans Canada, and the BC Ministry of Environment and Climate Change Strategy.

- 8.2.8 San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019** 183
- (All Directors - One Vote)
1. That “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be introduced, read three times.
- (All Directors - One Vote / 2/3)
2. That “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be adopted.
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- 8.2.9 Bylaw Nos. 813.55 and 889.73 – French Creek Sewer Service Area Amendment** 192
- (All Directors - One Vote)
1. That “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.55, 2018” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
- (Parksville, Qualicum Beach, Electoral Areas E and G - Weighted Vote)
2. That “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.73, 2018” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
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- 8.2.10 Hydrometric Monitoring Station Operational Agreement** 200
- (All Directors - Weighted Vote)
- That the Board endorse and execute the Hydrometric Monitoring Station Operational Agreement with Fisheries and Oceans Canada (DFO) and BC Ministry of Forests Lands Natural Resource Operations and Rural Development (FLNR) in support of the operational partnership for multiple streamflow monitoring stations in the RDN.
-
- 8.2.11 Emergency Operations Centre Grant - UBCM Community Emergency Preparedness Fund Amendment** 210
- (All Directors - One Vote)
- That the Board endorse the amendment to the Emergency Operations Centre Union of British Columbia Municipalities Community Emergency Preparedness Fund Grant to purchase additional equipment to enhance the function of the Emergency Operations Centre by approving spending of \$9,000 remaining of the initial \$24,000 grant.

- 8.2.12 Nanaimo Search and Rescue Funding** 212
 (All Directors - Weighted Vote)
 That the renewal of the Contribution Agreement with the Nanaimo Search and Rescue Society for a term commencing February 1, 2019 and ending on December 31, 2023 be endorsed.
- 8.2.13 White Heather Lane Interface Firewater Storage Tank – Construction Tender Award** 226
 (All Directors - Weighted Vote)
 That the contract for the construction of the White Heather Lane Interface Firewater Storage Tank be awarded to David Stocker Excavating Ltd. for the tender price of \$166,351.15 (excluding GST).
- 8.2.14 Gabriola Historical and Museum Society, re Request for Increase to Existing Regional District of Nanaimo Grant to the Gabriola Historical and Museum Society**
Please note: Committee recommendation has no accompanying staff report
 (All Directors - Weighted Vote)
 That the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Gabriola Museum be increased to \$16,000 and further that the Regional District of Nanaimo and the Gabriola Island Historical and Museum Society agreement be updated to reflect the funding increase.
- 8.2.15 Gabriola Community Bus Foundation, re Funding Increase for Gabriola Community Bus Foundation**
Please note: Committee recommendation has no accompanying staff report
 (All Directors - Weighted Vote)
 That the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Gabriola Transit Contribution be increased to \$134,106 and further that the Regional District of Nanaimo and the Gabriola Community Bus Foundation agreement be updated to reflect the funding increase.
- 8.2.16 Jonanco Hobby Workshop Association Society, re Electoral Area C Community Works Funds**
Please note: Committee recommendation has no accompanying staff report

(All Directors - One Vote)

That up to \$31,288.00 of Electoral Area C Community Works Funds be allocated to Jonanco Hobby Workshop Association Society, for improvements to their parking lot.

- 8.2.17 2019 Budget Update, re Huxley Park Improvements Phase 2**
Please note: Committee recommendation has no accompanying staff report

(All Directors - Weighted Vote)

That the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for Huxley Park Improvements Phase 2 is split over a two-year period between 2019 and 2020 in the 5-year financial plan based on the final funding contributions collected by donation.

- 8.2.18 2019 Budget (Community Parks in Area G and the Regional Parks Capital Reserve Fund)**
Please note: Committee recommendation has no accompanying staff report

(All Directors - Weighted Vote)

That a contribution to the Electoral Area G Community Parks Reserve Fund in the amount of \$25,000 annually and funding for an environmental assessment of potential parkland in the amount of \$8,000 in 2019 be added to the Area G Community Parks budget.

- 8.2.19 Northern Community Recreation Program Grant Surplus**
Please note: Committee recommendation has no accompanying staff report

(All Directors - One Vote)

That the Northern Community Recreation Program Grants budget be increased by \$7,887 in 2019 and that the increase be funded by the 2018 surplus.

- 8.2.20 Gabriola Island Emergency Wharf**
Please note: Committee recommendation has no accompanying staff report

(All Directors - Weighted Vote)

That the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Gabriola Island Emergency Wharf be increased by \$10,000.

- 8.2.21 Community Parks Operational Fund**
Please note: Committee recommendation has no accompanying staff report

(All Directors - Weighted Vote)

That the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Community Parks Operational Fund be decreased by \$10,000.

8.3 Solid Waste Management Select Committee

8.3.1 Background on Solid Waste Services Function

Please note: Committee recommendation came from Business Arising from Invited Presentation

(All Directors - One Vote)

That a letter of appreciation be sent to the Minister of Environment thanking him for the meeting at UBCM and request an update on the Solid Waste Management Plan submission.

8.3.2 Federation of Canadian Municipalities Vietnam Municipal Solid Waste Management Project 231

(All Directors - One Vote)

That the Board approve Solid Waste Services Manager, Larry Gardner, to participate as an expert volunteer on the Federation of Canadian Municipalities Vietnam Municipal Solid Waste Management Project, Step 1.

9. REPORTS

9.1 2019 Financial Plan Approval 234

(All Directors - Weighted Vote)

That the 2019 Financial Plan, as presented December 4, 2018, be approved.

9.2 Parcel Tax Review Panel 236

(All Directors - One Vote)

1. That the Board appoint the Chair, the Manager, Administrative Services, and the Director of Finance to preside as the parcel tax review panel.

2. That the 2019 parcel tax review panel be held at 4:00 pm on February 26, 2019 in the Board Chambers, 6300 Hammond Bay Road, if required.

- 9.3 AVICC Resolution – Traffic Calming** 238
- (All Directors - One Vote)
- That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at its 2019 Annual General Meeting:
- WHEREAS regional district efforts to build more complete, compact communities within electoral areas have increased pedestrians and cyclists on roads in areas designated for growth;
- AND WHEREAS the safety of pedestrians and cyclists on roads in rural areas designated for growth would be enhanced with traffic calming measures designed to reduce vehicle speeds and prioritize non-motorized traffic;
- THEREFORE BE IT RESOLVED that the Provincial Ministry of Transportation and Infrastructure develop new criteria and standards for traffic calming in areas designated for growth in Electoral Areas.
- 9.4 AVICC Resolutions 2019 – Regulate and Enforce Vehicle Parking on Provincial Roads** 240
- (All Directors - One Vote)
- That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at their 2019 annual general meeting:
- WHEREAS regional districts have not been granted the authority to regulate vehicle parking on roadways in rural areas;
- AND WHEREAS the Province and the RCMP have limited resources to regulate and enforce the increased volume of vehicles parked illegally on roads and right-of-ways that cause congestion and unsafe conditions for other vehicles, pedestrians and emergency first responders;
- THEREFORE BE IT RESOLVED that the Province of British Columbia extend authority to regional districts to regulate and enforce vehicle parking on provincial roads and right-of-ways.
- 9.5 Zoning Amendment Application No. PL2017-093 - 3097 Landmark Crescent, Electoral Area C - Amendment Bylaw No. 500.414, 2018 – Adoption** 242
- (Electoral Area Directors, except EA B - One Vote)
- That the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414, 2018”.

9.6 Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan – Third Reading 247

(Electoral Area Directors, except EA B - One Vote - Must be taken separately)

1. That the Board receive the Summary of the Public Hearing held on January 8, 2019 for “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018”.

2. That “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018” be read a third time.

(Electoral Area Directors, except EA B - One Vote / 2/3)

3. That “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018” be adopted.

10. BYLAWS

10.1 Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.05, 2019 331

(All Directors - One Vote)

1. That "Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.05, 2019" be introduced and read three times.

(All Directors - One Vote / 2/3)

2. That “Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.05, 2019” be adopted.

11. BUSINESS ARISING FROM DELEGATIONS

12. MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

12.1 Electoral Area E 2019 Community Works Fund

Director Rogers served notice of the following motion at the January 8, 2019 Committee of the Whole meeting:

(All Directors - One Vote)

That the following Community Works Fund items be included in the 2019 Financial Plan for Electoral Area E:

EA E Nanoose Bay Water Quality/Quantity Monitoring Program - \$25,000

EA E Stone Lake Natural Playground - \$50,000

EA E Jack Bagley Multi-Sport Site - \$30,000

EA E Nanoose Road Park Upgrade - \$5,000

EA E Nanoose Place Solar System and Landscaping - \$60,000

12.2 AVICC Resolution, re Traffic Control and Enforcement on Rural Roads

Director Wilson served notice of the following motion at the January 8, 2019 Electoral Area Services Committee meeting:

(All Directors - One Vote)

That staff be directed to develop an appropriate resolution for approval by the Board for forwarding to AVICC prior to the AVICC resolution deadline of February 7, 2019, such resolution to deal with the lack of traffic control and enforcement by the RCMP on rural roads in the province of British Columbia.

12.2.1 AVICC Resolution, re Traffic Control and Enforcement on Rural Roads

(All Directors - One Vote)

WHEREAS the Province and the RCMP have limited resources to regulate and enforce traffic regulations on Provincial roads in rural areas;

AND WHEREAS the lack of visible presence and consistent enforcement of traffic regulations by the RCMP results in unchecked speeding, reckless driving, illegal parking and other unsafe conditions on rural roads;

THEREFORE BE IT RESOLVED that the Province of British Columbia increase resources for regulation and enforcement of traffic regulations on rural roads.

12.3 AVICC Resolution, re Improvement District Governance Policy

Director McLean served notice of the following motion to the Corporate Officer on January 11, 2019:

(All Directors - One Vote)

That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at their annual meeting:

WHEREAS many improvement districts are wrestling with increased costs for replacing and improving water infrastructure, and in finding adequate sources of funding;

AND WHEREAS the residents of improvement districts contribute tax monies to the provincial and federal governments:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities work with the Province and the Ministry of Municipal Affairs and Housing to change the Improvement District Governance Policy to allow citizens residing in improvement districts equal access to provincial and federal infrastructure grant monies.

12.4 UBCM Community Child Care Planning Program

Director McLean served notice of the following motion to the Corporate Officer on January 11, 2019:

(All Directors - One Vote)

That the Regional District of Nanaimo authorize the City of Nanaimo to be the primary applicant to the UBCM Community Child Care Planning Program, to apply for, receive and manage the grant funding, on its behalf, to create a child care space creation action plan.

13. NEW BUSINESS

14. IN CAMERA

(All Directors - One Vote)

That pursuant to Section(s) 90 (1) (a) (e), (i), (k) and (m) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to Board appointments, the acquisition, disposition or expropriation of land or improvements, the receipt of advice that is subject to solicitor-client privilege, the provision of a proposed service, and items related to issues of intergovernmental relationships.

15. ADJOURNMENT

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR BOARD MEETING**

**Tuesday, December 4, 2018
7:21 P.M.
Board Chambers**

In Attendance:	Director I. Thorpe	Chair
	Director B. Rogers	Vice Chair
	Director K. Wilson	Electoral Area A
	Director V. Craig	Electoral Area B
	Director M. Young	Electoral Area C
	Alternate	
	Director J. Fell	Electoral Area F
	Director C. Gourlay	Electoral Area G
	Director S. McLean	Electoral Area H
	Director L. Krog	City of Nanaimo
	Director S. Armstrong	City of Nanaimo
	Director D. Bonner	City of Nanaimo
	Director T. Brown	City of Nanaimo
	Director B. Geselbracht	City of Nanaimo
	Director E. Hemmens	City of Nanaimo
	Director J. Turley	City of Nanaimo
	Director E. Mayne	City of Parksville
	Director A. Fras	City of Parksville
	Director M. Swain	District of Lantzville
	Director T. Westbroek	Town of Qualicum Beach
Regrets:	Director L. Salter	Electoral Area F
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	D. Pearce	Director of Transportation & Emergency Services
	J. Hill	Mgr. Administrative Services
	P. Thompson	Mgr. Current Planning
	C. Golding	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

APPROVAL OF THE AGENDA

18-465

It was moved and seconded that the agenda be approved, as amended, to include the delegations and correspondence on the addendum, the recommendations from the December 4, 2018 Special Committee of the Whole meeting under Section 7.2, and to remove items 8.6(3) and 8.6(4).

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Inaugural Board Meeting - November 13, 2018

18-466

It was moved and seconded that the minutes of the Inaugural Board meeting held November 13, 2018, be adopted.

CARRIED UNANIMOUSLY

DELEGATIONS - AGENDA ITEMS

Kevin Monahan, re Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

Kevin Monahan spoke in opposition of the Regional Growth Strategy amendment to implement the Town of Qualicum Beach Official Community Plan stating lack of public consultation, inconsistency with the Qualicum Beach Official Community Plan, and asked the Board not to support the proposal.

Lance R. Nater, re Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

Lance Nater spoke in opposition to the Regional Growth Strategy amendment to implement the Town of Qualicum Beach Official Community Plan citing lack of public consultation and asked the Board to deny the approval of the amendment.

David A. Freeman, re Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

David Freeman voiced his concerns regarding the consultation process and cautioned the Board to consider the facts to ensure the review process and procedures leading up to the request were sufficient to proceed as a minor amendment.

Zweitse de Wit, re Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

Zweitse de Wit shared his views on the consultation process and noted that housing was a major item of interest throughout the Official Community Plan process and stated that like other municipalities, Qualicum Beach Council should be entrusted to manage their own land use matters.

David Willie, re Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

David Willie shared his views regarding the review of the minor amendment process and requested the Board to accept the Qualicum Beach Official Community Plan Regional Context Statement as presented and to proceed with adoption of the amendment bylaw.

CORRESPONDENCE

18-467

It was moved and seconded that the following correspondence be received for information:

North Island 9-1-1 Corporation, re Annual Requisition Allocation Alternatives

Bill Marsh and Elizabeth Gowan, re Development Variance Permit Application No. PL2017-173 - 1352 Madrona Drive – Electoral Area E

Nine Submissions, re Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

CARRIED UNANIMOUSLY

18-468

It was moved and seconded that the correspondence from North Island 9-1-1 Corporation, re Annual Requisition Allocation Alternatives be referred to staff for a future report.

CARRIED UNANIMOUSLY

COMMITTEE MINUTES

18-469

It was moved and seconded that the following minutes be received for information:

Electoral Area Services Committee - November 20, 2018

Committee of the Whole - November 20, 2018

Regional Parks and Trails Select Committee - October 9, 2018

Executive Committee - November 29, 2018

Transit Select Committee - November 29, 2018

CARRIED UNANIMOUSLY

COMMITTEE RECOMMENDATIONS

Electoral Area Services Committee

Stone Lake Drive Community Park – Natural Play Space Update

18-470

It was moved and seconded that the creation of concept plans for the Stone Lake Drive Community Park Natural Play Space project proceed with the assistance of the Focus Group.

CARRIED UNANIMOUSLY

Joyce Lockwood Community Park Beach Access – Area B

18-471

It was moved and seconded that the beach access stairs at Joyce Lockwood Community Park be removed, and a land use agreement for the existing beach access trail on the adjacent Federal Crown Lands be pursued.

CARRIED UNANIMOUSLY

Development Permit with Variance Application and Site Specific Floodplain Bylaw Exemption No. PL2017-143 - 5516 Deep Bay Drive – Electoral Area H

18-472

It was moved and seconded that the Board approve Development Permit with Variance No. PL2017-143 to permit the construction of a dwelling unit, accessory building, and associated landscaping subject to the terms and conditions outlined in Attachments 2 to 5.

CARRIED UNANIMOUSLY

18-473

It was moved and seconded that the Board exempt Lot 59, District Lot 1, Newcastle District, Plan 20442 from Section 13(c) of Bylaw 1469 to allow the placement of structural fill within 15 metres from the boundary of the sea.

CARRIED UNANIMOUSLY

Development Permit with Variance Application No. PL2018-174 - 2130 and 2140 Schoolhouse Road – Electoral Area A

18-474

It was moved and seconded that the Board approve Development Permit with Variance No. PL2018-174 to amend Development Permit with Variance No. PL2017-150 as it pertains to fascia signs subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

Development Variance Permit Application No. PL2017-173 - 1352 Madrona Drive – Electoral Area E

Helen Sims, agent for applicant, spoke in support of the application

Bill Marsh, neighbor, spoke in opposition of the application

18-475

It was moved and seconded that the Board approve Development Variance Permit No. PL2017-173 to legalize the siting of an existing deck, portion of the house, stairs and to permit the construction of an addition by reducing the setback to the sea and interior side lot line subject to the terms and conditions outlined in Attachments 2 to 3.

CARRIED UNANIMOUSLY

Development Variance Permit Application No. PL2018-125 - 2612 Sea Blush Drive – Electoral Area E

18-476

It was moved and seconded that the Board approve Development Variance Permit No. PL2018-125 to increase height for an accessory building subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2018-070 - 2110 Newcastle Lane and 2050 Minetown Road – Electoral Area A

18-477

It was moved and seconded that the Board approve the request to relax the minimum ten percent perimeter frontage requirements for proposed Lot 2 in relation to Subdivision Application No. PL2018-070.

CARRIED UNANIMOUSLY

Evacuation Route Planning Grant – Community Emergency Preparedness Fund

18-478

It was moved and seconded that the grant application by the Regional District of Nanaimo for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for the completion of Evacuation Route Planning for Electoral Area E be endorsed.

CARRIED UNANIMOUSLY

18-479

It was moved and seconded that the grant application by the Regional District of Nanaimo on behalf of the District of Lantzville for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for the completion Evacuation Route Planning for the District of Lantzville be endorsed.

CARRIED UNANIMOUSLY

Livestock Emergency Sheltering Agreement Renewals

18-480

It was moved and seconded that the Livestock Emergency Sheltering Agreement Renewal between the Regional District of Nanaimo and Culverden Holdings Ltd. for a five year term commencing January 1, 2019 and ending December 31, 2023 be approved.

CARRIED UNANIMOUSLY

18-481

It was moved and seconded that the Livestock Emergency Sheltering Agreement Renewal between the Regional District of Nanaimo and the Arrowsmith Agricultural Association for a five year term commencing January 1, 2019 and ending December 31, 2023 be approved.

CARRIED UNANIMOUSLY

18-482

It was moved and seconded that the Livestock Emergency Sheltering Agreement Renewal between the Regional District of Nanaimo and the Coombs Hilliers Community Organization for a five year term commencing January 1, 2019 and ending December 31, 2023 be approved.

CARRIED UNANIMOUSLY

Special Committee of the Whole

2019 Proposed Budget Overview

18-483

It was moved and seconded that the public consultation on the proposed 2019 budget proceed with the results of such consultation reported to the Board.

CARRIED UNANIMOUSLY

18-484

It was moved and seconded that during the public consultation feedback be sought on how to best obtain public input on future budgets.

CARRIED UNANIMOUSLY

18-485

It was moved and seconded that the proposed 2019 budget form the basis of public consultation.

CARRIED UNANIMOUSLY

Committee of the Whole

District 69 Youth Recreation Grants

18-486

It was moved and seconded that the following District 69 Youth Recreation Grant applications be approved:

- 893 Beaufort Cadet Squadron - equipment, ski lessons, transportation and lunch - \$2,500
- Errington War Memorial Hall Association - equipment, rent - \$1,590
- Family Resource Association - recreation passes, bus passes, snacks - \$2,500
- Oceanside Minor Lacrosse Association - field lacrosse equipment - \$2,000

Total - \$8,590

CARRIED UNANIMOUSLY

District 69 Community Recreation Grants

18-487

It was moved and seconded that the following District 69 Community Recreation Grant applications be approved:

- Arrowsmith Agricultural Association - Family Day - \$1,351
- Bow Horne Bay Community Club - Lighthouse Fall Fair - \$2,500
- Corcan Meadowood Residents Association - Halloween event 2019 - \$2,355
- Oceanside Women's Hockey Travel Team - jerseys - \$1,555
- Parksville Golden Oldies Sports Association - rental - \$500
- Parksville Indoor Slow-Pitch League - equipment - \$1,600
- Qualicum Beach Community Garden Society - raised beds - \$1,691
- Ravensong Masters Swim Club - pool rental - \$1,200

Total - \$12,752

CARRIED UNANIMOUSLY

UBCM 2019 Age Friendly Communities Grant Application

18-488

It was moved and seconded that the Board endorse the grant application to the Union of BC Municipalities (UBCM) for the Age Friendly Communities Grant (Stream 1) for the purposes of funding an active aging asset mapping project within the Northern Recreation Services area.

CARRIED UNANIMOUSLY

Gabriola Recreation Society Increase Funding Request

18-489

It was moved and seconded that the Regional District supplement annual grant funding received by Gabriola Recreation Society from the Canada Summer Jobs program for their Summer Student Coordinator position to a maximum combined total of eight thousand dollars (\$8,000) for the 2019 and 2020 fiscal years.

CARRIED UNANIMOUSLY

EPCOR Hydrant Maintenance Contract Approval

18-490

It was moved and seconded that the Board enter into a contract with EPCOR Water (West) Inc. to provide hydrant maintenance services in French Creek for the period January 1, 2018 to December 31, 2020 at a total cumulative cost of approximately \$300,000.

CARRIED UNANIMOUSLY

Surface Water Quality Trend Analysis for RDN Community Watershed Monitoring Network Data (2011-2017)

18-491

It was moved and seconded that the Board endorse presentations to the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville councils to provide the results of the report.

CARRIED UNANIMOUSLY

Fire Services Automatic Response Agreement Renewal

18-492

It was moved and seconded that the Automatic Response Agreement for a five-year term from March 1, 2018 to March 1, 2023 be approved.

CARRIED UNANIMOUSLY

Regional Parks and Trails Select Committee

Mount Benson Regional Park – Parking Lot Project Update

18-493

It was moved and seconded that following completion of the new parking lot, the existing parking lot and floating boardwalk at Witchcraft Lake remain open for one year and that a subsequent report to the Board be prepared on their use.

CARRIED UNANIMOUSLY

Trans Canada Trail – Renewal of Island Timberlands Licence

18-494

It was moved and seconded that the Regional District of Nanaimo enter into a licence renewal with Island Timberlands for the Trans Canada Trail from August 1, 2018 to July 31, 2020.

CARRIED UNANIMOUSLY

Trans Canada Trail – Private Land Use Agreement

18-495

It was moved and seconded that the Regional District of Nanaimo 2018 - 2020 land use agreement with Gayle and Peter Brase for the Trans Canada Trail be approved.

CARRIED UNANIMOUSLY

Benson Creek Falls Regional Park – Access Improvements

18-496

It was moved and seconded that detailed design and planning for the truss bridge across Benson Creek, including associated trail improvements, proceed.

CARRIED UNANIMOUSLY

18-497

It was moved and seconded that detailed design and planning for a combination of stairs and new trail to the base of Ammonite Falls proceed.

CARRIED UNANIMOUSLY

Executive Committee

2019 Income Tax Act Changes Impacting Elected Officials

18-498

It was moved and seconded that “Regional District of Nanaimo Board Remuneration, Expenses and Benefits Amendment Bylaw No. 1770.02” be introduced and read three times.

CARRIED UNANIMOUSLY

18-499

It was moved and seconded that “Regional District of Nanaimo Board Remuneration, Expenses and Benefits Amendment Bylaw No. 1770.02” be adopted.

CARRIED UNANIMOUSLY

Transit Select Committee

AVICC Resolution Vancouver Island Transportation Master Plan

18-500

It was moved and seconded that the following resolution be forwarded to the Association of Vancouver Island Coastal Communities for Consideration at their annual meeting:

WHEREAS a Vancouver Island Transportation Master Plan would outline Inter-Regional necessary improvement to the Island transportation network;

AND WHEREAS the Ministry of Transportation and Infrastructure has the ultimate responsibility for transportation planning on Vancouver Island;

THEREFORE BE IT RESOLVED that the Province of British Columbia prepare a Vancouver Island Transportation Master Plan.

CARRIED UNANIMOUSLY

REPORTS

Solid Waste Recycling and Collection Service Reserve Fund Establishment Bylaw No. 1778; and Hazardous Properties Service Reserve Fund Establishment Bylaw No. 1779

18-501

It was moved and seconded that “Solid Waste Recycling and Collection Service Reserve Fund Establishment Bylaw No. 1778, 2018” be introduced and read three times.

CARRIED UNANIMOUSLY

18-502

It was moved and seconded that “Solid Waste Recycling and Collection Service Reserve Fund Establishment Bylaw No. 1778, 2018” be adopted.

CARRIED UNANIMOUSLY

18-503

It was moved and seconded that “Hazardous Properties Service Reserve Fund Establishment Bylaw No. 1779, 2018” be introduced and read three times.

CARRIED UNANIMOUSLY

18-504

It was moved and seconded that “Hazardous Properties Service Reserve Fund Establishment Bylaw No. 1779, 2018” be adopted.

CARRIED UNANIMOUSLY

French Creek Water Local Service Capital Improvements Loan Authorization Bylaw No. 1780, 2018

18-505

It was moved and seconded that “French Creek Water Local Service Capital Improvements Loan Authorization Bylaw No. 1780, 2018” be introduced and read three times.

CARRIED UNANIMOUSLY

Development Permit and Temporary Use Permit Areas Standardization Project Bylaws - Third Reading and Adoption

18-506

It was moved and seconded that the Report of the Public Hearing held on October 23, 2018 for the nine amendment bylaws for the Development Permit and Temporary Use Permit Areas Standardization Project be received.

CARRIED UNANIMOUSLY

18-507

It was moved and seconded that proposed bylaws for the Development Permit and Temporary Use Permit Areas Standardization Project be amended as outlined in Attachment 1 of this report.

CARRIED UNANIMOUSLY

18-508

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018”.

CARRIED UNANIMOUSLY

18-509

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018”.

CARRIED UNANIMOUSLY

18-510

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018”.

CARRIED UNANIMOUSLY

18-511

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”.

CARRIED UNANIMOUSLY

18-512

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05 2018”.

CARRIED UNANIMOUSLY

18-513

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”.

CARRIED UNANIMOUSLY

18-514

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”.

CARRIED UNANIMOUSLY

18-515

It was moved and seconded that the Board give third reading as amended to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.

CARRIED UNANIMOUSLY

18-516

It was moved and seconded that the Board give third reading to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.

CARRIED UNANIMOUSLY

18-517

It was moved and seconded that the Board adopt “Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.05, 2018”.

CARRIED UNANIMOUSLY

18-518

It was moved and seconded that the Board adopt “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.07, 2018”.

CARRIED UNANIMOUSLY

18-519

It was moved and seconded that the Board adopt “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.05, 2018”.

CARRIED UNANIMOUSLY

18-520

It was moved and seconded that the Board adopt “Regional District of Nanaimo Nanoose Bay Official Community Plan Amendment Bylaw No. 1400.05, 2018”.

CARRIED UNANIMOUSLY

18-521

It was moved and seconded that the Board adopt “Regional District of Nanaimo Electoral Area F Official Community Plan Amendment Bylaw No. 1152.05 2018”.

CARRIED UNANIMOUSLY

18-522

It was moved and seconded that the Board adopt “Regional District of Nanaimo Electoral Area G Official Community Plan Amendment Bylaw No. 1540.02, 2018”.

CARRIED UNANIMOUSLY

18-523

It was moved and seconded that the Board adopt “Regional District of Nanaimo Electoral Area H Official Community Plan Amendment Bylaw No. 1335.07, 2018”.

CARRIED UNANIMOUSLY

18- 524

It was moved and seconded that the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.422, 2018”.

CARRIED UNANIMOUSLY

18-525

It was moved and seconded that the Board adopt “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.33, 2018”.

CARRIED UNANIMOUSLY

Zoning Amendment Application No. PL2017-202 - Pitt Road – Electoral Area H Amendment Bylaw No. 500.418, 2018 – Adoption

18-526

It was moved and seconded that the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.418, 2018”.

CARRIED UNANIMOUSLY

Official Community Plan and Zoning Amendment Application No. PL2018-043 - 1723 Cedar Road – Electoral Area A, OCP Amendment Bylaw No. 1620.04, 2018 - Adoption, Zoning Amendment Bylaw No. 500.419, 2018 - Adoption

18-527

It was moved and seconded that the Board adopt “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.04, 2018”.

CARRIED UNANIMOUSLY

18-528

It was moved and seconded that the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.419, 2018”.

CARRIED UNANIMOUSLY

Floodplain Bylaw No. 1469.02 and Bylaw 500.417 to Modernize Flood Mitigation Requirements - Third Reading and Adoption

18-529

It was moved and seconded that “Regional District of Nanaimo Floodplain Management Amendment Bylaw No. 1469.02, 2018” be read a third time, as amended.

CARRIED UNANIMOUSLY

18-530

It was moved and seconded that “Regional District of Nanaimo Floodplain Management Amendment Bylaw No. 1469.02, 2018” be adopted.

CARRIED UNANIMOUSLY

Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan

18-531

It was moved and seconded that the Board receive the response from affected local governments regarding “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No.1615.03, 2018”.

Opposed (1): Director Young

CARRIED

18-532

It was moved and seconded that “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No.1615.03, 2018” be introduced and given first and second reading.

Opposed (5): Director Fras, Director Geselbracht, Director Krog, Director McLean, and Director Young

CARRIED

Zoning Amendment Application No. PL2018-062 - 850, 860, 870 Spider Lake Road – Electoral Area H - Amendment Bylaw No. 500.421, 2018 – Adoption

18-533

It was moved and seconded that the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.421, 2018”.

CARRIED UNANIMOUSLY

District of Lantzville Service Agreements 2019

18-534

It was moved and seconded that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Animal Control beginning January 1, 2019 and ending December 31, 2019, be approved.

CARRIED UNANIMOUSLY

18-535

It was moved and seconded that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Building Inspection beginning January 1, 2019 and ending December 31, 2019, be approved.

CARRIED UNANIMOUSLY

18-536

It was moved and seconded that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Bylaw Enforcement beginning January 1, 2019 and ending December 31, 2019, be approved.

CARRIED UNANIMOUSLY

18-537

It was moved and seconded that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Emergency Planning beginning January 1, 2019 and ending December 31, 2019, be approved.

CARRIED UNANIMOUSLY

18-538

It was moved and seconded that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for GIS and Mapping Services beginning January 1, 2019 and ending December 31, 2019, be approved.

CARRIED UNANIMOUSLY

Vancouver Island University Partnership for Odour Monitoring at French Creek Pollution Control Centre

18-539

It was moved and seconded that the Board endorse the Vancouver Island University Partnership for Odour Monitoring at the French Creek Pollution Control Centre.

CARRIED UNANIMOUSLY

Post 2018 Election Approval of Signing Authorities for General Banking and Investments

18-540

It was moved and seconded that the signing authorities for general banking services and financial instruments reflect the following positions:

Chair	Ian Thorpe
Vice Chair	Robert Rogers
Chief Administrative Officer	Phyllis Carlyle
Director of Finance	Jeannie Bradburne
Manager, Accounting Services	Tiffany Moore
Manager, Capital & Financial Reporting	Manvir Manhas

CARRIED UNANIMOUSLY

18-541

It was moved and seconded that the foregoing authorizations extend to accounts in the name of the Regional District of Nanaimo.

CARRIED UNANIMOUSLY

2019 Board Appointments to Advisory Committees and Commissions

18-542

It was moved and seconded that the Board endorse the recommendations for appointments to the 2019 Regional District of Nanaimo Advisory Committees and Commissions.

CARRIED UNANIMOUSLY

Waste Connections of Canada Contract Extension

18-543

It was moved and seconded that “Solid Waste Department Agreement 2010-01 Garbage, Food Waste and Recycling Collection” between Waste Connections of Canada and the Regional District of Nanaimo, be extended for a six month term beyond the current contract expiry on March 31, 2020, for the period April 1, 2020 to September 30, 2020.

CARRIED UNANIMOUSLY

18-544

It was moved and seconded that the Chair and the Corporate Officer be authorized to execute the amended contract with Waste Connections of Canada based on the fee increase as set in this report.

CARRIED UNANIMOUSLY

MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Bowser Village Centre Wastewater Project

18-545

It was moved and seconded that staff be directed to bring back a report to the January 8, 2019 Committee of the Whole meeting, regarding the options and implications of undertaking further investigations of land disposal for the Bowser Village Centre Wastewater Project.

CARRIED UNANIMOUSLY

Routes 97 and 98

18-546

It was moved and seconded that staff be directed to communicate with the Town of Qualicum Beach to review the service for Routes 97 and 98.

CARRIED UNANIMOUSLY

handyDART Service for those over the age of 65

18-547

It was moved and seconded that staff be directed to provide a report to consider handyDART service for those over the age of 65 without medical reasons.

CARRIED UNANIMOUSLY

NEW BUSINESS

Notice of Motion - Jonanco Hobby Workshop Association Society re Electoral Area C Community Works Funds

Director Young served notice of the following motion:

That up to \$31,288.00 of Electoral Area C Community Works Funds be allocated to Jonanco Hobby Workshop Association Society, for improvements to their parking lot.

IN CAMERA

18-548

It was moved and seconded that pursuant to Sections 90 (1) (a) and (c) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to Board appointments, and labour relations or other employee relations.

CARRIED UNANIMOUSLY

TIME: 9:10 PM

RISE AND REPORT

Board Appointments

18-549

It was moved and seconded that the Board approve the 2019 appointments to Advisory Committees and Commissions, and the Board of Variance, as follows:

1. That Bernard White and Kerri-Lynne Wilson be appointed to the Electoral Area A Parks, Recreation and Culture Commission for terms ending December 31, 2020.
2. That Robert Brockley and Tom Wojcik be appointed to the Electoral Area B Parks & Open Space Advisory Committee for terms ending December 31, 2020.
3. That Derek Kilbourn be appointed as the Gabriola Recreation Society Representative to the Electoral Area B Parks & Open Space Advisory Committee for a term ending December 31, 2020.

4. That Stan Cameron and Bernice Lind be appointed to the East Wellington/Pleasant Valley Parks & Open Space Advisory Committee for terms ending December 31, 2020.
5. That Heinz Dahn, Joseph Ringwald, and Vicki Swan be appointed to the Nanoose Bay Parks & Open Space Advisory Committee for terms ending December 31, 2020.
6. That Julian Fell and Kenneth Smith be appointed to the Electoral Area F Parks & Open Space Advisory Committee for terms ending December 31, 2020.
7. That Brian Coath and Duane Round be appointed to the Electoral Area G Parks & Open Space Advisory Committee for terms ending December 31, 2020.
8. That Luis Acosta and Catherine Browne be appointed to the Electoral Area H Parks & Open Space Advisory Committee for terms ending December 31, 2020.
9. That Randy White be appointed as the Electoral Area G member to the District 69 Recreation Commission for a term ending December 31, 2020.
10. That Linda Bucke be appointed as the Electoral Area H member to the District 69 Recreation Commission for a term ending December 31, 2020.
11. That Christopher Brown and Janet Thony be appointed as Regional Agricultural Organization representatives to the Agricultural Advisory Committee for terms ending December 31, 2020.
12. That Keith Reid be appointed as the Shellfish Aquaculture Organization representative to the Agricultural Advisory Committee for a term ending December 31, 2020.
13. That Douglas Holme be appointed to the Board of Variance for a term ending December 31, 2021.
14. That John Peirce and Viraat Thammanna be appointed as Business Community members to the Liquid Waste Management Plan Monitoring Committee for terms ending December 31, 2020.
15. That Bob Colclough and Peter Urquhart be appointed as General Public members to the Liquid Waste Management Plan Monitoring Committee for terms ending December 31, 2020.
16. That Ron Bolin, Bob Colclough, Craig Evans, Derek Haarsma, Jan Hastings, Denis Hughes, Dean Jones, Michelle MacEwen, Alec McPherson, Dr. J. D. McTaggart-Cowan, Ellen Ross, Fred Statham, Viraat Thammanna, Peter Urquhart, and Wally Wells, be appointed to the Solid Waste Management Plan Monitoring Advisory Committee for terms ending December 31, 2020.

CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 9:40 PM

CHAIR

CORPORATE OFFICER

Delegation: Carol O'Connor, re Request for Support of the Mid Island Child Care Planning Collaborate Grant Application

Summary: The Provincial Government of British Columbia is offering the communities compassed in the Regional District of Nanaimo an amazing opportunity to design and build a Universal Child Care system that best meets the unique needs of each community.

Early Learning & Child Care Council in Oceanside (ECCO) is a multi-sector group that has been working for several years to highlight the need for Quality, Accessible and Affordable Childcare. The group supports the Mid Island Child Care Planning Collaborative grant application and has agreed to support the consultant work within the Oceanside area.

The group asks the RDN to consider agreeing to support the Mid Island Child Care Planning Collaborative grant application, so that the additional grant dollars can support the data collection that reflects the rural community child care needs.

This data collection gives Union of BC Municipalities an opportunity to infuse dollars into rural communities, supporting community childcare space expansion, ensuring that all RDN citizens have access to high quality care and education of their children, within the community they live or work.

Currently the Provincial Government Childcare initiatives have reduced the cost of childcare for many families however it is important to increase this opportunity. Many families are not able to see this benefit as they have no access to child care spaces. Currently a small amount of families can find childcare that receives the provincial benefit.

Please support the work of the BC Provincial Government, the Coalition of Childcare Advocates Early Childhood Educators of BC and all community Early Years advocates, who have worked in support of a better future for the care and education of young children.

Action Requested: Request to RDN Board to approve grant application and participate in the Mid Island Child Care Planning Collaborative grant application.

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE ELECTORAL AREA SERVICES COMMITTEE MEETING**

**Tuesday, January 8, 2019
1:30 P.M.
Board Chambers**

In Attendance:	Director B. Rogers	Chair
	Director K. Wilson	Electoral Area A
	Director V. Craig	Electoral Area B
	Director M. Young	Electoral Area C
	Alternate	
	Director J. Fell	Electoral Area F
	Director C. Gourlay	Electoral Area G
	Director S. McLean	Electoral Area H
Regrets:	Director L. Salter	Electoral Area F
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	D. Pearce	Director of Transportation & Emergency Services
	C. Morrison	Mgr. Emergency Services
	P. Thompson	Mgr. Long Range Planning
	C. Simpson	Senior Planner
	T. Mayea	Legislative Coordinator
	S. Commentucci	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved, as amended, to include item 9.1 Directors' Roundtable.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Electoral Area Services Committee Meeting - November 20, 2018

It was moved and seconded that the minutes of the Electoral Area Services Committee meeting held November 20, 2018, be adopted.

CARRIED UNANIMOUSLY

PLANNING

Development Permit with Variance

Development Permit with Variance Application No. PL2018-175 - 2110 and 2118 Schoolhouse Road, Electoral Area A

It was moved and seconded that the Board approve Development Permit with Variance No. PL2018-175 to permit the construction of an industrial building and related site improvements subject to the terms and conditions outlined in Attachments 2 to 7.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-175.

CARRIED UNANIMOUSLY

Development Permit with Variance Application No. PL2018-196 - 4647 Maple Guard Drive, Electoral Area H

It was moved and seconded that the Board approve Development Permit with Variance No. PL2018-196 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-196.

CARRIED UNANIMOUSLY

Development Permit with Variance Application No. PL2018-149 - 6820 Island Highway West, Electoral Area H

It was moved and seconded that the Board approve Development Permit with Variance No. PL2018-149 to permit a parcel depth variance for proposed Lots A and B in conjunction with a two lot subdivision subject to the terms and conditions outlined in Attachments 2 to 5.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-149.

CARRIED UNANIMOUSLY

Subdivision Application

Zoning Amendment Application No. PL2018-092 - 2995 Ridgeway Road, Electoral Area C - Amendment Bylaw 500.423, 2019 – Introduction

It was moved and seconded that the Board receive the Summary of the Public Information Meeting held on November 6, 2018.

CARRIED UNANIMOUSLY

It was moved and seconded that the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.423 being considered for adoption.

CARRIED UNANIMOUSLY

It was moved and seconded that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be introduced and read two times.

CARRIED UNANIMOUSLY

It was moved and seconded that the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be waived in accordance with Section 464(2) of the *Local Government Act*.

CARRIED UNANIMOUSLY

It was moved and seconded that staff be directed to proceed with notification in accordance with Section 467 of the *Local Government Act* of the Board’s intent to consider third reading of “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” at a regular Board meeting to be held on March 26, 2019.

CARRIED UNANIMOUSLY

Other

Nanaimo Airport Planning Consultation Plan

It was moved and seconded that the Terms of Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.

CARRIED UNANIMOUSLY

EMERGENCY PREPAREDNESS

FireSmart Community Funding Grant

It was moved and seconded that the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.

CARRIED UNANIMOUSLY

FIRE PROTECTION

Fire Department Operational Guidelines Update

It was moved and seconded that the Fire Department Operational Guidelines Update be received for information.

CARRIED UNANIMOUSLY

NEW BUSINESS

Directors' Roundtable

The Directors' Roundtable included discussions related to Electoral Area matters.

Notice of Motion – AVICC Resolution re Traffic Control and Enforcement on Rural Roads

Director Wilson provided notice of the following motion:

That staff be directed to develop an appropriate resolution for approval by the Board for forwarding to AVICC prior to the AVICC resolution deadline of February 7, 2019, such resolution to deal with the lack of traffic control and enforcement by the RCMP on rural roads in the province of British Columbia.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 2:26 PM

CHAIR

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING**

**Tuesday, January 8, 2019
3:00 P.M.
Board Chambers**

In Attendance:	Director I. Thorpe	Chair
	Director B. Rogers	Vice Chair
	Director K. Wilson	Electoral Area A
	Director V. Craig	Electoral Area B
	Director M. Young	Electoral Area C
	Alternate	
	Director J. Fell	Electoral Area F
	Director C. Gourlay	Electoral Area G
	Director S. McLean	Electoral Area H
	Director L. Krog	City of Nanaimo
	Director S. Armstrong	City of Nanaimo
	Director D. Bonner	City of Nanaimo
	Director T. Brown	City of Nanaimo
	Director B. Geselbracht	City of Nanaimo
	Director E. Hemmens	City of Nanaimo
	Director E. Mayne	City of Parksville
	Director A. Fras	City of Parksville
	Director M. Swain	Town of Qualicum Beach
	Director T. Westbroek	Town of Qualicum Beach
Regrets:	Director L. Salter	Electoral Area F
	Director J. Turley	City of Nanaimo
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	S. De Pol	Director of Water & Wastewater Services
	D. Pearce	Director of Transportation & Emergency Services
	T. Mayea	Legislative Coordinator
	C. Golding	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

APPROVAL OF THE AGENDA

It was moved and seconded that in order to facilitate the 2019 budget approval, the Notice of Motion requirement per Section 21 of the Regional District of Nanaimo Board Procedure Bylaw be waived for this meeting for motions amending the proposed 2019 budget.

CARRIED UNANIMOUSLY

It was moved and seconded that the agenda be approved, as amended, to include the following items under Delegations:

- 5.4 Linda Addison, Chairperson and Joyce Mitchell, Director, Jonanco Hobby Workshop Association, re All about us..."Nanaimo's Best Kept Secret"
- 5.5 Bryan Holyk, Executive Director, Area H Rate Payers and Residents Association, re Land Based Effluent Disposal – Bowser Village Centre Wastewater Project
- 5.6 Thomas Gates, Director, Area H Rate Payers and Residents Association, re Land Based Effluent Disposal – Bowser Village Centre Wastewater Project

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Regular Committee of the Whole Meeting - November 20, 2018

It was moved and seconded that the minutes of the Regular Committee of the Whole meeting held November 20, 2018, be adopted.

CARRIED UNANIMOUSLY

INVITED PRESENTATIONS

Kwispaa LNG/Steelhead Natural Gas Pipelines, re Project Overview

John Jack and Stewart Dill provided an overview and projected timeline of the proposed Kwispaa LNG/Steelhead Natural Gas Pipeline Project.

Larry Stevenson, CEO, and Andrea Thomas, Manager, Corridor Development, Island Corridor Foundation, re Introductions and Updates

Larry Stevenson and Andrea Thomas introduced themselves and provided an overview and update on the Island Corridor Foundation.

DELEGATIONS

Dale Harvey, Chair, Nanaimo Seniors Task Force, re Age Friendly City Plan as per Guidelines set out by the World Health Organization

Dale Harvey presented the Age-Friendly City Plan on behalf of the Nanaimo Seniors Task Force.

Gabriola Historical and Museum Society, re Request for Increase to Existing Regional District of Nanaimo Grant to the Gabriola Historical and Museum Society

Lisa Griffith provided an update of the Gabriola Historical and Museum Society and requested an increase of \$4,000 to the annual contribution agreement.

Steve Earle, Gabriola Community Bus Foundation, re Funding Increase for Gabriola Community Bus Foundation

Steve Earle provided an overview of Gabriola's Environmentally Responsible Trans-Island Express and requested a cost of living increase, and a 1% increase of tax allocation for the operation of the service.

Linda Addison, Chairperson and Joyce Mitchell, Director, Jonanco Hobby Workshop Association, re All about us.... "Nanaimo's Best Kept Secret"

Linda Addison and Joyce Mitchell provided an overview of Jonanco Hobby Workshop Association and requested funding to pave a portion of their parking lot.

Bryan Holyk, Executive Director, Area H Rate Payers and Residents Association, re Land Based Effluent Disposal – Bowser Village Centre Wastewater Project

Bryan Holyk requested that the Regional District of Nanaimo proceed with a land based disposal system for the Bowser Wastewater Project.

Thomas Gates, Director, Area H Rate Payers and Residents Association, re Land Based Effluent Disposal - Bowser Village Centre Wastewater Project

Thomas Gates requested that the Regional District of Nanaimo proceed with a land based disposal system for the Bowser Wastewater project.

CORRESPONDENCE

It was moved and seconded that the following correspondence be received for information:

Town of Qualicum Beach, re Request for Letter of Support for Qualicum Beach Community Park All-Season Field Upgrade

MNP, re Regional District of Nanaimo Audit Service Plan - Year Ending December 31, 2018

CARRIED UNANIMOUSLY

It was moved and seconded that the Regional District of Nanaimo provide a letter of support to the Town of Qualicum Beach, for the Qualicum Beach Community Park All-Season Field Upgrade.

CARRIED UNANIMOUSLY

COMMITTEE MINUTES

It was moved and seconded that the following minutes be received for information:

Agricultural Advisory Committee - December 7, 2018

CARRIED UNANIMOUSLY

COMMITTEE RECOMMENDATIONS

Agricultural Advisory Committee

Gathering for Events Brochure Update

It was moved and seconded that the Committee recommend that Regional District of Nanaimo staff and Directors look into Special Events permits for smaller events than 500 people that would apply to gathering for events in the Agricultural Land Reserve.

Opposed (14): Director Thorpe, Director Young, Director Fell, Director Gourlay, Director McLean, Director Krog, Director Bonner, Director Brown, Director Geselbracht, Director Hemmens, Director Mayne, Director Fras, Director Swain, and Director Westbroek

DEFEATED

CORPORATE SERVICES

Public Engagement Review of the 2019 Proposed Budget

It was moved and seconded that the public consultation results be incorporated into the Board's deliberations on the proposed 2019 budget.

CARRIED UNANIMOUSLY

Web Map Request for Proposals

It was moved and seconded that the contract for the Web Map Request for Proposals be awarded to ESRI Canada for \$151,810 (excluding GST), subject to Board approval of the 2019 budget.

CARRIED UNANIMOUSLY

RECREATION AND PARKS

Grant Funding Applications for Huxley Community Park Improvements

It was moved and seconded that an application for grant funding be submitted for the Huxley Community Park Improvements, Phase II through the ICIP - Community, Culture and Recreation Program.

CARRIED UNANIMOUSLY

It was moved and seconded that an application for grant funding be submitted for the Huxley Community Park Improvements, Phase II and Phase III through the ICIP - Northern and Rural Communities Program.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board supports the Huxley Park Community Improvements and commits its funding share of the project costs in the amount of \$206,346.

CARRIED UNANIMOUSLY

Grant Funding Applications for Benson Creek Falls Regional Park Infrastructure

It was moved and seconded that an application for grant funding be submitted for the Benson Creek Falls Regional Park Infrastructure Project through the ICIP - Community, Culture and Recreation Program.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board support the Benson Creek Falls Infrastructure Project and commit the Regional District's share of the project costs under the ICIP - Community, Culture and Recreation Program in the amount of \$146,685.

CARRIED UNANIMOUSLY

It was moved and seconded that an application for grant funding be submitted for the Benson Creek Falls Regional Park Infrastructure Project through the ICET - Economic Infrastructure and Innovation Program.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board support the Benson Creek Falls Regional Park Infrastructure Program and commit the Regional District's share of the project costs under the ICET - Economic Infrastructure and Innovation Program in the amount of \$412,500.

CARRIED UNANIMOUSLY

Mount Benson Regional Park Parking Lot – Tender Award Approval

It was moved and seconded that the tender award for the Mount Benson parking lot project be approved and that Notice of Award be issued to Milestone Equipment Contracting Inc. for a value of \$526,758.15 (plus GST).

CARRIED UNANIMOUSLY

It was moved and seconded that the Construction Contract between the Regional District of Nanaimo and Milestone Equipment Contracting Inc. for the Mount Benson parking lot project be executed.

CARRIED UNANIMOUSLY

It was moved and seconded that an additional 15% contingency in the amount of \$80,000.00 be carried for the Mount Benson parking lot project.

CARRIED UNANIMOUSLY

REGIONAL AND COMMUNITY UTILITIES

Conditional Management Plan for French Creek Pollution Control Centre Pump Stations

It was moved and seconded that the Board approve the 2019-2022 Conditional Management Plan agreement between the Regional District of Nanaimo, Canadian Food Inspection Agency, Environment and Climate Change Canada, Fisheries and Oceans Canada, and the BC Ministry of Environment and Climate Change Strategy.

CARRIED UNANIMOUSLY

San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019

It was moved and seconded that “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be introduced, read three times.

CARRIED UNANIMOUSLY

It was moved and seconded that “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be adopted.

CARRIED UNANIMOUSLY

Bylaw Nos. 813.55 and 889.73 – French Creek Sewer Service Area Amendment

It was moved and seconded that “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.55, 2018” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED UNANIMOUSLY

It was moved and seconded that “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.73, 2018” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED UNANIMOUSLY

Hydrometric Monitoring Station Operational Agreement

It was moved and seconded that the Board endorse and execute the Hydrometric Monitoring Station Operational Agreement with Fisheries and Oceans Canada (DFO) and BC Ministry of Forests Lands Natural Resource Operations and Rural Development (FLNR) in support of the operational partnership for multiple streamflow monitoring stations in the Regional District of Nanaimo.

CARRIED UNANIMOUSLY

TRANSPORTATION AND EMERGENCY PLANNING SERVICES

Emergency Operations Centre Grant - UBCM Community Emergency Preparedness Fund Amendment

It was moved and seconded that the Board endorse the amendment to the Emergency Operations Centre Union of British Columbia Municipalities Community Emergency Preparedness Fund Grant to purchase additional equipment to enhance the function of the Emergency Operations Centre by approving spending of \$9,000 remaining of the initial \$24,000 grant.

CARRIED UNANIMOUSLY

Nanaimo Search and Rescue Funding

It was moved and seconded that the renewal of the Contribution Agreement with the Nanaimo Search and Rescue Society for a term commencing February 1, 2019 and ending on December 31, 2023 be endorsed.

CARRIED UNANIMOUSLY

White Heather Lane Interface Firewater Storage Tank – Construction Tender Award

It was moved and seconded that the contract for the construction of the White Heather Lane Interface Firewater Storage Tank be awarded to David Stocker Excavating Ltd. for the tender price of \$166,351.15 (excluding GST).

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM DELEGATIONS

Gabriola Historical and Museum Society, re Request for Increase to Existing Regional District of Nanaimo Grant to the Gabriola Historical and Museum Society

It was moved and seconded that the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Gabriola Museum be increased to \$16,000 and further that the Regional District of Nanaimo and the Gabriola Island Historical and Museum Society agreement be updated to reflect the funding increase.

CARRIED UNANIMOUSLY

Gabriola Community Bus Foundation, re Funding Increase for Gabriola Community Bus Foundation

It was moved and seconded that the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Gabriola Transit Contribution be increased to \$134,106 and further that the Regional District of Nanaimo and the Gabriola Community Bus Foundation agreement be updated to reflect the funding increase.

CARRIED UNANIMOUSLY

MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Jonanco Hobby Workshop Association Society, re Electoral Area C Community Works Funds

It was moved and seconded that up to \$31,288.00 of Electoral Area C Community Works Funds be allocated to Jonanco Hobby Workshop Association Society, for improvements to their parking lot.

CARRIED UNANIMOUSLY

2019 Budget Update, re Huxley Park Improvements Phase 2

It was moved and seconded that the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for Huxley Park Improvements Phase 2 is split over a two-year period between 2019 and 2020 in the 5-year financial plan based on the final funding contributions collected by donation.

CARRIED UNANIMOUSLY

NEW BUSINESS

2019 Budget (Community Parks in Area G and the Regional Parks Capital Reserve Fund)

It was moved and seconded that the annual Regional Parks parcel tax be increased by \$2 effective January 1, 2019 and that the funds be placed in the Regional Parks Development Service Area Reserve Fund.

It was moved and seconded that the following motion be referred to the Regional Parks and Trails Select Committee:

That the annual Regional Parks parcel tax be increased by \$2 effective January 1, 2019 and that the funds be placed in the Regional Parks Development Service Area Reserve Fund.

Opposed (6): Director Gourlay, Director McLean, Director Krog, Director Bonner, Director Geselbracht, and Director Fras

CARRIED

It was moved and seconded that a review of the existing funding mechanism for Regional Parks be incorporated into the new Regional Parks and Trails Master Plan development.

It was moved and seconded that the following motion be referred to the Regional Parks and Trails Select Committee:

That a review of the existing funding mechanism for Regional Parks be incorporated into the new Regional Parks and Trails Master Plan development.

Opposed (1): Director Bonner

CARRIED

It was moved and seconded that a contribution to the Electoral Area G Community Parks Reserve Fund in the amount of \$25,000 annually and funding for an environmental assessment of potential parkland in the amount of \$8,000 in 2019 be added to the Area G Community Parks budget.

CARRIED UNANIMOUSLY

Notice of Motion - Electoral Area E 2019 Community Works Fund

Director Rogers provided notice of the following motion:

That the following Community Works Fund items be included in the 2019 Financial Plan for Electoral Area E:

- EA E Nanoose Bay Water Quality/Quantity Monitoring Program - \$25,000
- EA E Stone Lake Natural Playground - \$50,000
- EA E Jack Bagley Multi-Sport Site - \$30,000
- EA E Nanoose Road Park Upgrade - \$5,000
- EA E Nanoose Place Solar System and Landscaping - \$60,000

Northern Community Recreation Program Grant Surplus

It was moved and seconded that the Northern Community Recreation Program Grants budget be increased by \$7,887 in 2019 and that the increase be funded by the 2018 surplus.

CARRIED UNANIMOUSLY

Gabriola Island Emergency Wharf

It was moved and seconded that the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Gabriola Island Emergency Wharf be increased by \$10,000.

CARRIED UNANIMOUSLY

Community Parks Operational Fund

It was moved and seconded that the 2019 proposed budget, as presented on December 4, 2018, be amended so that the Regional District of Nanaimo funding for the Community Parks Operational Fund be decreased by \$10,000.

CARRIED UNANIMOUSLY

Board Strategic Planning Sessions

It was moved and seconded that the Regional District of Nanaimo 2019 Strategic Planning sessions and all annual update sessions be held as open Committee of the Whole meetings.

Opposed (16): Director Thorpe, Director Rogers, Director Wilson, Director Craig, Director Young, Director Fell, Director Gourlay, Director McLean, Director Krog, Director Armstrong, Director Geselbracht, Director Hemmens, Director Mayne, Director Fras, Director Swain, and Director Westbroek

DEFEATED

The meeting recessed at 5:44 PM

The meeting reconvened at 5:52 PM

IN CAMERA

It was moved and seconded that pursuant to Sections 90 (1) (e), (i), (k) and (m) of the *Community Charter* the Committee proceed to an In Camera meeting for discussions related to the acquisition, disposition or expropriation of land or improvements, the receipt of advice that is subject to solicitor-client privilege, the provision of a proposed service, and items related to issues of intergovernmental relationships.

CARRIED UNANIMOUSLY

TIME: 5:53 PM

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 5:57 PM

CHAIR

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING**

**Tuesday, December 4, 2018
4:00 P.M.
Board Chambers**

In Attendance:	Director I. Thorpe	Chair
	Director B. Rogers	Vice Chair
	Director K. Wilson	Electoral Area A
	Director V. Craig	Electoral Area B
	Director M. Young	Electoral Area C
	Alternate	
	Director J. Fell	Electoral Area F
	Director C. Gourlay	Electoral Area G
	Director S. McLean	Electoral Area H
	Director L. Krog	City of Nanaimo
	Director S. Armstrong	City of Nanaimo
	Director D. Bonner	City of Nanaimo
	Director T. Brown	City of Nanaimo
	Director B. Geselbracht	City of Nanaimo
	Director E. Hemmens	City of Nanaimo
	Director J. Turley	City of Nanaimo
	Director E. Mayne	City of Parksville
	Director A. Fras	City of Parksville
	Director M. Swain	District of Lantzville
	Director T. Westbroek	Town of Qualicum Beach
Regrets:	Director L. Salter	Electoral Area F
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Wells	Gen. Mgr. Corporate Services
	J. Bradburne	Director of Finance
	D. Pearce	Director of Transportation & Emergency Services
	J. Hill	Mgr. Administrative Services
	C. Golding	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

The Chair welcomed Alternate Director Fell to the meeting.

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

CORPORATE SERVICES

2019 Proposed Budget Overview

Staff presented an overview of the Regional District of Nanaimo 2019 Proposed Budget.

It was moved and seconded that the public consultation on the proposed 2019 budget proceed with the results of such consultation reported to the Board.

CARRIED UNANIMOUSLY

It was moved and seconded that during the public consultation feedback be sought on how to best obtain public input on future budgets.

CARRIED UNANIMOUSLY

It was moved and seconded that the proposed 2019 budget form the basis of public consultation.

CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 5:04 PM

CHAIR

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE SOLID WASTE MANAGEMENT SELECT COMMITTEE MEETING

Thursday, January 10, 2019
1:00 P.M.
Board Chambers

In Attendance:	Director B. Geselbracht	Chair
	Director K. Wilson	Electoral Area A
	Director L. Krog	City of Nanaimo
	Director D. Bonner	City of Nanaimo
	Director E. Hemmens	City of Nanaimo
	Director M. Swain	District of Lantzville
	Director T. Westbroek	Town of Qualicum Beach

Also in Attendance:	Director M. Young	Electoral Area C
	Director B. Rogers	Electoral Area E
	Director I. Thorpe	City of Nanaimo

R. Alexander	Gen. Mgr. Regional & Community Utilities
L. Gardner	Mgr. Solid Waste Services
M. Larson	Solid Waste Planner
R. Graves	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Solid Waste Management Select Committee Meeting - October 4, 2018

It was moved and seconded that the minutes of the Solid Waste Management Select Committee meeting held October 4, 2018, be adopted.

CARRIED UNANIMOUSLY

INVITED PRESENTATIONS

Background on Solid Waste Services Function

L. Gardner presented.

It was moved and seconded that a letter of appreciation be sent to the Minister of Environment thanking him for the meeting at UBCM and request an update on the Solid Waste Management Plan submission.

CARRIED UNANIMOUSLY

REPORTS

Federation of Canadian Municipalities Vietnam Municipal Solid Waste Management Project

It was moved and seconded that the Board approve Solid Waste Services Manager, Larry Gardner, to participate as an expert volunteer on the Federation of Canadian Municipalities Vietnam Municipal Solid Waste Management Project, Step 1.

CARRIED UNANIMOUSLY

2018 Regional District of Nanaimo Curbside Outreach Program Summary

It was moved and seconded that the Solid Waste Management Select Committee receives this report dated January 10, 2019, for information.

CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

CHAIR

The subject property gently slopes down from Schoolhouse Road and contains a slight depression which is aligned with a drainage culvert on the south side of the subject property. There is no evidence of any watercourses located on the subject property or the property to the north.

The proposed development is subject to South Wellington Industrial Commercial Development Permit Area (SWDPA) per “Regional District of Nanaimo Electoral Area ‘A Official Community Plan Bylaw No. 1620, 2011”.

Proposed Development and Variances

The proposed development includes the construction of an industrial building with a floor area of approximately 1,107 square metres intended to be used for heavy equipment display and accessory repair. The proposed development also includes the placement of fill and associated site improvements. The proposed site plans, building elevations, signage plans, and landscaping plans are included on Attachments 3 to 7. The proposed development is consistent with the SWDPA guidelines with regard to groundwater protection, general design, parking and loading, landscaping and screening, site illumination and signage, and pedestrian and cyclist considerations.

The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 3.4.31 – Maximum Number and Size of Buildings and Structures** to increase the maximum building height from 8.0 m to 13.0 m for a proposed industrial building as shown on Attachment 3.
- **Schedule 3F – Landscaping Regulations** to vary the applicable bylaw buffer and screening requirements to allow landscaping that is consistent with the DPA guidelines as shown on Attachment 7.

The applicant is also proposing to construct one non-illuminated fascia sign and one non-illuminated freestanding sign on the subject property. In order to accommodate the proposed signage, the applicant is requesting variances to the following regulations from the “Regional District of Nanaimo Sign Bylaw 993, 1995” as shown on Attachment 3:

1. **Section 5(c)** – to increase the maximum width of a sign from 4.0 m to 6.8 m for the proposed fascia sign.
2. **Section 5(c)** – to increase the maximum surface area of a sign from 11.0 m² to 13.0 m² for the proposed fascia sign.
3. **Section 5(c)** – to increase the maximum height of a sign from 4.0 m to 4.9 m for the proposed freestanding sign.

A variance is being requested to increase the maximum building height from 8.0 metres to 13.0 metres for the proposed industrial building. The requested height variance includes an additional 0.2 metre of building height to accommodate for unforeseen design inconsistencies and measurement error. The proposed variance is due to the placement of fill on the property as height is measured from natural grade. Fill is being proposed to create a level building site and yard area that is required to support the proposed industrial use. If the proposed building were

constructed on a level lot, it would be approximately 9.8 metres in height. The use of the proposed building requires overhead equipment (bridge crane) and adequate overhead clearances to accommodate large equipment and to perform repairs.

The applicant has minimized the requested height variance by incorporating a low-pitched roof design which results in a building that is consistent with the context of surrounding buildings. The applicant is also proposing the use of full cutoff LED lighting on the proposed building to minimize light pollution (see Attachment 4 – Building Elevations).

A variance to Schedule 3F is proposed to vary the landscaping requirements as necessary to allow the proposed landscaping. As Schoolhouse Road is a designated highway in Schedule '3F', a combination of a 5.0 metre buffer and a 2.0 metre screen are required. To satisfy the DPA guidelines, the applicant has submitted a landscaping plan prepared by Insignia Landscapes dated October 12, 2018 (see Attachment 7 – Landscaping Plan). In support of the proposed landscaping plan, the applicant has submitted a landscaping security deposit in the amount of \$32,550.

The variances to sign height, surface area and width are supported by the scale of the proposed sign in relation to the building it will be located on. The proposed variances would result in signage that is generally considered to be appropriate given the industrial nature of the proposed development and the context of the surrounding uses. The size, location and design of the proposed signs is architecturally integrated with the overall design of the building and the proposed signage is not illuminated (see Attachment 5 – Proposed Signage).

Board Policy B1.5 "Development Variance Permit, Development Permit with Variance and Floodplain Application Evaluation" for the evaluation of variance applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration of a variance proposal. The proposed development is consistent with the South Wellington DPA guidelines. Given that the applicant has provided sufficient rationale and the variance will not result in negative implications for adjacent properties, the applicant has made reasonable efforts to address Board Policy B1.5.

Environmental Implications

To address the DPA guidelines related to protection of the natural environment, the applicant has submitted a Storm Water Management Report prepared by Newcastle Engineering Ltd. dated October 18, 2018. The report recommends and provides a design for the installation of a storm water drainage system designed to ensure that storm water leaving the site after development does not exceed predevelopment levels and is free of contaminants. The report recommends the installation of an oil water separator and a bi-yearly maintenance interval. It is recommended that the applicant be required to register the report on title as a Section 219 Covenant to require the subject property be developed in accordance with the report and include the recommended maintenance interval (see Attachment 2 – Conditions of Permit).

An Erosion and Sediment Control Plan has been prepared by Newcastle Engineering Ltd. in partnership with Lewkowich Engineering Associates Ltd. dated November 29, 2018. The Plan proposes a number of measures to ensure that sediments do not leave the site during construction. Development of the subject property in accordance with the Sediment and Erosion Control plan is recommended as a condition of approval of this development permit (see Attachment 2 – Conditions of Permit).

Given that the proposed development has been assessed by an engineer, and protective measures are being proposed, no negative environmental impacts are anticipated.

Intergovernmental Implications

The application was referred to the RDN Fire Services Coordinator and the South Wellington Volunteer Fire Department. Concerns were raised by the Fire Chief regarding the ability of the Fire Department to shuttle the minimum required water volumes for commercial firefighting purposes.

RDN Fire Services indicates that shuttling water from the Cranberry Volunteer Fire Department to the subject property for the purpose of residential firefighting is feasible. However, shuttling water for commercial firefighting purposes requires the installation of additional onsite storage with a minimum of 24,000 imperial gallons to sustain the Fire Underwriters commercial requirement of 400 imperial gallons for a duration of two hours for firefighting purposes.

Providing a minimum water storage capacity of 24,000 imperial gallons on the subject property would also address fire flows for the adjacent properties. As a result, this would satisfy the fire protection condition that was included within DP PL2017-150, which required a fire flow calculation and potential onsite water storage prior to final inspection. It should be noted that the industrial building approved by DP PL2017-150 is currently under construction and as of the date of this report, the condition related to fire protection has not been satisfied. Therefore, it is recommended that the applicant be required to install a water storage tank with a minimum capacity of 24,000 imperial gallons with a fire department connection to the satisfaction of the RDN and Fire Chief prior to final inspection (see Attachment 2 – Terms and Conditions of Approval).

Public Consultation Implications

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

ALTERNATIVES

1. To approve Development Permit with Variance No. PL2018-175 subject to the terms and conditions outlined in Attachments 2 to 7.
2. To deny Development Permit with Variance No. PL2018-175.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The Plan's "Focus on the Environment" states that the Board will focus on protecting and enhancing the environment in all decisions. The DPA guideline requirement for a rain water management plan helps ensure that site-specific environmentally sensitive features are identified and that the impacts of development on the environment are identified and mitigated.



Greg Keller
gkeller@rdn.bc.ca
December 19, 2018

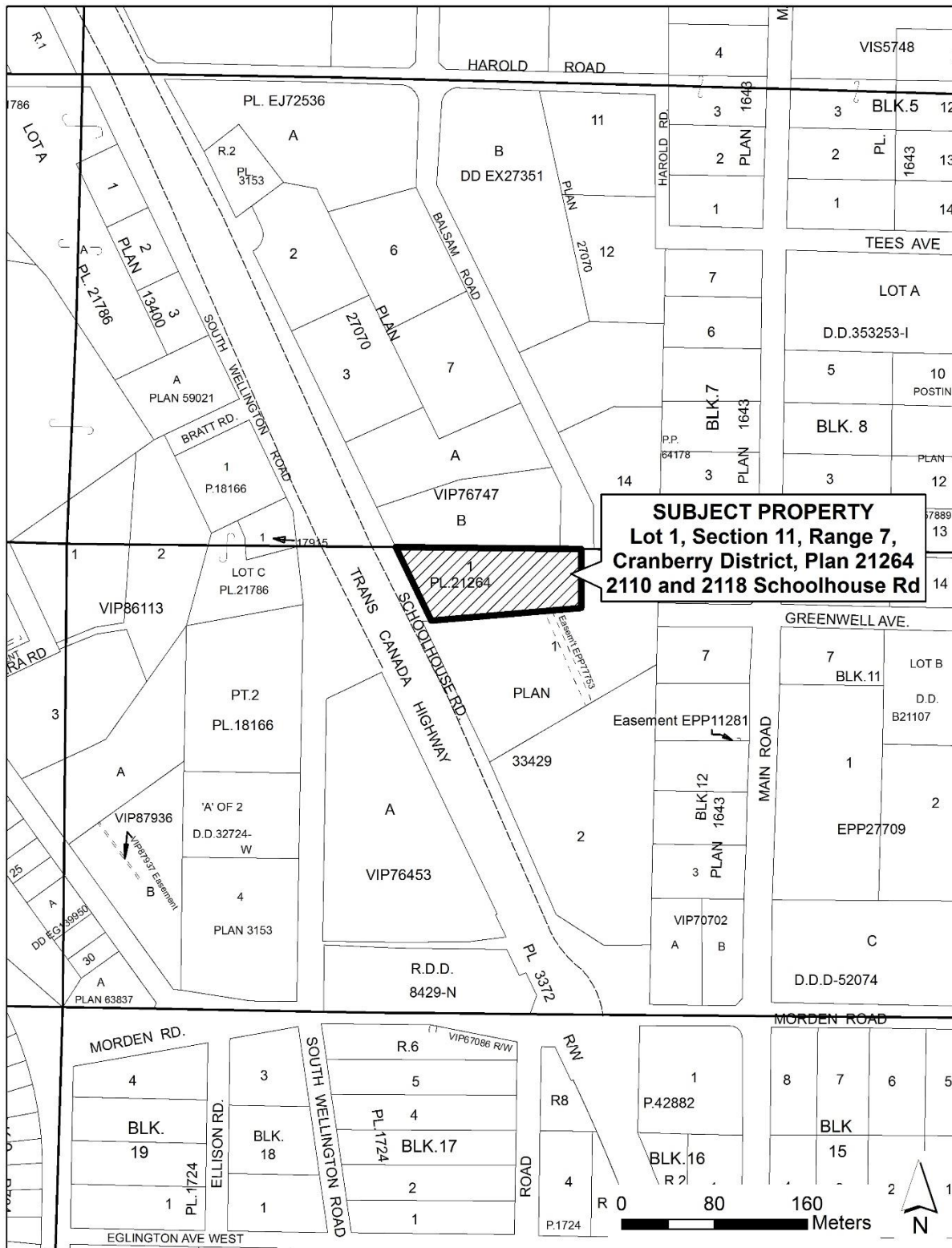
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variances
4. Building Elevations
5. Proposed Signage
6. Sediment and Erosion Control Plan
7. Landscaping Plan

**Attachment 1
 Subject Property Map**



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-175:

Bylaw No. 500, 1987 Variances

With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

1. **Section 3.4.31 – Maximum Number and Size of Buildings and Structures** to increase the maximum building height from 8.0 m to 13.0 m for a proposed industrial building as shown on Attachment 3.
2. **Schedule 3F – Landscaping Regulations** to vary the applicable bylaw buffer and screening requirements to allow landscaping that is consistent with the development permit area guidelines as shown on Attachment 7.

Bylaw No. 993, 1995 Variance:

With respect to the lands, “Regional District of Nanaimo Sign Bylaw No. 993, 1995” is varied as follows:

1. **Section 5(c)** – to increase the maximum width of a sign from 4.0 m to 6.8 m for the proposed fascia sign.
2. **Section 5(c)** – to increase the maximum surface area of a sign from 11.0 m² to 13.0 m² for the proposed fascia sign.
3. **Section 5(c)** – to increase the maximum height of a sign from 4.0 m to 4.9 m for the proposed freestanding sign.

Condition Prior to Issuance:

The issuance of this permit shall be withheld until the applicant, at the applicant’s expense, registers a Section 219 Covenant on the property title containing the Storm Water Management Report prepared by Newcastle Engineering Ltd. dated October 18, 2018, and includes a maintenance schedule.

Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Herold Engineering, dated December 18, 2018 and attached as Attachment 3.
2. The site is developed in accordance with the Erosion and Sediment Control Plan prepared by Newcastle Engineering Ltd. in partnership with Lewkowich Engineering Associates Ltd. dated November 29, 2018 and attached as Attachment 6.

3. The proposed development is in general compliance with the Storm Water Management Report prepared by Newcastle Engineering Ltd. dated October 18, 2018
4. The proposed development is in general compliance with the plans and elevations prepared by Herold Engineering dated December 18, 2018 and attached as Attachment 4.
5. The proposed development is in general compliance with the signage plans and elevations prepared by Zip Signs, dated December 6, 2018 and attached as Attachment 5.
6. The proposed landscaping shall be provided and maintained in accordance with the Landscaping Plan prepared by Insignia Landscapes, dated October 12, 2018 and attached as Attachment 7.
7. The applicant shall provide a landscaping security in the amount of \$32,550.00.
8. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Conditions Prior to Final Inspection

The applicant shall be required to install a water storage tank with a minimum capacity of 24,000 imperial gallons fitted with a fire department connection to the satisfaction of the RDN and Fire Chief prior to final inspection.

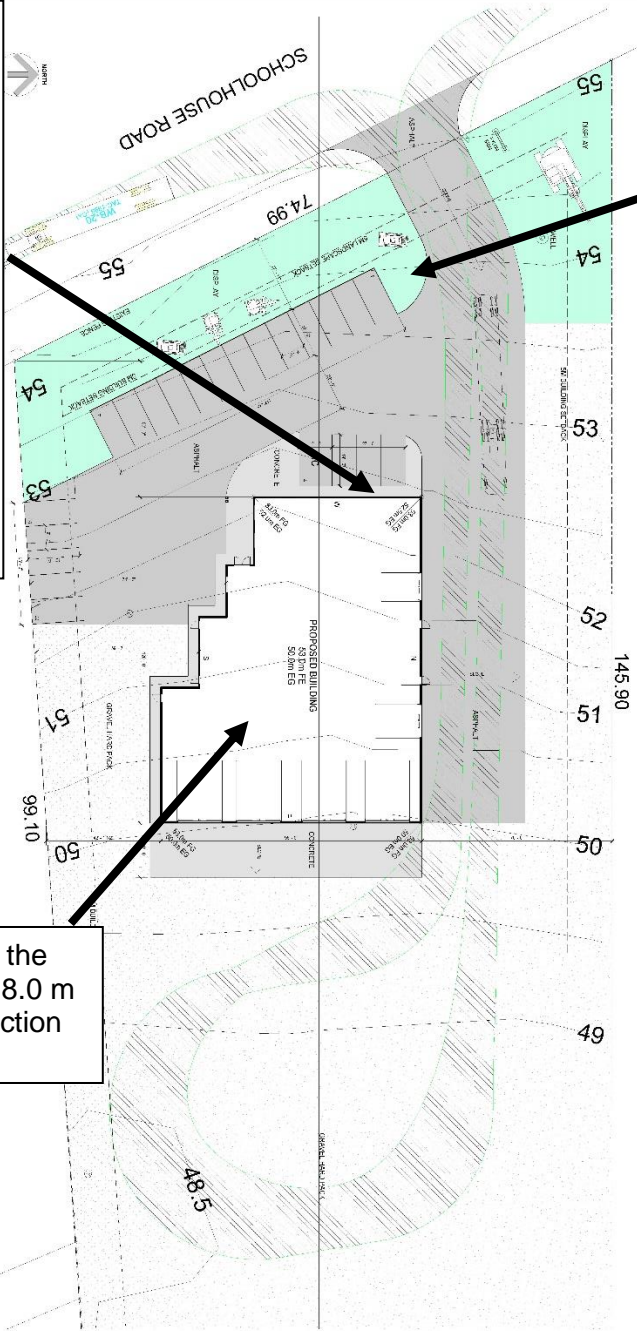
**Attachment 3 (Page 1 of 2)
 Proposed Site Plan and Variances**

Proposed variance to:

- increase the maximum width of a sign from 4.0 m to 6.8 m.
- increase the maximum surface area of a sign from 11.0 m² to 13.0 m².

for a proposed non-illuminated fascia sign (Refer to Sign 1 as shown on Attachment 5).

Proposed variance to increase the maximum height of a sign from 4.0 m to 4.9 m for a proposed non-illuminated freestanding sign (Refer to Sign 2 as shown on Attachment 5).



Proposed variance to increase the maximum building height from 8.0 m to 13.0 m to permit the construction of an industrial building.

HEROLD ENGINEERING 11700 15th Avenue, Suite 100, Surrey, BC V4N 1V5 Tel: 604-273-8888 Fax: 604-273-8889 Email: herold@herold-engineering.com		NEW REPAIR GARAGE - 2110 SCHOOLHOUSE ROAD 2110 SCHOOLHOUSE ROAD NANAIMO BC SURBANK DEVELOPMENTS LTD.
TITLE: SITE PLAN DATE: 2018-12-12 DRAWN BY: [Redacted] CHECKED BY: [Redacted]	PROJECT NO: A101 SHEET NO: 1 OF 1	SCALE: AS SHOWN NORTH: [Redacted]

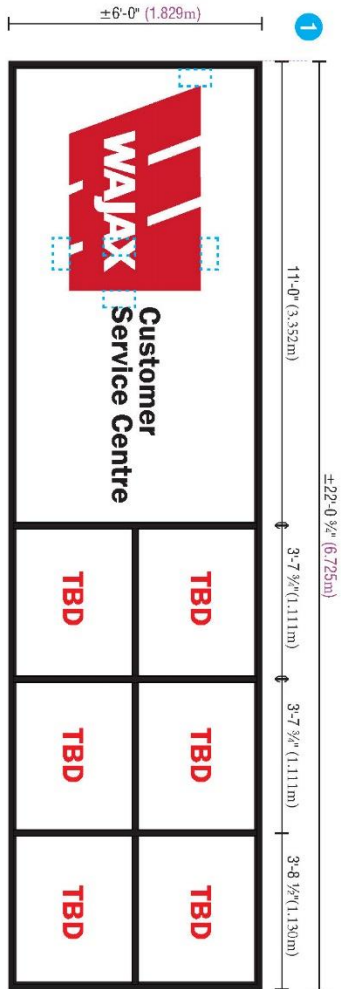
Attachment 3 (Page 2 of 2)
Proposed Site Plan and Variances – Enlarged for Convenience



Attachment 4 Building Elevations



**Attachment 5 (Page 1 of 2)
 Proposed Signage**



S:\customers\WJAJAX\WJAJAX 2018 Release\S0028419 - EC106.Dwg	
www.zipsigns.com	Client: Wajax
5040 North Service Rd, Burlington, ON Ph. 905-332-8332 Fax 905-332-9994	Address: 2110 School House Rd. Nanaimo BC
Dwg No. S0028419	Designer: YS
Sales	Yvonne Overton
Date	Nov 27, 2018
Rev.3	December 06, 2018 DH
Rev.2	December 05, 2018 DH
<input checked="" type="checkbox"/> CONCEPTUAL SIGNED BY: [Signature]	<input type="checkbox"/> SHOP READY SIGNED BY: [Signature]
Scale: 3/8" = 1'-0"	Page: 1 of 4

<p>Sign 1 Supply & Install (1) new s/s non-illuminated display</p> <p>Graphics / Substrate Digitally printed logos Red 3630-33 and Black 3630-22 vinyl graphics, applied to inst surface of White Lexan face</p> <p>Construction EK-14 aluminum filler EK-13 aluminum frame 1" x 2" aluminum internal angle bracing 2" Signcomp 2138 aluminum H-beam 24ga metal back Paint All exposed metal painted black</p> <p>Note Provide weeping holes</p> <p>Site survey required to confirm wall details for mounting Client to confirm vendor logos</p>	<p> <input checked="" type="checkbox"/> Red 3630-33 Vinyl <input checked="" type="checkbox"/> Black Paint <input checked="" type="checkbox"/> Black 3630-22 Vinyl <input checked="" type="checkbox"/> Digital Print</p> <p> The Leading in the Industry in 27 Provinces</p>
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**Attachment 5 (Page 2 of 2)
 Proposed Signage**

S:\01\stunm\st\W\Wajax\Wajax 2018 Refrains\SD028419 - BC108\Design

www.zipsigns.com	Client: Wajax
5040 North Service Rd., Burlington, ON	Address: 2110 School House Rd.
Ph. 905-332-8332 Fax 905-332-9994	Nanaimo BC

Dwg No. SD028419	Sales: Yvonne Overton
Designer: YS	

Date: Nov 27, 2018	Rev. 3: December 06, 2018 DH
Rev. 2: December 05, 2018 DH	

<input checked="" type="checkbox"/> CONCEPTUAL NOT FOR CONSTRUCTION	<input type="checkbox"/> SHOP READY CONCEPTUAL/CAD
Scale: 1/2" = 1'-0"	Page: 3 of 4

Pylon Placement
Scale: NTS

Proposed location of freestanding sign.

	Red 3630-33 Vinyl
	Black Paint

This drawing is the property of ZIP SIGNS Ltd.

Sign 4
 Supply (1) new exterior d/s non-illuminated pylon

Graphics / Substrate
 Red 3630-33 vinyl graphics, applied to first surface of
 .080 aluminum face, painted White

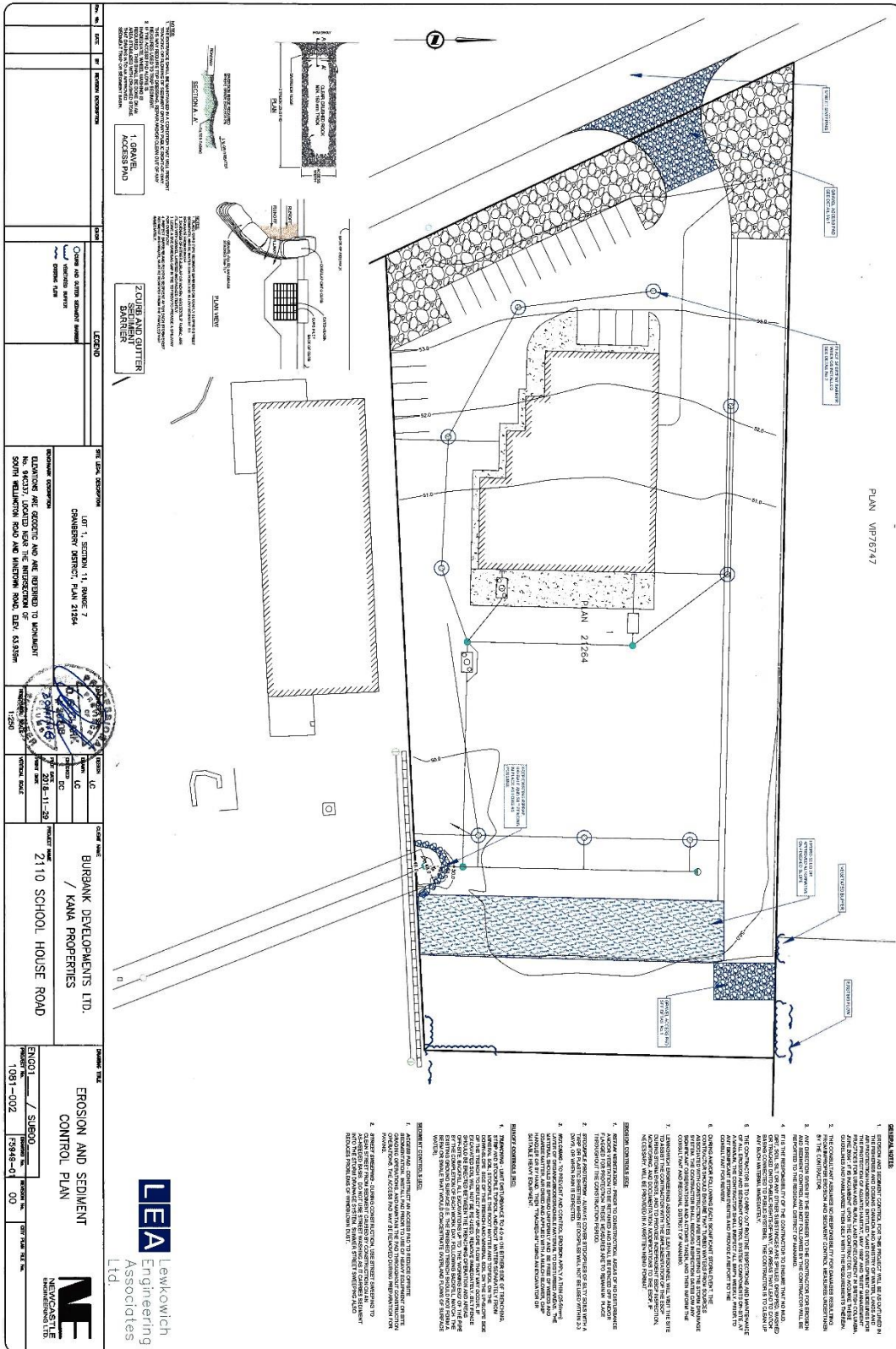
Construction
 .080 aluminum face, adhered to Signpro 1250 retainer
 Signpro d/s filler

Structure
 1" steel base plate
 6"x6" x 3/8" thick aluminum post

Base
 30" X 5' deep concrete base

Paint
 All exposed metal painted Black

**Attachment 6 (Page 1 of 4)
 Sediment and Erosion Control Plan**



NO.	REV.	BY	REVISION DESCRIPTION

DATE	BY	REVISION DESCRIPTION

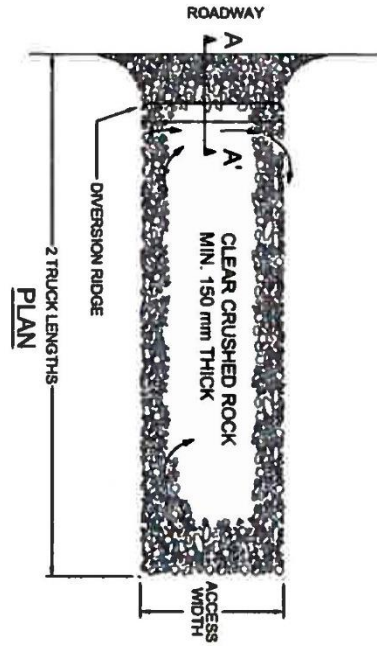
PROJECT NAME	PROJECT NO.
BURBANK DEVELOPMENTS LTD. / KANA PROPERTIES	2110 SCHOOL HOUSE ROAD

ENGINEER	PROJECT NO.
LEAWITCH ENGINEERING ASSOCIATES LTD.	2110 SCHOOL HOUSE ROAD

DATE	BY	REVISION DESCRIPTION

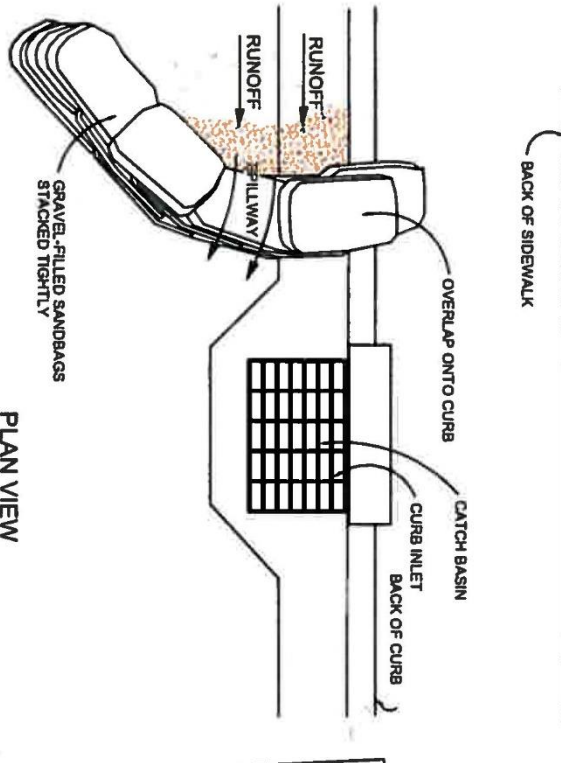
- GENERAL NOTES:**
- The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.
 - The contractor shall ensure that all erosion control structures are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all sediment basins are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all silt fences are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all check dams are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all concrete curbs are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all erosion control structures are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all sediment basins are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all silt fences are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all check dams are installed and maintained in accordance with the specifications and standards of the relevant authorities.
 - The contractor shall ensure that all concrete curbs are installed and maintained in accordance with the specifications and standards of the relevant authorities.
- EROSION CONTROL SPECIFICATIONS:**
- SEDIMENT BASINS: Sediment basins shall be installed in accordance with the specifications and standards of the relevant authorities. The basins shall be installed in a series of basins, with the first basin installed at the top of the slope and subsequent basins installed at intervals of 50 meters.
 - SILT FENCES: Silt fences shall be installed in accordance with the specifications and standards of the relevant authorities. The fences shall be installed in a series of fences, with the first fence installed at the top of the slope and subsequent fences installed at intervals of 50 meters.
 - CHECK DAMS: Check dams shall be installed in accordance with the specifications and standards of the relevant authorities. The dams shall be installed in a series of dams, with the first dam installed at the top of the slope and subsequent dams installed at intervals of 50 meters.
 - CONCRETE CURBS: Concrete curbs shall be installed in accordance with the specifications and standards of the relevant authorities. The curbs shall be installed in a series of curbs, with the first curb installed at the top of the slope and subsequent curbs installed at intervals of 50 meters.

Attachment 6 (Page 2 of 4)
Sediment and Erosion Control Plan – Enlarged for Convenience



- NOTES:**
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO ANY PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 2. IF THE ACCESS PAD ALONE IS INADEQUATE, WHEEL WASHING IS REQUIRED. THIS SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

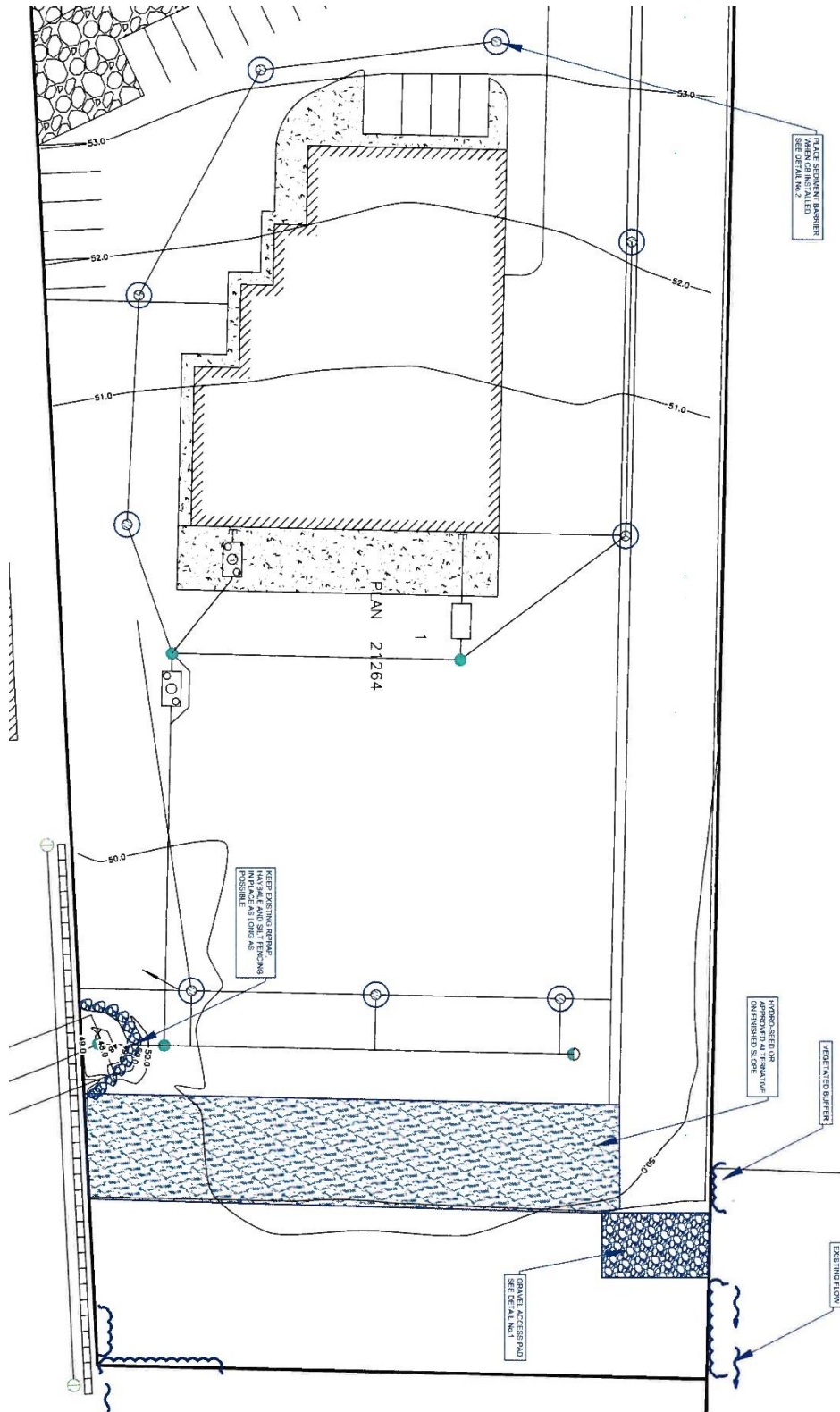
1. GRAVEL ACCESS PAD



- NOTES:**
1. PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREET SEGMENTS, WHERE WATER CAN POOL AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
 2. SANDBAGS OF EITHER BURLAP OR WOVEN GEOTEXTILE FABRIC, ARE FILLED WITH GRAVEL, LAYERED AND PACKED TIGHTLY.
 3. LEAVE A ONE SANDBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY FOR OVERFLOW.
 4. INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT. SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.

2. CURB AND GUTTER SEDIMENT BARRIER

Attachment 6 (Page 3 of 4)
Sediment and Erosion Control Plan – Enlarged for Convenience



Attachment 6 (Page 4 of 4) Sediment and Erosion Control Plan – Enlarged for Convenience

GENERAL NOTES:

1. EROSION AND SEDIMENT CONTROL FOR THIS PROJECT WILL BE AS OUTLINED IN THE FISHERIES AND OCEANS CANADA AND MINISTRY OF WATER, LANDS AND AIR PROTECTION HANDBOOK ENTITLED "LAND DEVELOPMENT GUIDELINES FOR THE PROTECTION OF AQUATIC HABITAT, MAY 1992" AND "BEST MANAGEMENT PRACTICES FOR URBAN AND RURAL LAND DEVELOPMENT IN BRITISH COLUMBIA, JUNE 2004". IT IS INCUMBENT UPON THE CONTRACTOR TO ACQUIRE THESE GUIDELINES AND FAMILIARIZE THEM SELF WITH THE REQUIREMENTS THEREIN.
2. THE CONSULTANT ASSUMES NO RESPONSIBILITY FOR DAMAGES RESULTING FROM IMPROPER EROSION AND SEDIMENT CONTROL MEASURES UNDERTAKEN BY THE CONTRACTOR.
3. ANY DIRECTION GIVEN BY THE ENGINEER TO THE CONTRACTOR FOR EROSION AND SEDIMENT CONTROL AND NOT FOLLOWED BY THE CONTRACTOR WILL BE REPORTED TO THE REGIONAL DISTRICT OF NANAIMO.
4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT NO MUD, DIRT, SOIL, SILT OR ANY OTHER SUBSTANCES ARE SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY, OR AREAS THAT LEAD TO CATCH BASINS CONNECTED TO PUBLIC SYSTEMS. THE CONTRACTOR IS TO CLEAN UP ANY SUCH MATERIAL IMMEDIATELY.
5. THE CONTRACTOR IS TO CARRY OUT ROUTINE INSPECTIONS AND MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROL SYSTEM COMPONENTS ON-SITE. AT A MINIMUM, THE CONTRACTOR SHALL INSPECT ALL BMP'S WEEKLY, PRIOR TO ANY SIGNIFICANT STORM EVENTS AND PROVIDE A REPORT TO THE CONSULTANT FOR REVIEW.
6. DURING AND/OR FOLLOWING EACH SIGNIFICANT STORM EVENT, THE CONTRACTOR SHOULD ENSURE THAT TURBID WATERS FROM SOURCES ASSOCIATED WITH CONSTRUCTION ARE NOT ENTERING THE STORM DRAINAGE SYSTEM. THE CONTRACTOR SHALL RECORD INSPECTION DATES C/W ANY SIGNIFICANT OBSERVATIONS AND ACTIONS TAKEN, AND THEN INFORM THE CONSULTANT AND REGIONAL DISTRICT OF NANAIMO.
7. LEWKOWICH ENGINEERING ASSOCIATES (LEA) PERSONNEL WILL VISIT THE SITE TO ASSIST THE CONTRACTOR WITH THE IMPLEMENTATION OF THE ESCP DURING STORM EVENTS, AND TO PROVIDE INDEPENDENT ESCP INSPECTION, MONITORING, AND DOCUMENTATION. MODIFICATIONS TO THE ESCP, IF NECESSARY, WILL BE PROVIDED IN A WRITTEN MEMO FORMAT.

EROSION CONTROLS (EC):

1. **RETAIN VEGETATION** - PRIOR TO CONSTRUCTION, AREAS OF NO DISTURBANCE AND/OR VEGETATION TO BE RETAINED AND SHALL BE FENCED OFF AND/OR FLAGGED FOR PROTECTION. THESE MEASURES ARE TO REMAIN IN PLACE THROUGHOUT THE CONSTRUCTION PERIOD.
2. **STOCKPILE PROTECTION** - ALWAYS COVER STOCKPILES OF SILTY SOILS WITH A TARP OR PLASTIC SHEETING WHEN STOCKPILES WILL NOT BE USED WITHIN 2-3 DAYS, OR WHEN RAIN IS EXPECTED.
3. **MULCHING** - TO PREVENT AND CONTROL EROSION APPLY A THIN (25-50mm) LAYER OF ORGANIC/BIODEGRADABLE MATERIAL TO DISTURBED AREAS. THE MATERIAL SHOULD BE SPREAD UNIFORMLY AND BE FREE OF WEEDS AND COARSE MATTER, AIR DRIED AND APPLIED WITH A MULCH BLOWER, CHIP HANDLER OR BY HAND. THEN "TRACKED-IN" USING AN EXCAVATOR OR SUITABLE HEAVY EQUIPMENT.

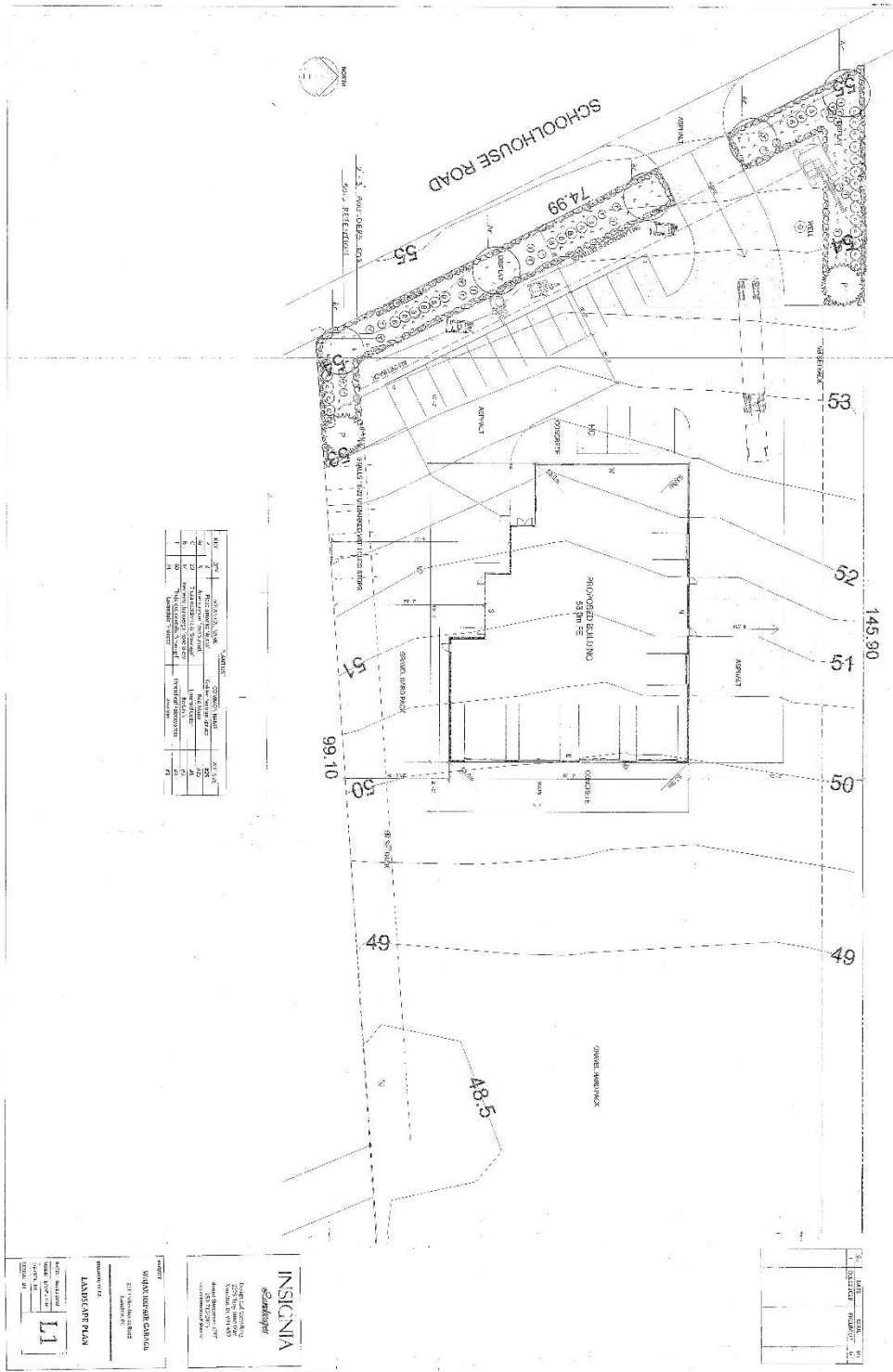
RUNOFF CONTROLS (RC):

1. **TRENCHING** - LIMIT DISTURBANCE TO 4.0 m ON EITHER SIDE OF TRENCHING. STRIP AND STOCKPILE TOPSOIL AND ROOT MATTER SEPARATELY FROM MINERAL SOIL; STOCKPILE THE ROOT MATTER AND TOPSOIL ON THE DOWN-SLOPE SIDE OF THE TRENCH AND MINERAL SOIL ON THE UP-SLOPE SIDE OF THE TRENCH TO DEFLECT ANY UP-SLOPE FLOW THAT MAY OCCUR. IF EXCAVATED SOIL WILL NOT BE RE-USED, REMOVE IMMEDIATELY. SILT FENCE SHOULD BE ERECTED BETWEEN THE TRENCHING OPERATION AND AREAS OFF-SITE. BACKFILL ALL EXCAVATIONS UP TO THE 'WORKING END' OF THE PIPE BY THE COMPLETION OF EACH WORK DAY. FOLLOWING BACKFILL, MATCH THE EXISTING GROUND SURFACE (I.E. THE FINISHED TRENCH SHOULD NOT FORM A BERM OR SWALE THAT WOULD CONCENTRATE OVERLAND FLOWS OF SURFACE WATER).

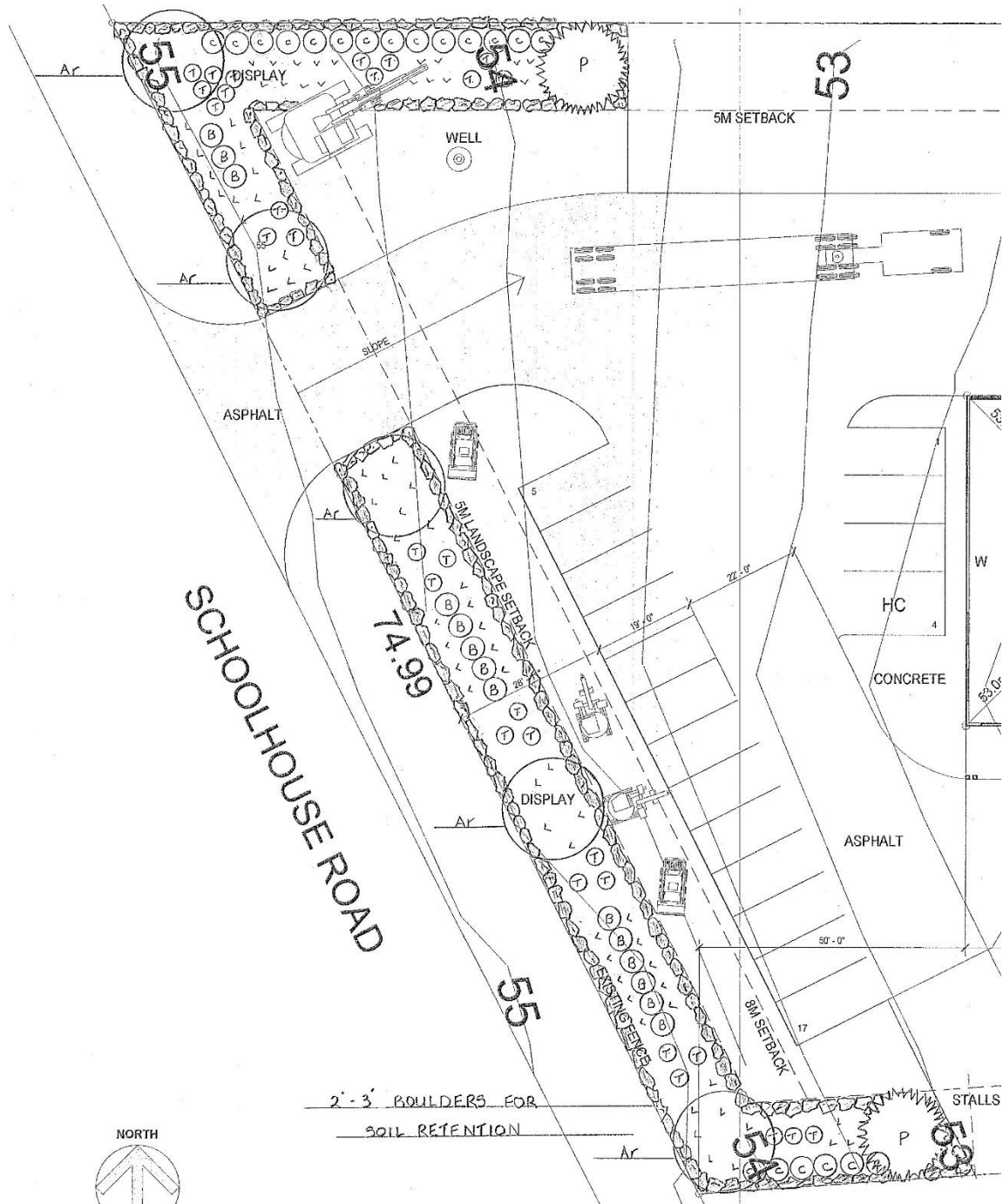
SEDIMENT CONTROLS (SC):

1. **ACCESS PAD** - CONSTRUCT AN ACCESS PAD TO REDUCE OFFSITE SEDIMENTATION. INSTALL PAD PRIOR TO USE OF HEAVY EQUIPMENT OR SITE GRADING OPERATIONS, AND MAINTAIN THE PAD THROUGHOUT CONSTRUCTION OPERATIONS. THE ACCESS PAD MAY BE REMOVED DURING PREPARATION FOR PAVING.

Attachment 7 (Page 1 of 2)
Landscaping Plan



Attachment 7 (Page 2 of 2)
Landscaping Plan – Enlarged for Convenience



PLANT LIST				
KEY	QTY	BOTANICAL NAME	COMMON NAME	POT SIZE
P	2	<i>Picea omorika</i> 'Aurea'	Golden Serbian Spruce	#25
Ar	5	<i>Acer rubrum</i> 'Red Sunset'	Red Maple	#25
C	20	<i>Thuja occidentalis</i> 'Smaragd'	Emerald Cedar	#5
B	14	<i>Berberis thunbergii</i> 'Rose Glow'	Berberis	#3
T	30	<i>Thuja occidentalis</i> 'Smaragd'	Threadleaf Falsecypress	#3
L	74	<i>Lavandula</i> 'Hidcote'	Lavender	#1

TO: Electoral Area Services Committee **DATE:** January 8, 2018
FROM: Stephen Boogaards
Planner **FILE:** **PL2018-196**
SUBJECT: Development Permit with Variance Application No. PL2018-196
4647 Maple Guard Drive – Electoral Area H
Lot 37, District Lot 40, Newcastle District, Plan 16121

RECOMMENDATIONS

1. That the Board approve Development Permit with Variance No. PL2018-196 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-196.

SUMMARY

The applicant requests to vary the setback to the top of a slope 30% or greater for a parcel adjacent to a coastal watercourse from 8.0 metres to 5.0 metres to allow the construction of a dwelling unit on the subject property. The applicant has demonstrated a safe geotechnical setback to the top of slope and that the proposed dwelling cannot be accommodated elsewhere on the property. The applicant has also demonstrated that the proposed building location will not impact the view from neighbouring properties. Given the topographical constraints on the property and that the variance is unlikely to result in negative view implications, it is recommended that the Board approve the variance, pending the outcome of public notification and subject to the terms and conditions outlined in Attachments 2 to 4.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Catherine and Clinton Southurst to permit the construction of a dwelling unit on the subject property. The subject property is approximately 0.27 hectares in area and is zoned Residential 2 Zone (RS2), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the southwest of the Strait of Georgia and adjacent to other residential properties (see Attachment 1 – Subject Property Map).

The property contains an existing cabin and is serviced by Deep Bay Improvement District and onsite sewage disposal. Any living facilities within the cabin will be decommissioned as part of the building permit, so that the building will be an accessory building. This is a common

occurrence in the RDN to have a lot with a small cabin where the owners then build a larger house and keep the existing cabin as an accessory building. The existing cabin is converted to an accessory building by removing the kitchen. As the zoning does not permit two dwellings the Occupancy permit for the new dwelling cannot be issued until conversion of the existing cabin is complete. The mechanism to ensure that the existing cabin is converted to an accessory building is through the building permit process. A condition of the Development Permit is to comply with the Building Bylaw regulations which requires that the cabin be converted to an accessory building prior to issuing the occupancy permit.

The property also contains a steep slope of approximately 34% which extends from the proposed building location to the natural boundary of the sea. Within the slope is an existing trail that provides access from the building site to the shoreline.

The proposed development is subject to the Hazard Lands Development Permit Area as per the “Regional District of Nanaimo Electoral Area H Official Community Plan Bylaw No. 1335, 2017”.

Proposed Development and Variance

The proposed development includes the construction of a dwelling unit and ancillary improvements outside of the building footprint, including the driveway and septic field. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 3.3.9 – Setbacks – Sea** to reduce the minimum setback from the top of slope of 30 percent or greater from 8.0 metres to 5.0 metres for the proposed dwelling.

Land Use Implications

The applicants are proposing to construct a dwelling unit on the property and request a variance to the top of slope setback to accommodate the dwelling (see Attachment 3 – Proposed Site Plan and Variance). According to “Board Policy B1.5 Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation” the development variance permit application requires that there is an adequate demonstration of a land use justification prior to the Board’s consideration. The proposal must also comply with the Hazard Lands Development Permit Area (DPA) guidelines to mitigate the disturbance of the steep slope to ensure conditions are safe for the proposed development and neighbouring properties.

With respect to justification and development permit area guidelines, the applicant has provided a Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd., dated October 7, 2017 to confirm the recommendations for the safe development of the property. Based on the average slope of 34%, the report identifies that the slope is considered to be in a stable condition and the slope will not be subject to regression during a seismic event. The report recommends a safe setback of 5.0 metres from the crest of slope to any footings of permanent buildings or residences. As a condition of the development variance permit, the report will be registered on the property title as a covenant, saving the RDN harmless from all losses or damages to life or property as a result of the hazardous condition (see Attachment 2 – Terms and Conditions of Permit). As for the terms of the covenant, the 5.0 metre setback will apply to any land alteration, vegetation removal or structures, excluding existing conditions such as maintaining the existing trail through the slope. Any work within this setback will require a new development permit or variance as applicable.

For the purposes of the variance, the applicant has also provided further justification for the proposed location of the building. The applicant has identified that in order to retain the existing accessory building and septic field on the property, the proposed dwelling will not be able to move closer to Maple Guard Drive without affecting the side yard setback. For potential impact, the proposed construction will not obstruct neighbouring views to the west as the slope is currently densely treed which already obscures any views. To the west, the neighboring dwelling unit is situated closer to the Strait of Georgia than the subject property. Given that the applicant has provided sufficient rationale and that the variance is not anticipated to result in negative view implications for adjacent properties, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

Public Consultation Implications

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1776, 2018", property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

ALTERNATIVES

1. To approve Development Permit with Variance No. PL2018-196 subject to the terms and conditions outlined in Attachments 2 to 4.
2. To deny Development Permit with Variance No. PL2018-196.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The proposed development has been reviewed and has no implications for the 2016 – 2020 Board Strategic Plan.



Stephen Boogaards
sboogaards@rdn.bc.ca
December 11, 2018

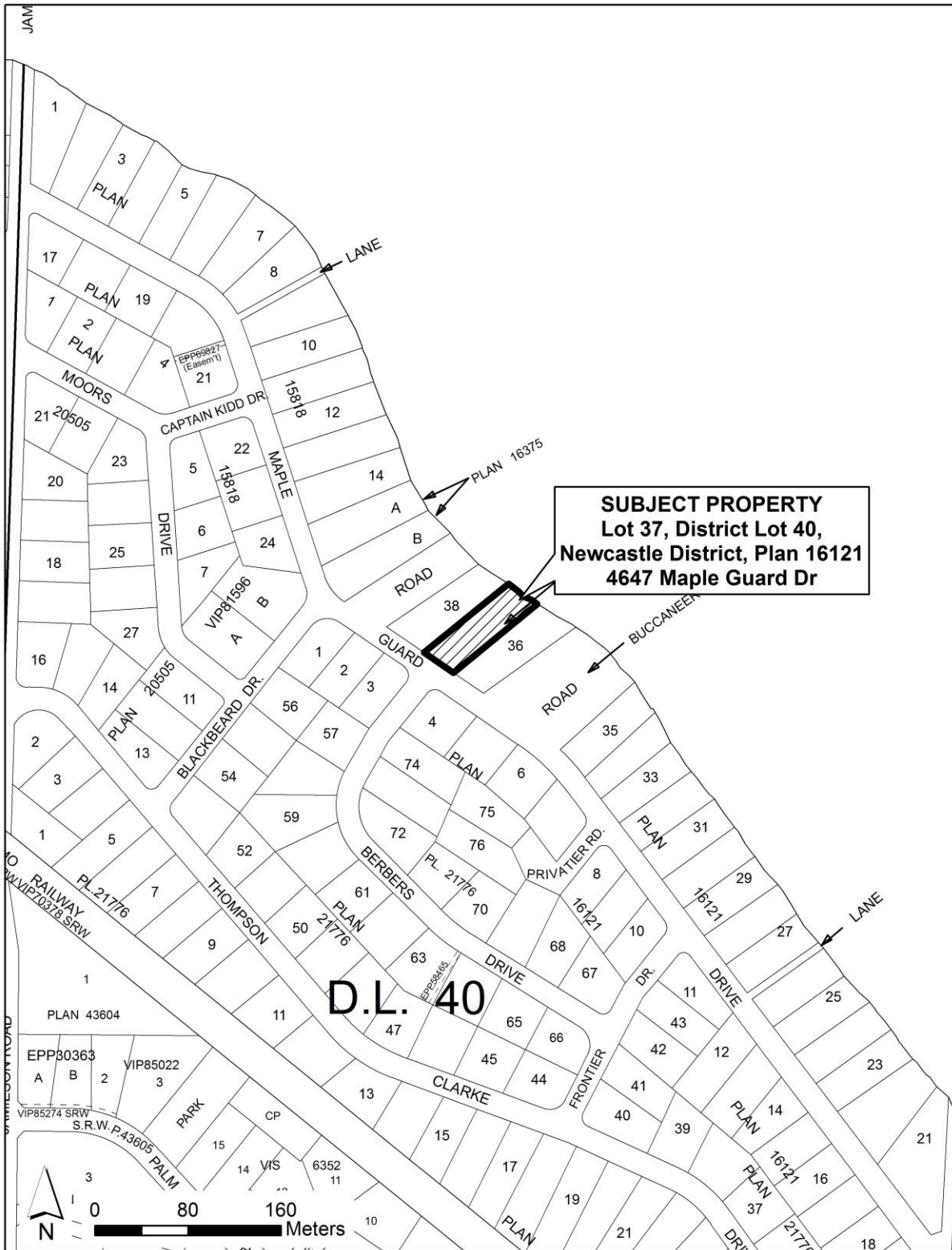
Reviewed by:

- P. Thompson, Manager, Current Planning
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variance
4. Building Elevations and Plans

Attachment 1 Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-196:

Bylaw No. 500, 1987 Variances

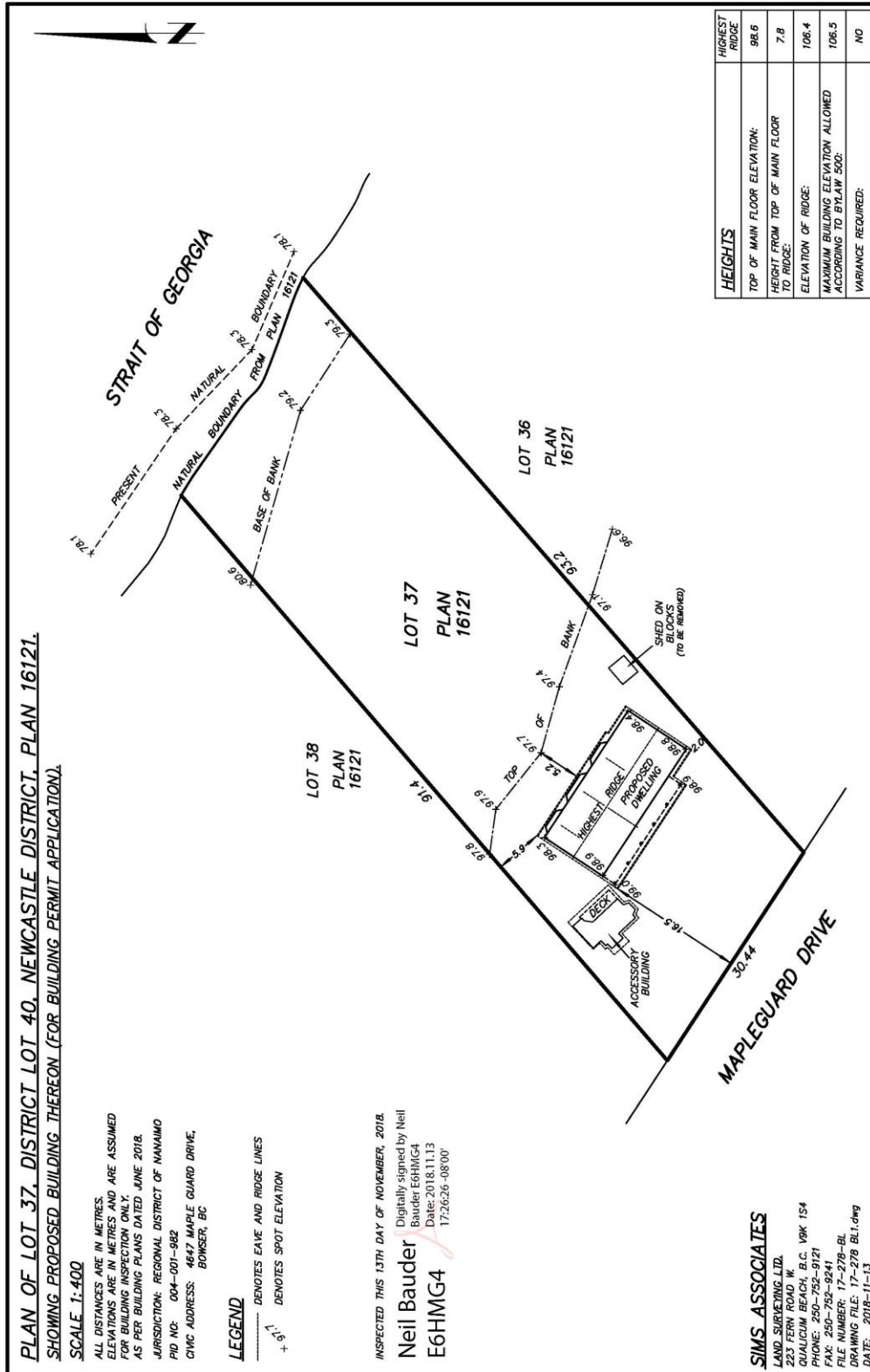
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

Section 3.3.9 – Setbacks – Sea to reduce the minimum setback from the top of slope of 30 percent or greater from 8.0 metres to 5.0 metres for the proposed dwelling.

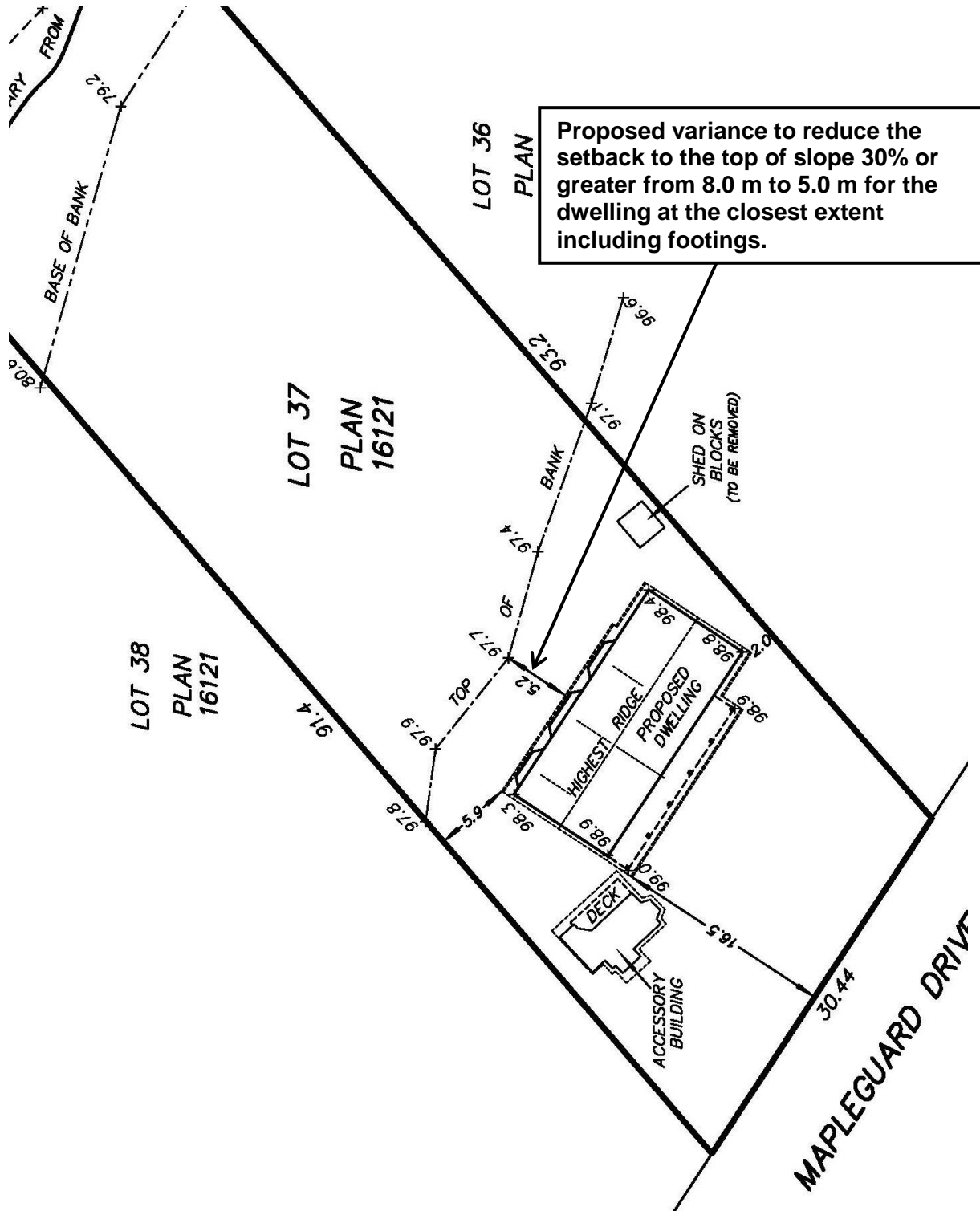
Conditions of Approval

1. The site is developed generally in accordance with the Survey Plan prepared by Sims Associates Land Surveying Ltd., dated November 13, 2018 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Rina Knoesen, dated June 2018 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated October 7, 2017.
4. The issuance of this Permit shall be withheld until the applicant, at the applicant’s expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. dated October 7, 2017, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard. The covenant is to restrict any vegetation removal, land alteration or structures within the 5.0 metre geotechnical setback, except for maintenance of existing conditions and unless otherwise approved by the RDN.
5. Prior to construction, the geotechnical setback shall be marked with temporary fencing or flagged stakes to avoid disturbance.
6. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

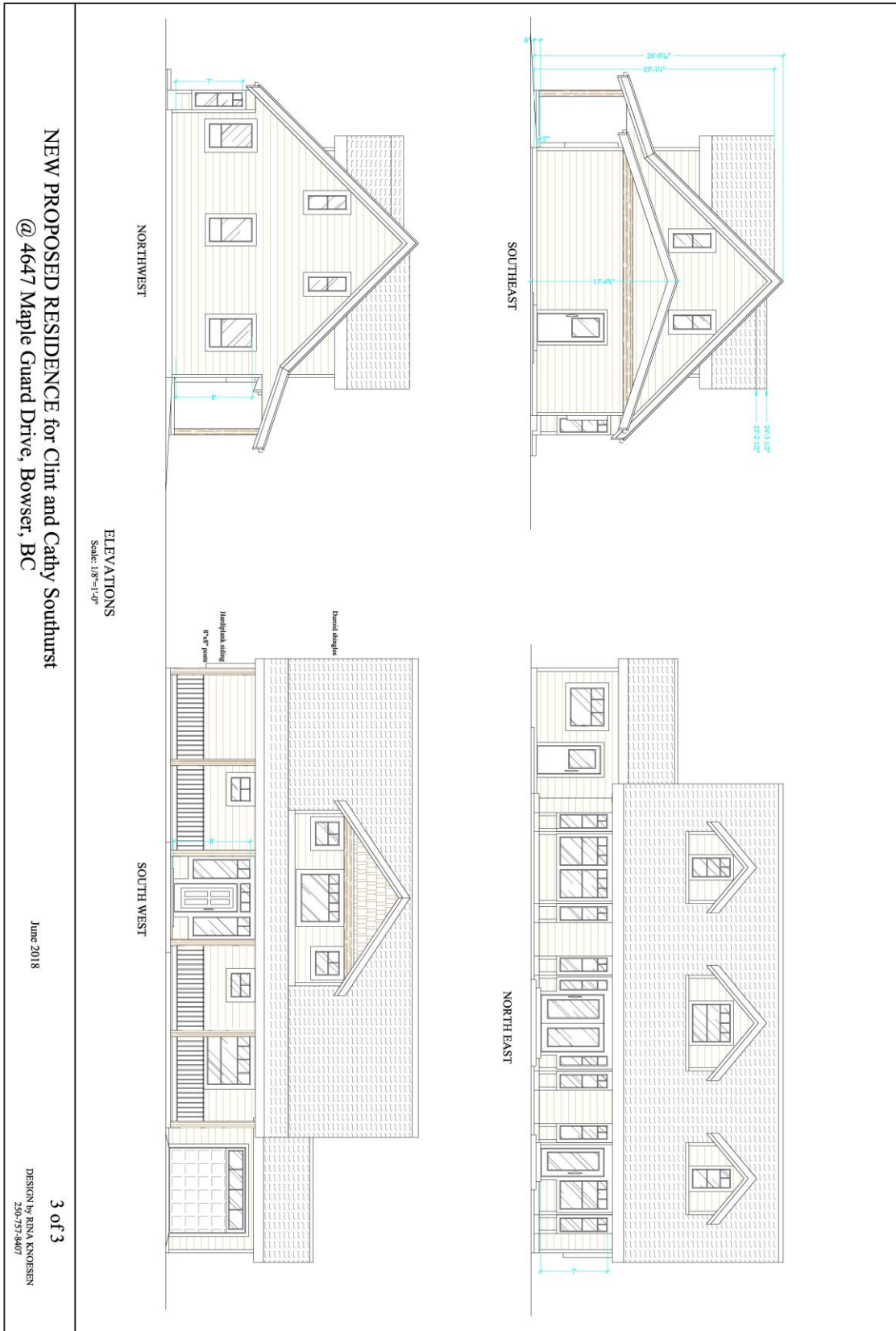
Attachment 3
Proposed Site Plan and Variance (Page 1 of 2)



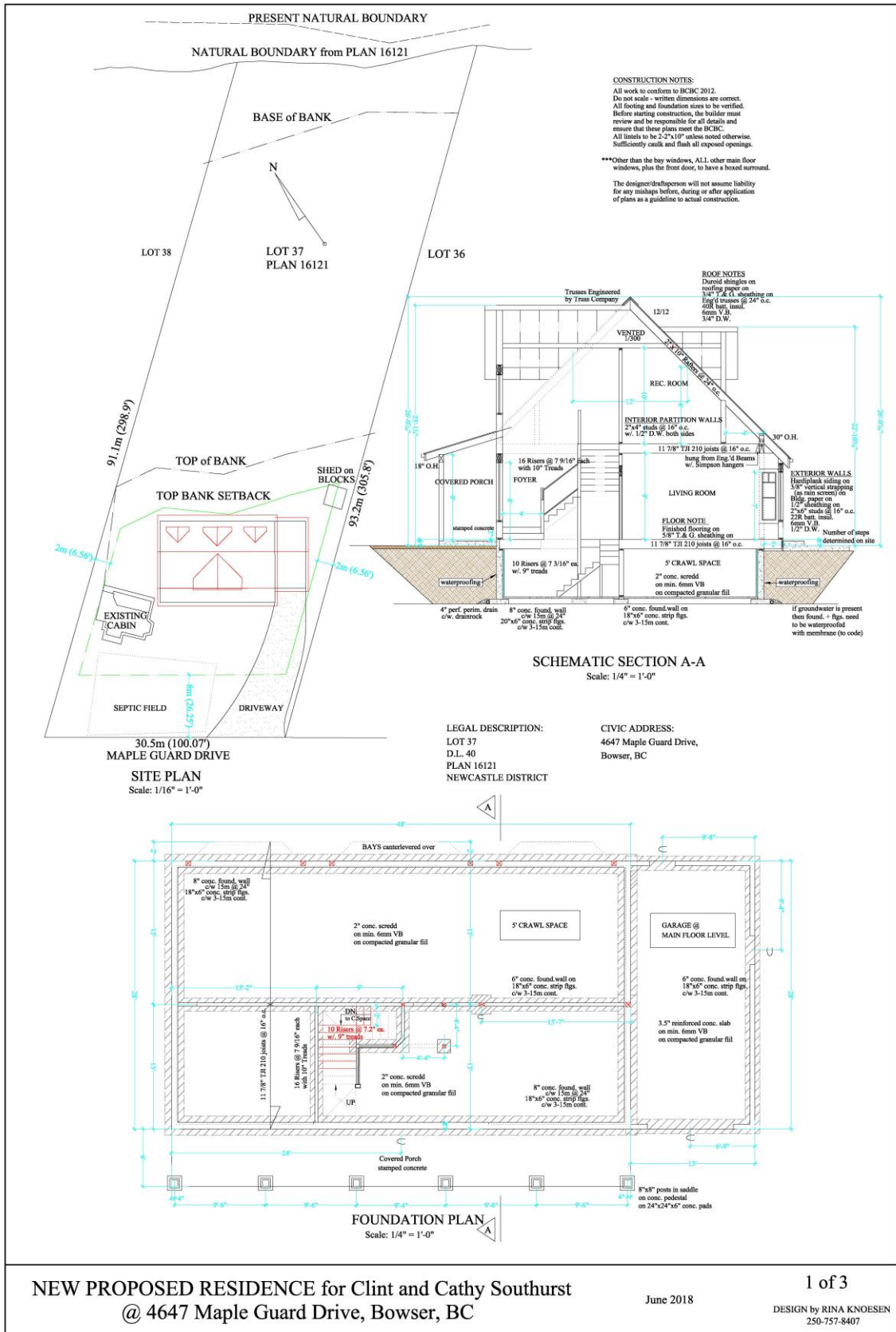
Attachment 3
Proposed Site Plan and Variance (Page 2 of 2)



**Attachment 4
 Building Elevations and Plans (Page 1 of 2)**



Attachment 4
Building Elevations and Plans (Page 2 of 2)



TO: Electoral Area Services Committee **DATE:** January 8, 2019
FROM: Kristy Marks
Planner **FILE:** PL2018-149

**SUBJECT: Development Permit with Variance Application No. PL2018-149
6820 Island Highway West – Electoral Area H
Lot 10, District Lot 36, Newcastle District, Plan 1820, Except Parcel A (DD
18277-N) and Plan 37332**

RECOMMENDATIONS

1. That the Board approve Development Permit with Variance No. PL2018-149 to permit a parcel depth variance for proposed Lots A and B in conjunction with a two lot subdivision subject to the terms and conditions outlined in Attachments 2 to 5.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2018-149.

SUMMARY

This is an application for a Fish Habitat Protection Development Permit and a parcel depth variance in conjunction with a two lot subdivision. Given that the development permit guidelines have been met and no negative impacts are anticipated as a result of the proposed variance, it is recommended that the Board approve the development permit with variance pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Randolph Low to permit a parcel depth variance in conjunction with a two lot subdivision. The subject property is approximately 0.9 hectares in area and is zoned Residential 2 (RS2), Subdivision District 'M', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is located to the west of the Island Highway West and is surrounded by developed rural residential parcels, the unconstructed Eastdowne Road to the south, and a road that will remain unconstructed to the west. Thames Creek bisects the western boundary of the property and is contained within a steep ravine which makes the western portion of the property near the creek inaccessible (see Attachment 1 – Subject Property Map).

The property contains two dwelling units and a number of accessory buildings that will be retained on proposed Lot B. Proposed Lot A would be vacant and approximately 0.5 hectares in

size. Both lots would be serviced by Bowser Waterworks District and onsite wastewater disposal.

The proposed development is subject to the Freshwater and Fish Habitat Protection Development Permit Areas per the “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2017”:

Proposed Development and Variance

This is an application for a development permit to permit a parcel depth variance in conjunction with a proposed two lot subdivision. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 4.5.1 - Parcel Shape and Dimensions** to increase the permitted parcel depth for proposed Lot A from 40% to 45.2% of the length of the perimeter of the parcel and for proposed Lot B from 40% to 43.4% of the length of the perimeter of the parcel.

Proposed Lot No.	Perimeter (m)	Maximum Parcel Depth (40%)	Proposed Parcel Depth	Proposed Parcel Depth as a % of the Parcel Perimeter
A	508.2	203.3	229.7	45.2%
B	355.5	142.2	154.2	43.4%

Land Use Implications

Both of the proposed parcels are at least twice the minimum parcel size of 2,000 m² which is the minimum parcel size for a lot connected to a community water system. However, the proposed parcels do not comply with the 40% parcel depth requirement of Bylaw 500. The purpose of this requirement is to ensure that each lot created is not excessively deep, relative to their width. “Board Policy B1.5 Development Variance Permit Application Evaluation” (B1.5) requires a demonstration of a land use justification or rationale to address why the proposal cannot comply with the regulations and how the proposal can provide for efficient land use.

Thames Creek crosses the western end of proposed Lot A and is confined within a steep ravine. The applicant has provided a Geotechnical Hazards Assessment prepared by Lewkovich Geotechnical Engineering Associates Ltd. dated November 29, 2018 to address slope stability and address the Development Permit Area (DPA) guidelines related to the protection of development from hazardous conditions. The report recommends a minimum setback of 25.0 metres from the crest of the ravine slope for any dwelling unit and a minimum setback of 7.0 metres for accessory buildings and other non-habitable structures. The report also recommends that trees in proximity to the slope be retained and that septic fields be located greater than 10 metres from the crest of the slope. The applicant will be required to register a Section 219 Covenant on the property title that includes the Geotechnical Hazards Assessment and a save harmless clause that releases the RDN from all losses and damages to life and property as a result of the potential hazard (see Attachment 2 – Terms and Conditions of Permit).

Although Lot A is proposed to be 0.5 hectares in area, the long, narrow configuration of the parent parcel, steep slope adjacent to Thames Creek and geotechnical setbacks, result in a

significantly reduced building envelope of 516 m² for any habitable buildings. Due to significant site constraints and to ensure the proposed parcel can accommodate permitted uses and that future development is consistent with the character of surrounding residential properties the applicant has agreed to limit development of proposed Lot A to one dwelling unit and one attached secondary suite. This restriction is to be secured through the registration of a Section 219 Covenant on the title of proposed Lot A concurrent with the registration of the final plan of subdivision (see Attachment 2 – Terms and Conditions of Permit).

With respect to the requested parcel depth variance, the applicant has indicated that the proposed parcel shape and dimensions are influenced by the long, narrow shape of the parent parcel and the fact that the subject property is surrounded by road frontage on three sides. The property could not be uniformly subdivided without a parcel depth variance. As that frontage is measured from the shortest lot line adjacent to a highway or road, parcel depth is measured from the narrowest end of each proposed parcel. The proposed parcels are more than twice the minimum parcel size and there is adequate access and frontage for each parcel. No development concerns have been identified for Lot B and it can accommodate the existing uses. However, as noted above, due to the constraints on Lot A the applicant has agreed to register a Section 219 Covenant to restrict development on proposed Lot A.

Given that the applicant has provided sufficient rationale and the variance will not result in negative land use implications for adjacent properties, the applicants have made reasonable efforts to address Policy B1.5.

Environmental Implications

To address the DP guidelines, the applicant has submitted a Riparian Areas Assessment prepared by Toth & Associates Environmental Services dated February 10, 2018. The assessment notes that Thames Creek runs across the west end of the property within a well-defined ravine and establishes a Streamside Protection and Enhancement Area (SPEA) of 18.0 metres from the high water mark (see Attachment 4 – Riparian Assessment Map). The assessment confirms that development outside the watercourse setbacks will not encroach upon or negatively impact the SPEA, given that the setbacks from watercourses outlined in Bylaw 500 are 9.0 metres from the top of the ravine bank and that the SPEA is located well below the top of the ravine bank. The report recommends that no overland run-off from development be directed to the ravine slope and that traditional techniques for management of stormwater including drain rock chambers and/or infiltration swales should be utilized. In addition, the applicant is required to submit a post development assessment and report within 60 days of project completion to identify whether any development has had any negative impact on the SPEA

DPA guideline 13 requires that the proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the SPEA. Given that the developable area for proposed Lot A is well above the top of ravine bank outside the SPEA for proposed Lot A, the applicant has satisfied this guideline. Proposed Lot A is more than twice the minimum parcel size and meets guideline 14, which notes that minimum parcel size should be met exclusive of the SPEA. To address DPA guideline 15 the applicant shall be required to install permanent fencing or other means of clearly delineating the SPEA, prior to notifying the Provincial Approving Officer that the conditions of the DP have been met. The applicant has agreed to install one fish habitat

protection sign along the SPEA boundary on proposed Lot A (see Attachment 2 – Terms and Conditions of Permit and Attachment 5 – Fish Habitat Protection Sign Standard).

Given that the applicant has satisfied the intent of the DPA guidelines and measures are being proposed to protect the environmentally sensitive riparian areas, the proposed development is not anticipated to have negative environmental impacts.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure (MOTI) has reviewed the subdivision application and issued preliminary layout approval (PLA). The PLA lists a number of conditions including the preparation of a Section 219 Covenant including the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd. in favour of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, as well as the local government.

Public Consultation Implications

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

ALTERNATIVES

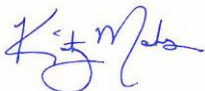
1. To approve Development Permit with Variance No. PL2018-149 subject to the terms and conditions outlined in Attachments 2 and 3.
2. To deny Development Permit with Variance No. PL2018-149.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2018 – 2022 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The Plan's "Focus on the Environment" states that the Board will focus on protecting and enhancing the environment in all decisions. The DPA guideline requirement for a biological assessment helps ensure that site-specific environmentally sensitive features are identified and that the impacts of development on the environment are identified and mitigated.



Kristy Marks
kmarks@rdn.bc.ca
December 19, 2018

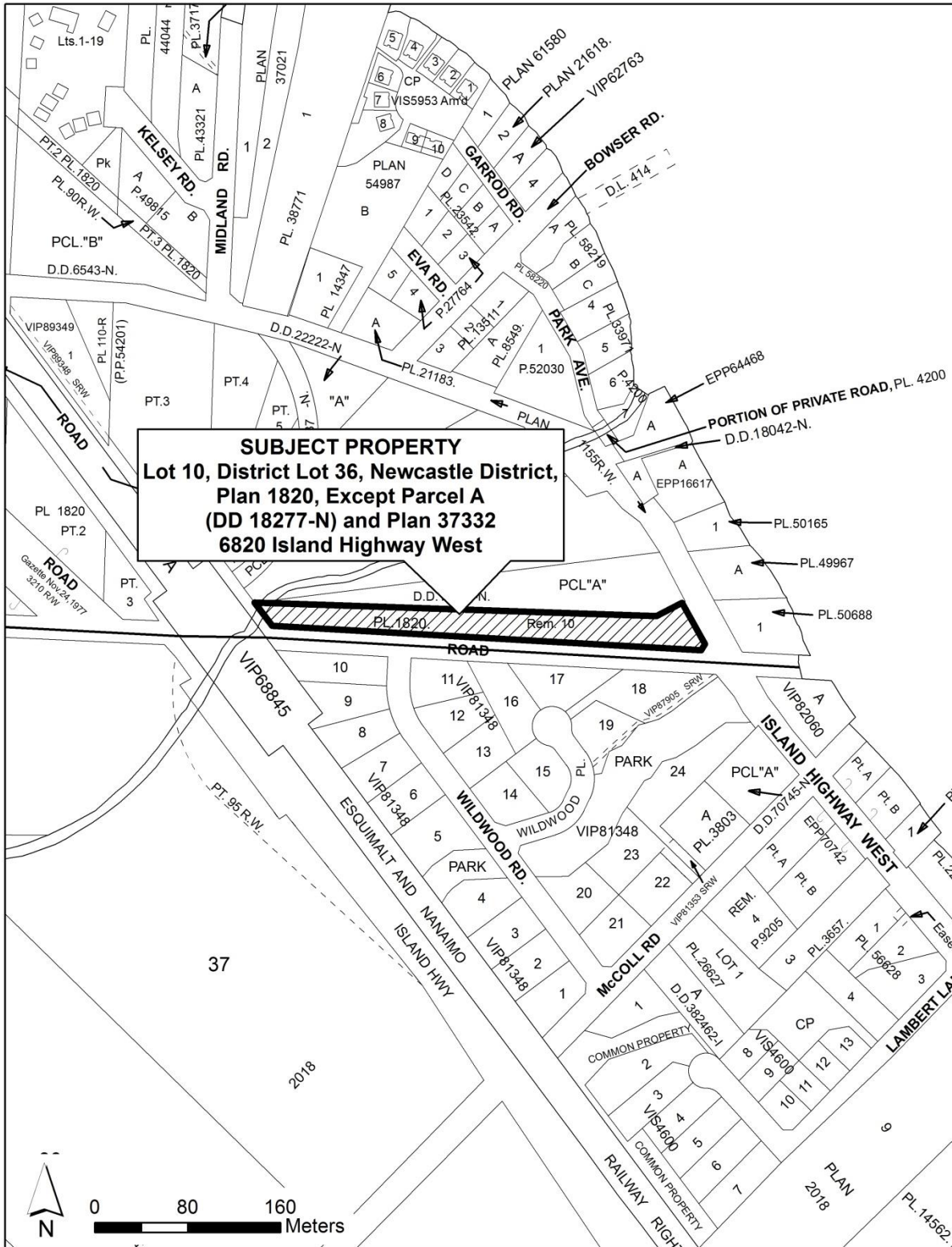
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Plan of Subdivision and Variances
4. Riparian Assessment Map
5. Fish Habitat Protection Sign Standard

Attachment 1
Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2018-149:

Bylaw No. 500, 1987 Variances

With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

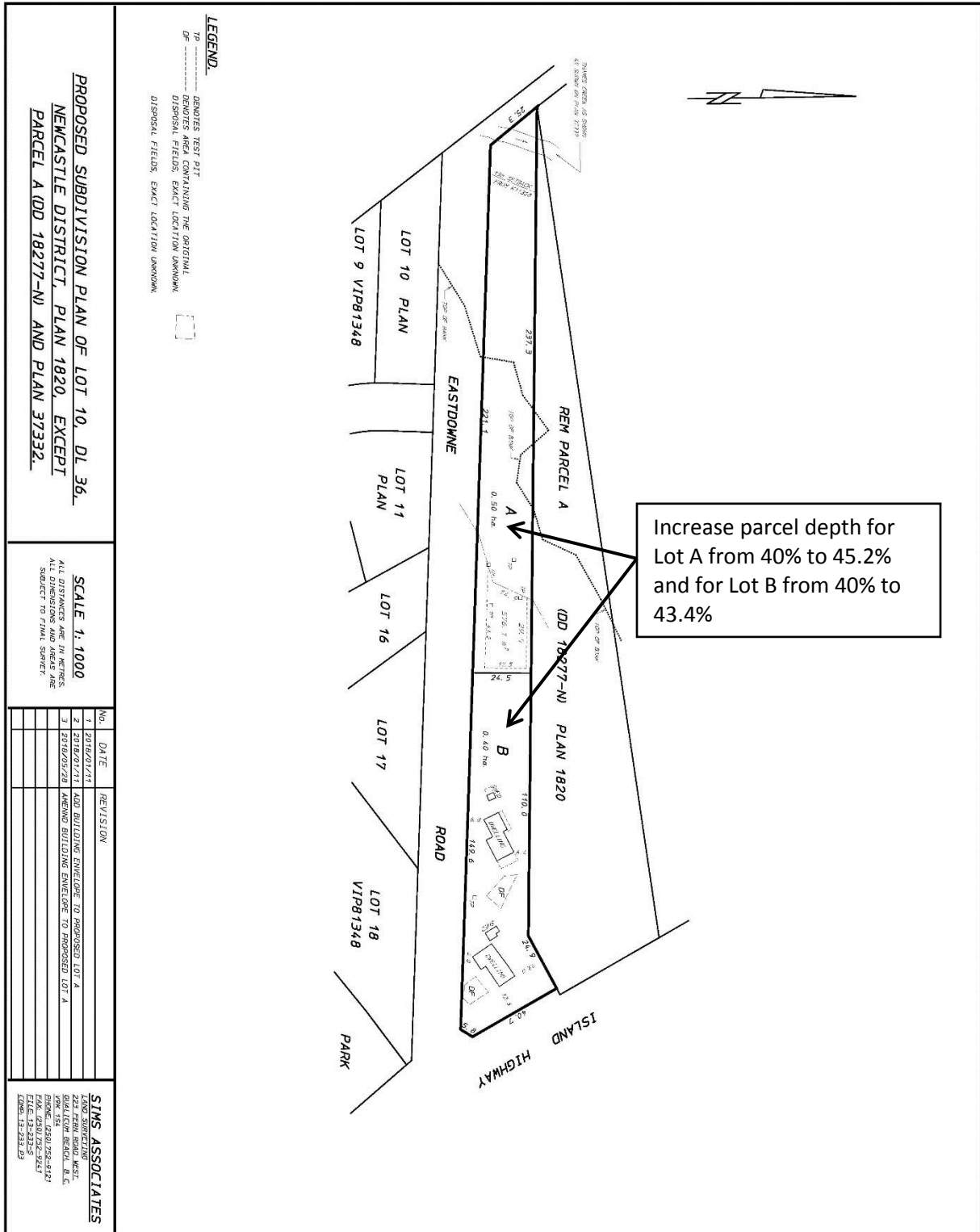
1. **Section 4.5.1. – Parcel Shape and Dimensions** to increase the permitted parcel depth for proposed Lot A from 40% to 45.2% of the length of the perimeter of the parcel and Lot B from 40% to 43.4 % of the length of the perimeter of the parcel.

Conditions of Approval

1. The site is developed in accordance with the Proposed Plan of Subdivision prepared by Sims Associates Land Surveying, dated May 28, 2018 and attached as Attachment 3.
2. The subject property shall be developed in accordance with the recommendations contained in the Riparian Areas Assessment prepared by Toth & Associates Environmental Consulting Ltd. dated February 10, 2018.
3. The property owner shall provide confirmation in the form of a report prepared by a Qualified Environmental Professional (QEP), to the satisfaction of the General Manager of Strategic and Community Development, that development of the subject property has occurred in accordance with the QEP’s recommendations.
4. Prior to the issuance of the subdivision compliance letter, one habitat protection sign shall be erected on proposed Lot A along the Streamside Protection and Enhancement Area (SPEA), to permanently mark the SPEA boundary using the sign standard included on Attachment 5.
5. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd., dated November 29, 2018.
6. Concurrent with the registration of the final plan of subdivision, the applicant, at the applicant’s expense, shall register a Section 219 Covenant on the property title containing the Geotechnical Engineering Review prepared by Lewkowich Engineering Associates Ltd. dated November 29, 2018, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of the potential hazard.
7. Concurrent with the registration of the final plan of subdivision, the applicant, at the applicant’s expense, shall register a Section 219 Covenant on the property title of proposed Lot A restricting development to one dwelling unit and one attached secondary suite, in addition to accessory residential buildings and structures.

8. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Attachment 3 Proposed Plan of Subdivision and Variances



**Attachment 4
 Riparian Assessment Map**

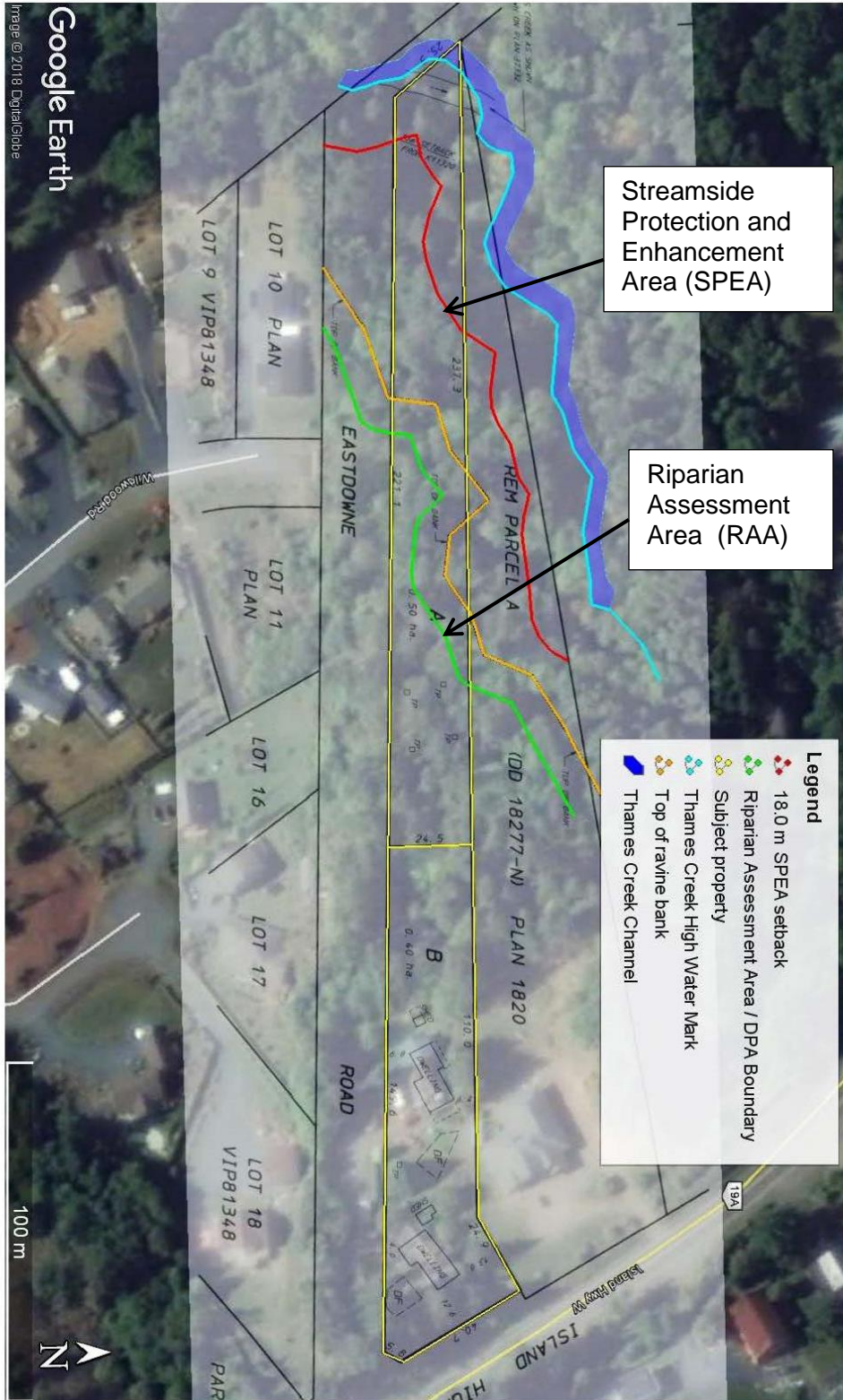
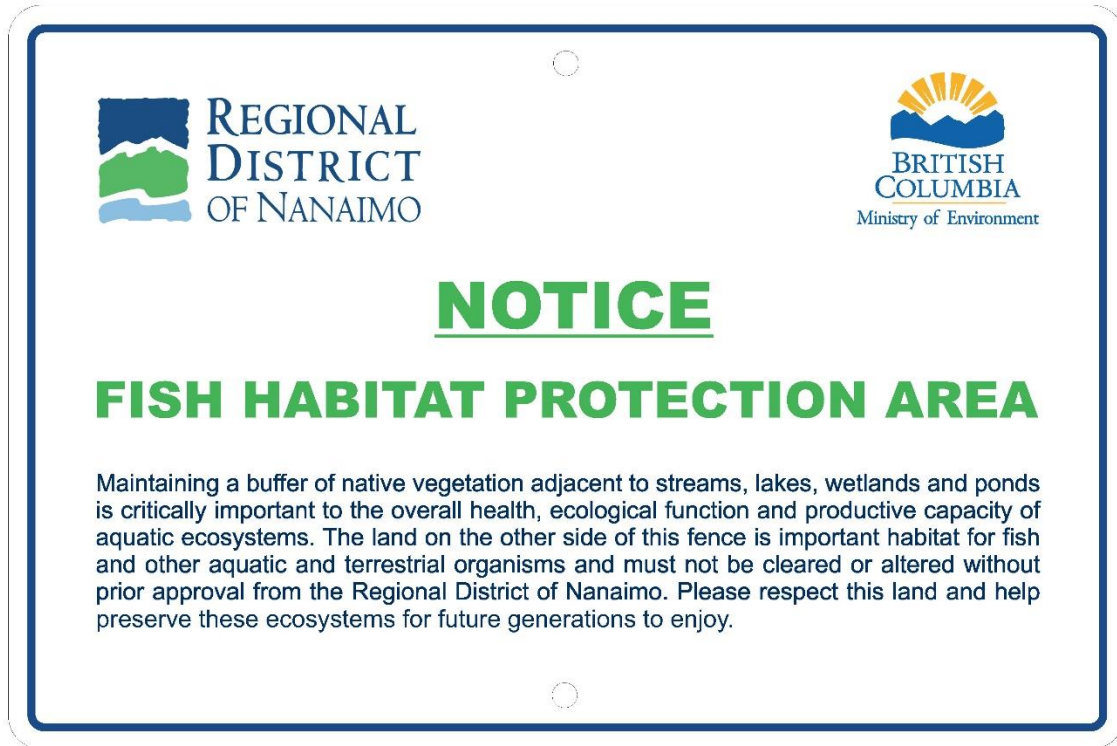


Figure 3. SPEA setbacks, Riparian Assessment Area and proposed subdivision plan on September 2016 air photo

Form 3 Detailed Assessment Form
 Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Attachment 5
Fish Habitat Protection Sign Standard



Aluminum or Dibond 12"x18" Radius corners
Inline border .14"
RDN logo: 2"x5.17"
Ministry of Environment logo: 2.5"x2.92"
Notice: Arial black type .90"
Fish Habitat Protection Area: Arial black type .60"
All other text: Arial bold type .27"

TO: Electoral Area Services Committee **DATE:** January 8, 2019
FROM: Angela Buick
Planner **FILE:** PL2018-092
SUBJECT: **Zoning Amendment Application No. PL2018-092**
2995 Ridgeway Road – Electoral Area C
Amendment Bylaw 500.423, 2019 – Introduction
Lot 1 of Section 11, Ranges 3 and 4 and of Section 12, Range 4, Mountain
District, Plan 31326

RECOMMENDATIONS

1. That the Board receive the Summary of the Public Information Meeting held on November 6, 2018.
2. That the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.423 being considered for adoption.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be introduced and read two times.
4. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”, be waived in accordance with Section 464(2) of the *Local Government Act*.
5. That staff be directed to proceed with notification in accordance with Section 467 of *The Local Government Act* of the Board’s intent to consider third reading of “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” at a regular Board meeting to be held on March 26, 2019

SUMMARY

The applicant proposes to amend the zoning for the property from Rural 1 (RU1), Subdivision District ‘D’ to RU1 Zone, Subdivision District ‘F’, to allow the subdivision of the subject property into two lots. A Public Information Meeting was held on November 6, 2018 where no objections were raised by the public. It is recommended that Amendment Bylaw No. 500.423, 2019 be granted first and second reading, that the public hearing for the bylaw be waived in accordance with Section 464(2) of the *Local Government Act* given that the proposal is consistent with the applicable Official Community Plan (OCP) policies, and that the conditions of approval are to be completed by the applicant prior to the Board’s consideration of the bylaw for adoption (see Attachment 2).

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Douglas Holme of JE Anderson & Associates Ltd. on behalf of David and Elaine Seymour to rezone the subject property in order to permit a two-lot subdivision. The subject property is approximately 2.25 hectares in area and contains one dwelling unit and one accessory building (see Attachment 4 – Proposed Plan of Subdivision). The property is located north west of Ridgeway Road and south of Jameson Road and is surrounded by large Rural 1 (RU1) zoned lots (see Attachment 1 – Subject Property Map and Attachment 3 – Current Zoning Map).

Proposed Development

The applicant proposes to rezone the subject property from RU1 Zone, Subdivision District 'D' to RU1 Zone, Subdivision District 'F' to allow the subdivision of the property into two 1.0 hectare lots (see Attachment 3 – Current and Proposed Zoning Map). Proposed Lot A is currently serviced by an existing well and an on-site septic system, while proposed Lot B will be serviced with a new well and on-site septic system.

Official Community Plan Implications

The subject property is designated as Rural Residential pursuant to the “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997” (OCP). The Rural Residential designation supports the subdivision of a parcel that existed prior to the adoption of the OCP. In this case, the subject property was created in 1978 and therefore qualifies under this provision. However, the application must meet a number of criteria to avoid an OCP amendment. One of these criteria is that no new parcels can be smaller than 1.0 hectare in size. As Bylaw 500 allows parcel averaging, the applicant will be required to register a Section 219 Covenant requiring all parcels within the subdivision to be no less than 1.0 hectare in size (see Attachment 2 – Conditions of Approval). The OCP also requires a Section 219 Covenant to prevent further subdivision under the *Land Title Act* or *Strata Property Act*. Since the proposed plan of subdivision shows each parcel of land with more than 1.0 hectare in area, and provided that the applicant satisfies the Conditions of Approval prior to adoption, the proposed amendment is consistent with the OCP policies.

Land Use Implications

The existing RU1 zoning of the subject property allows agriculture, aquaculture, home-based business, produce stand, silviculture, secondary suite, and residential use. Currently two dwelling units are permitted on the subject property, as the parcel area is greater than 2.0 hectares. The proposed subdivision is consistent with OCP policy as it relates to density supported of one dwelling unit per one hectare of land (see Attachment 6 – Proposed Amendment Bylaw 500.423, 2019).

The applicant has submitted a proposed plan of subdivision to show the potential parcel shape and dimensions (see Attachment 4 – Proposed Plan of Subdivision). The proposed plan was prepared to comply with the 1.0-hectare minimum parcel size requirement and accommodate the existing buildings, driveway access and parking area.

The proposed zoning amendment is required to demonstrate compliance with Policy B1.21 and OCP policy to provide verification of onsite sewage disposal capability and that potable water sources are sufficient to service the proposed development. In support of this, the applicant has

provided a Preliminary Hydrogeological Assessment prepared by GW Solutions Inc. dated June 5, 2018 which provides an assessment of the hydrogeological conditions of the subject property and provides a professional opinion on the suitability of a potable water source for the proposed subdivision. The report anticipates that a well on each proposed lot could sustain the required water supply of 3.5 m³ per day provided that the water is used for domestic use only and that water conservation measures are taken (e.g. use of native plants, xeriscaping, rain water collection, no lawn watering using automatic sprinkling systems). Provided these measures are taken, a new well drilled for residential use on proposed Lot B will not have an adverse impact on surrounding wells, groundwater resources and receiving waters.

The applicant has also provided a soils summary to determine the suitability for onsite sewage on proposed Lot B. The summary concludes that the lot will be suitable for a low-pressure type 1 system. However, this will be verified by Island Health by way of a septic approval through the subdivision approval process.

Prior to the Board's consideration of adoption of the amendment bylaw, it is recommended that the applicant be required to register a Section 219 Covenant with a clause requiring wells to be constructed and tested at subdivision stage consistent with Board Policy B1.21.

Environmental Implications

Prior to land alteration and/or final approval for subdivision, the applicant shall be required to determine if the subject properties will be subject to the Fish Habitat Development Permit Area per the "Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1998". If it is determined that there is a watercourse subject to the *Riparian Area Regulations*, a development permit application will be required prior to subdivision approval.

Intergovernmental Implications

The application was referred to the local Fire Chief and RDN Water and Wastewater Services who expressed no concerns. The Ministry of Transportation and Infrastructure expressed no concerns, however all comments pertaining to the subdivision would be provided at the time of subdivision. Island Health has also commented that a subdivision application will require septic approval at the time of subdivision, which will need to be witnessed by the Environmental Health Officer. The City of Nanaimo was sent a referral as well because there is a right-of-Way (ROW) for a historic power generation connection between Westwood and Witchcraft Lakes intersecting a small portion of the proposed Lot A at the corner of Jameson and Ridgeway Roads. The City of Nanaimo's Parks department supports re-routing the ROW as necessary to provide privacy to the subject property owners. It was noted that this ROW provides a unique opportunity for a future trail/greenway development in an existing corridor and that re-routing may occur at any point in the future between the land owner and the City of Nanaimo would be supported. It is recommended to the applicant to consider this re-routing at the time of subdivision if desirable.

Public Consultation Implications

A Public Information Meeting (PIM) was held on November 6, 2018. Nine members of the public attended, and no written submissions were received prior to the PIM (see Attachment 5 – Summary of Minutes of the Public Information Meeting).

In accordance with Section 464 of the *Local Government Act*, the Board may waive the holding of a public hearing if the proposed amendment bylaw is consistent with the OCP. It is assessed that the proposed development is consistent with the OCP and no concern has been expressed by the community with respect to the proposed amendment. Therefore, it is recommended that the Board waive the public hearing and direct staff to proceed with the notification requirements outlined in Section 467 of the *Local Government Act*.

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2018-092, consider first and second reading of the Amendment Bylaw and waive the Public Hearing.
2. To not proceed with the Bylaw amendment.

FINANCIAL IMPLICATIONS

The proposed development has been reviewed and has no implications related to the Board 2018 – 2022 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The proposed development has been reviewed and the application supports the Board 2016-2020 Strategic Plan's strategic priorities Focus on the Environment and Focus on Service and Organizational Excellence respectively through commitments to groundwater protection and the applicants proposed community amenity contribution to support of local emergency services.



Angela Buick
abuick@rdn.bc.ca
December 18, 2018

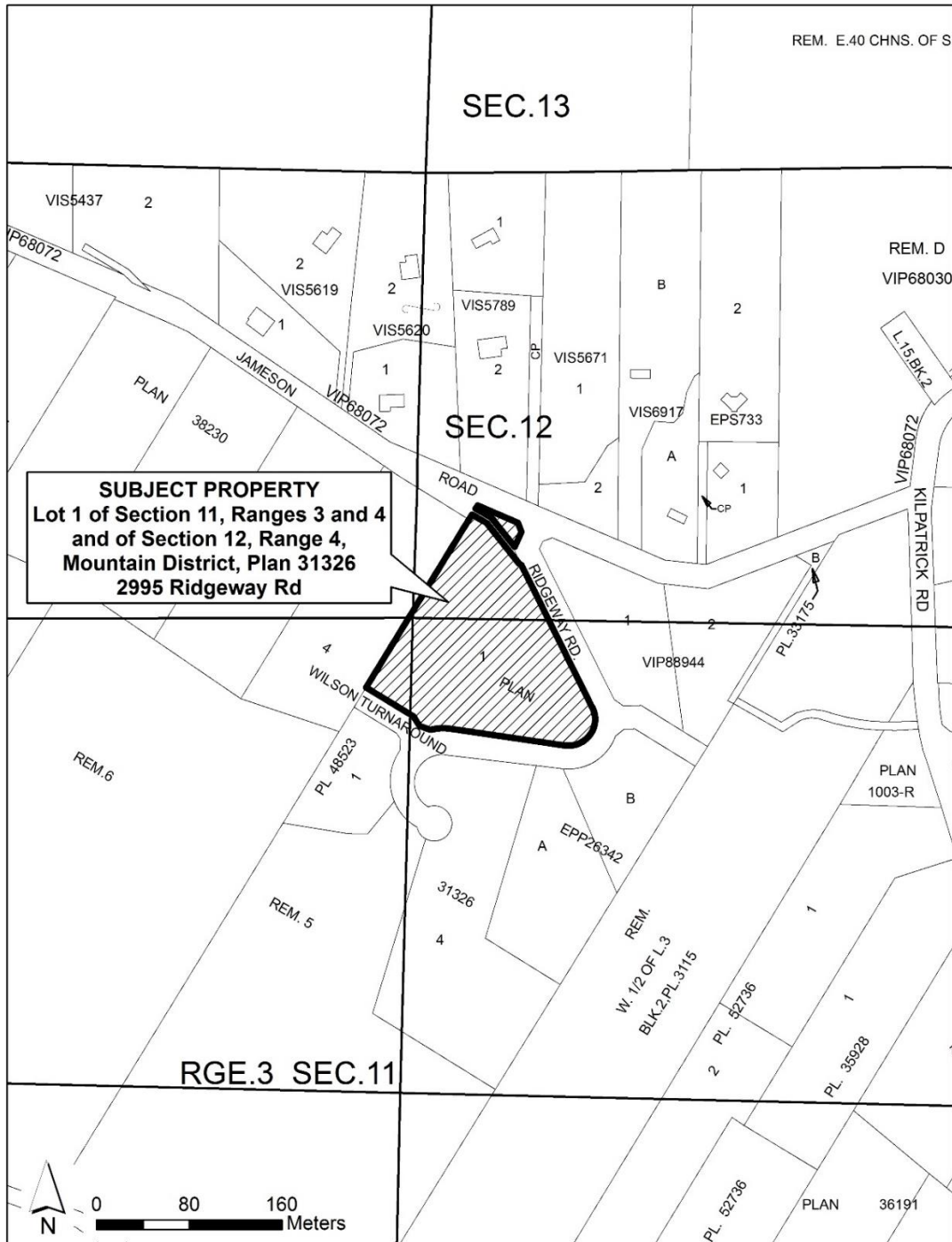
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Conditions of Approval
3. Current and Proposed Zoning Map
4. Proposed Plan of Subdivision
5. Summary of Report of the Public Information Meeting
6. Proposed Amendment Bylaw No. 500.423, 2019

Attachment 1
Subject Property Map



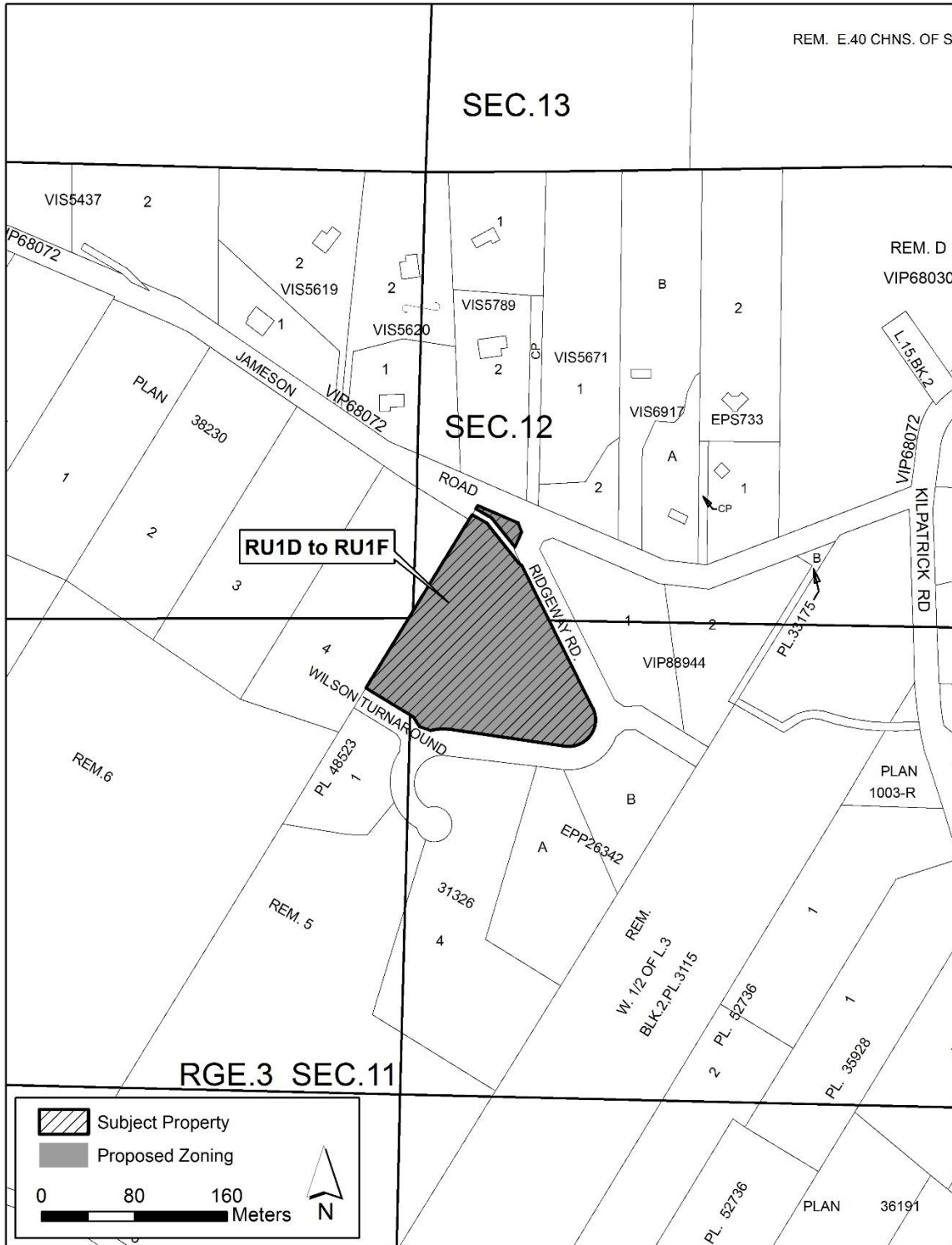
Attachment 2 Conditions of Approval

The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” being considered for adoption:

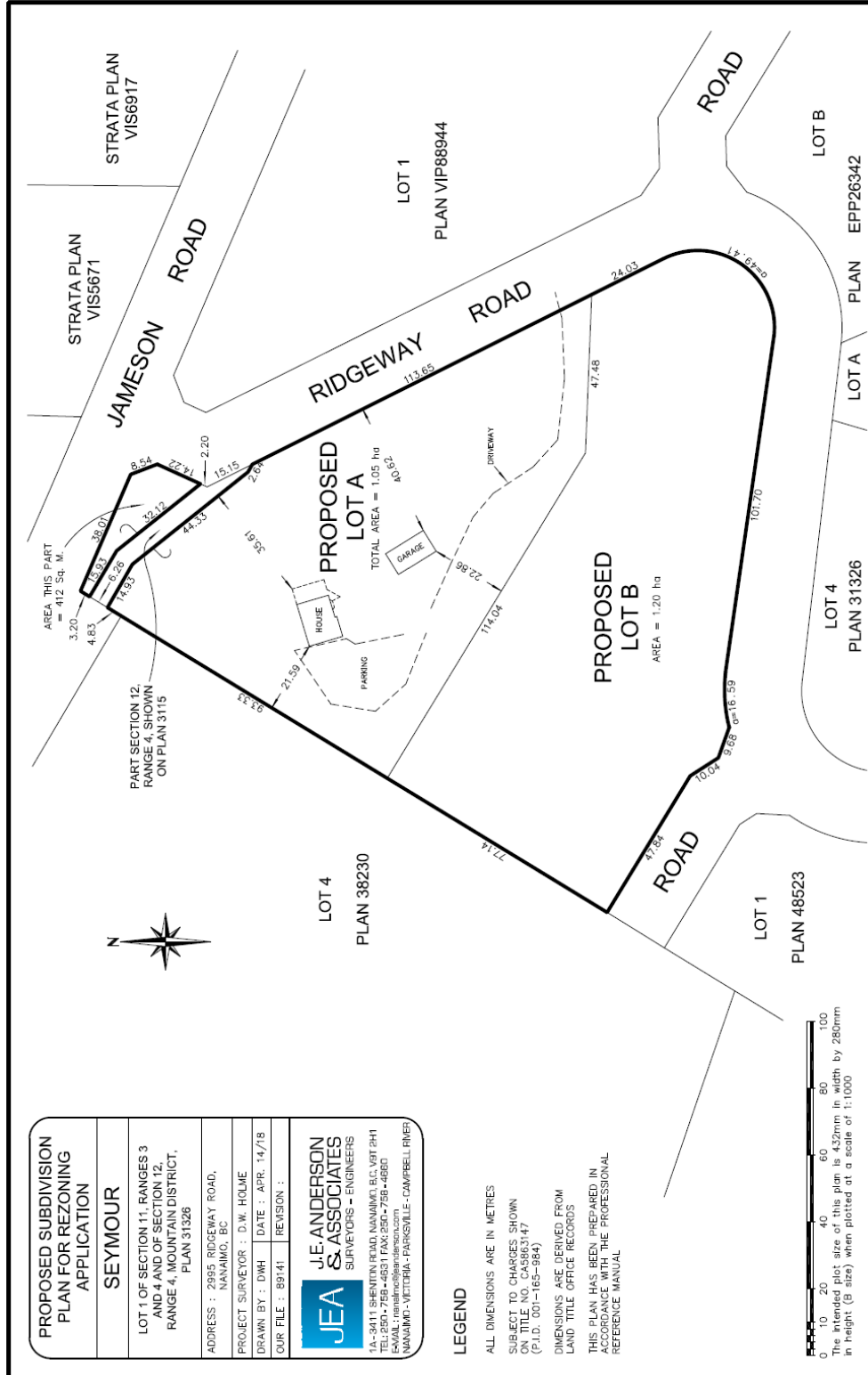
Conditions of Approval

1. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring any new parcel created through subdivision to be 1.0 hectare or greater in area.
2. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title to prohibit the subdivision of the new parcels.
3. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring the development of the land occur in a manner consistent with the Preliminary Hydrological Assessment report prepared by GW Solutions Inc., dated June 5, 2018.
4. The applicant is required to register, at the applicant’s expense, a Section 219 Covenant on the property title stating that the wells be constructed and tested, and a report from a Professional Engineer (registered in BC) be submitted to the Regional District of Nanaimo prior to final approval of subdivision in accordance with “Board Policy B1.21 – *Groundwater – Application Requirements for Rezoning of Un-serviced Lands*”. No subdivision shall occur until such time that a report from a Professional Engineer (registered in BC) has been completed to the satisfaction of the Regional District of Nanaimo confirming that the wells have been pump tested and certified including well head protection, and that the water meets Canadian Drinking Water Standards.

Attachment 3 Current and Proposed Zoning Map



Attachment 4
Proposed Plan of Subdivision



PROPOSED SUBDIVISION PLAN FOR REZONING APPLICATION	
SEYMOUR	
LOT 1 OF SECTION 11, RANGES 3 AND 4 AND OF SECTION 12, RANGE 4, MOUNTAIN DISTRICT, PLAN 31326	
ADDRESS : 2895 RIDGEWAY ROAD, NANAIMO, BC	
PROJECT SURVEYOR : D.W. HOLME	DATE : APR. 14/18
DRAWN BY : DMH	REVISION :
OUR FILE : 89141	
 J.E. ANDERSON & ASSOCIATES SURVEYORS - ENGINEERS 1A-3411 SHERIDAN ROAD, NANAIMO, B.C. V9T 2H1 TEL: 250-759-4631 FAX: 250-759-4680 1000 UNIVERSITY AVENUE, SUITE 100 NANAIMO - VICTORIA - PARKSVILLE - CAMPBELL RIVER	

LEGEND
 ALL DIMENSIONS ARE IN METRES
 SUBJECT TO CHARGES SHOWN
 PLAN TITLE: PL-48523/147
 (P.I.B. 001-165-384)
 DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS
 THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL

Scale: 1:1000
 The inside size of this plan is 432mm in width by 280mm in height (8 size) when plotted at a scale of 1:1000

Attachment 5
Summary of Report of a Public Information Meeting
Held at Mountain View Elementary School – Multi-purpose Room
2480 East Wellington Road, Nanaimo
November 06, 2018 at 6:05 PM
RDN Application PL2018-092

Note: This summary of the meeting is not a verbatim recording of the proceedings but is intended to summarize the comments and questions of those in attendance at the Public Information Meeting.

There were nine members of the public in attendance at this meeting.

Present for the Regional District of Nanaimo:

Director Maureen Young, Electoral Area C (the Chair)
Charlie Pinker, Alternate for Electoral Area C
Angela Buick, Planner handling the development application
Sarah Preston, Planning Technician, Recording Secretary

Present for the Applicant:

Doug Holme, JE Anderson & Associates Ltd.
David and Elaine Seymour, Subject Property Owners

The Chair opened the meeting at 6:05 pm, outlined the evening's agenda, and introduced the Regional District of Nanaimo (RDN) staff and the applicant(s) in attendance. The Chair then stated the purpose of the Public Information Meeting and asked RDN staff to provide background information concerning the development application.

Director Young provided a brief summary of the proposed Zoning Amendment application, supporting documents provided by the applicant, and the application process.

The Chair invited the applicant to give a presentation of the development proposal.

Doug Holme, JE Anderson & Associates Ltd. presented an overview of the proposal.

Following the presentation, the Chair invited questions and comments from the public.

Peter Wright, 2940 Jameson Road, asked to clarify the total density after re-zoning.

The Chair explained that there would be two dwelling units and that there could be up to one suite associated with each house, per the new secondary suites bylaw. The application does not increase the density.

Tim Miller, 3000 Ridgeway Road, asked if there was going to be more small lot subdivisions in the area.

Charlie Pinker, Alternate, explained that there will not be any high-density subdivisions in the area. At the time the Official Community Plan (OCP) was reviewed in 1997, the residents wanted the option to rezone properties that predated the bylaw to support 1.0-hectare minimum parcel sizes with one dwelling unit, provided they met the OCP policies in this regard.

David Seymour, 2995 Ridgeway Road, explained that the OCP designation was the reason they purchased the property as they had a plan to develop the land. If approved, they will have the option to keep it or sell it to help realize their dream of being mortgage free.

Peter Wright, 2940 Jameson, noted he would be in support of the application as long as it didn't result in a loss of the area's rural character.

Laura McDonough, 3000 Ridgeway Road, announced that the water was good but asked what this application means for overland flow.

Doug Holme, Agent, explained that drainage is dealt with at the time of subdivision.

David Seymour, 2995 Ridgeway Road, announced that they had all the overland flow coming from the mountain, and that Ministry of Transportation and Infrastructure (MOTI) diverted it to the other side of the road.

Laura McDonough, 3000 Ridgeway Road, noted that MOTI did some work to improve their side of the road but there are now erosion issues. They also asked if there was enough water capacity to serve another dwelling unit.

Doug Holme, Agent, referenced the geotechnical engineers' report which concluded that there would be enough water to support a new well for single family residential use and confirmed that the subdivision will not be approved if there isn't enough water when the well is drilled.

Laura McDonough, 3000 Ridgeway Road, announced her concern about wells running low but stated that perhaps this only effects properties on Jameson Road.

Doug Holme, Agent, reiterated that the report concluded that there would be sufficient water for another dwelling unit.

Ian Higgs, 2962 Ridgeway Road, expressed his concern for the re-routed drainage beside his property. It has eroded his driveway and devastated the ditch, washing it away. Asked why MOTI hasn't utilized ditches on both sides of the road?

The Chair, asked if the ditch is on Ian's property or on MOTI land?

Ian Higgs, 2962 Ridgeway Road, explained that MOTI says it's partially his land and their land. The previous owner had completed some non-standard rockwork that was done as landscaping by a prior owner. MOTI came out with a grader and cut off the vegetation which had caused major erosion issues.

David Seymour, 2995 Ridgeway Road, explained that MOTI admitted they made a mistake and took some fault because they would have to buy a portion of the property, so they laid a rock ditch to help

but it eroded away. David offered to work together with Ian in connection with MOTI to help solve the erosion issue at the 2962 Ridgeway Road ditch.

Laura McDonough, 3000 Ridgeway Road, explained that some of the drainage is moving down her driveway and toward her house.

The Chair asked if there were any further questions or comments. Being none, the Chair thanked those in attendance and announced that the Public Information Meeting was closed.

The meeting was concluded at 6:35 pm.



Sarah Preston, Recording Secretary

Attachment 6
Proposed Amendment Bylaw No. 500.423, 2019

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.423**

**A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987**

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 - 1. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as

Lot 1 of Section 11, Range 3 and 4 and of Section 12, Range 4, Mountain District, Plan 31326 from Rural 1 Zone Subdivision District ‘D’ to Rural 1 Zone Subdivision District ‘F’

Introduced and read two times this ____ day of ____ 20XX.

Public Hearing waived in accordance with Section 464(2) of *The Local Government Act*.

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

Adopted this ___ day of _____ 20XX.

Chair

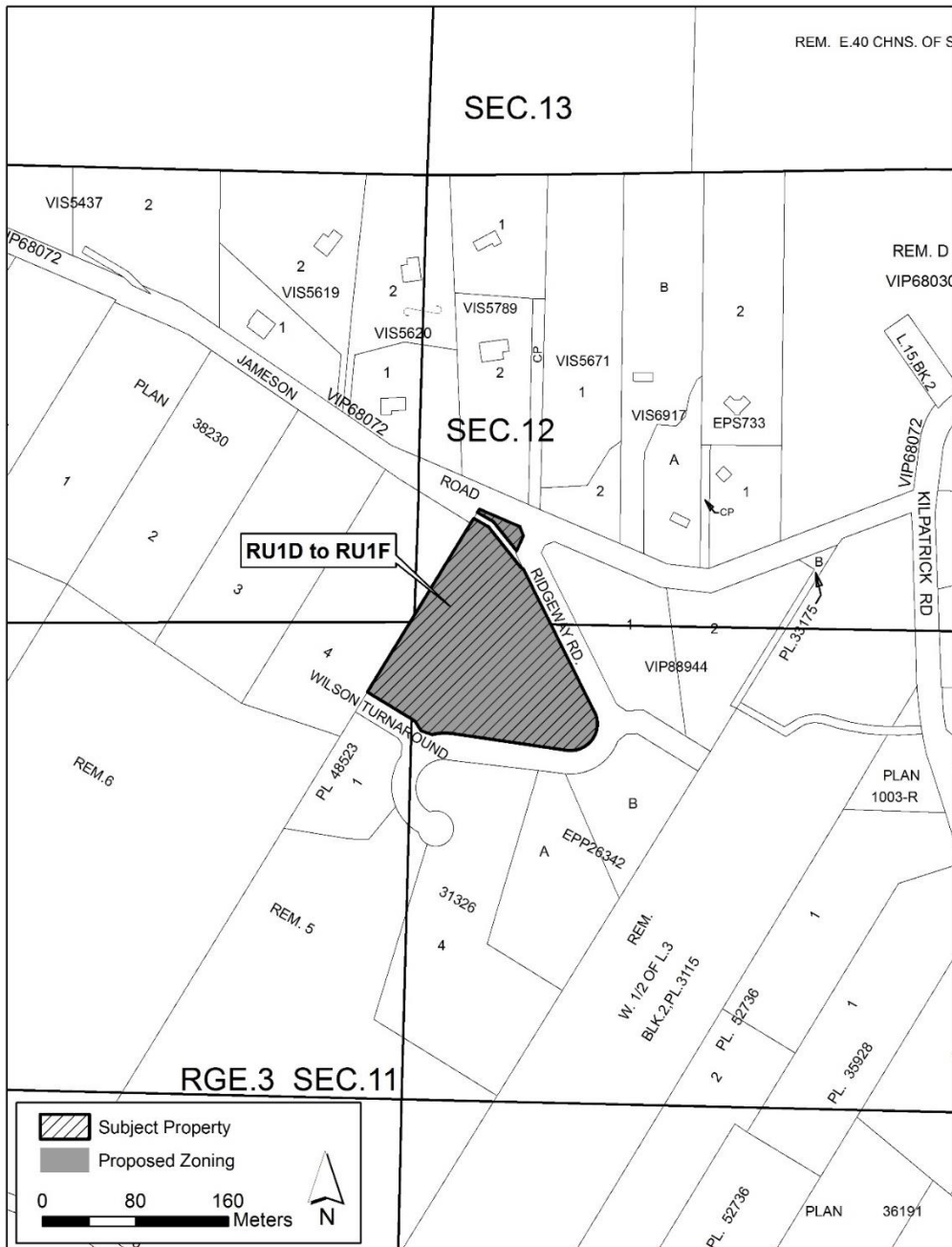
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019".

Chair

Corporate Officer

Schedule '1'



TO: Electoral Area Services Committee **MEETING:** January 8, 2019
FROM: Courtney Simpson
Senior Planner **FILE:** 2400 20 NAV/AVI
SUBJECT: Nanaimo Airport Planning Consultation Plan

RECOMMENDATION

That the Terms of Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.

SUMMARY

The Nanaimo Airport is a regional transportation hub and important part of the Central Vancouver Island economy. The Nanaimo Airport Commission (NAC), who owns and operates the airport, has developed a land use plan that includes expanding the airport terminal and airside commercial for aviation and aviation light industrial, and developing land adjacent to the Trans Canada Highway for commercial uses, passenger flow, and parking. The purpose of this project is to amend the Regional Growth Strategy (RGS), Electoral Area A Official Community Plan (OCP), and Nanaimo Regional District Land Use and Subdivision Bylaw 500, 1987 (zoning bylaw) to support growth of the Nanaimo Airport lands as a regional transportation hub and an important part of the central Vancouver Island economy.

The attached Terms of Reference outlines a project to amend the RGS, OCP and zoning bylaw for the Nanaimo Airport lands to acknowledge current airport use and to create policies, objectives, guidelines and regulations for uses not related to aeronautics (see Attachment 1 – Terms of Reference). This project will build on previous work over the past 15 years to adopt land use regulations for the Nanaimo Airport lands. As a starting point for consultation, draft RGS, OCP and zoning bylaw amendments will be developed building on past work and updated for today’s context. Stakeholder and public consultation will seek input on these draft amendments. The objectives of this project are as follows:

- Consider the proposed land uses on Nanaimo Airport lands within the local and regional land use context.
- Ensure that development on the Nanaimo Airport lands is consistent with the vision, principles and goals of the OCP.
- Build on previous work to update RDN planning bylaws for the Airport lands.
- Ensure policies, regulations and guidelines are in place to protect the Cassidy aquifer, and other ecologically important habitats and features.

BACKGROUND

The Nanaimo Airport is located on approximately 211 hectares of land situated in the southwest corner of Electoral Area A. Jurisdiction over land use is shared between the RDN and the NAC, and depends on the nature of specific uses. Use and development of the Airport lands in relation to aeronautics is under exclusive federal authority through the NAC, and not subject to the regulatory control of the RDN, however, uses not related to aeronautics are subject to RDN bylaws.

The Nanaimo Airport lands are almost entirely within the RDN; a small portion at the south end of the property is within the Cowichan Valley Regional District. In 1942, the Department of National Defense purchased the land on which the Airport is situated, and constructed an airstrip making it war-ready. In 1992, the management of the Airport was transferred to the NAC, a federally registered not for profit authority, to which ownership of the lands was also transferred in 1996. A more detailed history of the airport is found on the Nanaimo Airport website at: www.nanaimoairport.com/business/history.

Until 1997, the Airport land was entirely in the Agricultural Land Reserve (ALR). The Airport received approval from the Agricultural Land Commission to exclude approximately 50 hectares from the ALR to allow for the addition of 'airport related' uses along the portion of the airport adjacent to the Island Highway. The Commission also granted 'special use status' for a 40 hectares parcel for commercial/recreational use (Cottonwood Golf Course) to the east of the airport runway.

Since at least 2003, the RDN and the NAC have been in discussion to formalize current aeronautics-related uses in RDN planning bylaws and to create policies and regulations for future uses on the Nanaimo Airport lands that are not related to aeronautics and operation of the airport. During the most recent review of the Electoral Area A OCP, it was decided to initiate a separate process to adopt a objectives, policies and regulations for the Nanaimo Airport lands within the OCP and zoning bylaw, and this separate process began in 2011. Over the past several years, the RDN and NAC have been in discussions to develop a MOU, which is ongoing.

Land Use Implications

The RGS designates the area containing the airport terminal, hangars and associated parking and some undeveloped land as "Industrial", and the ALR land including the runway and golf course, and the land fronting the Island Highway as "Resource Lands and Open Space". The Cassidy Village Centre is immediately across the Trans Canada Highway from the Airport lands.

The 2011 OCP designates these lands as "Nanaimo Airport" and does not contain any objectives or policies for this designation, instead supporting a public process to add objectives and policies for these lands to the OCP in the future.

Current zoning of the Nanaimo Airport lands does not reflect actual land uses. The lands are zoned Rural 4 or Agriculture 1, and are within Subdivision District 'D'. The permitted uses in the Rural 4 zone are agriculture, aquaculture, home based business, produce stand, residential use, silviculture, and secondary suite. Permitted principal uses in the Agriculture 1 zone are farm use, agriculture and residential. The minimum parcel size in Subdivision District 'D' is 2.0 hectares irrespective of the level of servicing available.

Intergovernmental Implications

Given the regional importance of the Nanaimo Airport, the Cowichan Valley Regional District, City of Nanaimo, and Town of Ladysmith are included in the stakeholder list for this planning project. The RGS

recognizes the need to coordinate planning with First Nations. The Terms of Reference includes a list of First Nations who have indicated interest in the lands that include the Nanaimo Airport lands who will be engaged with as part of this project (see Attachment 1).

Public Consultation Implications

As outlined in the Consultation Plan within the Terms of Reference, public consultation includes key local stakeholder engagement and broad public consultation. Drop-in office hours in Cassidy for three days is planned as an opportunity for local residents to learn about the project and provide input, and a public meeting or open house with presentation by staff is planned to target a broad range of interested public from the wider region. Planning staff will seek to meet with stakeholder groups individually either by attending meetings they already have scheduled or at a meeting specifically to discuss the project.

ALTERNATIVES

1. That the Terms or Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be endorsed.
2. That the Terms or Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates” be amended.
3. Not proceed with the Terms or Reference including the Consultation Plan for the “Nanaimo Airport Planning Bylaw Updates”.

FINANCIAL IMPLICATIONS

The resources needed for this project are largely staff time. The 2018 budget includes a small amount for community engagement such as facility rentals and printed materials.

Approximately 0.5 full-time staff equivalent from Strategic and Community Development and mapping resources will be assigned to the project through to completion. All community, stakeholder and First Nations engagement, along with bylaw drafting, communication materials drafting and design will be completed by RDN staff.

STRATEGIC PLAN IMPLICATIONS

The Board’s Strategic Plan recognizes “focus on economic health” and this project will advance the goal to “support both our traditional industries including forestry, tourism, manufacturing and fishing as well as emerging knowledge based and technology based industries.” The process proposes to address issues of jurisdiction at the airport and balance the local matter of land use with the regional provision of air transportation. Goals of other focus areas of the Strategic Plan for “focus on the environment” and “focus on relationships” will also be advanced through this project.



Courtney Simpson
csimpson@rdn.bc.ca
December 6, 2018

Reviewed by:

- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Terms of Reference for Nanaimo Airport Planning Bylaw Updates Project

Nanaimo Airport Planning Bylaw Updates



Terms of Reference

December 6, 2018

Introduction

The purpose of this project is to acknowledge current aviation uses and support the growth and development of the Nanaimo Airport lands by amending the Regional Growth Strategy (RGS), Electoral Area A Official Community Plan (OCP) and the Land Use and Subdivision Bylaw 500 (zoning bylaw).

Since at least 2003 the Regional District of Nanaimo (RDN) and the Nanaimo Airport Commission (NAC) have been in discussion to formalize current aeronautics-related uses in RDN land use bylaws and to create policies and regulations for future uses on the Nanaimo Airport lands that are not related to aeronautics and operation of the airport. During the most recent review of the Electoral Area A OCP, it was decided to initiate a separate process to adopt a land use plan for the Nanaimo Airport lands within the OCP and zoning bylaw, and this separate process began in 2011. This Terms of Reference outlines the current phase in the ongoing project towards adoption of OCP and zoning bylaw amendments for the Nanaimo Airport lands.

1. Background

The Nanaimo Airport is located on approximately 211 hectares (ha) of land situated in the southwest corner of Electoral Area A (see figure 1). Jurisdiction over land use is shared between the RDN and the NAC, and depends on the nature of specific uses. Use and development of the airport lands in relation to aeronautics is under exclusive federal authority through the NAC and not subject to the regulatory control of the RDN, however, uses not related to aeronautics are subject to RDN bylaws.

The Nanaimo Airport lands are almost entirely within the RDN; a small portion at the south end of the property is within the Cowichan Valley Regional District. In 1942, the Department of National Defense purchased the land on which the Airport is situated, and constructed an airstrip making it war-ready. In 1992, the management of the Airport was transferred to the NAC, a federally registered not for profit authority, to which ownership of the lands was also transferred in 1996. A more detailed history of the airport is found on the Nanaimo Airport website at: www.nanaimoairport.com/business/history.

Until 1997, the Airport property was entirely in the Agricultural Land Reserve (ALR). The Airport received approval from the Agricultural Land Commission to exclude approximately 50 ha from the ALR to allow for the addition of 'airport related' uses along the portion of the airport adjacent to the Island Highway. The Commission also granted 'special use status' for a 40 ha parcel for commercial/recreational use (the golf course) to the east of the airport runway.

Regional Growth Strategy, OCP and Zoning

The Regional Growth Strategy (RGS) designates the area containing the airport terminal, hangars and associated parking as “Industrial”, and the ALR land including the runway and golf course, and the land fronting the Island Highway as “Resource Lands and Open Space” (see figure 1).

The 2011 OCP designates these lands as “Nanaimo Airport” and does not contain any objectives or policies for this designation, instead supporting a public process to add objectives and policies for these lands to the OCP in the future.

Current zoning of the Nanaimo Airport lands does not reflect actual land uses. The lands are zoned Rural 4 or Agriculture 1, and are within Subdivision District 'D' (see figure 2). The permitted uses in the Rural 4 zone are: agriculture, aquaculture, home based business, produce stand, residential use, silviculture, and secondary suite. Permitted principal uses in the Agriculture 1 zone are farm use, agriculture and residential. The minimum parcel size in Subdivision District 'D' is 2.0 ha irrespective of the level of servicing available.

Past work on OCP and Zoning Bylaw Amendments

The NAC has been pursuing development of their non-ALR land adjacent to the Island Highway for some time, and first referred a draft of their “Nanaimo Airport Master Plan” to the RDN for comment in 2003, which was subsequently finalized in 2004. At that time, the RDN drafted OCP and zoning bylaw amendments for the lands but these were not adopted and the earlier zoning remains in place. Since then, the NAC has continued to develop and refine their land use plan, and published a map on their website at www.ycdaviationgateway.ca, which provides important context and background for this project.

Non-aviation use of the Nanaimo Airport lands were again considered during the Electoral Area A OCP Review from 2008-2011, but issues and community concern over land use jurisdiction of the Nanaimo Airport lands could not be resolved in the time frame for that process, and it was decided to initiate a separate, public engagement process following adoption of the OCP.

Immediately following the adoption of the 2011 OCP, the RDN engaged CitySpaces Consulting to conduct a jurisdictional review of comparable airports in BC and to provide advice to the RDN on an appropriate process to include the Airport lands in the Area A OCP based on feedback from consultations with key stakeholders, Area A residents and the general public. The “Nanaimo Airport Land Use Final Report” dated June 2012 presents the results of their review and consultation. Based on the recommendations in that report, the RDN and NAC proceeded to develop a memorandum of understanding (MOU) which is still ongoing.

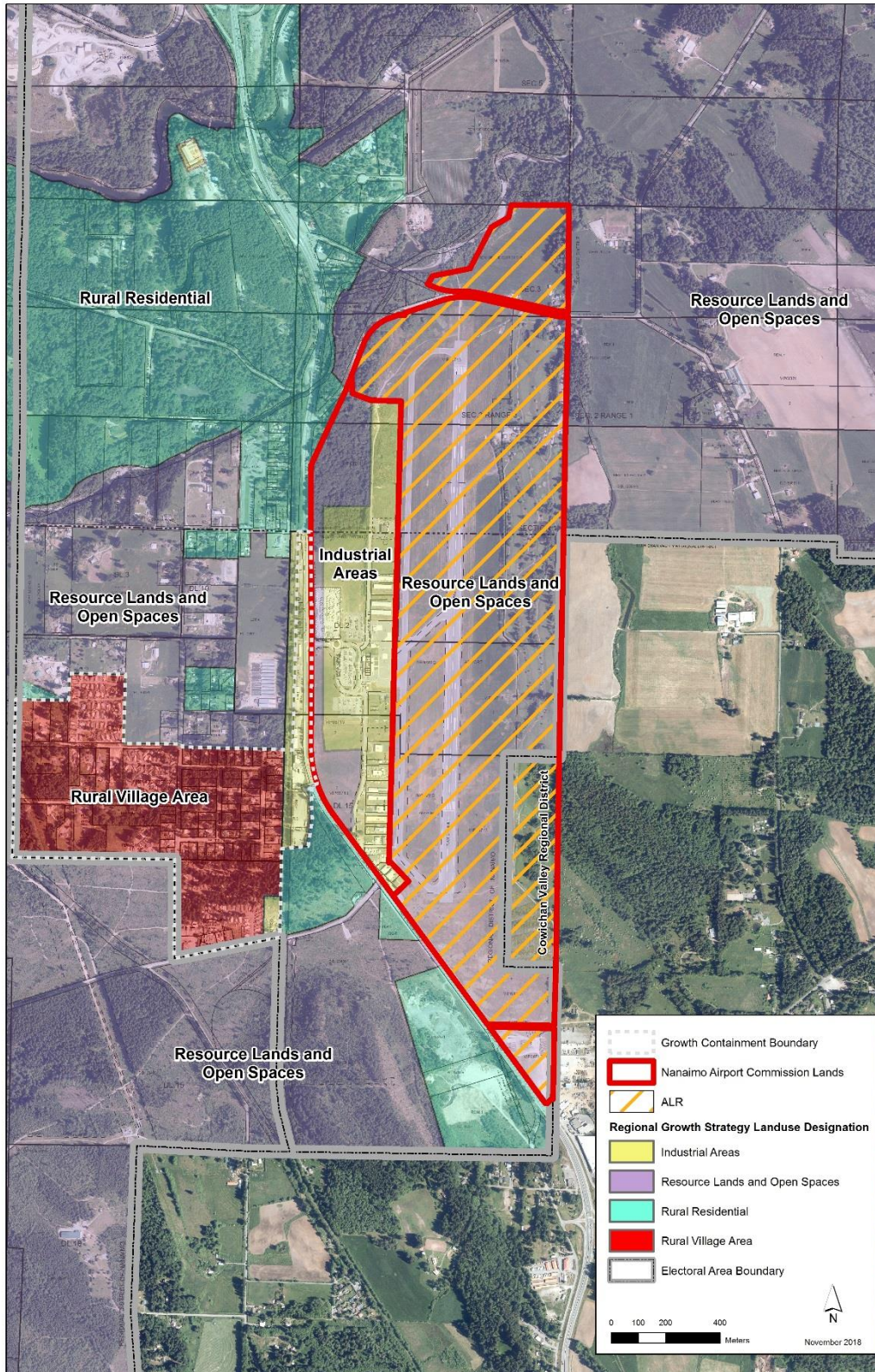


Figure 1 Nanaimo Airport Commission Lands and Current Regional Growth Strategy Designations

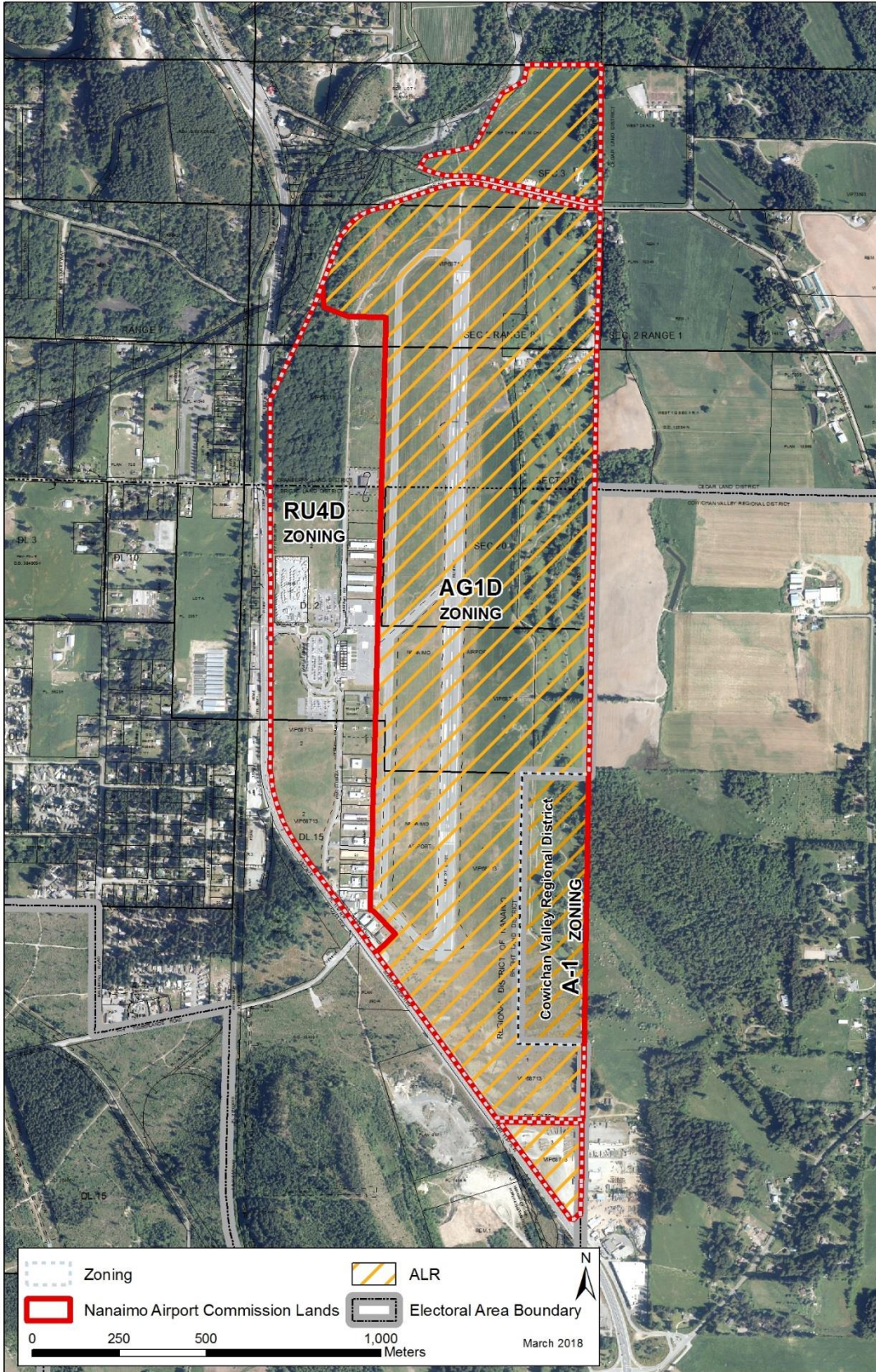


Figure 2 Nanaimo Airport Commission Lands and Current Zoning

1.1. Goal

To amend the RGS, OCP and zoning bylaw for the Nanaimo Airport lands to acknowledge current aviation use and to create policies, objective, guidelines and regulations for non-aviation related uses.

1.2. Objectives

- Support the growth of the Nanaimo Airport as a regional transportation hub and an important part of the central Vancouver Island economy.
- Consider the proposed land uses on Nanaimo Airport lands within the local and regional land use context.
- Ensure that development on the Nanaimo Airport lands is consistent with the vision, principles and goals of the OCP.
- Build on previous work to update RDN planning bylaws for the Airport lands.
- Ensure policies, regulations and guidelines are in place to protect the Cassidy aquifer, and other ecologically important habitats and features.

2. Scope of Work

The scope of this project includes stakeholder and public engagement on the existing planning work done for the Nanaimo Airport lands by the NAC and the RDN, and adoption of RGS, OCP and zoning bylaw amendments so that development of non-aviation uses on the Nanaimo Airport lands can proceed. The following specific activities are included in the project scope:

- Amendments to the RGS, OCP and zoning bylaw for the Nanaimo Airport lands.
- Preparation of draft RGS, OCP and zoning amendments for consultation.
- Development permit area designations for aquifer protection, form and character, and consideration of other development permit area designations.
- Consideration of zoning bylaw amendment for the golf course land.
- OCP amendments outside of the Nanaimo Airport lands to preserve the flight path.

In consideration of the stakeholder and public engagement that has already occurred for this project over the past several years, the scope does not include any visioning-style work for the use of these lands. Instead, this project builds on previous work. As well, continued development of the MOU with NAC is not within the scope of this project and will proceed separately.

3. Tasks and Timeline

The timetable below is based on the project scope as outlined in this Terms of Reference. Any proposed changes to the scope should be evaluated against the timeline to understand how the timeline may be impacted. The timeline for presentation of draft bylaws to the EASC depends on the timeline of the Nanaimo Airport for providing necessary information on their land use plan to ensure that the draft bylaws are consistent with their plans.

Project Timeline		
	MILESTONE	TARGET DATE (2019)
INITIATE (3 months)	Terms of Reference and Engagement Plan to EASC	January 8 EASC
	Terms of Reference and Engagement Plan endorsed by Board	January 22 Board
	Liaison with Nanaimo Airport and NAC Board	Ongoing
	Draft for consultation reviewed by EASC	March 12 EASC
	Draft for consultation endorsed by Board	March 26 Board
	News Release and other communications	March 29
	First Nations and stakeholder outreach	March 29
CONSULT (3 months)	Office Hours in Cassidy (3 days)	April
	Stakeholder meetings	April
	Online survey	April
	Public open houses / meetings	April
ADOPT (4-5 months)	Report to EASC for OCP and zoning 1st and 2nd reading	June 11 EASC
	Report to Board for OCP and zoning 1st and 2nd reading	June 25 EASC
	Bylaw referral to agencies and First Nations	June 28
	Public Hearing	July
	Report to COW for RGS 1st reading	July 23
	OCP and zoning 3rd Reading and Adoption	September 17 Board
	Updates to website and follow up public communication	September
Adoption of RGS amendment	October	

4. Roles and Responsibilities

Staff: to provide project management and professional advice, organize, coordinate and facilitate public consultation, draft and finalize the bylaw amendments.

Electoral Area Director: to provide situational leadership throughout the project by chairing and/or presenting at public events, and reporting to the EASC and Board on the project as required.

EASC: to review the project from a regional and sub-regional perspective and make recommendations to the RDN Board on bylaw amendments which may result.

RDN Board: to consider recommendations from the EASC regarding bylaw amendments

Member Municipalities: to consider proposed RGS amendments.

5. Stakeholders and Public Engagement

The RDN is committed to ongoing and meaningful public consultation, and recognizes that not only do the people who live with the impacts of any of our plans, policies, programs or projects expect to share in the decision-making process but that better decisions are made through a shared approach¹.

The plan for community engagement for this project is based on the following principals:

Inclusiveness – engage the widest possible audience through multiple consultation opportunities

Timeliness – offer early and ongoing opportunities for participation well before decisions are made

Transparency – records of all consultation activities will be made available to the public

Balance – provide opportunities for diverse perspectives and opinions to be raised and considered

Flexibility – adapt as required to meet the needs of participants

Traceability – demonstrate the impact of participation input on decision-making

5.1 Approach, Methods and Tools

A variety of methods and tools will be used to communicate and engage during the project. These methods and tools are divided into five approaches:

Information – The RDN will share information about the project throughout the process. Updates will be shared through RDN social media accounts and print materials such as the RDN Perspectives quarterly publication. A “Get Involved” page will be created for the project and updated regularly, acting as the main source of information for the project. Interested public and stakeholders will be encouraged to sign up for email alerts on the project through “Get Involved”.

Online Consultation – The RDN will solicit comments and feedback online through the “Get Involved” page for the project using tools such as online survey and the Question and Answer tool.

Live Events – The following live events are planned:

- Drop in office hours in the Cassidy area for three days with the target audience of the local Cassidy neighbourhoods.

¹ Regional District of Nanaimo, 2008. *A Coordinated Public Consultation/Community Framework*.

- Two public meeting / open houses with presentation by staff targeting a broad range of interested public from the wider region.

Outreach – Outreach to the public will be through newspaper ads for the live events, Facebook and Twitter, direct email and phone calls to identified stakeholders listed in this Terms of Reference. Planning staff will seek to meet with stakeholder groups individually either by attending meetings they already have scheduled or at a meeting specifically to discuss the project. If groups that are not already identified in the stakeholder list in this Terms of Reference wish to be involved, Planning staff will meet with and otherwise include them in the consultation for this project.

Engagement with internal stakeholders at the RDN is also important to this process, and there will be collaboration with staff within the Strategic and Community Development department as well as those in other departments who may be impacted by the project or whose expertise may be important.

5.2 Outcomes and Products

One of the principles of this public engagement is transparency, and in order to achieve this, the “Get Involved” page for the project will be used to store information and resources. Presentation materials from public events will be posted to the website so that people who do not attend in person have access to the same information presented at the event. Input received from the public or stakeholders will be posted to the website. An exception to this may be engagement with First Nations, where confidential or sensitive information may not be posted publicly.

5.3 Referral Agencies, and Community Stakeholders

There is a statutory requirement for consultation in section 475 of the *Local Government Act*, which requires that during the development of an Official Community Plan, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. The Board must specifically consider whether consultation is required with the board of any regional district that is adjacent to the area covered by the plan, the council of any municipality that is adjacent to the area covered by the plan, First Nations, school district boards, greater boards and improvement district boards, and the Provincial and Federal governments and their agencies.

The following is a list of stakeholders for Board consideration pursuant to the requirements in the *Local Government Act*. If groups or agencies identified in the list wish to be involved, Planning staff will meet with and otherwise include them in the consultation for this project.

Local	Provincial
<ul style="list-style-type: none"> • Nanaimo Airport Commission • North Cedar Improvement District • Past members of the Electoral Area ‘A’ OCP Committee • Nanaimo Flying Club • Nanaimo Area Land Trust • South Wellington and Area Community Association 	<ul style="list-style-type: none"> • School District No. 68 • Island Health • Agricultural Land Commission • Ministry of Municipal Affairs & Housing • Ministry of Environment • Ministry of Transportation & Infrastructure • Ministry of Forests, Lands, Natural Resource Operations & Rural Development

Local Governments

- Cowichan Valley Regional District
- City of Nanaimo
- Town of Ladysmith

Federal

- Canadian Wildlife Service
 - Transport Canada
-

5.4 First Nations Engagement

The Regional Growth Strategy recognizes the need to coordinate planning with First Nations. Regional Growth Strategy Policy 11.3 states that “the RDN wishes to involve First Nations in its planning processes in the same way it involves other levels of government”, and that the RDN will “continue dialogue with First Nations regarding land use planning in the RDN... for the purpose of building a mutual appreciation and understanding of land use planning processes”. The following First Nations have indicated interest in an area that includes the Nanaimo Airport lands.

Stz’uminus First Nation
Snuneymuxw First Nation
Lake Cowichan First Nation
Halalt First Nation
Lyackson First Nation
Penelakut First Nation
Cowichan Tribes

First Nations will be contacted by letter or email initially about the project, and asked how they would like to be involved. The plan for engagement with First Nations after this initial outreach will be defined based on their response. Regardless of response to this initial outreach, all First Nations will receive a formal bylaw referral after 1st reading.

6. Budget and Resources

Approximately 0.5 full-time staff equivalent from Strategic and Community Development and mapping resources will be assigned to the project through to completion. All community, stakeholder and First Nations engagement, bylaw drafting, communications materials drafting and design will be completed by RDN staff.

7. Monitoring and Evaluation

The RDN recognizes that engaging the public is a constantly evolving challenge, and is committed to developing new and innovative approaches to keep the community involved and informed as well as getting their feedback. Evaluating the public engagement for this project will be done throughout by using feedback forms, surveys, and polls to gauge to what extent the public’s expectations are being met, in order to adapt the consultation methods during the project, and as a learning tool for future projects.

TO: Electoral Area Services Committee **MEETING:** January 8, 2019
FROM: Catherine Morrison
 Manager, Emergency Services **FILE:** 7320-20 CRI FS
SUBJECT: FireSmart Community Funding Grant

RECOMMENDATION

That the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.

SUMMARY

The Community Resiliency Investment program is a new provincial program intended to reduce the risk and impact of wildfire to communities in British Columbia (BC) through community funding. The Regional District of Nanaimo (RDN) can request grant funds to provide the Local FireSmart Representative Workshop, the FireSmart Community Champion Workshop, a FireSmart Community Event and to provide FireSmart home assessments with incremental staff wages for volunteer fire department members to assist in the completion of assessments. As an incentive to complete home assessments, the RDN has requested grant funds to include yard waste disposal vouchers to the first 150 homeowners who have an assessment completed. The application deadline for the grant funding was December 7, 2018. To meet this deadline, the application was submitted prior to receiving Board support, therefore this report is now seeking Board endorsement for the proposed project activities and grant application.

BACKGROUND

The BC Flood and Wildfire Review identified a critical need to strengthen public understanding of the risks and personal responsibilities associated with living in a community where Wildland and Urban Interface. Wildfires can have significant public safety and economic impacts, properly preparing homes and communities can reduce the risk of damage caused by wildfires. Findings from a study of the 2016 Horse River wildfire in Fort McMurray indicate that FireSmart principles were one of the main reasons why individual homes survived.

The 2-day Local FireSmart Representative Workshop will equip the Fire Departments and RDN emergency services staff with the tools to work with community groups to commence the implementation of the FireSmart Canada Community Recognition Program (FCCRP). The FCCRP is the second major component of the FireSmart Canada Initiative and is especially effective on private land in the wildland/urban interface, an area that is beyond the reach of provincial wildfire hazard mitigation programs. Local FireSmart Representatives will have the knowledge and training to deliver the Community Champion Workshops and assist homeowners in the completion of FireSmart home assessments. Should the grant application be successful,

the Community Champion Workshops and FireSmart home assessments will take into account the restrictions on lands that are environmentally sensitive or hazardous, and any requirements to follow land use regulations that may apply.

ALTERNATIVES

1. That the grant application by the Regional District of Nanaimo for \$47,390 to the Union of British Columbia Municipalities Community Resiliency Investment Program for the completion of FireSmart education, cross training and FireSmart for private land activities be endorsed.
2. That alternate direction be provided.

FINANCIAL IMPLICATIONS

RDN staff will need to dedicate time to the workshops, community event and home assessments. The Community Resiliency Investment program grant will cover the costs for all proposed project activities.

To support the continuation of FireSmart activities each year, the RDN can work with active community groups to apply for the Wildfire Community Preparedness Day project funding awards offered by FireSmart Canada aimed at reducing wildfire risks within their communities.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - We View Our Emergency Services As Core Elements Of Community Safety



Catherine Morrison
cmorrison@rdn.bc.ca
December 3, 2018

Reviewed by:

- D. Pearce, Director of Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

- Nanaimo News Bulletin – December 13, 2018
- PQNews – December 13, 2018

- Twitter
 - December 19, 2018
456 impressions (views)
18 engagements (users clicked on the item)

 - December 27, 2018
392 impressions (views)
6 engagements (users clicked on the item)

- Facebook
 - December 19, 2018
1,366 reached (views)
68 engagements (users clicked on the item)

 - December 27, 2018
1,147 reached (views)
37 engagements (users clicked on the item)

The December 19, 2018 Facebook advertisement was boosted to increase the number of residents who would see the posting. Further to the above, the Survey was noted in local newspaper articles, and circulated by residents on social media.

RDN Budget Talks received a total of 324 visits and three questions asked and answered, which can be found in Appendix 2.

A total of 13 surveys were received. A preference was shown to be able to provide input on future RDN budgets online through Get Involved RDN (11 votes) and by direct email (6 votes). Engagement events, such as open houses or pop-up events were not favoured, receiving only 1 vote. Further, the survey showed that residents want to learn more about the differences between municipal and regional governments (8 out of 13), services provided in the entire RDN (5 requests), services provided in a resident's specific area (5 requests), and more details about the services provided in the resident's specific area (5 requests). Two residents responded that they would like to learn how to get new services in their area. An open ended question requested any thoughts or comments on the proposed 2019 budget. Common themes did not appear in the open ended question. All of the responses and a full report on the survey results can be found in Appendix 1.

ALTERNATIVES

1. That the Board receive the public consultation results on the proposed 2019 budget as per the January 8, 2019 Staff Report.

2. That the Board provide alternate direction.

FINANCIAL IMPLICATIONS

The financial implications of the proposed 2019 budget were highlighted in the 2019 Proposed Budget Overview Report on the December 4, 2018 Committee of the Whole. The RDN Budget Talks platform was the preferred means of communication to residents regarding the budget (see Appendix 1). The cost to continue to use this platform is minimal and already incorporated into the budget. The survey also indicated a desire to learn more about regional government. The cost for this will vary depending on the level and platform for public engagement and education.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - As We Invest In Regional Services We Look At Both Costs And Benefits - The RDN Will Be Effective And Efficient



J. Bradburne, Director of Finance

jbradburne@rdn.bc.ca

January 2, 2019

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Appendix 1 - Survey titled "How do you want to learn about and share input on the Regional District of Nanaimo budget in the future?"
2. Appendix 2 - RDN Budget Talks Q&A Summary

Survey Report

04 December 2018 - 31 December 2018

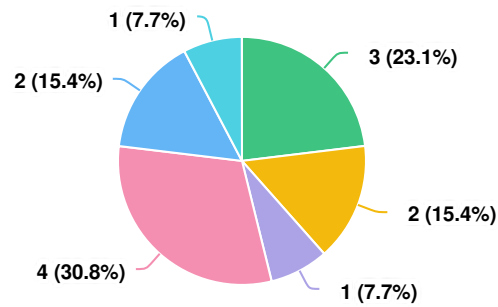
How do you want to learn about and share input on the Regional District of Nanaimo budget in the future?

PROJECT: RDN Budget Talks

Get Involved RDN

engagement 
by Bang the Table

Q1 Please let us know which area of the Regional District of Nanaimo (RDN) you reside in.



Question options

- Electoral Area B - Gabriola, DeCourcy, Mudge Islands
- Electoral Area C - Extension, Arrowsmith-Benson, East Wellington, Pleasant Valley
- Electoral Area E - Nanoose Bay
- Electoral Area G - French Creek, Dashwood, Englishman River
- Electoral Area H - Shaw Hill, Qualicum Bay, Deep Bay, Bowser
- City of Nanaimo

(13 responses, 0 skipped)

Q2 | Share any thoughts or comments you may have on the Proposed 2019 Budget for the area you reside in.

dwells1

12/05/2018 03:45 PM

Thank you for the opportunity to provide my input.

L3DESIGNS

12/12/2018 12:36 PM

11% is an extremely high tax increase

Dwallace

12/13/2018 11:12 AM

It is time to have a budget that provides a zero% increase in taxes. If you have to cut services, do it. This insanity of constant increases has got to stop and stop immediately.

Chewy

12/13/2018 07:53 PM

A large portion of the increases for 2019 appear to be for sports and recreation. I, like a lot of people, do not use any of the facilities. Will the user fees be increased in a manner that is proportionally fair to the non user subsidizing taxpayer? In front of my house is a street light. The light not only lights the street but also my backyard to the point where I do not need outside lights, I see this as a huge waste of power, resources and money. Are there any plans to reduce this waste by switching to more energy efficient lighting systems?

MaryLou Sharpe

12/14/2018 10:12 AM

Was unable to read it

JakeRussell

12/14/2018 02:06 PM

11 percent increase for amenity projects is too much. Tax increases should attempt to match inflation unless for core services. Did your salary go up 11 percent this year?

ANDYPICKARD

12/24/2018 12:31 PM

I have not seen any increase in services in Area G for several years, so the overall goal should be to have zero increase in taxes in Area G. Transportation is grossly overspent and over-budgeted. Driving empty buses around low population density rural areas is neither financially nor environmentally responsible. When people choose to live in a rural area, with it's low population density (as I have), they should not expect the general population to pay for their transportation costs. Using the historical model of buses driving set routes may still be viable in high density regions (such as metropolitan Vancouver), but it's time for a paradigm shift in transportation in rural areas. Look at Uber replacing taxis - at lower cost and greater customer service. It's time for the RDN and BC Transit to consider totally new approaches to providing transportation services to a few residents. Look at new technology (cell phones, internet) and ways to provide some transportation services at far lower cost than the current 'empty buses' approach. [I do support buses at specific times where high ridership warrants it, such as early and late transportation to VIU.] Sewage treatment - Most of Area G is not on sewers, so we should not be paying a significant amount towards this service. We already pay a significant fee when septic tanks are pumped out and the waste taken to the French Creek plant. Solid waste pick-up - If you really want to approach "zero waste" in a few years time, spending

money now on new automated trucks and larger waste containers is silly (to put it nicely). If you want to make progress towards lower / zero waste, go after the producers of the waste first, and encourage smaller waste containers for garbage pick-up.

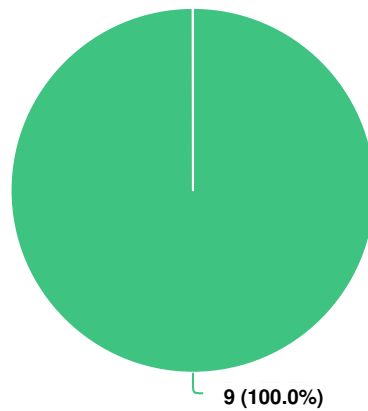
helo.dahn

12/28/2018 08:15 AM

I would prefer to see a comparison with the 2018 original budget and the 2018 final actual costs vs. budgeted costs. Once that is done, an explanation of what is causing the changes between 2018 and 2019, and what attempts were made to mitigate the increases.

Optional question (8 responses, 5 skipped)

Q3 Would you like to provide input in the future regarding RDN budgeting?

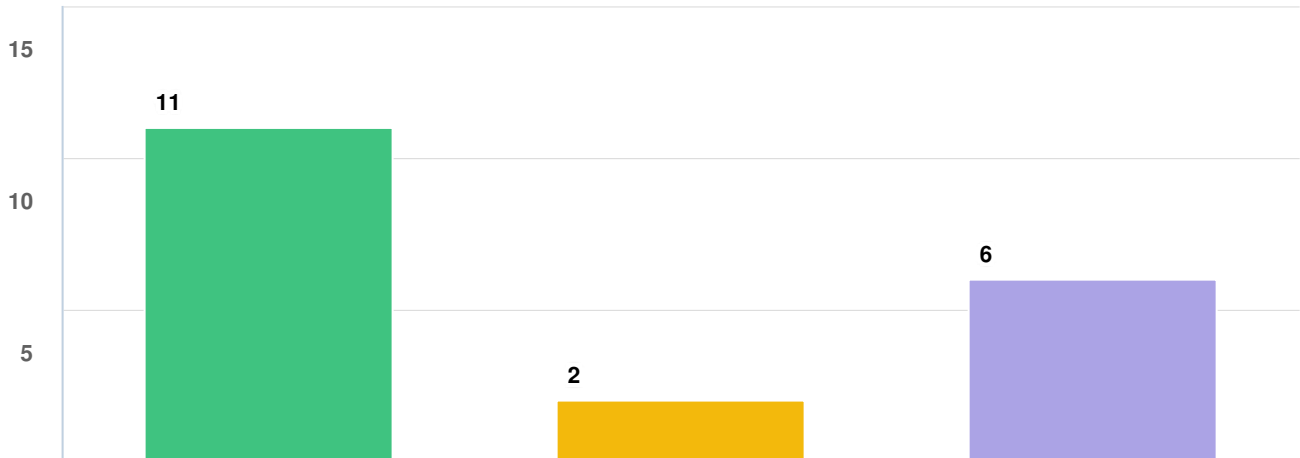


Question options

● Yes

Optional question (9 responses, 4 skipped)

Q4 How do you want to provide input into the RDN budget in the future?



Question options

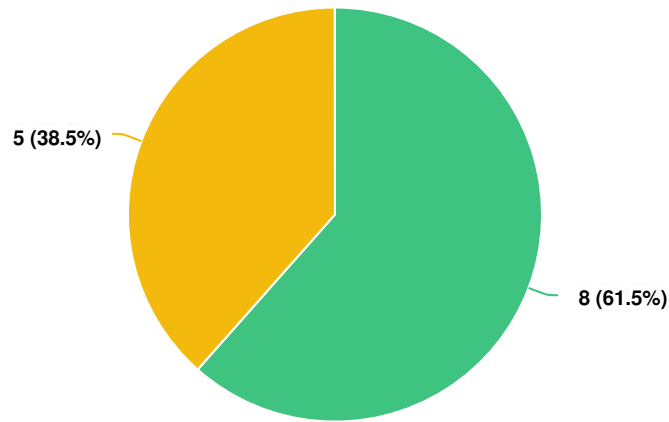
● Online - Get Involved RDN

● Engagement Events - such as an open house or pop-up event

● Direct Email

Optional question (13 responses, 0 skipped)

Q5 Do you want to know more about the differences between municipal and regional government?

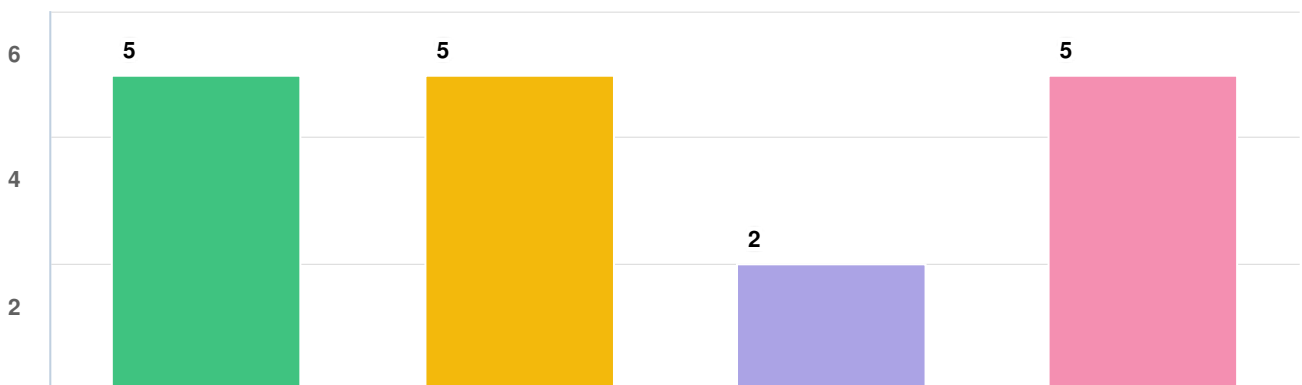


Question options

- Yes
- No

Optional question (13 responses, 0 skipped)

Q6 If you would like to know more about regional government, what would you like to know?



Question options

- Services provided in the entire RDN
- Services provided in my area (Electoral or municipality)
- How to get new services in my area (Electoral or municipality)
- More details about the services provided in my area (Electoral or municipality)

Optional question (9 responses, 4 skipped)

RDN Budget Talks
Q&A

AWGabriola
Dec 12 18 08:06:31 am

Q. I would like to see the cost of just the skatepark at Huxley Park (Phase 2 of Huxley park). A break down of cost of actual build of skatepark and cost of parking lot.

A. Huxley Skateboard Park Construction is included in the Proposed 2019 Financial Plan with a budget of \$773,700. This includes \$540,540 for the Skatepark and \$233,160 for Parking, Landscaping, and Skatepark Sitting Area.

Richard
Dec 12 18 12:37:04 pm

Q. Area B - 11% tax increase. I have noted that the biggest driver of this increase is Community Parks and Recreation. The Nanaimo News Bulletin reports that \$773,700 is budgeted for construction for a skateboard park at Huxley Park. I would like to know the detailed capital plan for his project. There have been considerable local fundraising initiatives on Gabriola in this past year. I want to know how much of the budget is coming from property taxes and has much has been contributed locally. Thank you.

A. Huxley Skateboard Park Construction is currently included in the Proposed 2019 Financial Plan. It has a budget of \$773,700 funded by \$564,800 Grants, \$55,000 Reserve Contribution, \$30,000 Donations, and \$123,900 from Property Taxes. Further details on this, and other proposed RDN capital projects can be found in Appendix A of the 2019 Proposed Budget Overview Report from December 4, 2018. Please visit [https://www.rdn.bc.ca/events/2018-12-4-8539/\(External link\)](https://www.rdn.bc.ca/events/2018-12-4-8539/(External link)) to view a copy of the report.

JakeRussell
Dec 14 18 02:15:13 pm

Q. 11%. For a skate park? Not a core service. Not many people got an 11% raise this year. Is there a reason why we can't wait a few years for the skate park and keep tax increases inline with inflation?

A. The estimated increase for Electoral Area B for an average home in 2019 is \$39/year. Of this, \$30.39 relates to Community Parks, and the increase in service provided. The process for the creation of the Huxley Community Park Conceptual Master Plan began in 2013, was reviewed by POSAC on April 2, 2013, November 5, 2013, June 3, 2014, and March 16, 2015. It included a skateboarding open house and questionnaire on May 16, 2013, open houses on

July 13, 2013 and March 29, 2014 and online surveys from July 13-September 7, 2013 and March 29-April 14, 2014. It was approved by the Board on April 28, 2015. From there, skatepark workshops were held on February 22, 2017 and September 13, 2017, the plan was reviewed by POSAC on April 9, 2018 and adopted by the Board on May 22, 2018. The above process has led to the Huxley Skateboard Park being added to the 2019 Proposed Budget.

The RDN is also currently conducting a survey entitled “How do you want to learn about and shape input on the Regional District of Nanaimo budget in the future?” The survey is open until December 31, 2018 and can be located on the RDN Budget Talks section of Get Involved RDN on the RDN’s website or by following this link <https://www.getinvolved.rdn.ca/rdn-budget-talks>.

The Proposals were evaluated on the basis of technical merit and financial fees using the following weighting:

- Experience and Qualification of the firm – 10% of the total proposal score
- Software Solution Details – 20% of the total proposal score
- Approach and Methodology – 5% of the total proposal score
- Implementation Plan – 5% of the total proposal score
- Cost of the Solution – 40% of the total proposal score
- Support and Maintenance – 5% of the total proposal score
- Reference – 5% of the total proposal score
- Product Demonstration – 10% of the proposal score – (Shortlisted Firms Only)

The Evaluation Team determined that the highest ranked overall Proposal was provided by ESRI Canada.

The cost of the solution was evaluated based on the total cost of ownership over a five (5) year period. Five (5) year costs outlined below:

ESRI Canada:	\$151,810 (excluding GST)
Forte Consulting Ltd.:	\$144,250 (excluding GST)

Forte Consulting Ltd.'s proposal did not include the actual cost of the software as requested in the RFP. Forte Consulting Ltd. advised that the Regional District would have to purchase the software and they would assist with the installation. In their proposal, they did not provide a cost but rather estimated a fee based on what they thought it might cost the Regional District.

This is not what the Regional District asked for in the RFP and it caused uncertainty when comparing and evaluating the cost of the solution between the vendors.

The design and implementation is expected to be completed in 2019.

ALTERNATIVES

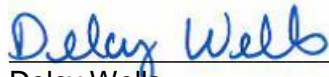
1. Award the contract for the Web Map Request for Proposals to ESRI Canada for \$151,810 (excluding GST), subject to Board approval of the 2019 Budget.
2. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The 2018 budget provides \$125,000 in funding for the updating of our Web Map software. The proposed 2019 budget will be amended to add an additional \$30,000 to our budget for this project, and the awarding of this RFP to ESRI Canada will be subject to the Board approval of this amended budget. Although the RFP exceeds our budgeted cost for 2018, it is necessary to proceed with this software upgrade.

STRATEGIC PLAN IMPLICATIONS

Focus On Relationships - We Will Focus On Improved Two-Way Communication Within The Regional District And With Our Communities. Updating of our Web Map software is critical to both internal and external communications.



Delcy Wells

dwells@rdn.bc.ca

December 18, 2018

Reviewed by:

- Kevin Robillard, GIS Coordinator
- Kurtis Felker, Purchasing Manager
- Jeannie Bradburne, Director of Finance
- P. Carlyle, Chief Administrative Officer

TO: Committee of the Whole **MEETING:** January 8, 2019

FROM: Wendy Marshall
Manager of Parks Services

SUBJECT: Grant Funding Applications for Huxley Community Park Improvements

RECOMMENDATIONS

1. That an application for grant funding be submitted for the Huxley Community Park Improvements, Phase II through the *ICIP - Community, Culture and Recreation Program*.
2. That an application for grant funding be submitted for the Huxley Community Park Improvements, Phase II and Phase III through the *ICIP - Northern and Rural Communities Program*.
3. That the Board supports the Huxley Park Community Improvements and commits its funding share of the project costs in the amount of \$206,346.

SUMMARY

The Investing in Canada Infrastructure Program (ICIP) Community, Culture and Recreation Program (CCR) and the Rural and Northern Communities Program (RNC) are accepting applications for funding. The CCR Program will provide funding up to 73.33% for projects that improve access and quality of cultural, recreation and community spaces. The RNC program will provide funding up to 100% for communities with populations below 5,000. Deadline for application is January 23, 2019 and construction must be completed within 5 to 6 years. Huxley Community Park Improvements (PR-S4-1.2) is applicable under both the CCR and the RNC programs.

The Huxley Community Park Master Plan (Electoral Area B) was approved in 2015 and Phase I developments, including a playground and sports court upgrades, were completed in 2017 with grant funding totaling \$67,000. Phase II detailed design is currently underway for a skatepark, entrance, parking lot and connecting trails. Phase III will include sports court bleachers, rebuilding the tennis court and basic electrical upgrades. Both projects are eligible for funding under the CCR and RNC programs. Phase II can be submitted under the CCR program and Phases II and III under the NRC program. While the scope of the project can vary between the two programs, the matching funding must remain the same.

For the CCR program, the preliminary 2019 Area B Community Parks Budget has allocated \$206,346 for matching funding, including donations, for Phase II. If a successful application is made under the CCR program, up to \$567,534 can be received in grant funding. The total cost of Phase II is \$773,700.

For the RNC program, with \$206,346 matching funding, \$949,554 can be received in grant funding. The total cost for the two phases is \$1,155,900.

Board resolutions confirming the Regional District's financial commitment to the project's cost is required prior to the grant funding application deadline of January 23, 2019.

BACKGROUND

The ICIP cost shares infrastructure investments between the Federal, Provincial and local governments. Two streams are applicable for RDN park projects. The CCR will provide funding for projects that will improve citizens' access to and quality of cultural, recreation and community spaces and will provide up to 73.33% of project funding. The RNC project provides funding for green, community, recreational, cultural and public infrastructure. For communities with a population fewer than 5,000, up to 100% funding is available. A community is a settlement area within a Regional District. Matching funding cannot be from other Federal or Provincial sources; therefore, Community Works Funds (CFW) cannot be used. The deadline for applications for both streams is January 23, 2019 with announcement to follow in the fall. Construction must be completed within 5 to 6 years.

It is expected that more applications will be received for the ICIP than there is funding available. Several projects were considered for the grant programs and after examining the grant criteria Huxley Community Park Improvements were selected based on their fit to the grant criteria, the background work already completed and community donations.

Huxley Community Park Improvements

In 2015 the Huxley Community Park Master Plan, including a playground, sport court upgrades and a skatepark, was approved by the Regional Board (Attachment I). In 2017, Phase I was completed and included a playground and upgrades to the sport courts. In 2017, a concept plan for the skatepark was completed. Detailed design work, funded by CWF, is now underway for Phase II which includes the skatepark, skatepark seating, path connections, entrance and parking lot. Phase III will include sports court bleachers, rebuilding of the tennis court and electrical upgrades.

The Huxley Community Park Master Plan had several opportunities for public engagement as did the concept planning for the skatepark. The Gabriola Skatepark Fundraising Association has raised \$30,000 for the skatepark and fund raising is continuing. It is expected that more donations will be raised in the next year.

The Huxley Community Park Development is an excellent fit for the CCR program. Under this program, the Regional District of Nanaimo (RDN) needs to provide 26.67% of funding. Based on the preliminary 2019 Area B Community Parks Budget, a total of \$206,346 is available from reserves, operations and donations to provide the matching funds for Phase II. If an application is submitted to the CCR program for Phase II, the RDN could receive \$567,354 grant funding. There are not enough funds available to provide matching funds for both Phases under the CCR program.

An application can also be submitted under the RNC program; however, the chance of success may not be as good as the CCR program as the project does not directly fit the program's core outcomes. If an application is made for Phases II and III to the RNC program, and not the CCR, based on Gabriola's population of fewer than 5,000, up to 100% funding could be received. If the application is not successful under the RNC program, the application will not be forwarded to the CCR program. Therefore, to increase the odds of success it is recommended that an application be submitted for both programs.

The RDN can submit an application under both programs for the same project as long as the matching funding remains the same for both programs. The project scope can be different between the two applications meaning that both Phases II and III can be applied for under the RNC using the \$206,346 matching funds.

It was always anticipated that grant funding would be required to complete the upgrades at Huxley Community Park. For the construction of Phase I, \$67,000 was received from grants.

ALTERNATIVES

1. That an application be submitted for the Huxley Community Park Improvements, Phase II under the *ICIP - Community, Culture and Recreation Program* and for Phase II and III under the *ICIP - Northern and Rural Communities Program* and that the Board commits to its share of the project costs.
2. That an application be submitted for the Huxley Community Park Improvements, Phase II under the *ICIP – Community, Culture and Recreation Program* and that the Board commits to its share of the project costs.
3. That an application be submitted for the Huxley Community Park Improvements, Phase II and III under the *ICIP – Northern and Rural Communities Program* and that the Board commits to its share of the project costs.
4. That no grant submissions are made and alternative direction provided.

FINANCIAL IMPLICATIONS

Huxley Community Park Improvements

The preliminary 2019 Area B Community Parks Budget has \$55,000 from reserves, \$121,346 from operations and \$30,000 in donations allocated for the Huxley Park project. Detailed design for Phase II is underway with \$75,000 approved in CWF. Any increase in donations received for the skatepark will reduce the amount required from the Community Parks Budget. CWF is not available as matching funding under this program.

The estimated construction cost for Phase II is \$773,700 and breaks down as follows:

Skatepark	\$540,540
Parking, landscaping, paths, sitting area	<u>\$233,160</u>
Total	\$773,700

Under the CCR program, the maximum available grant funding would be \$567,354 as outlined below.

CCR Grant Funds (73.33%)	\$567,354
Area B Community Parks Budget Reserves	\$ 55,000
Area B Community Parks Budget Operation Funds	\$121,346
Donation	<u>\$ 30,000</u>
Total	\$773,700

The estimated construction costs for Phase III is \$382,200. There are insufficient funds in the Area B Community Parks Budget to fund the matching costs for both Phase II and III. However,

applying under the RNC grant with up to 100% funding, the RDN could receive \$949,554 to complete both phases as outlined below.

NRC Funding (82%)	\$949,554
Area B Community Parks Reserves	\$ 55,000
Area B Community Parks Operations Funds	\$121,346
Donation	<u>\$ 30,000</u>
Total	\$1,155,900

If grant funding is not received, the project would be delayed until either other grant funding can be obtained, Community Works Funds become available or the Reserve Funds are increased and used in subsequent years. The available 2018 Area B CWF is \$868,814. However, there other projects, including the Village Way Path, that are also allocated for CWF funding.

Once built the ongoing yearly maintenance costs are estimated at \$5,890 and Asset Management costs at \$1,300 per year.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - As We Invest In Regional Services We Look At Both Costs And Benefits - The RDN Will Be Effective And Efficient

Focus On Service And Organizational Excellence - We Recognize Community Mobility And Recreational Amenities As Core Services

The Huxley Park developments will provide key recreational amenities for children, youth and adults offering a wide range of activities. Applying for grant funding to allows the RDN to receive additional funding to be efficient in development of infrastructure.



Wendy Marshall
wmarshall@rdn.bc.ca
December 18, 2018

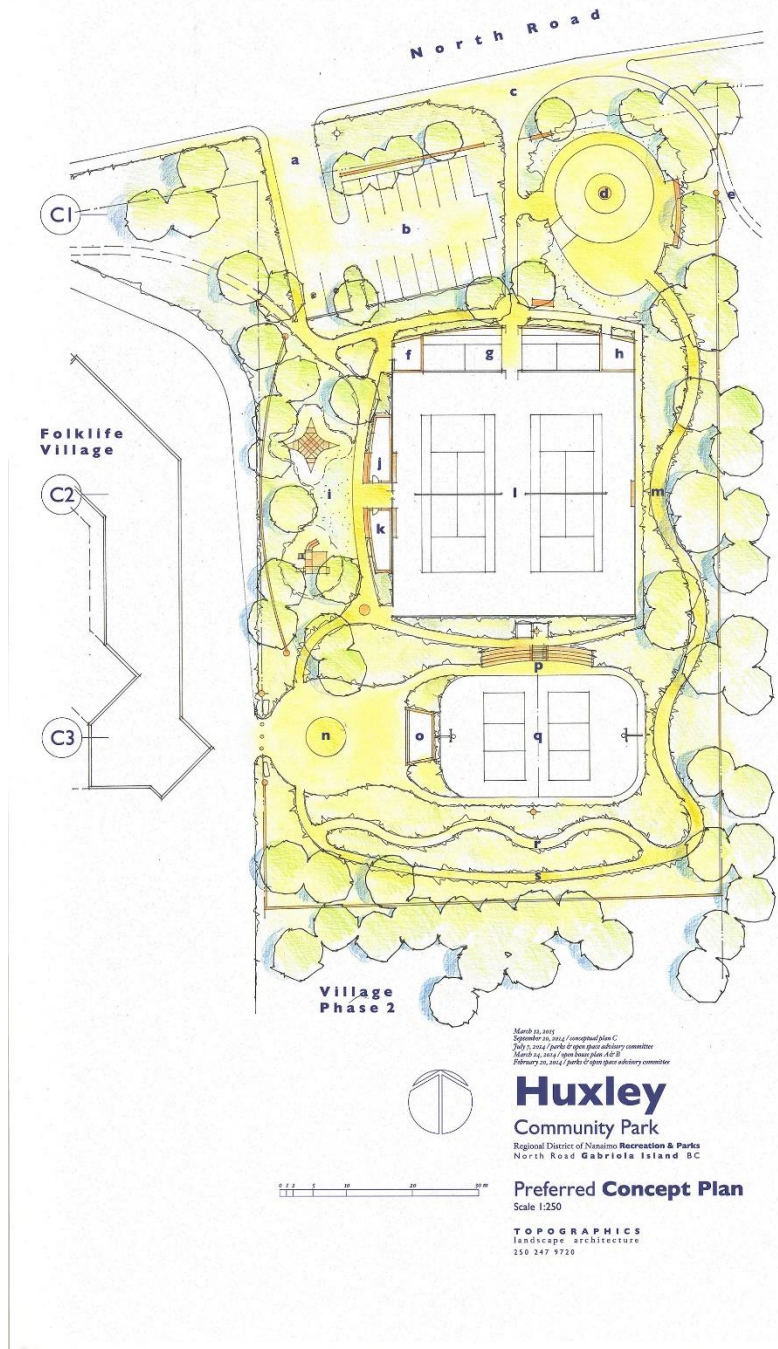
Reviewed by:

- W. Marshall, Manager, Parks Services
- T. Osborne, General Manager, Recreation and Parks Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. Huxley Community Park Master Plan

Conceptual Park Master Plan



Plan Elements:

- Bus Stop
- Gravel parking lot
- Concrete, cast-in-place skatepark & flow trail
- Path connection to neighbouring community facilities (Folklife Village Mall & The Gabriola Commons)
- Washroom
- Refurbished tennis courts
- Refurbished sports courts with new perimeter boards
- User group storage facilities
- Playground (2-5 & 5-12 age)
- Bleachers for sports court
- Community plaza/performance space



TO: Committee of the Whole

MEETING: January 8, 2019

FROM: Wendy Marshall
Manager of Parks Services

SUBJECT: Grant Funding Applications for Benson Creek Falls Regional Park Infrastructure

RECOMMENDATIONS

1. That an application for grant funding be submitted for the Benson Creek Falls Regional Park Infrastructure Project through the *ICIP - Community, Culture and Recreation Program*.
2. That the Board support the Benson Creek Falls Infrastructure Project and commit the Regional District's share of the project costs under the *ICIP - Community, Culture and Recreation Program* in the amount of \$146,685.
3. That an application for grant funding be submitted for the Benson Creek Falls Regional Park Infrastructure Project through the *ICET - Economic Infrastructure and Innovation Program*.
4. That the Board support the Benson Creek Falls Regional Park Infrastructure Program and commit the Regional District's share of the project costs under the *ICET - Economic Infrastructure and Innovation Program* in the amount of \$412,500.

SUMMARY

The Investing in Canada Infrastructure Program (ICIP) - Community, Culture and Recreation Program (CCR) is accepting applications for funding. The CCR Program will provide funding up to 73.33% for projects that improve access and quality of cultural, recreation and community spaces. Deadline for application is January 23, 2019 and construction must be completed within 5 to 6 years.

The Island Coastal Economic Trust's (ICET) Economic Infrastructure and Innovation Program enables communities to develop infrastructure required to support strategic economic development initiatives. Up to \$400,000 in non-repayable matching funding is available for Destination Trails that have the capacity to attract provincial, national or international visitors. The two stage application process can take up to one year and the stage one application deadline is February 22, 2019.

The Benson Creek Falls Regional Park (BCFRP) infrastructure project includes the construction of stairs and trails to the base of Ammonite Falls; trails into the ravine and a bridge over Benson Creek; and a parking lot and connecting trails on Weigles Road. Located in Electoral Area C – East Wellington/Pleasant Valley, Ammonite Falls is a popular attraction with many social media sites directing visitors to the park and surrounding trails on Crown land. With a new parking lot, a bridge and a safer descent to the falls, it is anticipated that visits to the park will increase.

The BCFRP Infrastructure project fits with the criteria for both the CCR and the ICET programs. The CCR program will provide \$403,315 of the \$550,000 total cost. Under the ICET program a further \$137,500 could be received and used towards the matching funds for the CCR program. Currently, \$400,000 is available in the preliminary 2019 Regional Parks Capital Budget and \$150,000 in the Regional Parks Operations Budget. If grant funding is received for this project, these funds would be available for other Regional Parks projects and acquisitions.

BACKGROUND

The ICIP cost shares infrastructure investments between the Federal, Provincial and local governments. The CCR will provide funding for projects that will improve citizens' access to and quality of cultural, recreation and community spaces and will provide up to 73.33% of project funding. Matching funding cannot be from other Federal or Provincial sources; therefore, Community Works Funds (CFW) cannot be used. The deadline for applications is January 23, 2019 with announcement to follow in the fall. Construction must be completed within 5 to 6 years.

The ICET's Economic Infrastructure and Innovation Program enables communities to develop infrastructure required to support strategic economic development initiatives. Up to \$400,000 in non-repayable matching funding is available based on the program's funding level for each Electoral Area. Destination Trails are a category under Tourism Funding. Destination Trails must have the capacity to attract provincial, national or international visitors as a stand-alone attraction. There is a two stage application process for funding over \$50,000. Stage 1 evaluates the project concepts, community support and potential benefits. Approved projects are invited to submit a Stage 2 application, within 6 months of Stage 1 approval. The full approval process can take from 4 months to 1 year and the project must be initiated within 6 months of approval. Matching funds can come from other government sources.

Benson Creek Falls Regional Park Infrastructure

On December 4, 2018, the Board approved moving ahead with the detailed design and planning for both a truss bridge across Benson Creek and a combination of stairs and trail to the base of Ammonite Falls (Attachment 1 and 2). Ammonite Falls, located in BCFRP, is a popular destination for both residents and tourists and the site is listed on several social media sites. The popularity of the park, and the trails on the adjacent Crown lands, has caused parking issues for residents on Jameson Road. To alleviate the situation, a concept plan for a new parking area on Weigles Road has been completed (Attachment 3). These projects were identified in the Management Plan as actions that would improve access and safety to the site. Once the bridge is in place, and the parking on Weigles Road expanded, the park will be accessible from two entry points. With a new bridge and safe access to the base of the falls, it is anticipated that visits to the park will increase.

The recreational amenities in BCFRP are a good fit for both the CCR program and the ICET funding. Staff have met with ICET staff who were very interested in this project based on the potential as a tourist destination and the proximity to Nanaimo.

The estimated cost of construction is \$235,000 for the bridge, \$135,000 for the descent to the falls and \$180,000 for a gravel parking lot. Total project cost is \$550,000.

Under the CCR program, matching funding cannot be from government sources however, funds from the ICET program could be used. Therefore, an application can be made for both programs. The CCR program could provide a grant of \$403,315. The matching funds would be \$146,685. Under the ICET program, the funding for Electoral Area C is up to 25% which could provide \$137,500. If the applications to both programs are successful, the total amount of grant funding received will be larger than if only one application is submitted. Also, the funding received from ICET can then be leveraged to receive more funding under CCR program.

ALTERNATIVES

1. That an application be submitted for the Benson Creek Falls Regional Park Infrastructure Project under the *ICIP - Community, Culture and Recreation Program* and the *Island Coastal Economic Trust Economic Infrastructure and Innovation Program* and that the Board commits to the Regional District’s share of the project costs.
2. That an application be submitted for the Benson Creek Falls Regional Park Infrastructure Project under the *ICIP – Community, Culture and Recreation Program* and that the Board commits to the Regional District’s share of the project costs.
3. That an application be submitted for the Benson Creek Falls Regional Park Infrastructure Project under the *Island Coastal Economic Trust Economic Infrastructure and Innovation Program* and that the Board commits to the Regional District’s share of the project costs.
4. That no grant applications be submitted for the Benson Creek Falls Regional Park Infrastructure Project and that alternative direction be provided.

FINANCIAL IMPLICATIONS

Benson Creek Falls Regional Park Infrastructure

The total estimated cost for the bridge, trail connections, access to the base of the falls and the parking lot is estimated at \$550,000, not including design and engineering. The 2019-2024 preliminary five-year Regional Parks Capital Budget includes \$400,000 in 2019 and \$970,000 in 2020 for this project. There is also \$150,000 in the preliminary 2019 Regional Parks Operations budget for the parking lot detailed design on Weigles Road. If the application to the CCR program is successful, \$403,315 in funding would be received. If ICET funding is received, another \$137,500 can be applied to this project. The various grant scenarios are as follows:

	CCR Grant	ICET Grant	Both Grants
Grant Funds	\$403,315	\$137,500	\$540,815
Matching Funds	\$146,685	\$412,500	\$ 9,185
Total	\$550,000	\$550,000	\$550,000

The cost to complete detailed design and engineering for the amenities is \$95,000 and can be covered by funds in the 2019 budget. Detailed design needs to be completed for the ICET Stage II application and therefore design will not be included in the grant funding requests.

If grant funding is not received, the construction of the BCFRP amenities will be funded from the Regional Parks Capital Budget. Receiving the grants will free up funds to be used on other Regional Park developments and acquisitions.

An estimated \$2,000 should be allocated annually for routine and long-term maintenance, funded by the Regional Parks Operations Budget. An expected \$14,300/year asset replacement cost should be included in the Regional Parks Capital Budget for a 50-year projected lifespan.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - We Recognize Community Mobility And Recreational Amenities As Core Services

Benson Creek Falls Regional Park is a popular recreational area and Ammonite Falls is a well-known site. By investing in the new infrastructure, the park will be better able to support visitors and provide a safe and rewarding experience.



W. Marshall
wmarshall@rdn.bc.ca
December 18, 2018

Reviewed by:

- T. Osborne, General Manager, Recreation and Parks
- P. Carlyle, Chief Administrative Officer

Attachments

1. Descent to Ammonite Falls - Benson Creek Design
2. Benson Creek Falls Lower Bridge Design
3. Weigles Parking Design

OPTION 2 STAIRCASE/TRAIL

A short staircase would be developed where people currently start the scramble down the slope, connecting to a new trail with a more gradual descent to the falls

+ STRENGTHS

- Less structure and construction cost than a full staircase
- Maintains existing upper trail route
- Views to the falls during the descent
- Moderate maintenance requirements

- CHALLENGES

- Staircase built on-site, requiring trail closures during construction
- Less direct access than a full staircase
- Moderate maintenance requirements

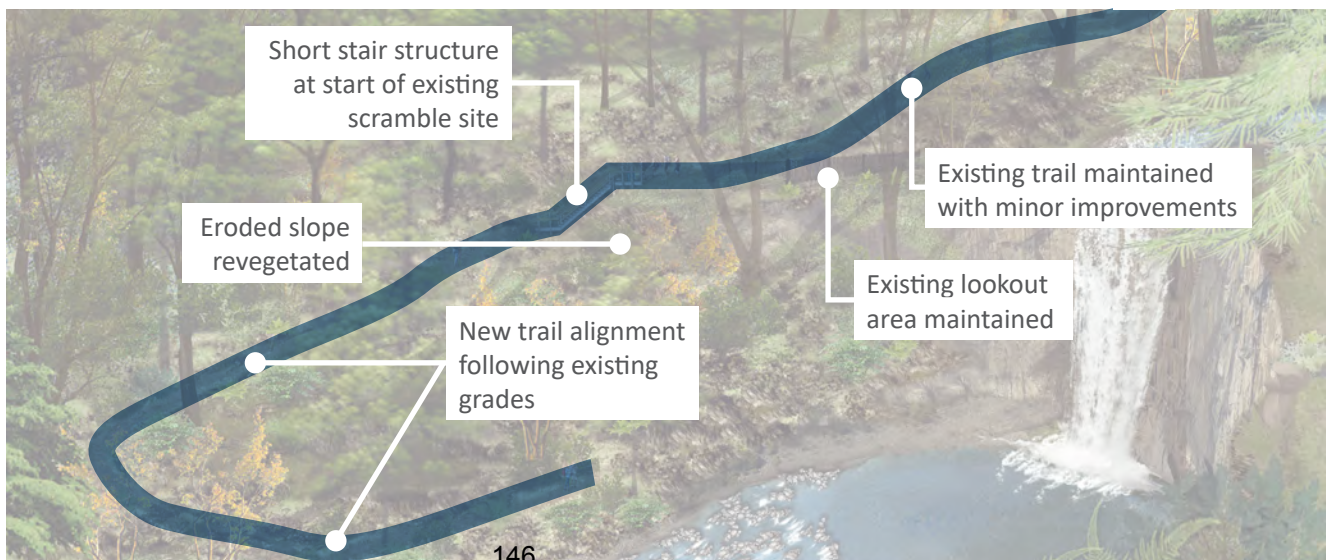
\$ ESTIMATED COST*

- \$115,000 (Class D)

** Costs estimates are for construction only, not including detailed design, geotechnical work, or engineering constructions services. Costs are +/- 30% based on conceptual design and are for planning and budgeting purposes only. Updated cost estimating to be completed prior to implementation.*



CONTEXT
SKETCH



ROUTE &
FEATURES
SUMMARY

OPTION 1 TRUSS BRIDGE

A truss bridge made of lightweight aluminum with timber accents would be developed near the fallen log

+ STRENGTHS

- Potential to be primarily constructed off-site, then assembled in the park, minimizing disruption
- Slightly lower cost

- CHALLENGES

- Heavier appearance due to more cross-bracing
- Potential for some limited movement when the truss bridge has weight on it

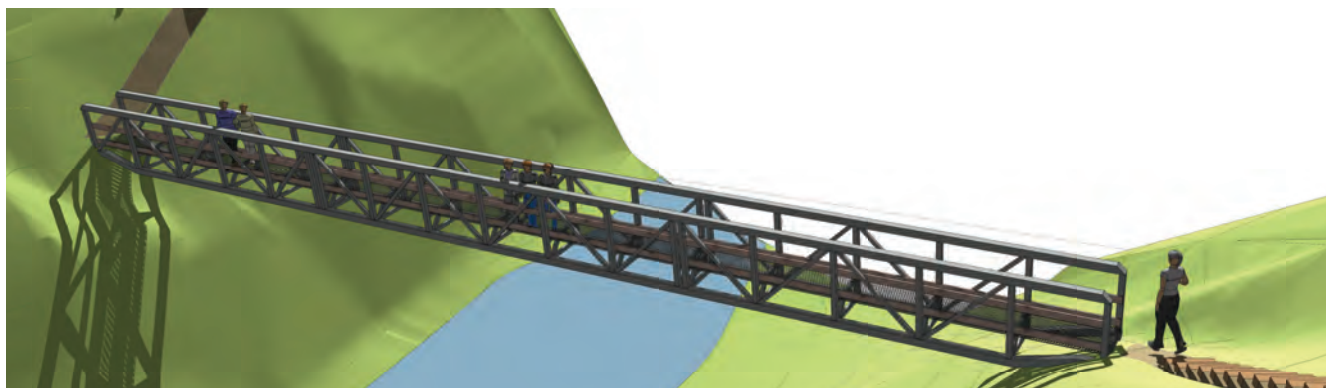
\$ ESTIMATED COST*

- \$210,000 (Class D)

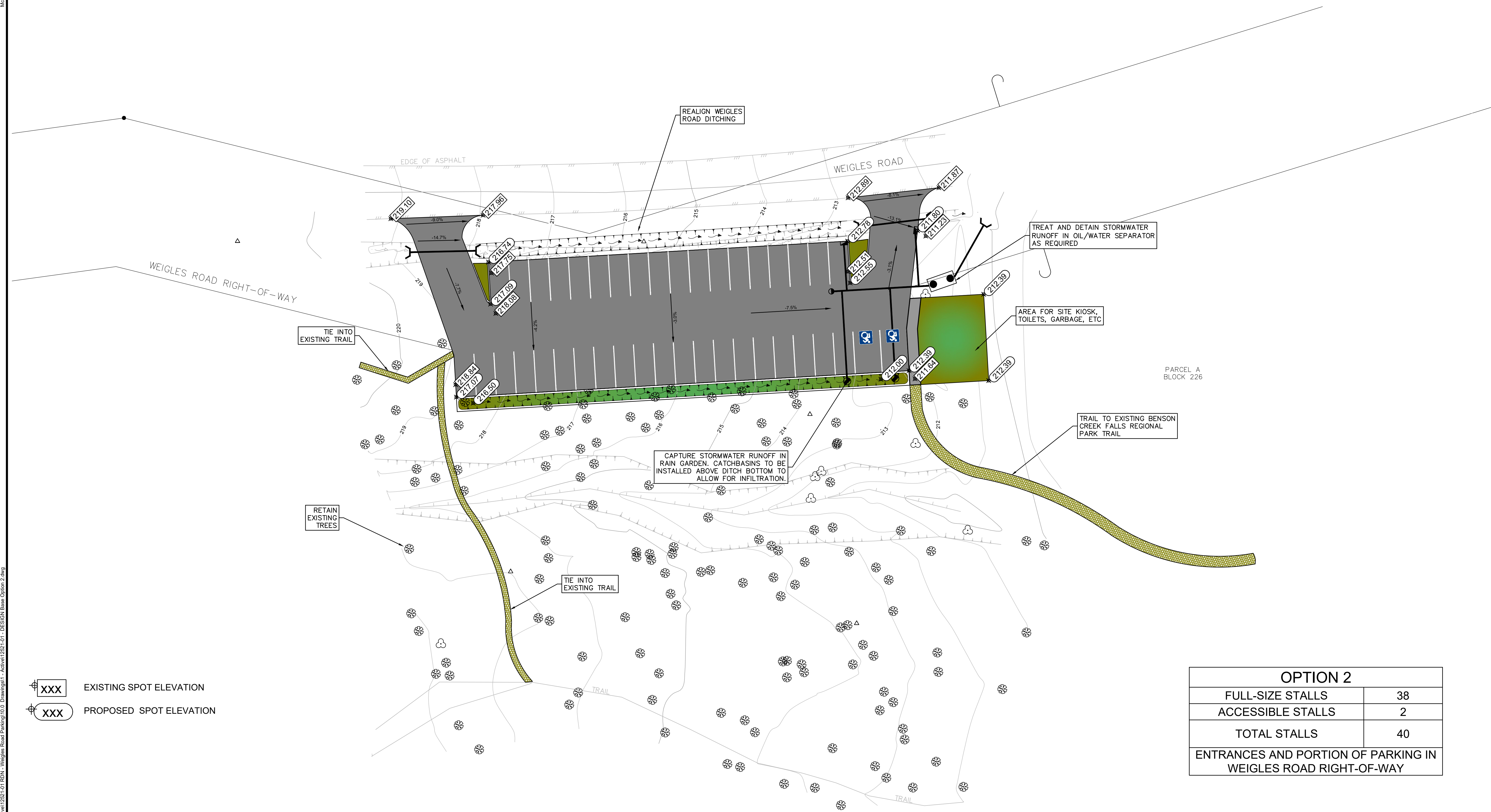
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CONTEXT
SKETCH



BRIDGE
CONCEPT
MODEL



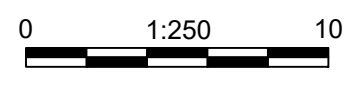
EXISTING SPOT ELEVATION
 PROPOSED SPOT ELEVATION

OPTION 2	
FULL-SIZE STALLS	38
ACCESSIBLE STALLS	2
TOTAL STALLS	40
ENTRANCES AND PORTION OF PARKING IN WEIGLES ROAD RIGHT-OF-WAY	

Rev	Date	Description	Drawn	Design	App'd
PB	OCT. 16, 2017	ISSUED FOR DISCUSSION ONLY	SO	SO	CP
PA	OCT. 6, 2017	ISSUED FOR DISCUSSION ONLY	SO	SO	CP

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ORIGINAL DWG SIZE: ANSI D (22" x 34")



1351 Estevan Road
Suite 1
Nanaimo BC
Canada V9S 3Y3
Tel 250 716 3336

Approved Sealed

REGIONAL DISTRICT OF NANAIMO
830 WEST ISLAND HIGHWAY, PARKSVILLE, BC, V9P 2X4
WEIGLES ROAD PARKING LOT
CONCEPTUAL DESIGN
OPTION 2

Drawing No.	SK-02
Project Number	2231-12521-01
Rev.	PB

In June 2015, staff received correspondence from the residents of Benson View Road highlighting traffic problems and other issues they have with this trailhead location. Due to increasing recreational use of the park and the surrounding trails on crown lands, the parking area continually overflows and has caused difficulty for neighbouring residents to access their homes and peacefully enjoy their neighbourhood. Solutions were explored by staff, but no suitable immediate opportunities to remedy the situation were available.

At their regular meeting held October 25, 2016, the Regional Board passed the following motion:

“That the Board direct staff to continue to explore a long-term parking solution for Mount Benson Regional Park and the Witchcraft Lake Regional Trail.”

Subsequently, it was publicly announced in October, 2017 that the Regional Board had approved the purchase of 2761 Benson View Road for the purposes of constructing a parking lot and new trailhead for Mount Benson Regional Park and surrounding recreational lands (Attachment 2). The purchase, valued at \$580,000, closed in January 2018.

Detailed design and MoTI permit approval for the new 100+ stall parking lot were completed and the project was tendered on November 7, 2018. Eight compliant bids were received by the closing time on December 5, 2018. All bids received were within budget. See Table 1 for Tender Opening Pricing before minor arithmetic corrections were undertaken.

Table 1: Tender Pricing Received

Contractor	Tendered Price
Milestone Contracting Inc.	\$ 525,608.15 (plus GST)
Hazelwood Construction Services	\$ 629,312.98 (plus GST)
Windley Contracting Inc.	\$ 648,465.00 (plus GST)
Copcan Civil Ltd.	\$ 648,634.25 (plus GST)
David Stalker Excavating Ltd.	\$ 649,888.45 (plus GST)
Milner Group	\$ 697,216.30 (plus GST)
Wacor Holdings Ltd.	\$ 738,457.50 (plus GST)
IWC Excavation Ltd.	\$ 744,712.86 (plus GST)

McElhanney Consulting is the engineering firm that was retained for the design, tendering and construction services for this project. A tender compliance evaluation was completed by and a recommendation to the RDN was provided (Attachment 3).

All eight bids received were compliant with the tender requirements. Arithmetic checks were completed on the costs submitted and minor corrections were adjusted where necessary. The lowest compliant bid was submitted by Milestone Equipment Contracting Inc. for a corrected tendered amount of \$526,758.15 plus GST. As per McElhanney’s Tender Review, the recommendation is to award the contract to Milestone Equipment Contracting Inc. for a value of \$526,758.15 plus GST.

To account for potential uncertainty specifically around rock removal on the site, McElhanney recommend that an additional 15% contingency be carried on the project.

The target for project completion is May 31, 2019. To ensure the contract is awarded within the 60-day irrevocability period per the tender documents and to provide the contractor reasonable opportunity to achieve this timeline, it is critical that the tender be awarded at the regular RDN Board meeting on January 22, 2019 and that Notice of Award to the contractor immediately follow.

ALTERNATIVES

1. That the tender award for the Mount Benson parking lot project be approved and that Notice of Award be issued to Milestone Equipment Contracting Inc. for a value of \$526,758.15 (plus GST), and that a 15% contingency in the amount of \$80,000 be carried on the project.
2. That the tender award for the Mount Benson parking lot project not be approved and awarded to Milestone Equipment Contracting Inc. and that alterative direction be provided.

FINANCIAL IMPLICATIONS

A total of \$1,100,000 was allocated in the 2018 Regional Parks Capital Budget for project implementation. Preliminary cost estimates for the parking lot construction were in the order of \$900,000, which informed the overall budget allocation for the project. The tenders received were all within budget. Table 2 summarizes the cost breakdown for the project based on the recommendations of this report.

Table 2: Project Costs

Item	Approximate Value
Total Available Budget:	\$1,100,000
2018 Professional Fees	\$35,000
2019 Professional Fees	\$50,000
2019 Construction Fees	
- Tendered Amount	\$526,758.15
- 15% Contingency	\$80,000
- Trail Construction *	\$40,000
Remainder	\$368,241.85

*Not included in this tender

Annual operational and maintenance costs are expected to be approximately \$16,500 including: snow-plowing; pavement line-marking; gate, garbage and toilet servicing; and fence, sign/kiosk, and trail repair. Over an approximate 20-year lifetime, \$7,000 would need to be allocated annually for re-paving and line-marking costs.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - We Recognize Community Mobility And Recreational Amenities As Core Services

Focus On Service And Organizational Excellence - We Will Fund Infrastructure In Support Of Our Core Services Employing An Asset Management Focus

By investing in the development of a new parking lot for Mount Benson Regional Park, the Board is recognizing the value of recreational amenities and is supporting access to recreational amenities within the community.



Kelsey Cramer
kcramer@rdn.bc.ca
January 2, 2019

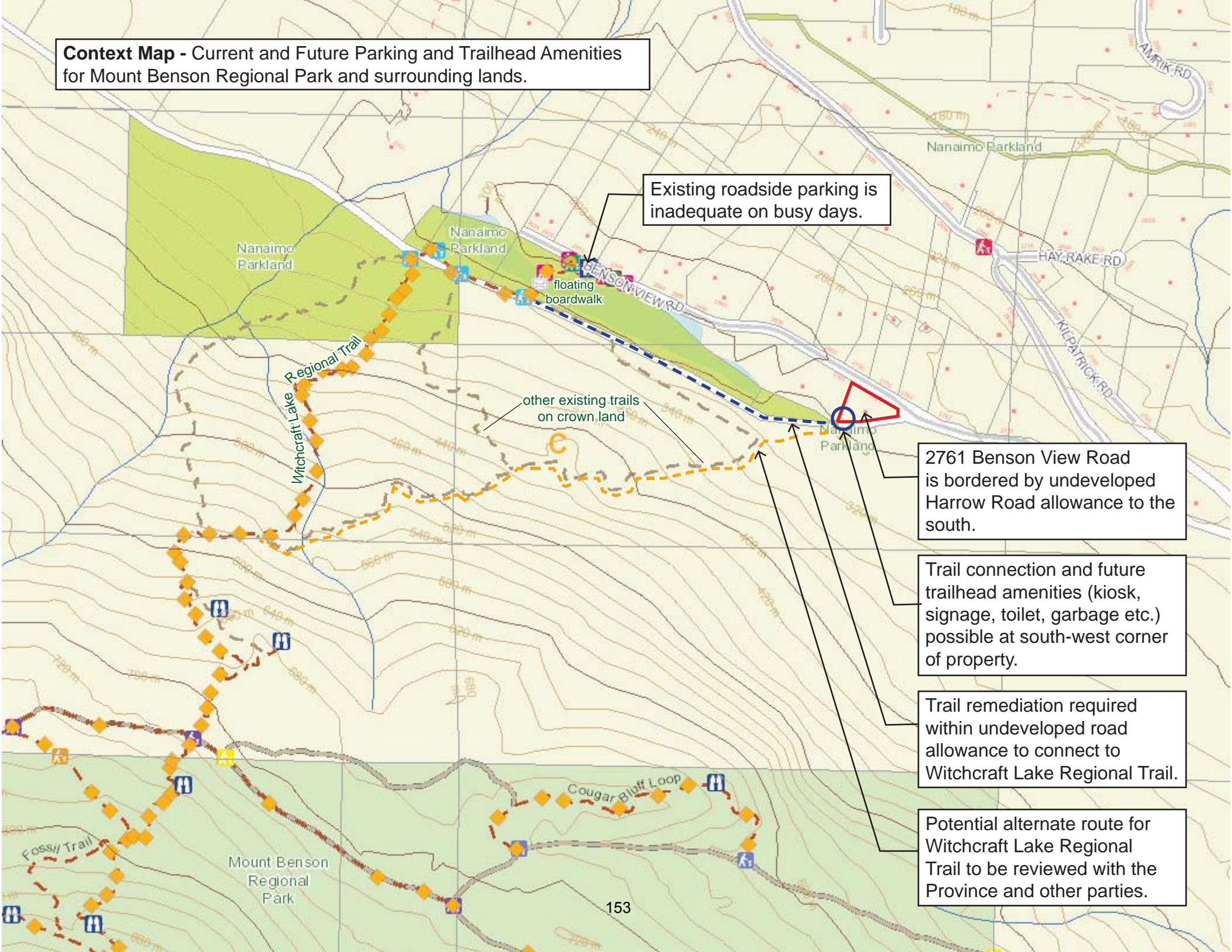
Reviewed by:

- W. Marshall, Manager, Parks Services
- K. Felker, Manager, Purchasing
- J. Bradburne, Director, Finance
- T. Osborne, General Manager, Recreation and Parks Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. Context Map
2. News Release – October 4 2017
3. McElhanney Tender Report Dec 7 2018

Context Map - Current and Future Parking and Trailhead Amenities for Mount Benson Regional Park and surrounding lands.



Existing roadside parking is inadequate on busy days.

other existing trails on crown land

2761 Benson View Road is bordered by undeveloped Harrow Road allowance to the south.

Trail connection and future trailhead amenities (kiosk, signage, toilet, garbage etc.) possible at south-west corner of property.

Trail remediation required within undeveloped road allowance to connect to Witchcraft Lake Regional Trail.

Potential alternate route for Witchcraft Lake Regional Trail to be reviewed with the Province and other parties.

News Release - October 4, 2017

RDN to Improve Parking for Mount Benson Regional Park

At the Regional District of Nanaimo Board Meeting held October 3, 2017 the Board agreed to acquire lands in order to improve parking and trailhead amenities that serve Mount Benson Regional Park.

Mount Benson Regional Park and Witchcraft Lake Regional Trail is currently served by a roadside 24 car parking area on Benson View Road. The parking area regularly overflows and is not able to sustain the increasing number of visitors who recreate on the slopes of Mount Benson.

"Mount Benson Regional Park and Witchcraft Regional Trail is one the RDN's most popular day use parks with over 8000 users accessing the trail this year alone between June and August," shared RDN Chair Bill Veenhof. "In addition to the rapid amount of users accessing Mount Benson Regional Park from Benson View Road, outdoor recreation use also occurs beyond the boundaries of the RDN's regional park on area Crown Lands and private forest lands."

Engineers have estimated that the site being acquired at 2761 Benson View Road will have the capacity to hold between 92 and 126 parking stalls. The number of stalls will depend on configurations and use of an undeveloped Ministry of Transportation and Infrastructure road corridor located on the backside of Witchcraft Lake. Residents of Benson View Road have expressed concern with the existing trailhead and parking lot location. The RDN will be consulting the local residents for their input prior to working on detailed designs for the new parking area.

"I would like to thank the local neighbourhood for their input and discussions that have taken place so far," Electoral Area C Director Maureen Young said. "With the land use agreement now in place, I look forward to ensuring the final design not only meets the needs of users of the recreational lands in the area, but also ensures an improved quality of life to those that live in the area."

The land acquisition costs of \$580,000 will be funded through the RDN Regional Parks and Trails service area. Final construction costs will be determined once community consultation and detailed design is completed. This additional parking amenity supports the RDN's strategic priority of recognizing community mobility and recreational amenities as core services.

~~ 30 ~~

Contact:

Wendy Marshall
Manager of Parks Services
Regional District of Nanaimo
250-248-3252
wmarshall@rdn.bc.ca

Recreation and Parks Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

December 7, 2018
2231-12520-1

Attention: Ms. Kelsey Cramer
Parks Planner, Recreation and Parks Services

Dear Kelsey,

**Reference: Mount Benson Parking Lot Project
Tender Report**

Tenders for the above referenced project closed at RDN offices on Wednesday, December 5, 2018 at 2:00 pm. Tenders were not publicly opened. Eight (8) submissions were received as follows:

Table 1: Tender Pricing Received

Contractor	Tendered Price
Milestone Contracting Inc.	\$ 525,608.15 (plus GST)
Hazelwood Construction Services	\$ 629,312.98 (plus GST)
Windley Contracting Inc.	\$ 648,465.00 (plus GST)
Copcan Civil Ltd.	\$ 648,634.25 (plus GST)
David Stalker Excavating Ltd.	\$ 649,888.45 (plus GST)
Milner Group	\$ 697,216.30 (plus GST)
Wacor Holdings Ltd.	\$ 738,457.50 (plus GST)
IWC Excavation Ltd.	\$ 744,712.86 (plus GST)

We have reviewed the tenders received for compliance with tender requirements and note the following:

- All tenders acknowledged receipt of Addendum 1 & 2;
- Minor arithmetic errors were noted in two of the tenders submitted. Tenders were corrected in accordance with Instruction to Tenderers;
- All tenders included a description of both superintendent and project experience, a list of sub-contractors, schedule and the required Bid Bond.

The low tender was submitted by Milestone Contracting Inc. We have reviewed their unit prices and find the pricing consistent with previous projects tendered in the area. For your information we have included a copy of our tender analysis spreadsheet. In addition, Milestone has demonstrated their experience and capacity to perform this work.

Should the RDN have the sufficient funds for the project, we recommend that the RDN award a contract to Milestone Contracting Inc. for the corrected tendered amount of **\$ 526,758.15 plus GST**.

In addition, it is recommended the RDN carry a 15% contingency for the project should any unforeseen issues arise.

If you have any questions in connection with the bids received, please do not hesitate to contact me.

Yours truly,
McElhanney Consulting Services Ltd.



Chris Pogson, P.Eng.
Branch Manager

TO: Committee of the Whole **MEETING:** January 8, 2019

FROM: Shelley Norum **FILE:** 2240-20-CMP
Wastewater Program Coordinator

SUBJECT: Conditional Management Plan for French Creek Pollution Control Centre Pump Stations

RECOMMENDATION

That the Board approve the 2019-2022 Conditional Management Plan agreement between the Regional District of Nanaimo, Canadian Food Inspection Agency, Environment and Climate Change Canada, Fisheries and Oceans Canada, and the BC Ministry of Environment and Climate Change Strategy.

SUMMARY

The current Conditional Management Plan (CMP) agreement for two wastewater pumpstations at: Bay Avenue in City of Parksville; and Hall Road in Town of Qualicum Beach, expires on January 31, 2019 and must be renewed. The CMP is an agreement between the Regional District of Nanaimo (RDN) and Federal, and Provincial authorities that identifies: the roles and responsibilities of each party in the event of an emergency bypass at the pump stations.

CMP's are established under the authority of the Canadian Shellfish Sanitation Program (CSSP) to provide reasonable assurance that shellfish are safe for consumption. The participants in the CMP are: RDN; Fisheries and Oceans Canada; (DFO); Environment and Climate Change Canada (ECCC); Canadian Food Inspection Agency; and the BC Ministry of Environment and Climate Change.

The CMP does not apply to discharges of treated or untreated wastewater directly from the French Creek Pollution Control Centre (FCPCC), which remain subject to reporting under the Fisheries Act.:

The agreement in Attachment 1 would extend the CMP to January 31, 2022. The renewal agreement requires no operational changes for the RDN and has no financial implications.

BACKGROUND

A Conditional Management Plan (CMP) is an agreement that enables the harvest of shellfish in areas in proximity to wastewater infrastructure. These areas meet the standards for safe harvest of bivalve molluscan shellfish (i.e. mussels, oysters, and clams), except in times where a temporary source of pollution exists. As long as the pollution source is not present, the CMP allows the shellfish harvesting area to remain open.

The Bay Avenue and Hall Road Pump Stations that convey wastewater to FCPCC from the City of Parksville and Town of Qualicum Beach were each constructed with an emergency bypass that can divert untreated wastewater to the marine environment if the volume of wastewater

entering the pump station exceeds its capacity. A bypass prevents damage to the pump station and interceptor infrastructure and reduces the risk of flooding private residences. A bypass has not occurred since the original construction of the pump stations in the 1970's. Furthermore, pump redundancy, back-up power, and a SCADA system make it unlikely that a bypass will occur. However, the existence of these bypasses has prompted a CMP to manage the potential contamination risk for shellfish harvesting in the area.

A CMP has been in place for the two FCPCP pump stations since May 2012 and was developed with the following participating partners:

- Canadian Food Inspection Agency
- Fisheries and Oceans Canada
- Environment and Climate Change Canada
- BC Ministry of Environment and Climate Change Strategy.

The RDN's commitments within the CMP are as follows:

- Notify Emergency Management BC, the Fisheries and Oceans Canada Radio Room, and CMP partners within 30 minutes of detecting a bypass from the Bay Avenue or Hall Road Pump Station.
- Notify Emergency Management BC, the Fisheries and Oceans Canada Radio Room, and CMP partners within 30 minutes of when the bypass ends.
- Maintain up-to date records of the operations and maintenance of the wastewater treatment facility and interceptor, as per the requirements of its operating permit issued by the Ministry of Environment and Climate Change Strategy.
- Provide results of routine final effluent analysis to the Ministry of Environment and Climate Change Strategy, as per the requirements of the operating permit.
- Submit an annual report by January 15th summarizing bypass events from January 1 to December 31 of the previous year.

The current CMP agreement expires on January 31, 2019. The agreement in Attachment 1 would extend the CMP to January 31, 2022. The renewal agreement requires no operational changes for the RDN.

ALTERNATIVES

1. Approve the 2019-2022 Conditional Management Plan agreement between the Regional District of Nanaimo, Canadian Food Inspection Agency, Environment and Climate Change Canada, Fisheries and Oceans Canada, and the BC Ministry of Environment and Climate Change Strategy.
2. Do not approve the 2019-2022 Conditional Management Plan agreement and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There are no financial implications anticipated for the RDN by signing or implementing the CMP renewal agreement. As part of Wastewater Services Department's ISO 14001 certified Environmental Management System, emergency response procedures are already established to respond to environmental incidents like an untreated wastewater discharge to the environment.

STRATEGIC PLAN IMPLICATIONS

Focus On Economic Health- We Will Support Our Traditional Industries: Forestry, Tourism, Manufacturing, Fishing, Knowledge Based And Technology Based Industries

The CMP supports the fishing industry as it allows for shellfish growing areas to remain open to harvesting. With the CMP in place, First Nations may harvest for food, social and ceremonial purposes; recreational fishing may occur at any time of year, and wild commercial clam and commercial geoduck fisheries are periodically open. Without a CMP, the size of shellfish harvesting closures would increase and harvesting activities would be reduced.

Focus On Relationships- We Look For Opportunities To Partner With Other Branches Of Government/Community Groups To Advance Our Region

The CMP was developed with, and enhances the working relationship with: the Canadian Food Inspection Agency, Fisheries and Oceans Canada, Environment and Climate Change Canada, and the BC Ministry of Environment and Climate Change Strategy.



Shelley Norum
snorum@rdn.bc.ca
November 30, 2018

Reviewed by:

- S. De Pol, Director, Water and Wastewater Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachment

1. Conditional Management Plan for French Creek Pollution Control Centre Pump Stations, 2019-2022

CONDITIONAL MANAGEMENT PLAN (CMP)

BETWEEN THE:

Canadian Food Inspection Agency (CFIA),
Fisheries and Oceans Canada (DFO),
Environment and Climate Change Canada (ECCC),
British Columbia Ministry of Environment and Climate Change Strategy, Environmental
Protection Division (ENV), and
The Regional District of Nanaimo (RDN)

(the “Participants”)

**FOR THE MANAGEMENT OF SHELLFISH HARVESTING IN
CONDITIONALLY CLASSIFIED HARVEST AREAS ADJACENT TO THE
WASTEWATER TREATMENT PLANT LOCATED AT:**

957 Lee Road, Parksville, British Columbia
(the “French Creek Pollution Control Centre”)

INTRODUCTION

The Canadian Shellfish Sanitation Program (CSSP) is delivered by three federal institutions, Fisheries and Oceans Canada (DFO), Environment and Climate Change Canada (ECCC) and the Canadian Food Inspection Agency (CFIA) (hereinafter collectively referred to as the “CSSP partners”). The CSSP provides reasonable assurance that molluscan shellfish are safe for consumption, thus supporting the industry and providing confidence for Canadians and export markets. This Conditional Management Plan (CMP) between CSSP partners, the Province of British Columbia Ministry of Environment and Climate Change Strategy, Environmental Protection Division (ENV), and the Regional District of Nanaimo (RDN) outlines the roles and responsibilities of the Participants in the event of a trigger event (described in Appendix E of this CMP) at the collection system pump stations that carry wastewater to the wastewater treatment plant (WWTP) in the City of Parksville, British Columbia, known as the French Creek Pollution Control Centre (FCPCC).

The present CMP does not affect legal requirements existing under Federal or Provincial statutes. For greater certainty, where there occurs a deposit of a deleterious substance out of the normal course of events in water frequented by fish, or a serious and imminent danger thereof, the person that causes or contributes to the deposit (or danger thereof) has a legal obligation to report such occurrences to an inspector designated pursuant to subsection 38(1) of the *Fisheries Act*, to a fishery officer, or to any authority as is prescribed by regulations under subsection 38(4) of the *Fisheries Act*.

This CMP does not affect the legal rights and responsibilities of the RDN, as a local government under the Community Charter and the *Local Government Act*, or as a WWTP operator subject to all applicable regulatory licences and permits, but reflects the RDN’s commitment to assist CSSP partners in providing reasonable assurance that bivalve shellfish harvested adjacent to the pump stations conveying wastewater to the FCPCC are safe for human consumption.

DURATION OF THE CONDITIONAL MANAGEMENT PLAN

This Conditional Management Plan (CMP) shall be renewed on the date of signing by each of the Participants and expire on January 31, 2022 and is subject to each participant signing this CMP prior to coming into force.

1. PURPOSE AND SCOPE

Full cooperation of the Participants is required to achieve timely detection and notification of any FCPCC trigger events, along with the necessary response actions to ensure continued food safety of harvested bivalves. This initiative stems from the CSSP and the requirements related to Conditional Area Management (refer to *CSSP Manual*, a copy of which is located at <http://www.inspection.gc.ca/food/sfcr/food-specific-requirements-and-guidance/fish/canadian-shellfish-sanitation-program/eng/1527251566006/1527251566942> Conditional Area Management will be supplemented by Hazard Analysis Critical Control Points (HACCP) controls implemented by registered fish processing establishments.

This CMP provides enhanced management of the bivalve molluscan shellfish harvest waters adjacent to the FCPCC and its collection system, and more specifically, stipulates actions to be taken immediately to close conditionally classified areas in the event of a discharge of wastewater into the marine environment from the collection system pump stations located on Hall Road in the Town of Qualicum Beach and on Bay Avenue in the City of Parksville as described in Section 4.

This CMP does not address discharges of treated or untreated wastewater directly from the FCPCC. Any such discharges outside the normal operation of the FCPCC, including rare events such as catastrophic failures at the treatment facility or ruptures in the collection system that result in wastewater discharges to the marine environment that are not specifically listed under the trigger event definition in this CMP, remain subject to reporting under subsection 38(4) of the *Fisheries Act*, with any subsequent closures of shellfish harvesting areas addressed under Section B, 6.2 of the *CSSP Manual*.

The area described in Section 4 of this CMP has been classified based upon the area hydrographical data and the performance characteristics of the FCPCC and its collection system. Classification maps of the two harvest areas are provided in Appendix A.

2. BACKGROUND

2.1 Conditional Management

The *CSSP Manual* outlines the authorities (statutes and regulations), policies, procedures and activities governing the control of shellfish growing areas, and the harvesting, processing and distribution of shellfish.

Shellfish harvest areas outlined in this CMP that are subject to intermittent microbiological contamination may be classified as conditionally approved or conditionally restricted Areas. If the conditions set out in this CMP cannot be met, the *CSSP* partners will determine whether the area will be reclassified as prohibited.

2.2 WWTP description

The FCPCC operates under provincial authorization (PE-4200) issued by the ENV. The FCPCC facility provides secondary treatment with no disinfection stage prior to discharge to the marine environment. The plant consists of a headworks, three primary sedimentation tanks, a trickling filter, a solids contact tank, followed by secondary clarifiers and an outfall. Solids wasted from the clarifiers are digested in Autothermal Thermophilic Aerobic Digesters (ATAD) and dewatered through a centrifuge.

The main outfall is located at 957 Lee Road, Parksville (49°22.07' north latitude and 124°21.24' west longitude) at a depth of approximately 60 m. The maximum rate at which effluent may be discharged via the outfall under PE-4200 is 16,000 m³/day. The plant is designed with an overflow bypass, but in order to activate, a manual bypass valve must be opened.

The FCPCC's collection system consists of a RDN owned and operated main sanitary sewer line, running for the most part along the foreshore, which is used to convey wastewater to the treatment facility. The collection system, also referred to as the Interceptor by RDN staff, includes three pump stations.

Two of the pump stations in the FCPCC's collection system are equipped with bypass pipes that could discharge wastewater into the marine foreshore. The first one is located at 300 Hall Road (49° 21.55' north longitude and 124° 25.49' west longitude) in the Town of Qualicum Beach (Appendix A, Figure 1), and the second one is located at 385 Bay Avenue (49° 19.54' north latitude and 124° 19.41' west longitude) in the City of Parksville (Appendix A, Figure 2).

The FCPCC and the pump stations are monitored via a Supervisory Control and Data Acquisition (SCADA) system. In addition, the RDN also has an after-hours toll-free number available for the public.

The RDN's Wastewater Services Department has had an ISO 14001 certified Environmental Management System in place since 2005 to assist in meeting regulations, to demonstrate due diligence in the event of non-compliance, to improve environmental performance, and to assure the public of the RDN's commitment to demonstrable environmental management. A copy of Wastewater Services Environmental Policy is available at www.rdn.bc.ca.

2.3 Description of the Shellfish Fisheries (including aquaculture) within the CMP Area

Significant harvesting of bivalve shellfish takes place within the conditionally approved areas adjacent to the Hall Road and Bay Avenue pump stations that carry wastewater to the FCPCC. For all types of potential use, fishing and aquaculture license conditions prohibit harvest where notice is given of biotoxin or other contamination such as trigger events from the FCPCC. Where not closed by Prohibition Order, Variation Orders open commercial bivalve fisheries in non-contaminated areas for specific areas and times.

First Nations may harvest for food, social and ceremonial purposes (FSC), and recreational fishing may occur year-round within the conditionally approved area when in open status.

Wild commercial clam and commercial geoduck fisheries are periodically open in the area. There are currently no fisheries operating under the *Management of Contaminated Fisheries Regulations* (MCFR) within any of the adjacent restricted areas.

3. ROLES AND RESPONSIBILITIES

The roles and responsibilities of each of the Participants are specified in Section 3 and Sections 5 to 8 of this CMP. Additional responsibilities for the CSSP partners can be found in Section E, 13 of the CSSP Manual.

The roles and responsibilities of the British Columbia Ministry of Environment and Climate Change Strategy, Environmental Protection Division (ENV), and the RDN are as follows:

The ENV is responsible for the regulation of municipal WWTP's, including the FCPCC. The ENV will:

- a) verify through annual report reviews, and any other communications with the RDN staff, that trigger events are reported by the methods described in this CMP, as they occur; and
- b) provide an annual summary report of the results of compliance with provincial authorization requirements and confirmed trigger event reporting as defined in Sections 5.1 and 5.2 of this CMP by February 15th for the previous calendar year, including recommendations for changes to this CMP.

The RDN is responsible for the operation of the FCPCC located at 957 Lee Road, Parksville, BC and its wastewater collection system. The RDN will:

- a) where feasible, maintain a continuous monitoring system by which trigger events described in Section 5.1 can be detected in a timely manner, and improve upon that monitoring system if necessary (where feasible, continuous monitoring systems will be put in place);
- b) immediately notify the DFO Radio Room and Emergency Management BC (EMBC) verbally by telephone of any planned or unplanned changes in operations of the FCPCC's wastewater collection system which may or has resulted in a trigger event condition as per Section 5.1;
- c) advise CFIA, ECCC and DFO in writing (by email or fax) when the trigger event conditions identified have terminated, using the Discharge of Wastewater Notice (Appendix C). Alternatively, advise the DFO Radio Room by telephone as per Section 5.2. This notification is the initial step in the re-opening criteria process;
- d) maintain up-to-date records of the operations and maintenance of the wastewater collection system and treatment facilities, as per the requirements of the operating permit (PE-4200) issued by ENV;
- e) provide a copy of the results of routine final effluent analysis to ENV and ECCC, as described in the operating permit issued by ENV;

- f) provide an annual report of the results of activities listed above to ENV and ECCC for the 12 month period starting January 1st and finishing December 31st of each year. The report must contain at minimum the occurrence trigger event types, dates, estimates of discharges and records of the notifications given to DFO and EMBC, and notifications give to DFO when the event ceased. The report must be submitted by January 15th of the following year and may contain recommendations for changes to this CMP if any are necessary.

4. DESCRIPTION OF THE SANITARY CLOSURES, CONDITIONALLY CLASSIFIED AREAS

This CMP deals specifically with the harvesting of shellfish in the conditionally approved Areas adjacent to the Hall Road and Bay Avenue pump stations which carry wastewater to the FCPCC, described as:

4.1 Conditionally Approved Area 1 – Emergency Sanitary Closure 14.hh: Hall Road, Town of Qualicum Beach:

The waters and intertidal foreshore inside a circular arc with a radius of 6500 m, and excluding the areas already included in Annual Closures, 14.10, 14.16 and 14.31 centered at a point on land at 49° 21.55’ north latitude and 124° 25.49’ west longitude, which intersects the shoreline at 49° 22.04’ north latitude and 124° 30.81’ west longitude and again at 49° 20.43’ north latitude and 124° 20.43’ west longitude, near Hall Road in the Town of Qualicum Beach [NAD 83] (Appendix A, Figure 1).

4.2 Conditionally Approved Area 2 – Emergency Sanitary Closure 14.ii: Bay Avenue, City of Parksville:

The waters and intertidal foreshore inside a circular arc with a radius of 6500 m, and excluding the area already included in Annual Closure 14.10, centered at a point on land at 49° 19.54’ north latitude and 124° 19.41’ west longitude, which intersects the shoreline at 49° 21.46’ north latitude and 124° 23.88’ west longitude and again at 49° 18.64’ and 124° 14.20, near Bay Avenue in the City of Parksville [NAD 83] (Appendix A, Figure 2).

4.3 Boundaries and Orders may Change

Classification boundaries and Prohibition Orders may be amended during the term of this CMP as required according to on-going sampling data and advice from ECCC and/or CFIA and are also subject to any overlapping prohibited areas such as 125 m radius around floating living accommodations and 300 m around outfalls, as per the MCFR. See Appendix A.

5. DETECTION / NOTIFICATION / RESPONSE TO A TRIGGER EVENT

As defined in the CSSP Manual, an effective regime for the detection, notification and response to disruptions in the normal operation of the FCPCC or the FCPCC’s collection system is a prerequisite to the harvest of shellfish in the conditionally classified areas described in Section 4 of this CMP.

5.1 Detection

The RDN must have in place and maintain a continuous monitoring system by which trigger events set forth in this Conditional Management Plan can be detected in a timely manner.

The conditionally approved areas described in Section 4 of this CMP may be closed to the harvesting of molluscan shellfish in response to any trigger event that results in a discharge to the marine environment that has the potential to pose a contamination risk to shellfish beyond the existing sanitary closure boundary, as defined in further detail in Section 5.1.3.

Rare events, such as catastrophic failures (e.g. collection system ruptures) that result in sewage discharges to the marine environment and are not specifically listed under the trigger event definition in this CMP, remain subject to reporting under subsection 38(4) of the *Fisheries Act* as well as the CSSP Emergency Events Section B, 6.5 of the CSSP Manual.

5.1.1 Description of the normal operating requirements (performance standards or values permitted by provincial regulators)

The FCPCC operates under ENV authorization PE-4200. The maximum rate at which effluent may be discharged via the main outfall is 16,000 m³/day. The plant is fed by a collection system that includes the Hall Road and Bay Avenue pump stations which carry wastewater from the Town of Qualicum Beach and City of Parksville to the plant for treatment and discharge. Under normal operating conditions there is no discharge to the marine environment through the Hall Road and Bay Avenue pump station bypasses.

5.1.2 Description of scenarios that are reasonably likely to occur resulting in a trigger event (lack of disinfection, bypass, power failure, overflow of lift stations that could impact the area, presence of a hazardous substance such as oil or gas, others)

Trigger events include, but are not limited to, the following conditions:

- Any discharge of sewage from the FCPCC collection system pump station bypasses at Hall Road or Bay Avenue into the marine environment caused by conditions such as (but not limited to) a power failure, pump equipment failure, or very high rainfall intensity.

Note: A bypass may be initiated by the RDN due to planned maintenance or due to an unplanned emergency response. A bypass of the system will result in some volume of raw sewage discharged to receiving waters. Efforts will be made to limit the occurrence of bypass events to times when the least impact will occur to shellfish harvesting. Where possible, advance notice of such events will be provided.

5.1.3 Description of how each of the trigger event types are detected (Supervisory Control and Data Acquisition (SCADA), visual, others)

The Hall Road and Bay Avenue pump stations are monitored via SCADA. The pump stations are configured to immediately notify an alarm service contractor when a high level alarm is triggered, in advance of a trigger event occurring. The high level alarm is triggered when the wet well level reaches 2 metres. If the wet well level reaches 7 metres, wastewater will discharge via the bypass.

The alarm service contractor uses a pager system to send a message to RDN Operations Staff if an alarm is triggered. If the alarm service contractor does not receive a response to the page within 10 minutes, the alarm service contractor will initiate an escalation protocol to notify additional RDN staff.

RDN Operations Staff are responsible for responding to pages from the alarm service contractor.

Alarms are communicated by the alarm service contractor to RDN Operations Staff by a pager system. Following receipt of the page RDN Operations Staff will proceed to the site and will monitor the wet well levels. Once the wet well reaches the maximum levels listed above, RDN Operations Staff will complete a visual check of the bypass to confirm that wastewater is actually discharging to the marine environment, constituting a trigger event as described in Section 5.1.3.

The RDN also has an after-hours toll-free number available for the public. This is monitored by a telephone answering service provider who uses a pager system to send a message if an urgent call is received. Generally, wastewater events reported by the public would be rare events such as catastrophic failures at the treatment facility or ruptures in the collection system that result in wastewater discharges to the marine environment that are not specifically listed under the trigger event definition in this CMP, and thus are outside the scope of this CMP. Such events remain subject to reporting under subsection 38(4) of the Fisheries Act, with any necessary closures of harvesting areas enacted under the CSSP Emergency Events Section B, 6.5 of the CSSP Manual.

5.1.4 *Time lines for detection of each trigger event type, in hours, taking into account best and worst case scenarios (during and after working hours including weekends)*

1. Detection of a trigger event as described in Section 5.1.3 by RDN Operations Staff takes up to 1.0 hours as a worst case scenario.

5.2 Notification

Any trigger event as described in Section 5.1 requires a notification of the event by the RDN as follows.

2. The RDN Operations Staff immediately notifies both the EMBC and the DFO Radio Room verbally at the phone numbers noted in Appendix C when trigger events are detected as per Section 5.1 noting the event type, the estimated start time and name of the caller as well as when the event has ceased (Appendix C). (0.50 hours)

Note: A notification under the current CMP does not replace or otherwise affect the requirements, pursuant to subsection 38(4) of the *Fisheries Act*, to report to a *Fisheries Act* inspector or to any other person or authority as is prescribed by regulations, when there occurs a deposit of a deleterious substance out of the normal course of events in water frequented by fish, or a serious and imminent danger thereof. A notification does not replace the emergency procedures and bypass requirements as defined under the provincial authorization PE-4200.

3. The RDN Operations Staff emails the CSSP partners (DFO, CFIA and ECCC) (listed in Appendix D), when a trigger event is detected or has ceased (Appendix C). (0.50 hours)

Also notify of any planned or unplanned changes in operations at the FCPCC (e.g. untreated sewage discharge, proposed maintenance work, etc.) which are likely to alter the normal effluent loading or location of discharge in or in proximity of the conditionally classified areas herein described.

5.2.1 Description of how notification is provided to all CSSP partners and other Participants (phone/fax/email)

4. The EMBC completes and sends a Dangerous Goods Incident Report (DGIR) immediately and notifies other agencies including ECCC, ENV and DFO/CCG Marine Communications and Traffic Services (MCTS) by sending the incident report by email (Appendix C and D). (0.25 hours)
5. The DFO/CCG MCTS notifies the DFO Radio Room by also sending the DGIR report (built in redundancy). (0.25 hours)
6. The DFO Radio Room notifies the CSSP Coordinator (business hours) and/or DFO Conservation and Protection (C & P, afterhours). (0.25 hours)

5.3 Response

Upon receiving notification as outlined in Section 5.2, each Participant will respond in accordance with their respective authorities as follows:

7. The DFO CSSP Coordinator and or C & P, contact the CFIA Pacific Shellfish Desk by email at cfia.pacificshellfish-mollusquespacifique.acia@canada.ca with the **subject line: URGENT - WWTP OVERFLOW EMERGENCY NOTIFICATION**. (0.25 hours)¹
8. Once the email from the DFO CSSP Coordinator and/or C&P reaches the Pacific Shellfish Desk, a CFIA pre-established email fan out list notifies all registered molluscan shellfish processing plants immediately. (0.25 hours)¹
9. DFO (CSSP Coordinator or C & P) are responsible for (1.0 hours);
 - a. DFO will initiate their internal procedures regarding the activation of a change in area status through SHELLI (Shellfish Harvest Extent, Latitude, Longitude Information) which will invoke a Prohibition Order to place the area in Closed status under the *Management of Contaminated Fisheries Regulations* (notification that provides DFO Regional Director General with reason to believe that fish of any species are contaminated), C&P Regs will accept the recommendation and a Prohibition Order will be sent to the RDG to be signed.
 - b. Inform affected harvesters (First Nations, commercial harvesters and stakeholders) (Appendix D) via email,
 - c. Inform CSSP partners of overflow or termination of an overflow,
 - d. Post Fishery Notice via Automatic Fishery Notice System,

- e. Update public communication material (<http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.html>) with a map and the legal description of the area affected through FRIS,
- f. Initiate patrols of affected area.

¹ Steps 7-8, the DFO CSSP Coordinator and or C&P contacting the CFIA Pacific Shellfish Desk, and the fan out email to all registered molluscan shellfish processing establishments occur simultaneously. The maximum time allotted to each step is 0.25 hour and are not additive.

The total detection, notification and response time is **4.0 hours¹**.

¹ **Note:** The total detection, notification and response time is calculated by adding together the total time allotted for steps 1 to 9 above (4.0 hours) (Sections 5.1.4, 5.2 and 5.3).

6. RE-OPENING CRITERIA

The harvest areas described in this CMP will remain in closed status to harvesting until the re-opening criteria are met. Commencement of re-opening criteria does not begin until after the RDN has provided notification that the trigger event(s) have ceased as outlined in Section 3 and Section 5.

Areas will be returned to their classification status when conditions outlined in Section B, 4 of the CSSP Manual have been met as advised by ECCC and CFIA.

The sampling methodology must comply with the established procedures outlined in Section B, 7 of the CSSP Manual and the Sampling Policy and Procedures found in the CFIA's Fish Products Standards and Methods Manual. The sample locations are identified in Figure 3 and Figure 4 in Appendix A.

The samples must be submitted to an ISO/IEC 17025 "General Requirements for the Competence of Testing and Calibration Laboratories" by a recognized Canadian accrediting body. The methods used for testing the water and shellstock must be on the laboratory's scope of accreditation.

6.1 In addition to the conditions above, the following arrangement has been reached between the signatories to this CMP as to the process and responsibilities for collecting samples, sample locations, and where they are analyzed.

- The area must remain in closed status for a minimum of 7 days after the latest trigger event has ceased.
- In order to re-open sooner than 21 days after the latest trigger event, ECCC and CFIA trained samplers may collect water and shellstock samples from established verification

locations outlined in Appendix A. Water and shellstock should be collected no earlier than 5 days after the most recent trigger event has ceased.

- The sampling methodology must comply with the established procedures outlined in Section B, 7 of the CSSP Manual and the Sampling Policy and Procedures found in the CFIA's Fish Products Standards and Methods Manual

<http://www.inspection.gc.ca/food/sfcr/general-food-requirements-and-guidance/preventive-controls-food-businesses/sampling-procedures/eng/1518033335104/1528203403149>

- . The sample locations are identified in Figure 3 and Figure 4 in Appendix A.
- Only those samplers operating under a current and valid sampler agreement with ECCC may perform water verification sampling.

ECCC and CFIA will make a recommendation to DFO to revoke the closure and the harvesting prohibition:

- When a minimum of 21 days have elapsed following the termination of the most recent trigger event, or
- When marine water and shellstock samples from the conditional area are confirmed to meet the standards for harvest set forth in the CSSP, and a minimum of 7 days have elapsed following the termination of the most recent trigger event.

7. ANNUAL REPORTING

All Participants will provide input into an annual report on the management of the area as outlined in Appendix IX of the CSSP. The report will then be provided to the Pacific Region Interdepartmental Shellfish Committee (PRISC) each spring for review. This report shall include, as a minimum, the information outlined in Appendix B.

7.1 Procedures to be followed at the local level in order to complete the report:

DFO will lead the development of an Annual Report for French Creek.

A summary of activities will include detailed information about each failure detection, notification and response, including timelines, action and delays during the chain of events leading to closure and notification to First Nations, stakeholders and the public and subsequent openings together with all supporting documentation. DFO will provide details on the timelines from detection to closure; as well as a summary of surveillance, enforcement, and control activities: number of patrols, number of incidents, violations.

The CMP annual report shall be completed for review and accepted by a PRISC working group by May 1st of the following year.

CFIA and ECCC will provide input to the Annual Report with water and shellstock microbiological data used to re-open the area (dates, results). Summary data is required by Feb 1st of the following year.

ENV will provide an annual report of the results of activities listed under the ENV in

Section 3 in relationship to the CMP by Feb 15th of the following year including but not limited to any recommendations for changes to the CMP.

A report from the RDN will include a summary of the occurrence trigger event types, dates, estimates of discharges and records of the notifications made during the duration of this management plan. The report shall be submitted to ENV by January 15th of the following year.

Concerns and recommendations may be provided by all Participants and included in the French Creek CMP Annual Report.

8. AMENDMENT AND TERMINATION

Any Participant may, upon providing written notice to the other Participants, withdraw from this voluntary CMP.

If at any time any Participants to the CMP fails to fulfill the requirements as set forth in the CMP, or gives notice of withdrawal, the Pacific Region Interdepartmental Shellfish Committee (PRISC) will determine whether the area classification or status will be changed.

This CMP may be amended at any time subject to the written approval of all the Participants.

9. APPENDICES

The Appendices herein form part of this CMP.

Appendix A – Maps:

Figure 1. Conditionally approved area adjacent to the Hall Road Pump Station in the Town of Qualicum Beach (French Creek Pollution Control Center)

Figure 2. Conditionally approved area adjacent to the Bay Avenue Pump Station in the City of Parksville (French Creek Pollution Control Center)

Figure 3. Water and shellstock sample locations for Closure 14.hh.

Figure 4. Water and shellstock sample locations for Closure 14.ii.

Appendix B – Sample Annual Report – Information for the Report

Appendix C – Example of a “Discharge of Wastewater Notice and Fax Cover Sheet”

Appendix D – Contact List

Appendix E – CSSP and Conditional Management Plan Definitions

10. APPROVALS

Approved at _____, this _____ day of _____, 2018/2019.

Rebecca Reid
Regional Director General
Fisheries and Oceans Canada
Pacific Region

Kelvin Mathuik
Director General
Western Operations
Canadian Food Inspection Agency

Joanne Volk
Executive Director, Water Quality Monitoring and Surveillance Division
Environment and Climate Change Canada

David Morel
Assistant Deputy Minister, the Province of British Columbia Ministry of Environment and
Climate Change Strategy, Environmental Protection Division (ENV)

Ian Thorpe
Board Chair, Regional District of Nanaimo

Jacque Hill
Manager of Administrative Services, Regional District of Nanaimo

Appendix A –Maps

Shellfish harvesting will become prohibited in conditionally approved areas (Figures 1 and 2) when an effluent discharge meeting the criteria of a trigger event is reported. Further guidance of how registered fish processing establishments maintain control of shellfish harvested from areas situated between the prohibited area and the response line is contained in CFIA policy documents found at <http://www.inspection.gc.ca/food/sfcr/general-food-requirements-and-guidance/preventive-controls-food-businesses/fish/live-shellfish/eng/1515437226516/1515437308440>

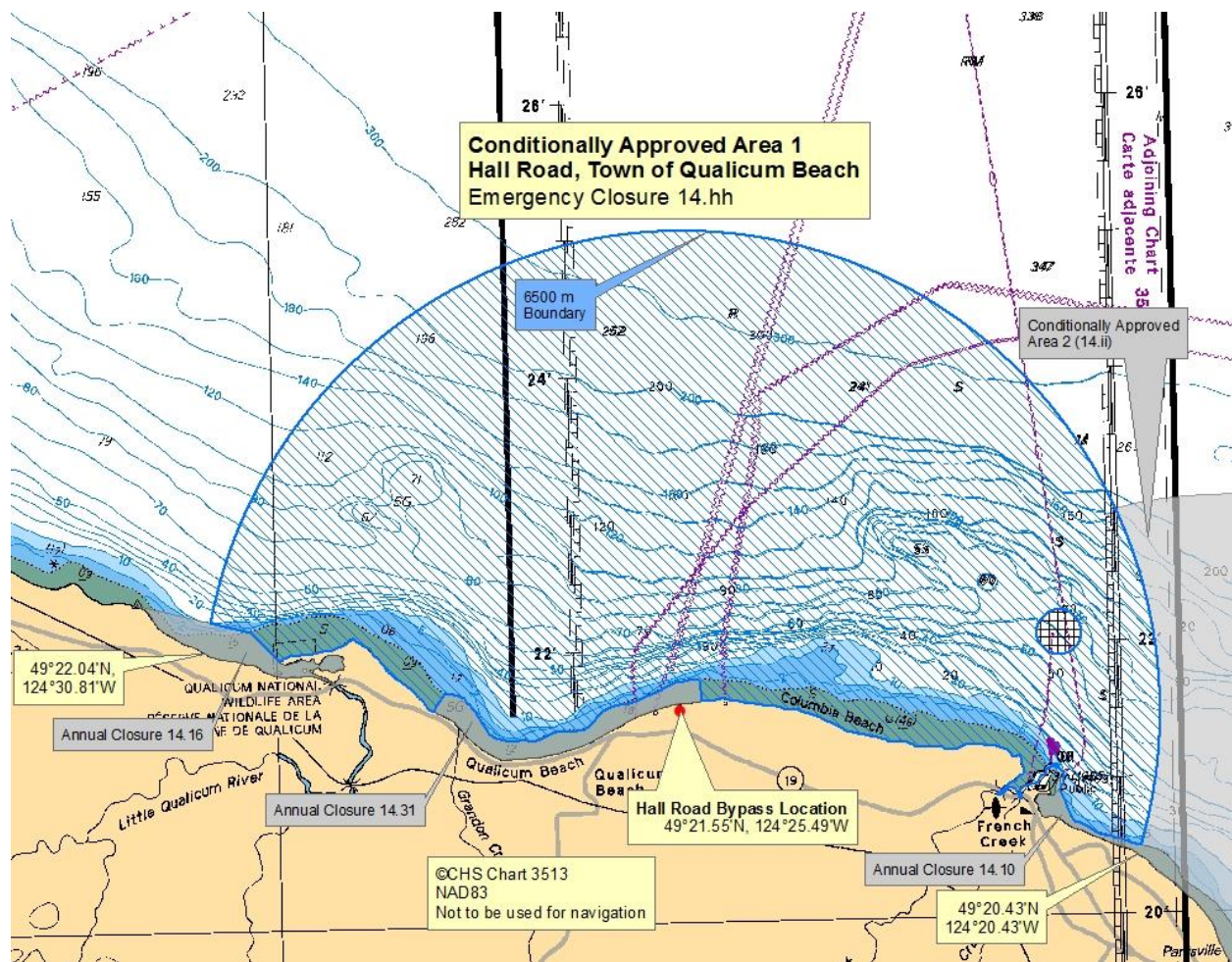


Figure 1. Conditionally approved area adjacent to the Hall Road Pump Station in the Town of Qualicum Beach (French Creek Pollution Control Center) which can be closed with Emergency Closure 14.hh.

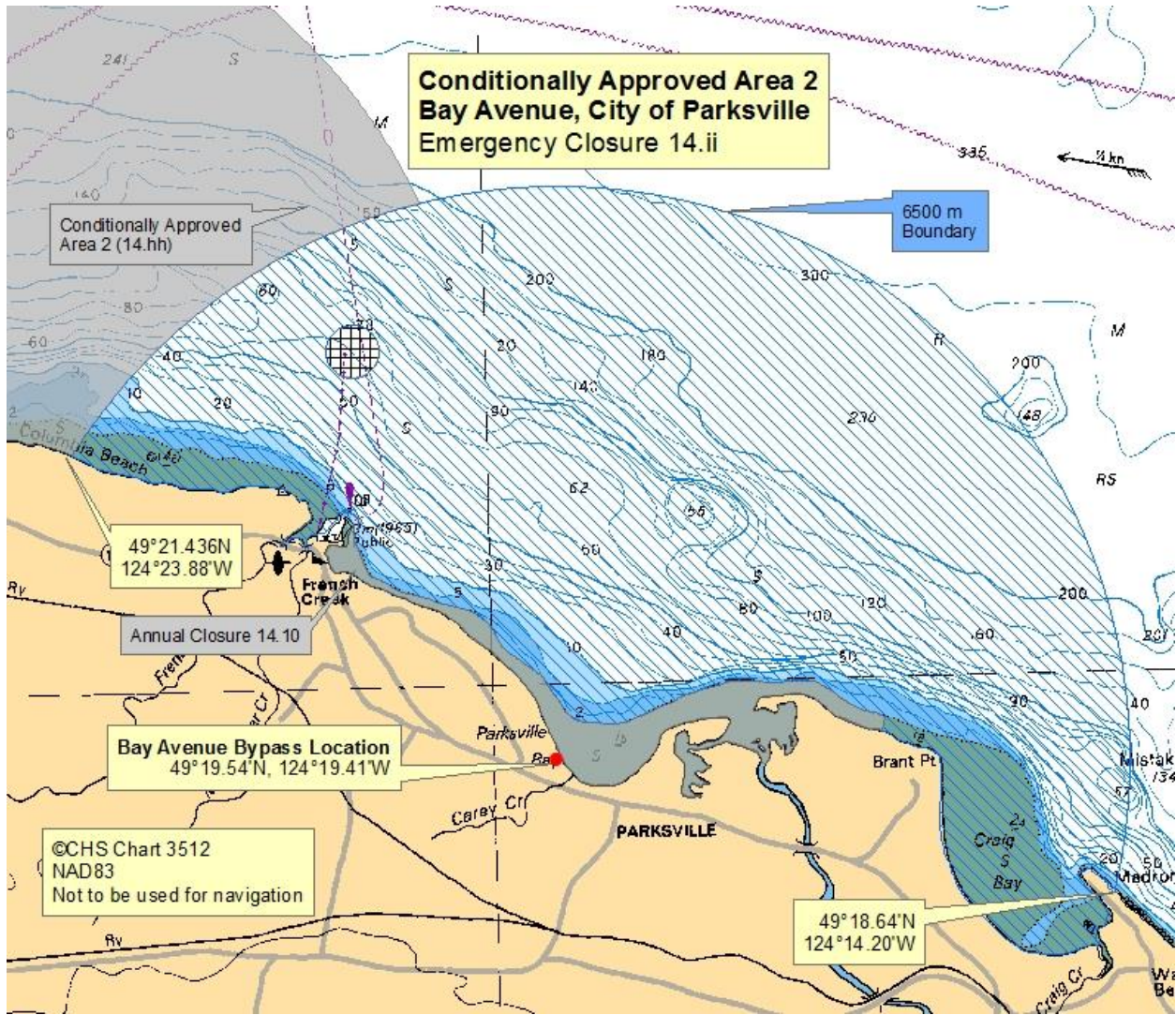


Figure 2. Conditionally approved area adjacent to the Bay Avenue Pump Station in the City of Parkville (French Creek Pollution Control Center) which can be closed with Emergency Closure 14.ii.

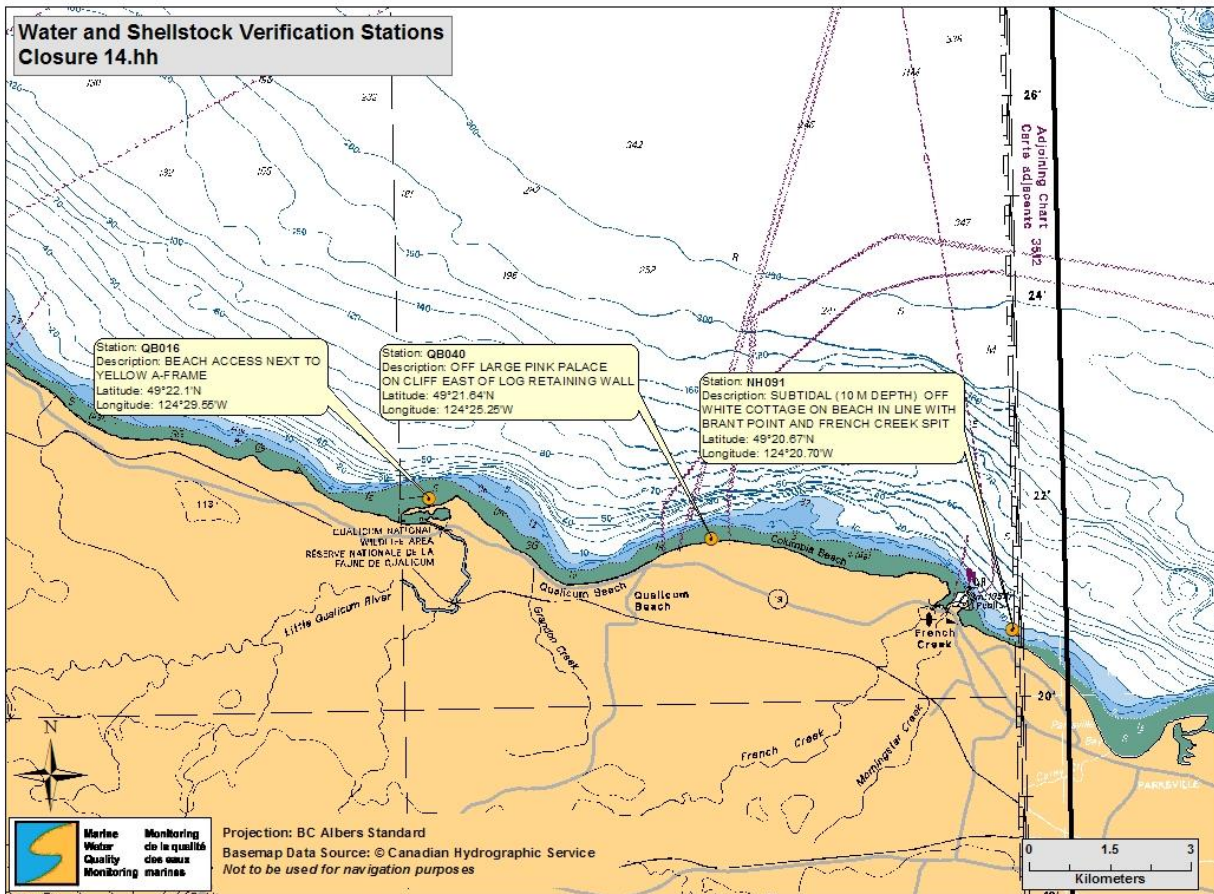


Figure 3. Water and shellstock sample locations for Closure 14.hh.

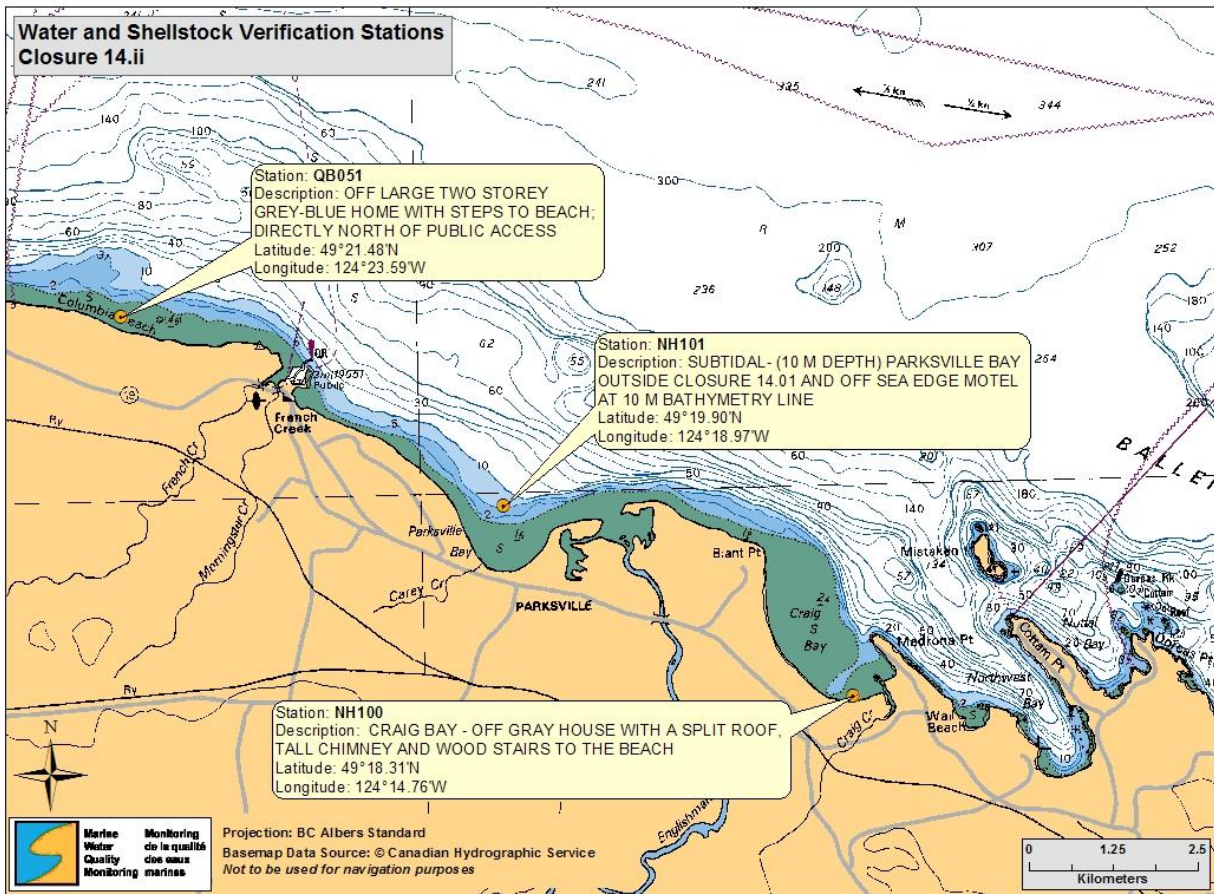


Figure 4. Water and shellstock sample locations for Closure 14.ii.

Appendix B – Sample Annual Report – Information for the Report

Name of Area
Conditional Shellfish Area Annual Report for (insert year)

Area

Description/location with boundaries

Map (with classification and sampling sites for water quality and shellstock)

Closure criteria

Potential time period for opening (if applicable)

Species managed and harvesting restrictions/season (if applicable)

Summary of Activities

Number of openings/closures during the year

Prohibition order numbers and dates

Supporting documentation used to make decision about closing

Notices from RDN, FCPCC Chief Operator or designate (Event, dates, duration)

Supporting documentation used to make decision about opening

Water and shellstock microbiological data to re-open the area (dates, results)

Surveillance, enforcement, control activities: number of patrols, number of incidents, violations

Reference to Management Plan

<http://www.pac.dfo-mpo.gc.ca/fm-gp/ifmp-eng.html>

Report from Province

Comments on the WWTP annual report, as a compliance review to confirm that trigger event were detected and responded to as described in the CMP.

Report from RDN/FCPCC Chief Operator or designate

Summary report of discharges and notifications

Concerns/Recommendations (all Participants)

Appendix C – Example of a “Discharge of Wastewater Notice and Fax Cover Sheet”

From: French Creek Pollution Control Center Collection System			
Location: Hall Road, Town of Qualicum – DFO Subarea 14-3		<input type="checkbox"/> Map attached	
Bay Avenue, City of Parksville - DFO Subarea 14-3, 14-2, 14-1		<input type="checkbox"/> Map attached	
Instructions:			
<p>1. Report all trigger events as per Section 5.1 by phone to Emergency Management BC (EMBC) at 1-800-663-3456 and the DFO radio room at 1-800-465-4336.</p> <p>2. Send this completed notice by email or fax to all persons on contact list below.</p>			
Discharge Location (check one):			
<input type="checkbox"/> Hall Road Pump Station, Town of Qualicum Beach (Emergency Closure 14.hh)			
<input type="checkbox"/> Bay Avenue Pump Station, City of Parksville (Emergency Closure 14.ii)			
<input type="checkbox"/> Other (please specify):			
Current Status of WWTP collection system (check one):		<input type="checkbox"/> currently undergoing trigger event	
		<input type="checkbox"/> functioning normally (trigger event terminated)	
		<input type="checkbox"/> discharge planned for: _____	
Classification of Trigger Event (check one):			
<input type="checkbox"/> Discharge of wastewater from the pump station bypasses into the marine environment.			
<input type="checkbox"/> Other (please specify):			
Name of RDN Operations Staff member:			
Trigger event Start Date:		Termination Date:	
Start Time:		Stop Time:	
Cause of trigger event if different than above:			
Estimated faecal coliform :	[units]	Estimated flow rate:	[units]
	hrs		
Comments:		Total Estimated Discharge:	

Fax Cover Sheet: Contact List for Discharge of Wastewater Notice

To:	Representatives	E-mail completed notice to	Phone and Fax Numbers
Environment and Climate Change Canada (ECCC)	Elizabeth Graca	elizabeth.graca@canada.ca	Tel: (604) 903-4475 Cell: (778) 209-5810 Fax: (604) 903-4423
	Sarah Bartnik (1 st alternate)	sarah.bartnik@canada.ca	Tel: (604) 903-4424 Fax: (604) 903-4423
	Tim Wenman (2 nd alternate)	tim.wenman@canada.ca	Tel: (604) 903-4415 Fax: (604) 903-4423
Canadian Food Inspection Agency (CFIA)	Kristen Kirby	kristen.kirby@canada.ca	Tel: (250) 363-3850 Fax: (250) 363-0144
	Gerry Morello (1 st alternate)	gerry.morello@canada.ca	Tel: (250) 363-3714 Fax: (250) 363-0144
	Pacific Shellfish Desk (2 nd alternate)	cfia.pacificshellfish-mollusquespacifique.acia@canada.ca	Tel: (604) 666-3737 Tel: (604) 666-0572
Fisheries and Oceans Canada (DFO)	Elysha Gordon	elysha.gordon@dfo-mpo.gc.ca	Tel: (250) 756-7192 Cell: (250) 713-5867 Fax: (250) 756-7162
	Neil Jensen (1 st alternate)	neil.jensen@dfo-mpo.gc.ca	Tel: (250) 754-0386 Cell: (250) 618-5231 Fax: (250) 754-0391
	Tom Pawloski (2 nd alternate)	tom.pawloski@dfo-mpo.gc.ca	Tel: (250) 754-0205 Fax: (250) 754-0309

Appendix D – Contact List

ORGANIZATION	NAME	POSITION	TELEPHONE/ FAX	EMAIL
Fisheries and Oceans Canada	Elysha Gordon	CSSP Resource Manager	Tel: (250) 756-7192 Fax: (250) 756-7162	elysha.gordon@dfo-mpo.gc.ca
	Neil Jensen	Conservation and Protection	Tel: (250) 754-0386 Cell: (250) 618-5231 Fax: (250) 754-0391	neil.jensen@dfo-mpo.gc.ca
Canadian Food Inspection Agency	Kristen Kirby	Inspection Specialist	Tel: (250) 363-3850 Fax: (250) 363-0144	kristen.kirby@canada.ca
	Gerry Morello	Senior Compliance Officer	Tel: (250)363-3714 Fax: (250) 363-0144	gerry.morello@canada.ca
	Pacific Shellfish Desk		Tel: (604) 666-3737 Tel: (604) 666-0572	cfia.pacificshellfish- mollusquespacifique.acia@canada.ca
Environment and Climate Change Canada	Elizabeth Graca	Shellfish Water Classification Program - Pacific	Tel: (604) 903-4475 Cell: (604)-209-5810	Elizabeth.graca@canada.ca
	Sarah Bartnik	Physical Science Officer	Tel: (604) 903-4424 Fax: (604) 903-4423	sarah.bartnik@canada.ca
	Tim Wenman	Area Coordinator	Tel: (250) 903-4415 Cell: (250) 714-8942 Fax: (250) 903-4423	tim.wenman@canada.ca
BC Ministry of Environment and Climate Change Strategy	Stephanie Little	Section Head Compliance	Tel: (250) 490-8258 Cell: (250) 462-2056	stephanie.little@gov.bc.ca
	AJ Downie	Regional Director, South Authorizations	Tel: (250) 751-3176 Fax: (250) 751-3103	aj.downie@gov.bc.ca
Regional District of Nanaimo	Chris Kerman	Chief Operator	Tel: (250) 248-5794 Cell: (250) 927-1040 Fax: (250) 248-0147	ckerman@rdn.bc.ca
	Ian Lundman	Operations Superintendent	Tel: (250) 758-1157 Cell: (250) 713-5580 Fax: (250) 758-8628	ilundman@rdn.bc.ca
	Sean De Pol	Director, Water & Wastewater Services	Tel: (250) 390-6560 Cell: (250) 713-5896 Fax: (250) 390-1542	sdepol@rdn.bc.ca
Qualicum First Nations	Michael Recalma	Chief and Council	Tel: (250) 757-9337 Fax: (250) 757-9898	Council.qualicum@shaw.ca
Underwater Harvesters Association	Michelle James	Executive Director	Tel: (604) 734-5929 Fax: (604) 734-5919	geoduck@telus.net
Underwater Harvesters Association	James Austin	President	Tel: (250) 752-7205 Fax: (250)752-6892	jeaustin@shaw.ca
Emergency Management BC				1-800-663-3456
DFO Radio Room				1-800-465-4336

Appendix E – CSSP and Conditional Management Plan Definitions

Approved Area - The classification assigned to a shellfish harvest area as determined by the shellfish control authority from which shellfish can be harvested for direct consumption.

Bypass – Effluent flow at a wastewater treatment plant or lift station that bypasses the treatment plant and is discharged to the marine environment. Also the system that directs the effluent flow to bypass the treatment plant.

Canadian Shellfish Sanitation Program - A program to classify and monitor shellfish harvest areas to determine whether shellfish are safe for human consumption and to regulate harvesting from those areas.

Conditionally Approved Area - The classification assigned to a shellfish harvest area which has been determined by the shellfish control authority to meet approved area criteria for a predictable period. The period is conditional upon meeting established requirements and/or performance standards specified in a conditional management plan.

Conditional Management Plan (CMP) - An agreement signed by relevant Participants for the management of shellfish harvest in conditionally classified areas.

Conditionally Restricted Area – The classification assigned to a shellfish harvest area which has been determined by the shellfish control authority to meet, at a minimum, the restricted classification criteria for a predictable period. The period is conditional upon meeting established requirements and/or performance standards specified in a conditional management plan.

Controlled Purification or Depuration - The process of using a controlled, aquatic environment to reduce the level of bacteria and viruses in live shellfish.

Detection: The point in time at which a wastewater treatment or collection system release / discharge incident (as defined in the relevant CMP) is first detected by a wastewater treatment plant operator or collection system operator (or delegate).

Emergency Closure - A shellfish harvesting area in the open status may be placed in the closed status via an emergency closure when it is suspected that shellfish may become contaminated as a result of a temporary emergency situation. Emergency situations may include natural or operational events such as severe storms, flooding, and spills of oil, toxic chemicals or significant sewage discharges.

Lift Station – Part of a wastewater treatment plant collection system.

Notification – The point in time at which one of the federal CSSP partners receives notice from a wastewater treatment or collection system operator (or delegate) of a release / discharge incident (as defined in the relevant CMP).

Prohibited Area - The classification assigned to a shellfish harvest area as determined by the shellfish control authority where shellfish harvesting is not permitted.

Prohibition Order – A regulatory mechanism used by Fisheries and Oceans Canada to close and open shellfish harvesting areas for fishing bivalve shellfish.

Response - A series of actions taken by the federal shellfish control authorities as defined in the relevant CMP based on the classification of the area that will serve to ensure that product does not reach market and the implicated area is placed in closed status.

Response Line - The boundary at which the sewage effluent plume is predicted to lie during a wastewater treatment plant or collection system release/ discharge incident before the competent shellfish control authority will respond.

Restricted Area - The classification assigned to a shellfish harvest area as determined by the shellfish control authority where harvesting shall be by licence under the Management of Contaminated Fisheries Regulations and the shellfish, following harvest, is subjected to a suitable and effective treatment process through relaying or depuration.

Shellfish Control Authority – The departments or agencies of the Government of Canada that are signatories to the interdepartmental [Memorandum of understanding between the CFIA and DFO and ECCC concerning the CSSP](#) or provincial shellfish leasing bodies.

Shellstock – Live shellfish in the shell.

Status - Describes whether shellfish harvest is permitted and is independent of the classification of the area

- **Open** - Any classified area where shellfish harvest is authorized.

Closed - Any classified area where shellfish harvest is not authorized.

There may be circumstances under which areas in closed status can be harvested for depuration or relay under MCFR (Management of Contaminated Fisheries Regulations) licence provided that the requirements for such a licence are met.

Trigger Event – Any event or disruption that results in untreated effluent or effluent with insufficient or inadequate disinfection being released from the WWTP that causes action to commence closure of an area to shellfish harvest.

TO: Committee of the Whole **MEETING:** January 8, 2019
FROM: Murray Walters
 Manager, Water Services **FILE:** 5500-22-SP-01
SUBJECT: San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781,
 2019

RECOMMENDATION

Please note: The recommendation was varied by the Committee as follows:

- 1. That “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be introduced, read three times.**
- 2. That “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be adopted.**

That “San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019” be introduced, read three times, adopted, and forwarded to the Inspector of Municipalities for Approval.

SUMMARY

The San Pareil Water Service Area (WSA) is a community water system located at the eastern boundary of the City of Parksville comprised of 282 residential connections. There are 42 residential properties located adjacent to the San Pareil WSA that are not connected to the community water system. A number of these residents have expressed interest in joining the water system. This Bylaw would establish a Capital Cost Charge (CCC) to be payable by each of these properties if and when they are able to join the WSA and connect to the community water system. The Capital Cost Charge bylaw is the first step in this process. For information only, the next steps (beyond the scope of this report) are:

1. Attain the residents’ assent to pay for the construction costs for the water main extension.
2. Complete a bylaw revision to adjust the boundaries of the WSA.
3. Complete the construction required to expand the system.
4. Connect residents to the new system upon request and upon receipt of the CCC payment.

BACKGROUND

Water Service Area Details

The WSA was established in 1999 when the Regional District of Nanaimo (RDN) acquired the existing Bubbling Springs Water Utility. This water system is located at the eastern boundary of the City of Parksville and is comprised of 282 residential connections. There are 42 small residential properties located adjacent to the San Pareil WSA that are not connected to the San Pareil WSA. The homes on these residential properties have been serviced by private wells since the 1960s.

Figure 1 shows the WSA and the un-serviced lots, and illustrates their close proximity.

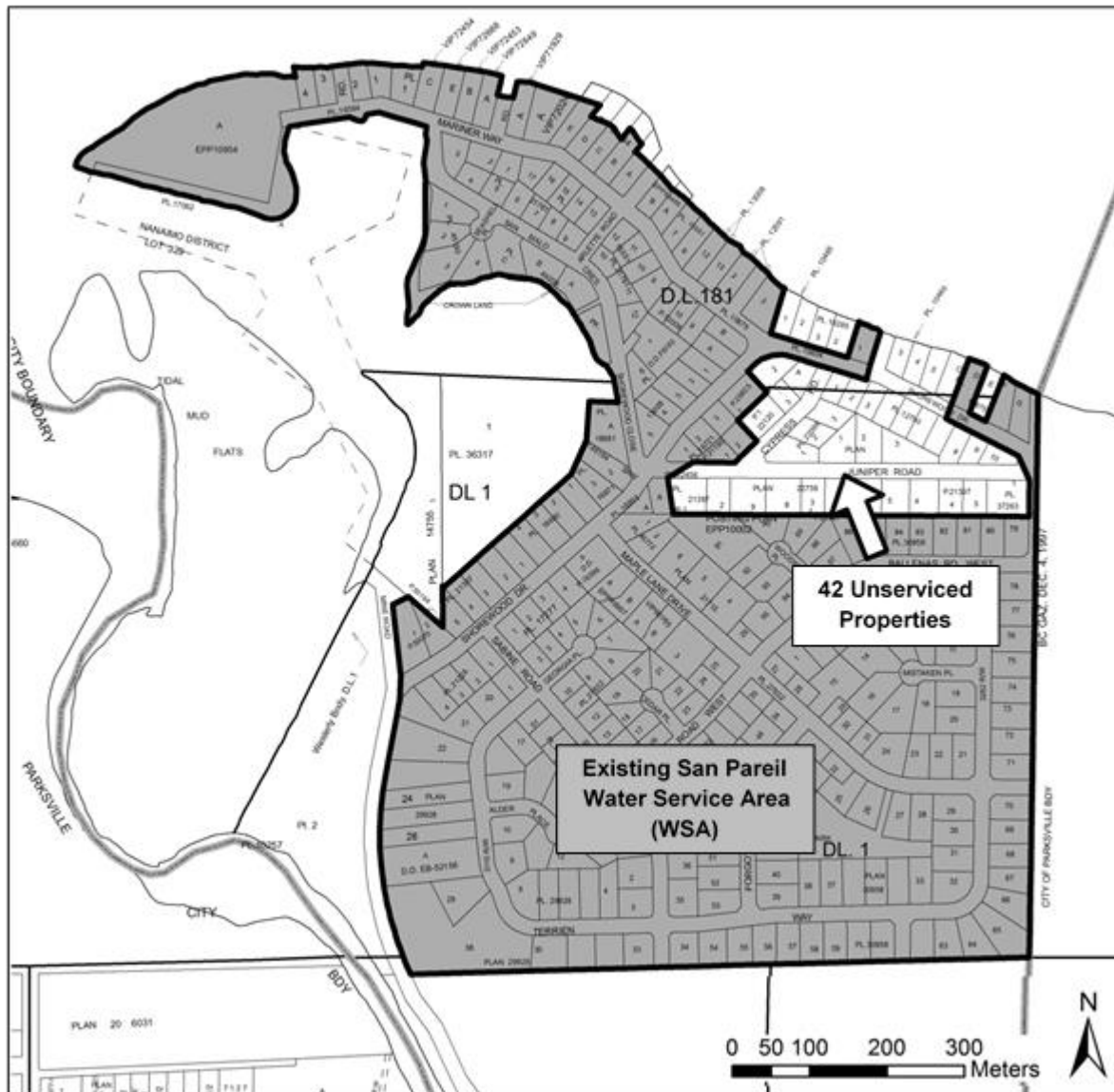


Figure 1 – San Pareil WSA Extents

The water source for the San Pareil WSA is a series of groundwater wells located within the neighbourhood. The water system also includes two reservoirs, ultraviolet and hypochlorite

water treatment systems, and the necessary delivery pumps, distribution water mains, and fire hydrants. Although some components of the water system are aged, the San Pareil water system is a valuable asset that has many years of satisfactory use remaining.

The population serviced with drinking water/domestic supply in San Pareil, based on the RDN average of 2.2 people per home (property), is estimated to be 620 people. The addition of the 42 un-serviced properties into the WSA would increase the number by 92 additional people, for an estimated future population of 712 people. The area is fully built out, so there is no potential for further growth.

Historical operating records indicate that the San Pareil water system has produced up to 137,600 m³/year. However, in the past eighteen years the average volume of water produced in the San Pareil WSA has been 111,900 m³/year. The addition of 42 homes or 92 people will increase the annual water demand by 16,600 m³/year (or 14.9%), to an expected total of 128,500 m³/year. The RDN's historic operating records and anticipated expansion of the San Pareil WSA were used in the RDN's recent application for an *Existing Use Groundwater License* to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRO). Based on this data, the application requested a licensed extraction volume of 157,050 m³/year. This amount was selected to meet the anticipated future demand with an additional 20% contingency. The license has not yet been issued due to a large backlog of applications. Table 1 summarizes this data.

Table 1: Summary of Current, Proposed, and Licensed Water Usage

	Current	Future
Number of Connections	282	324
Population (estimated)	620	712
Average Water Demand (m³/year)	111,900	128,500
Licensed Water Extraction quantity (m³/year)	157,050	157,050

There are 3 supply wells in the San Pareil WSA: Well #1, Well #2, and Well #4. Well #1 and Well #4 are currently being utilized for drinking water. These pumps run intermittently to control reservoir level, and the pump speed is adjusted seasonally to maximize operational efficiency. Well #2 is a back-up well that currently serves as a monitoring well. Pump running time and the water pumping rate from each well are recorded to monitor the sustainable pumping rate of each well. In Table 2, it can be seen that the future production requirements and the licensed production capability are well within the current well ratings.

Table 2 – Summary of Well Performance and Capability

	Well #1	Well #4	Total
2018 Well Rating or Maximum Pumping Rate(m³/min)	0.643	0.560	1.203
2018 Average Running Time required (hrs/day)			5
2018 Average Pumping Rate (m³/min)			0.204

Average Pumping Rate required to meet future demand at current running time (m³/min), OR	0.235
Average Running Time required to meet future demand at current pumping rate (hr/day).	5.74
Average Pumping Rate required to meet licensed demand at current running time (m³/min), OR	0.286
Average Running Time required to meet licensed demand at current pumping rate (hr/day).	7.02

The existing water supply is deemed to be adequate to support the addition of the 42 un-serviced properties into the San Pareil WSA.

Capital Cost Charge Details

Between 2015 and in 2017, three property owners applied to join the San Pareil WSA for health/environmental reasons. The boundaries of the San Pareil WSA were amended by bylaw in these cases, and the owners were required to pay a “buy-in” fee to join the water system as a Capital Cost Charge (CCC) bylaw had not been established at that time. The “buy-in” fee of \$5,000 per property was charged in anticipation of a CCC bylaw being established in the future, and the language in the agreement makes the owners liable for any additional fees or refunds that result when the CCC charge is eventually established. One water connection request was also allowed in 2002 for compassionate reasons.

A group of homeowners within the un-serviced area recently approached the RDN with a request to start the process of allowing them to join the WSA. The first step toward making this a reality is to establish a Capital Cost Charge (CCC). The *Local Government Act* authorizes regional districts to impose a CCC on property owners outside a water service area who want to join an existing water system. The intent of the CCC is to establish the value of the community water system at a point in time so that any new connections are assessed a fair price to share in the ownership and advantages of the system. The current value of the water system is established according to the “Guide to the Amortization of Tangible Capital Assets” published by the Ministry of Community Services, and relies on data from the RDN’s Asset Management database and current, similar Class B construction estimates. Current asset values are developed using the straight-line depreciation method. The CCC is then calculated as the total value of the depreciated assets divided by the number of existing properties in the service area. The resulting cost is the per-unit value of each existing water connection in the service area.

Improvements to the San Pareil Fire Service Area, which involves some water system assets and includes all the properties in that area, were completed in 2014. The depreciated cost of these additions has not been included in the calculation of the CCC.

For comparison, the following RDN service areas currently have CCC Bylaws in place: Nanoose Bay Bulk Water, French Creek Sewer, Fairwinds Sewer, Surfside Sewer, and Cedar Sewer. These charges range from \$800 to \$8,000 per property, and are typically higher for small service areas where there are fewer properties. Capital Cost Charges in the Regional

District cannot be compared to those in nearby municipalities because the CCC is derived from the service area asset values alone rather than the entire municipality's asset values.

As shown in detail in Table 3, the total value of depreciated assets in San Pareil, minus the value of the depreciated Fire Service Area upgrades, and divided by the number of existing properties in the WSA results in a Capital Cost Charge of **\$7,386.30** per property.

Table 3 – San Pareil WSA Capital Cost Charge Calculation

Category	No. of Units	Average Unit Replacement Cost	Approximate Useful Life (yrs)	Present (Depreciated) Value of Assets	Depreciated Fire Service Portion of Assets
Alarm Systems	2	\$5,000.00	15	\$ 10,000.00	\$ 3,000.00
Check Valves	4	\$5,000.00	40	\$ 15,875.00	\$ 8,500.00
Chlorine System	2	\$5,000.00	25	\$ 5,000.00	
Electrical Controls	2	\$200,000.00	20	\$ 178,500.00	\$ 154,000.00
Fencing	1	\$15,000.00	50	\$ 9,300.00	
Flushouts	15	\$3,000.00	40	\$ 15,750.00	\$ 5,100.00
Generators	1	\$64,000.00	20	\$ 54,400.00	\$ 44,800.00
HVAC	1	\$1,500.00	20	\$ 7,750.00	\$ 7,000.00
Hydrants	28	\$3,500.00	40	\$ 59,762.50	\$ 55,250.00
Pipes	7473m	\$350/meter	50 -80 yrs	\$ 1,328,403.68	\$ 544,615.38
Pump Stations	2	\$50,000.00	50	\$ 52,000.00	\$ 44,000.00
Pumps	11	\$20,000.00	20	\$ 110,250.00	\$ 70,000.00
Reservoirs	2	\$500,000.00	40	\$ 450,000.00	\$ 374,000.00
Service Lines	283	\$1,000.00	50	*	
Valves	105	\$2,000.00	40	\$ 105,250.00	\$ 53,040.00
Water Meters	282	\$700.00	20	*	
UV Treatment Equip.	1	\$800,000.00	20	\$ 800,000.00	
Wells	3	\$150,000.00	50	\$ 244,000.00	
Total				\$ 3,446,241.18	\$ 1,363,305.38

Subtract Fire Service Proj
Costs: **\$ 1,363,305.38**

Corrected Asset Value: **\$ 2,082,935.79**

Div by 282 existing
connections: 282

Capital Cost Charge per property to join LSA: \$ 7,386.30 per property

Reference: The Asset Values were taken from the RDN's Asset Management System (AMS) and are considered to be Class B estimates. The amortization method and asset life span were taken from recommendations in the "Guide to the Amortization of Tangible Capital

Assets", as published by the Ministry of Community Services.

* The values of the existing water service lines and water meters were not included in the total asset value of the water system for the purposes of establishing a Capital Cost Charge. Any new connections will be responsible for the cost of their own water service and water meter.

Other Cost Information

This Bylaw would establish a CCC to be payable by each of these properties if and when they are able to join the WSA and connect to the community water system. The CCC Bylaw is the first step in this process. For information only, the next steps (beyond the scope of this report) are described below:

1. Attain the residents' assent to pay for the construction costs for the water main extension. This cost is estimated at \$550,000, and if approved would be paid by the 42 properties currently outside the WSA.
2. Complete a Bylaw revision to adjust the boundaries of the WSA.
3. Complete the construction required to expand the system.
4. Connect residents to the new system upon request and upon receipt of the CCC payment. Residents are responsible for the cost of the water line from the RDN's water meter to their house, and the standard RDN fees payable for a new water connection.

ALTERNATIVES

1. Introduce, give three readings to, and adopt Bylaw No. 1781.
2. Do not introduce, give three readings to, or adopt Bylaw No. 1781. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There are no negative financial implications to the RDN by establishing a CCC for the San Pareil WSA. The CCC would be charged to property owners at the time their properties are included within the water service area. If unpaid, the CCC would be applied to each property owner's building permit at the time he/she requests a connection to the water system. If no new properties are incorporated into the WSA, the bylaw remains in effect and there is no cost burden to the RDN or the existing water service area taxpayers.

There are two positive financial implications to the RDN and the residents of the San Pareil WSA with the establishment of a CCC. First, any CCC's paid would be added to reserves in the WSA, lessening the financial impact of future asset renewal projects. Second, as the number of properties in the WSA increases, the yearly tax requisition that pays for the operation of the community water system will be also be shared among that greater number of properties.

If a CCC for the San Pareil WSA is not established, there are no financial implications to the RDN. However, requests for new connections to the San Pareil WSA would continue to be received by the RDN, and staff would not be able to collect a fair "buy-in" cost on behalf of the existing San Pareil WSA customers.

STRATEGIC PLAN IMPLICATIONS

“Focus On Economic Health - We Recognize The Importance Of Water In Supporting Our Economic And Environmental Health“

The CCC Bylaw also aligns with two of the RDN Board’s governing principles:

1. **Be Fair and Equitable** where the cost of services should be shared as fairly as possible among those who benefit, and
2. **Be Responsive** by responding to the needs of the Region, and prioritizing projects that advance residents’ well-being.



Murray Walters
mwalters@rdn.bc.ca
December 14, 2018

Reviewed by:

- S. De Pol, Director, Water and Wastewater
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachment:

1. San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1781

**A BYLAW TO IMPOSE CAPITAL COST CHARGES FOR
SAN PAREIL WATER SUPPLY LOCAL SERVICE AREA**

WHEREAS by "San Pareil Water Supply Local Service Area Establishment Bylaw No. 1170, 1999" the Regional District of Nanaimo established a local service for the purpose of supply, treatment, conveyance, storage and distribution of water;

AND WHEREAS Section 397 of the *Local Government Act* authorizes a Board to, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

AND WHEREAS capital improvements will be required to provide the service to additional customers or additional capacity purchased if an expansion of the local service area boundaries occurs and therefore the Board desires to impose a capital charge on each parcel added to the local service area under a boundary expansion;

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

1. This bylaw may be cited for all purposes as the "San Pareil Water Supply Local Service Area Capital Charge Bylaw No. 1781, 2019".
2. The owner of any parcel of land proposed to be added to the San Pareil Water Supply Local Service Area must pay to the Regional District of Nanaimo, the applicable charge set out in Schedule 'A' to this bylaw.
3. The charge imposed under Section 2 must be paid to the Regional District of Nanaimo prior to any physical connection being made to the San Pareil Water Supply Local Service Area system.

Introduced and read three times this day of , 20xx.

Adopted this day of , 20xx.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany " San Pareil Water Supply
Local Service Area Capital Charge Bylaw No. 1781,
2019".

Chair

Corporate Officer

SCHEDULE 'A'

Capital Charges Payable:

\$7,386.30 per property

TO: Committee of the Whole

MEETING: January 8, 2019

FROM: Deb Churko
Engineering Technologist

FILE: 5500-20-FC-01

SUBJECT: Bylaw Nos. 813.55 and 889.73 – French Creek Sewer Service Area Amendment

RECOMMENDATIONS

1. That “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.55, 2018” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
2. That “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.73, 2018” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

SUMMARY

Petitions have been received from the owner of 545 Ackerman Road to amend the boundaries of the French Creek and Northern Community Sewer Service Areas. The owner wishes to connect to the community sewer system instead of investing in upgrades to the property’s aging septic disposal system. Connecting this property to the community sewer system is supported by both the Electoral Area G OCP and the Regional Growth Strategy. The owner has paid the Capital Charges required by the RDN for sewer service.

BACKGROUND

The subject property is located on Ackerman Road behind Wembley Mall, near the western boundary of the City of Parksville (see Location Plan in Figure 1). This 2.4 acre (9,600 m²) residential property consists of one single-family home which has been discharging domestic sewage to an on-site septic tank and disposal field for 29 years. The owner wishes to connect to the community sewer system instead of investing in upgrades to the existing septic disposal system. The property owner has petitioned the Regional District of Nanaimo (RDN) to be included in the adjacent French Creek and Northern Community Sewer Service Areas. A sewer main is located along Ackerman Road thereby making a connection to the community sewer system possible. The Capital Charges payable when a property is being brought into the community sewer service have been submitted by the owner.

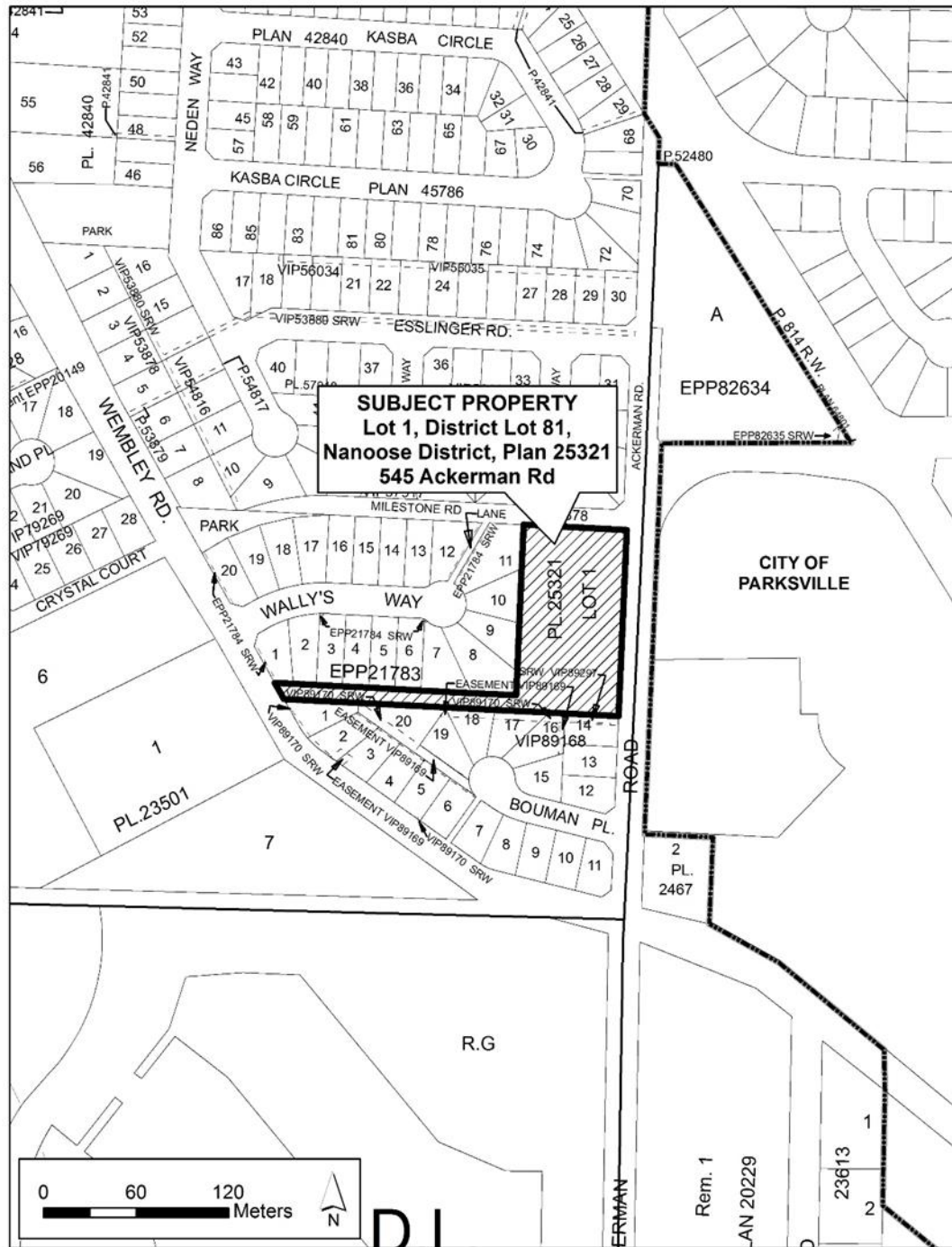


Figure 1 – Location Plan

ALTERNATIVES

1. Accept the application to include the property at 545 Ackerman Road into the French Creek and Northern Community Sewer Service Areas.
2. Do not accept the application for sewer servicing. The owner would explore remedial options for on-site sewage treatment and disposal.

FINANCIAL IMPLICATIONS

If Alternative 1 is selected, there are no financial implications to the RDN. All costs associated with connection to the community sewer would be at the expense of the applicant. The owner has paid Capital Charges on the parent lot in the amount of \$3,253.00 as contribution towards the capital value of the existing sewer collection and treatment system, pursuant to *French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330, 2003*, and *Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003*. A Section 219 Covenant has been registered on the land title to ensure that the remaining Capital Charges for sewer will be paid if/when the property is ever subdivided. Annual cost recovery for sewer service is done through parcel taxes and user fees.

If Alternative 2 is selected, the owner would explore upgrades to the existing on-site septic treatment and disposal system. The initial Capital Charges paid by the property owner would be refunded.

DEVELOPMENT IMPLICATIONS

The subject property is approximately 9,600 m² in size (2.4 acres), and is zoned RS1-Q according to *Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500*. Provision of sewer service will allow the property owner to further subdivide into 700 m² lots. Both the *Electoral Area G Official Community Plan Bylaw No. 1540 (2008)*, and the *Regional Growth Strategy Bylaw No. 1309 (2003)* support the provision of sewer service to residential developments in this area. As noted above, a covenant has been registered on the land title to ensure Capital Charges are paid if further subdivision occurs in the future.

STRATEGIC PLAN IMPLICATIONS

Focus On The Environment - We Will Have A Strong Focus On Protecting And Enhancing Our Environment In All Decisions

While it may be possible to complete upgrades to the aged on-site septic disposal system in this case, an economically feasible connection to the community sewer system is always the preferred approach to minimizing the environmental impact of domestic sewage treatment.



Deb Churko
dchurko@rdn.bc.ca
November 16, 2018

Reviewed by:

- M. Walters, Manager, Water Services
- S. De Pol, Director Water & Wastewater Services
- R. Alexander, General Manager, RCU
- P. Carlyle, Chief Administrative Officer

Attachments:

1. French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.55, 2018
2. Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.73, 2018

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 813.55

**A BYLAW TO AMEND THE BOUNDARIES OF THE
FRENCH CREEK SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the French Creek Sewer Service pursuant to Bylaw No. 813, cited as “French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owners to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘A’ of this bylaw and legally described as:

- Lot 1, District Lot 81, Nanoose District, Plan 25321;

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

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

1. Amendment

“French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990” is amended as follows:

By amending Schedule ‘A’ of Bylaw No. 813 to add the lands shown outlined in black on Schedule ‘A’ of this bylaw.

2. Citation

This bylaw may be cited for all purposes as “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.55, 2018”.

Introduced and read three times this ___ day of _____, 2018.

Adopted this ___ day of _____, 2018.

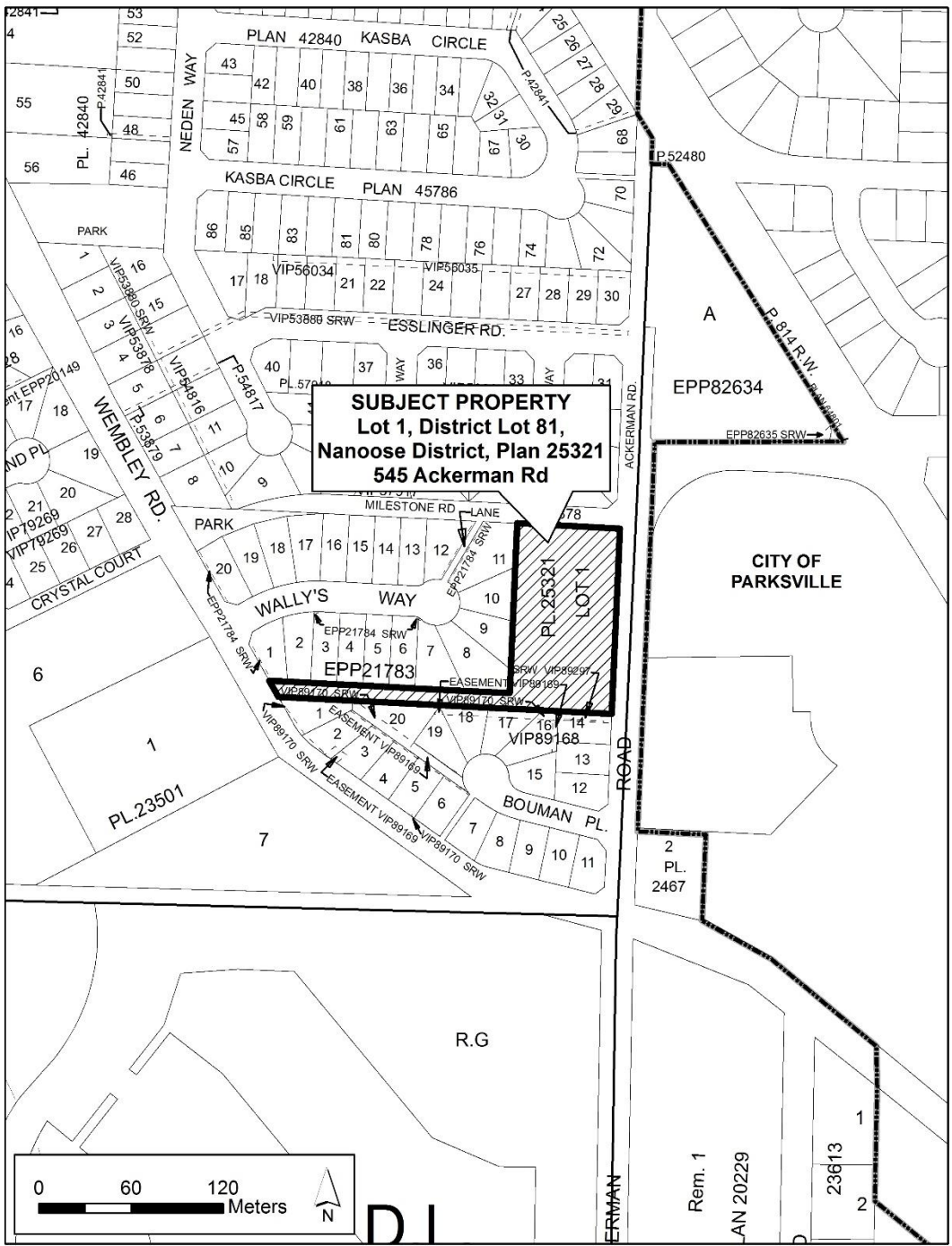
CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "French Creek Sewerage
Facilities Local Service Boundary Amendment Bylaw
No. 813.55, 2018"

Chair

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.73

**A BYLAW TO AMEND THE BOUNDARIES OF THE
NORTHERN COMMUNITY SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Northern Community Sewer Service pursuant to Bylaw No. 889, cited as “Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owners to extend the boundaries of the benefitting area of the service area to include the land shown outlined in black on Schedule ‘A’ of this bylaw and legally described as:

- Lot 1, District Lot 81, Nanoose District, Plan 25321;

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

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

1. Amendment

“Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993” is amended as follows:

By amending Schedule ‘A’ of Bylaw No. 889 to *add* the lands outlined in black on Schedule ‘A’ of this bylaw.

2. Citation

This bylaw may be cited for all purposes as “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.73, 2018”.

Introduced and read three times this ___ day of _____, 2018.

Adopted this ___ day of _____, 2018.

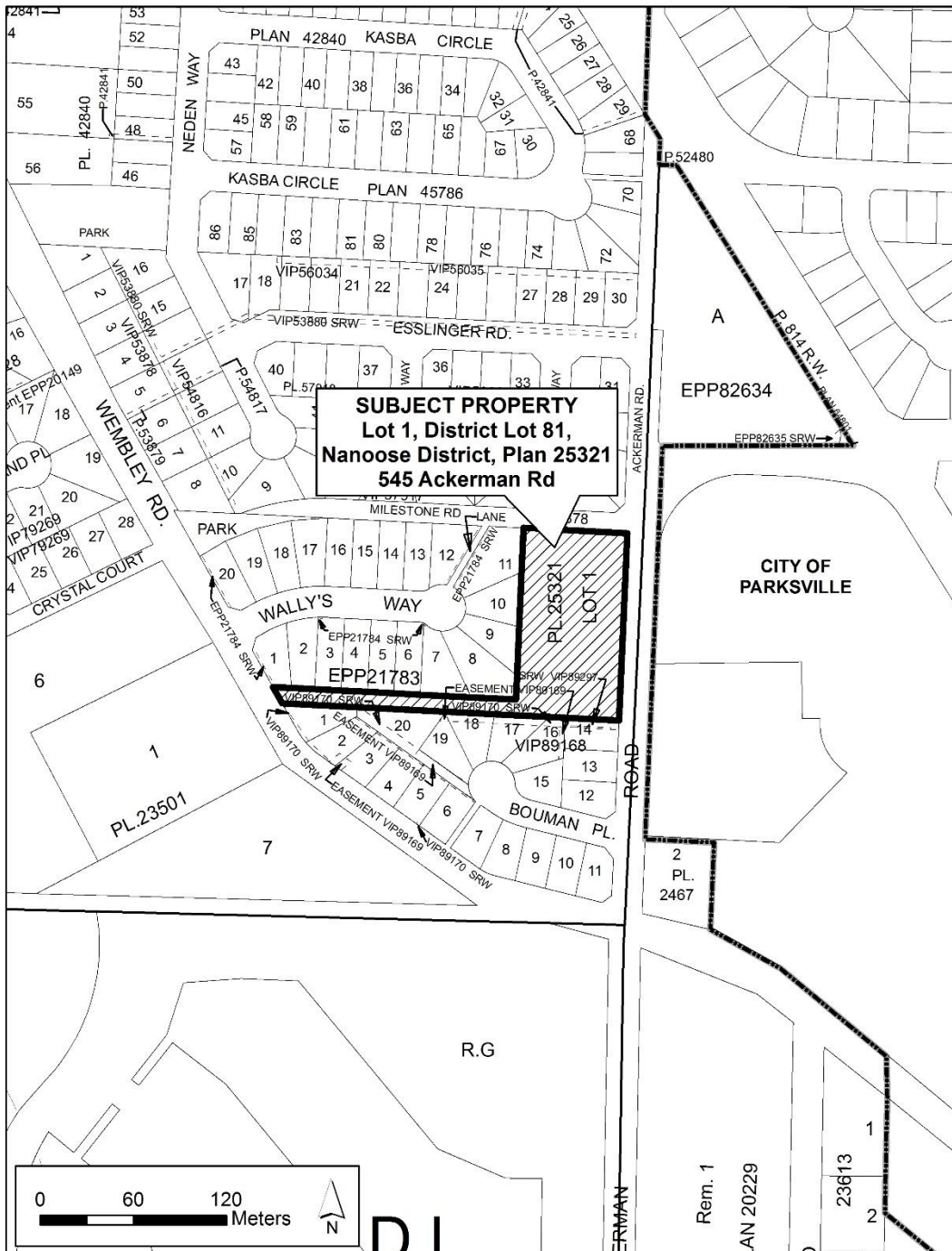
CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Regional District of
Nanaimo Northern Community Sewer Local Service
Boundary Amendment Bylaw No. 889.73, 2018"

Chair

Corporate Officer



BACKGROUND

Through studies commissioned by the RDN's DWWP program, data gaps were identified revealing a lack of monitoring data on streamflow and stream level, since many Water Survey of Canada hydrometric stations were discontinued in the 1980's and 1990's. The RDN Phase 1 Water Budget Assessment (Waterline, 2013), the RDN Regional Hydrometric and Climate Monitoring Scoping Study (Kerr Wood Leidal, 2015) and the Area E Water Monitoring Plan (Golder, 2016) all presented priority locations for monitoring to fill the gaps in hydrometric (streamflow) data. This data is critical for water supply planning and management, regional flood and drought frequency analysis, climate change assessment and adaptation, assessment of aquatic ecosystems and more. Without local regional stations, we are left with proxy stations from other regions that do not tell us exactly about local conditions and are therefore not as reliable or useful.

Once these priority locations were identified, the RDN DWWP program explored partnership opportunities with other agencies to pursue effective implementation options. Both DFO and FLNR emerged as keen cooperators and provided the expertise and capital costs needed to launch the stations. These agencies offered a more cost-effective option than the Water Survey of Canada could offer, and than what the RDN could achieve without partnerships. The RDN contribution is for annual operating costs for telemetry to send the data for public display on the web in near real-time. DFO and FLNR are in charge of station maintenance and data handling. With each agency having a stake in the success of this operational arrangement, a memorandum of agreement was developed by FLNR to ensure commitment and understanding of shared responsibilities. The agreement is already signed by DFO and FLNR signatories and awaits the RDN signature. Once signed by all parties the agreement will be formally enacted and reviewed every 5 years by all parties.

Stations included in this agreement currently are: Haslam Creek, Nanoose Creek and French Creek hydrometric monitoring stations. These stations collect data on water level, temperature and rainfall and display the data publically on DFO and FLNR web portals. Additional stations can be added to the roster over time by amendment of the agreement through Appendix III.

ALTERNATIVES

1. That the Board endorse and co-sign the Hydrometric Monitoring Station Operational Agreement with DFO and FLNR in support of the operational partnership for multiple streamflow monitoring stations in our region.
2. That the Board provide alternative direction to staff.

FINANCIAL IMPLICATIONS

Through this agreement, the RDN commits to providing annual supportive funding to a maximum of \$750 per station annually, to contribute to the costs for the real-time data service and yearly site visits, currently for two existing stations. In order to accommodate this cost, \$1,500 is budgeted for under the Drinking Water and Watershed Protection annual operating budget and financial plan. The attached agreement contemplates operation of additional stations during the term of the agreement and this would be considered within the DWWP annual operating budget and financial plan.

STRATEGIC PLAN IMPLICATIONS

Focus On Relationships- We Look For Opportunities To Partner With Other Branches Of Government/Community Groups To Advance Our Region

Focus On The Environment- We Will Prepare For And Mitigate The Impact Of Environmental Events

Focus On Economic Health- We Recognize The Importance Of Water In Supporting Our Economic And Environmental Health

By leveraging partnerships, the RDN can achieve its strategic goals that focus on relationships, environment and economic health. The Hydrometric Monitoring Station Operational Agreement is a great example where these elements have come together to the advantage of the RDN.



Julie Pisani
jpisani@rdn.bc.ca
December 13, 2018

Reviewed by:

- M. Walters, Manager, Water Services
- S. De Pol, Director, Water and Wastewater Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachments

1. Hydrometric Monitoring Stations Memorandum of Agreement – *signed by DFO and FLNR*

Hydrometric Monitoring Stations Memorandum of Agreement

MEMORANDUM OF AGREEMENT made effective as of _____, 2018.

BETWEEN:

THE GOVERNMENT OF CANADA, AS REPRESENTED BY
FISHERIES AND OCEANS CANADA ("DFO")

- and -

THE PROVINCE OF BRITISH COLUMBIA, AS REPRESENTED BY
THE MINISTRY OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL
DEVELOPMENT ("FLNR")

- and -

REGIONAL DISTRICT OF NANAIMO
(Drinking Water and Watershed Protection Program)
("RDN")

PREAMBLE

The RDN, DFO and FLNR will cooperate to install and operate hydrometric stations to monitor streamflow, water level, water temperature and other parameters as available on a selection of surface water sources within the RDN. This memo describes the responsibilities of each agency during the life cycle of each station. Once signed by all parties, the Memorandum of Agreement will be considered enacted. The Memorandum will be reviewed every 5 years by all parties.

Local stakeholders, including the partners listed above have identified the need for hydrometric monitoring in certain under-represented surface water systems in the region. The stations will collect valuable data to enhance our collective understanding of surface water dynamics. The stations will serve as representative sites for lower elevation watersheds in the Nanaimo region that do not have upland storage. This data will be useful in concert with groundwater level data as collected by the Province in nearby BC Observation Wells, and by the RDN in local volunteer observation wells, to track trends in water availability and climate change impacts.

INCLUDED STATIONS

The stations included under this agreement are listed in Appendix I.

RESPONSIBILITIES

This agreement has been crafted to apply to all stations operated in partnership by the included agencies. The contributions included in this partnership agreement are outlined below. The assignment of these responsibilities to each agency in this agreement is listed in Appendix I.

Station Installation and Maintenance

- Provide the physical infrastructure to monitor a set of hydrometric parameters which may include, but is not limited to: water level, water temperature, barometric air pressure, air temperature and rainfall, utilizing telemetry.
- Provide servicing and critical and/or emergency repairs as necessary to maintain station operation.

Data Processing

- Install a staff gauge or other elevation reference for calibration of water level measurements.
- Take discharge and water level measurements and develop a rating curve for the site.
- Provide data correction and processing for various parameters including the calculation of continuous discharge using the developed rating curves.

Data Publication

- Provide data archiving for the site and update and report publicly on the data online via the PacFish (DFO) or BC Real-Time Water Data (FLNR) websites.

Operational Costs

- The RDN will provide annual supportive funding to a maximum of \$750 per station annually to cover air time costs for the real-time data service and visits to the station on DFO operated sites.

STATION ACCESS PROCEDURE

Contact information for accessing sites which require permission is listed in Appendix II.

ACCESS TO DATA

All partners listed will have unrestricted access to real-time data via:

- The website maintained by DFO: <http://www.pacfish.ca/wcviweather/>
- The Real-Time Water Data site operated by FLNR: <http://aqrt.nrs.gov.bc.ca/>.
- Email request to the operating partner.

ADDITION OF NEW STATIONS

The addition of new stations may be made by amendment of Appendix I and II of this document. The amendment will require the agreement of all parties by the completion and signing of Appendix III by

their representatives. The agreement to amend (Appendix III) will be appended to this document along with the revised tables in Appendix I and II to reflect the addition.

TERMINATION CLAUSE

DFO, RDN or FLNRO may terminate their contributions in this Agreement upon giving sixty days written notice to the other parties.

CONTACTS

Notices to be sent pursuant to this Agreement shall be sent to:

Ministry of Forests, Lands, Natural Resource Operations and Rural Development
2080 Labieux Road, Nanaimo BC, V9T 6J9

Attention
Neil Goeller
Regional Hydrologist – West Coast Region
Water Protection, FLNR
Email: neil.goeller@gov.bc.ca
Tel: 250-751-7118

Department of Fisheries and Oceans
3225 Stephenson Point Road, Nanaimo BC, V9T 1K3

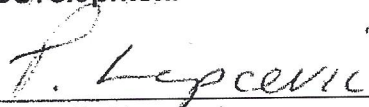
Attention
Carmen McConnell
Senior Technician – Stock Assessment
Department of Fisheries and Oceans Canada
Email: Carmen.McConnell@dfo-mpo.gc.ca
Tel: 250-756-7272

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

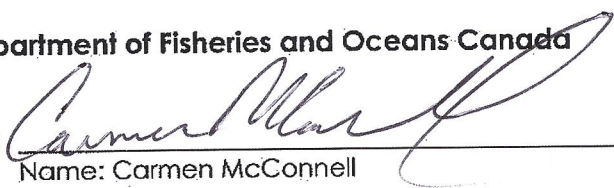
Attention
Julie Pisani
Program Coordinator, Drinking Water & Watershed Protection
Regional District of Nanaimo
Email: jpisani@rdn.bc.ca
Tel: 250-390-6586

IN WITNESS WHEREOF the parties hereto have executed this Memorandum of Agreement as of the day and year first above written.

Ministry of Forests Lands Natural Resource Operations and Rural Development

Per: 
Name: Pat Lapcevic
Title: Section Head, Water Protection

Department of Fisheries and Oceans Canada

Per: 
Name: Carmen McConnell
Title: Senior Technician

Regional District of Nanaimo

Per: _____
Name: Phyllis Carlyle
Title: Chief Administrative Officer

Appendix I: List of Stations and Responsible Parties

Source Name	Station Location	Station Installation and Maintenance	Data Processing	Data Publication	Operational Cost
Haslam Creek	Behind the Kingdom Hall of Jehovah's Witnesses at 1724 VOWELS, Ladysmith, BC V9G 1J8	DFO	FLNR	DFO/FLNR	RDN
Nanoose Creek	Approximately 100 m downstream of the Nanoose Creek Bridge on Highway 19	FLNR	FLNR	FLNR	FLNR
French Creek	Approximately 30 m Downstream of the footbridge at Barclay Crescent in Parksville BC	DFO	FLNR	DFO/FLNR	RDN

Appendix II: Stations Contacts

Haslam Creek Station Contact

All parties will provide appropriate notice to the staff at the Kingdom Hall of Jehovah's Witnesses at 1724 Vowels Rd in order to access the station.

The point of contact at the time of drafting this agreement is:

Clint Babcock majorreclaim@gmail.com or assemblyhall@shaw.ca

Nanoose Creek Station Contact

There is no direct site contact for the Nanoose Creek station, however; the land on either side of Nanoose Creek below highway 19 is privately owned. Access is recommended via the stream channel starting at the highway bridge (on the Ministry of Transportation right of way) to avoid trespassing on private land.

French Creek Station Contact

The French Creek station is located on RDN parks land and is accessed through crown land along the stream bank. Contact with the adjacent landowners is recommended prior to accessing the station or staff gauge. The following contacts are relevant to this site.

Joan Michel, Parks and Trails Coordinator, Recreation and Parks Services, RDN, Regional District of Nanaimo,
T: (250) 248-4744, x3658 jmichel@rdn.bc.ca

Appendix III: Addition of New Station to the Network

IN WITNESS WHEREOF the parties hereto have agreed to revise the existing agreement to include the new station as detailed below on this day ____ of 20__.

STATION DETAILS

Source Name:	
Station Location:	

RESPONSIBILITIES

Station Installation and Maintenance:	
Data Processing:	
Data Publication:	
Operational Cost:	

Ministry of Forests Lands Natural Resource Operations and Rural Development

Per: _____
Name: Pat Lapcevic
Title: Section Head, Water Protection

Department of Fisheries and Oceans Canada

Per: _____
Name: Carmen McConnell
Title: Senior Technician

Regional District of Nanaimo

Per: _____
Name: Phyllis Carlyle
Title: Chief Administrative Officer



TO: Committee of the Whole **MEETING:** January 8, 2019
FROM: Melissa Tomlinson
Special Projects Coordinator,
Emergency Services **FILE:** 2240 20 EOC
SUBJECT: Emergency Operations Centre Grant - UBCM Community Emergency
Preparedness Fund Amendment

RECOMMENDATION

That the Board endorse the amendment to the Emergency Operations Centre Union of British Columbia Municipalities Community Emergency Preparedness Fund Grant to purchase additional equipment to enhance the function of the Emergency Operations Centre by approving spending of \$9,000 remaining of the initial \$24,000 grant.

SUMMARY

The Regional District of Nanaimo (RDN) was approved for an Emergency Operations Centre (EOC) grant through the Union of British Columbia Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) in March, 2018. This \$24,000 grant allowed for the purchase of nine dedicated phone handsets for the assigned sections within the EOC, two portable satellite phones and a GIS capable laptop with external storage. These items have been purchased and have come in under the total budget of \$24,000, with approximately \$9,000 remaining. A Board approval is required to request the approval of the UBCM to spend the remaining funds on additional EOC equipment.

BACKGROUND

In October 2017, UBCM introduced the Community Emergency Preparedness Fund, intended to enhance resiliency of local governments in responding to emergencies. Funding streams are available for four categories including Emergency Operations Centre, Emergency Social Services (ESS), Evacuation Route Planning, and Flood Planning and Mitigation. The RDN was awarded the EOC grant in March 2018 for the amount of \$24,000 to improve the EOC's capability through providing critical equipment for communications and mapping. This grant allowed for the purchase of:

- 1) **Nine dedicated handsets** for each of the assigned sections within the EOC which will eliminate potential impacts to business continuity; and
- 2) **Two portable satellite phones** which are consistent with satellite phone equipment used by other levels of government in BC and Canada within EOCs; and
- 3) **A GIS capable laptop with external data storage** which can enable quick and efficient setup of mapping software and data records with the benefit of portability in the event that the EOC needs to be moved.

Purchase of these items has been completed and has come in under budget. The proposed amendment will include spending up to \$9,000 on:

1. **Two radio communications laptops and pelican cases** to support the emergency radio communications team.
2. **Two LTE tablets** for Field Liaison officers to enable them to take date and location stamped photos in the field as well as fill and send forms to the EOC from their field location.
3. **Projector and screen** to add to the visual display in the EOC to increase situational awareness amongst the different EOC sections.

ALTERNATIVES

1. That the Board endorse the budget amendment to the Emergency Operations Centre Union of British Columbia Municipalities Community Emergency Preparedness Fund Grant to purchase additional equipment to enhance the function of the Emergency Operations Centre by approving spending of \$9,000 remaining of the initial \$24,000 grant as per the Staff Report dated January 8, 2019.
2. That alternative direction be provided.

FINANCIAL IMPLICATIONS

There are no financial implications associated with amending the budget on this grant.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - We View Our Emergency Services As Core Elements Of Community Safety



Melissa Tomlinson
mtomlinson@rdn.bc.ca
December 19, 2018

Reviewed by:

- C. Morrison, Manager, Emergency Services
- D. Pearce, Director, Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

TO: Committee of the Whole **MEETING:** January 8, 2019
FROM: Catherine Morrison **FILE:** 7130-16 NSAR
 Manager, Emergency Services
SUBJECT: Nanaimo Search and Rescue Funding

RECOMMENDATIONS

That the renewal of the Contribution Agreement with the Nanaimo Search and Rescue Society for a term commencing February 1, 2019 and ending on December 31, 2023 be endorsed.

SUMMARY

The Nanaimo Search and Rescue (NSAR) Contribution Agreement signed between the Regional District of Nanaimo (RDN) and NSAR has expired. Contributions are being made in accordance with the terms of the expired agreement. The renewal of this agreement for the period February 1, 2019 to December 31, 2023 is recommended.

BACKGROUND

Funding for Nanaimo Search and Rescue

In the Province of British Columbia (BC), Search and Rescue (SAR) organizations are provincially legislated and funded from a variety of provincial and federal sources. A portion of SAR funding within BC is provided by some local governments. This multi-agency funding model provides non-operational funds for training, administration, insurance, as well as a 4-priority federal funding initiative. The local SAR agency, Nanaimo Search and Rescue (NSAR), was offered the opportunity for a long term lease by the City of Nanaimo for a parcel of land on Nanaimo Lakes Road, as well as being gifted \$1,000,000 by an anonymous donor. Construction costs of the desired facility are estimated at \$1,800,000. NSAR approached the RDN for assistance to acquire the remaining \$800,000 of capital funds needed to build their desired new facility on the land.

At the May 22, 2018 regular Board Meeting, the following motion was approved:

It was moved and seconded that staff be directed to provide the Board with a report to include recommendations of possible funding sources for the Nanaimo Search and Rescue's new facility on Nanaimo Lakes Road.

RDN staff have since been advised by NSAR that they have chosen to instead focus on a feasibility study of their current facility to determine if a renovation is possible. As NSAR is currently focusing on renovation options, the May 22, 2018 board motion to provide possible funding sources is no longer required.

Contribution Agreement renewal with Nanaimo Search and Rescue Society

The Regional District, by Bylaw No. 1552, known as the Southern Community Search and Rescue Contribution Service, agrees to provide a contribution to organizations carrying out search and rescue activities within the City of Nanaimo, District of Lantzville and the Electoral Areas A, B and C.

On May 22, 2012, the Regional District Board approved an annual grant of \$29,975. Of the \$29,975, \$24,000 was paid to the City of Nanaimo for the lease of the premises and \$5,975 to NSAR as an operating grant. The Contribution Agreement has expired, but annual contributions are continuing to be made in accordance with the terms of the expired agreement. The RDN wishes to renew the Contribution Agreement for a term commencing in February 1, 2019 and ending December 31, 2023.

Lease Agreement with City of Nanaimo and Sublease Agreement with NSAR

On February 14, 2014, the RDN renewed a lease agreement with the City of Nanaimo for the use of 195B Fourth Street and renewed a sublease of the premises to the NSAR Society. The lease agreement and sublease expire on January 31, 2019.

NSAR is in the process of finalizing a letter of intent with the City of Nanaimo to stay in their current facility and renovate. If the renovations are not feasible, NSAR will be looking at other options for a long term facility.

In discussions with NSAR and the City of Nanaimo, the lease contribution will be provided directly to NSAR so that NSAR may enter into a lease agreement of their own with the City of Nanaimo and negotiate the terms directly including any renovations or relocation.

ALTERNATIVES

1. That the renewal of the Contribution Agreement with the Nanaimo Search and Rescue Society for a term commencing February 1, 2019 and ending on December 31, 2023 be endorsed.
2. Alternate direction be provided.

FINANCIAL IMPLICATIONS

The RDN currently provides NSAR with an annual grant of \$29,975. Since these funds are part of the current annual budget, there will be no added costs. The RDN will see financial savings in staff time and legal fees by providing the lease contribution directly to NSAR.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - We View Our Emergency Services As Core Elements Of Community Safety



Catherine Morrison
cmorrison@rdn.bc.ca
December 5, 2018

Reviewed by:

- D. Pearce, Director of Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

Attachment:

1. RDN Nanaimo Search and Rescue Contribution Agreement

THIS AGREEMENT is made the ___ day of _____, 2018.

BETWEEN:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

(the "**Regional District**")

OF THE FIRST PART

AND:

NANAIMO SEARCH AND RESCUE SOCIETY

(Incorporation No. S- 0028362)
195b Fourth St.
Nanaimo, BC V9R 1T1

(the "**Society**")

OF THE SECOND PART

WHEREAS

- A. The Regional District, by Bylaw No. 1552, known as the Southern Community Search & Rescue Contribution Service, to provide a contribution to organizations carrying out search and rescue activities ("**Search and Rescue**") within the City of Nanaimo, District of Lantzville and the Electoral Areas A, B, and C (collectively, the "**Service Area**");
- B. The Regional District Board has approved an annual grant of \$24,000 for the lease of a facility from the City of Nanaimo, to the Society (the "**Lease Contribution**");
- C. The Regional District Board has approved an annual grant for operating purposes to the Society (the "**Operational Contribution**");
- D. The Society is incorporated under the laws of BC and the objects of the Society are to provide Search and Rescue.
- E. The Regional District has agreed to contribute funding to the Society and the Society has agreed to use the Lease Contribution and the Operational Contribution (collectively the "**Contributions**") in accordance with the terms and conditions of this Agreement.

NOW THEREFORE, this agreement witnesses that in consideration of the premises, the terms and conditions hereinafter contained, and other good and valuable consideration (the receipt and sufficiency of which are acknowledged by the parties), the Regional District and the Society covenant and agree as follows:

1.0 OPERATING REQUIREMENTS

- 1.1 As a condition of receiving the Lease Contribution under this Agreement, the Society agrees to use the Lease Contribution solely for the purpose of payments towards the Lease.
- 1.2 As a condition of receiving the Operating Contribution under this Agreement, the Society agrees to use the Operational Contribution for the sole purpose of Eligible Expenditures as defined in Schedule "A" to provide Search and Rescue within the Service Area in accordance with the terms and conditions set out in this Agreement.
- 1.2 The Society shall not use the Operating Contribution or any part of the Contribution for any purpose other than eligible expenditures for Search and Rescue.
- 1.3 In providing Search and Rescue, the Society shall at its own cost:
 - a) comply with all enactments that apply to the provision of Search and Rescue, including all applicable bylaws of the Regional District, as amended or replaced from time to time and the requirements of the *Workers Compensation Act* and the Occupational Health and Safety Regulation under that Act;
 - b) obtain all licenses, permits and consents under any federal, provincial or municipal enactment or bylaw in order to provide the service in the manner set out in the proposal; and

2.0 TERM

- 2.1 The Term of this Agreement commences on February 1, 2019 and ends on December 31, 2023 unless otherwise earlier terminated under this Agreement.
- 2.2 This Agreement may be renewed for further terms at the discretion of the Board.

3.0 PAYMENT OF CONTRIBUTION

- 3.1 Provided that the Society complies with all covenants to be performed under this Agreement, the Regional District shall pay to the Society as the Operational Contribution Five Thousand, Nine Hundred and Seventy Five (\$5,975.00) dollars per year on August 31st of each year of the Term.
- 3.2 Provided that the Society complies with all covenants to be performed under this Agreement, the Regional District shall pay to the Society as the Lease Contribution Twenty Four Thousand (\$24,000.00) dollars per year on August 31st of each year of the Term. The Lease Contribution paid to the Society in 2019 will be Twenty Two Thousand (\$22,000.00), the remaining Two Thousand (\$2,000.00) will be paid to the City of Nanaimo in January 2019 to fulfil the remaining term of the lease agreement signed between the Regional District and the City of Nanaimo.

4.0 FINANCIAL MATTERS

- 4.1 On or before September 30th in each year of the Term, and as soon as practicable following the termination or expiry of the Agreement, the Society shall provide to the Director of Finance of the Regional District with a set of review engagement financial statements for revenue and

expenditures and financial position for the Society in relation to its Search and Rescue activities for the preceding fiscal period, March 1st to February 28th or shorter period, as applicable (the “**Financial Statements**”).

- 4.2 The Financial Statements must contain sufficient detail to identify revenues, and types of capital and operating expenditures.

5.0 COVENANTS OF THE SOCIETY

- 5.1 The Society covenants agree that it will, during the term of this Agreement:

- a) maintain its corporate existence, carry on and conduct its affairs in a proper and businesslike manner and keep or cause to be kept properly, books of account in accordance with generally accepted accounting principles applied consistently;
- b) maintain, at all times, separate and accurate books, records and accounts including all receipts and invoices supporting any expenditures in accordance with generally accepted accounting principles applied consistently;
- c) perform all its obligations under this Agreement at its own cost;
- d) ensure that the Contribution is spent solely on eligible expenses of Search and Rescue;
- e) permit the Regional District and its auditors within the Term of the agreement and at a time, date and place mutually acceptable, and at the Regional Districts’ own expense and exclusive of any and all documents directly related to operational tasking to have access to and inspect the Society’s books of accounts, documents, cheques, vouchers and other records that relate to the provision of Search and Rescue.
- f) provide an annual aggregate summary of tasks that the Society has undertaken in relation to Search and Rescue, which summary shall include for each task: Task Number, the span of time involved on a task and the number of Nanaimo Search and Rescue members involved on a task, and to make copies thereof and,
- g) if the audit or summary of tasks reveals that the Society has spent any money from the one or both of the Contributions in a manner that is contrary to this Agreement, the Society shall reimburse the Regional District up to \$2,000 for the cost of the audit or review of the summary of tasks within thirty (30) days of receiving notice from the Regional District;
- h) At a mutually agreed date and time and with a minimum of thirty (30) days’ notice to the Society, permit the Regional District to have access to and inspect all facilities, equipment, goods and chattels that are used in connection with the provision of Search and Rescue;
- i) abide by its constitution, bylaws and other requirements of the *Society Act* and hold annual meetings and file annual reports and other documents to be filed with the Registrar of Companies; and
- j) maintain proper records relating to the provision of Search and Rescue, in accordance with this Agreement;

6.0 INSURANCE

- 6.1 In addition to the liability coverage provided to The Society's volunteers by Emergency Management BC Policy 5.08 (Revised: 2016 Aug 04), the Society shall, throughout the Term of this Agreement, obtain and maintain a policy or policies of Directors and Officers liability insurance, with a deductible and in a form acceptable to the Regional District, and in the amount of not less than FIVE MILLION DOLLARS (\$5,000,000.00) per occurrence, protecting the Society and the Regional District against:
- a) liability arising from an act, error, omission or breach of duty on the part of the Society, and its officers and directors in the management and direction of The Society.
- 6.2 The Society shall, throughout the Term of this Agreement, obtain and maintain in force for all motor vehicles used in the provision of Search and Rescue, whether owned or leased by the Society or the Regional District, automotive liability insurance in accordance with the Insurance (Motor Vehicle) Act of British Columbia, and in the amount of not less than Three Million DOLLARS (\$3,000,000.00) per accident.
- 6.3 The Society shall provide the Regional District for each year of the Term with a certificate signed by an authorized signatory of each insurer confirming that the coverage required under Section 6.0 has been provided, and upon request shall provide a copy of the said policy or policies.
- 6.4 The Society shall be responsible for the cost of providing all insurance required under this Agreement.

7.0 INDEMNITY

- 7.1 The Society shall indemnify and save harmless the Regional District, its employees, agents, officers, directors, and authorized representatives, and each of them, from and against all losses, claims, damages, actions, causes of action, costs, and expenses, of any kind that the Regional District may sustain, incur, suffer or be put to at any time, arising from acts, errors or omissions including negligent acts or breaches of law, contract or trust, committed by the Society or its employees, members, agents, officers or directors in relation to their use of the Contributions. This indemnity shall survive the duration of this Agreement.

8.0 TERMINATION

- 8.1 Either party may terminate this Agreement at any time by giving not less ninety (90) calendar days written notice of termination to the other party, and the Agreement shall terminate at midnight on the last day of the third calendar month following the month during which notice is given provided however that, in any event, unless renewed by the Regional District the Agreement shall terminate not later than the 31st day of December, 2023. Within thirty (30) calendar days of termination, the Society agrees to reimburse the Regional District the prorated share of the grant based on the first day of the month immediately following the month in which the contract was terminated.

9.0 EARLY TERMINATION

- 9.1 Notwithstanding any other provision of this Agreement, the Regional District may terminate this Agreement upon giving written notice of its intention to so terminate:

- a) 30 days' notice should the Society fail to file its Annual Report or otherwise no longer be in good standing with the Registrar of Companies under the *Society Act*
- b) 30 days' notice should the Society default in any term or condition of this Agreement or fail to perform any covenant required to be performed by the Society under this Agreement or such default continues for more than 30 days' notice to correct the default;
- c) Immediately upon notice should the Society make an assignment in bankruptcy or be declared bankrupt.
- d) Notwithstanding any other provision in this agreement, the Society retains its right to terminate this agreement for any reason whatsoever by providing ninety (90) calendar days' written notice to the Regional District.

Immediately upon termination under this section 9.1, the Society agrees to reimburse the Regional District the prorated share of the grant based on the first day of the month immediately following the month in which the contract was terminated.

10.0 CONFIDENTIALITY AND FREEDOM OF INFORMATION

10.1 Each party to this agreement covenants and agrees as follows:

10.2 The Society and the Regional District covenant and agree that they will not, at any time either during the term of this Agreement or thereafter, disclose to or discuss with a third party any personal information (as defined in the legislation applicable to the party), or information regarding the internal affairs, data, financial, business, trade secrets or other confidences of the other party ("Confidential Information") except:

- a) as required by law or court order;
- b) or as necessary to instruct third party professional consultants for the purpose of the legitimate business affairs of the party relating to this Agreement,
- c) unless it has obtained express authorization from the party to which the Confidential Information relates.

10.3 With respect to personal information to which the Freedom of Information and Protection of Privacy Act or the Personal Information Protection Act (the "Privacy Enactments") apply, each party shall collect, store, protect, use and disclose such information in accordance with the requirements of the applicable Privacy Enactment, and in a manner that ensures that there is no violation of any obligations of the other party under a Privacy Enactment.

10.4 Each party shall cooperate with the other in relation to requests for release of records to which a Privacy Enactment applies, and the parties acknowledge and agree that the Regional District is required to disclose certain records in accordance with applicable legislation, including information that must or may be disclosed in accordance with the Freedom of Information and Protection of Privacy Act.

10.5 Nothing herein shall relieve the Society or the Regional District of their respective obligation to determine their obligations under and responsibility for compliance with applicable Privacy

Enactments. In the case of conflict between a Privacy Enactment and the terms and conditions of this Agreement (including any schedules) the provisions of the Privacy Enactments prevail.

11.0 ENFORCEABILITY AND SEVERABILITY

- 11.1 If any provision of this Agreement is determined to be invalid, void, illegal or unenforceable, in whole or in part, such invalidity, voidance, illegality or unenforceability shall attach only to such provision or part of such provision and then such provision or part will be deleted from this Agreement, and all other provisions or the remaining part of such provision, as the case may be, will continue to have full force and effect.
- 11.2 The parties will in good faith negotiate a mutually acceptable and enforceable substitute for the unenforceable provision, which substitute will be as consistent as possible with the original intent of the parties.

12.0 GENERAL PROVISIONS

12.1 Notice

- a) All notices required or permitted to be given under this Agreement ("**Notice**") shall be in writing and shall be sent to the relevant party at the relevant address, facsimile number or e-mail address set out below. Each such Notice may be sent by registered mail, by commercial courier, or by electronic mail:

To the Regional District:
 Attention: Director of Finance
 6300 Hammond Bay Road
 Nanaimo, BC, V9T 6N2
 Fax: 250-390-6572
 Email: corpsrv@rdn.bc.ca

To the Society:
 Attention: _____
 3237 Alberni Highway
 Qualicum Beach, BC, V9K 1Y6
 Fax: _____
 Email: _____

- b) Each Notice sent by electronic mail ("**E-Mail Notice**") must show the e-mail address of the sender, the name or e-mail address of the recipient, and the date and time of transmission, must be fully accessible by the recipient, and unless receipt is acknowledged, must be followed within twenty-four (24) hours by a true copy of such Notice,—including all addressing and transmission details, delivered (including by commercial courier).
- i. if sent by registered mail, seven (7) days following the date of such mailing by sender;
 - ii. if sent by electronic mail, on the date the E-Mail Notice is sent electronically by e-mail by the sender.

- c) If a Notice is sent by electronic mail after 4:00 p.m., or if the date of deemed receipt of a Notice falls upon a day that is not a Business Day, then the Notice shall be deemed to have been given or made on the date of transmission or delivery.
- d) If normal mail service or electronic mail is interrupted by strike, slow down, force majeure or other cause beyond the control of the parties, then a Notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the Notice shall utilize any other such services which have not been so interrupted or shall personally deliver such Notice in order to ensure prompt receipt thereof.
- e) Each party shall provide Notice to the other party of any change of address or e-mail address of such party within a reasonable time of such change.

12.2 Authority

The Society represents and warrants to the Regional District that it has the authority to enter into this Agreement and carry out its transactions and all necessary resolutions and procedural formalities have been completed and the persons executing this Agreement on its behalf are duly authorized to do so.

12.3 Relationship

The legal relationship between the Society and the Regional District arising pursuant to this Agreement is that of a recipient and funder. Nothing in this Agreement shall be interpreted so as to render the Regional District the employer or partner of the Society, or anyone working for the Society. The Society is not, and must not claim to be, the agent of the Regional District for any purpose.

The Regional District shall not purport to own, direct, administer, deliver or direct the operations of the Society's Search and Rescue operations, training or administration. The Regional District shall not attempt, directly or indirectly, direct or attempt to direct, interfere or attempt to interfere with the Search and Rescue operations, training, or administration of the Society.

12.4 Assignment

This Agreement shall not be assignable by the Society.

12.5 Enurement

This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

12.6 Time

Time is to be of the essence of this Agreement.

12.7 Further Assurances

The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.

12.8 Entire Agreement

This Agreement is the entire agreement among the parties as at the date hereof and neither the Regional District nor the Society has given or made representations, warranties, guarantees, promises, covenants or agreements to the other except those expressed in writing in this Agreement, and no amendment of this Agreement is valid or binding unless in writing and executed by the parties.

12.9 Waiver

The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar. Any waiver shall be in writing and shall be delivered in accordance with Section 12 Notice.

12.10 Cumulative Remedies

No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

12.11 Amendment

No amendment, waiver, termination or variation of the terms, conditions, warranties, covenants, agreements and undertakings set out herein will be of any force or effect unless they are in writing and duly executed by all parties to this Agreement and delivered in accordance with Section 12 Notice.

12.12 Law Applicable

This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

12.13 No Partnership or Agency

No provision of this Agreement shall be construed to create a partnering agreement, a partnership or joint venture relationship, an employer-employee relationship, or a principal-agent relationship.

12.14 Non-Derogation

Nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the Regional District in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised 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 under the Local Government Act and Community Charter.

12.15 Counterpart

This Agreement may be executed in counterpart with the same effect as if both parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

13.0 INTERPRETATION

13.1 In this Agreement:

- a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise.
- b) articles and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- e) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- f) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- g) reference to time or date is to the local time or date in Victoria, British Columbia;
- h) all provisions are to be interpreted as always speaking;
- i) reference to a “day”, “month”, “quarter” or “year” is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- j) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”;
- k) word importing the masculine gender includes the feminine or neuter, and a word importing the singular includes the plural and vice versa; and
- l) a reference to approval, authorization, consent, designation, waiver or notice means written approval, authorization, consent, designation, waiver or notice.

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

REGIONAL DISTRICT OF NANAIMO)
by its authorized signatories:

)

)

Chair:

)

)

)

)

Corporate Administrator

)

NANAIMO SEARCH AND RESCUE SOCIETY)
by its authorized signatories:

)

)

Name:

)

)

)

Name:

)

)

SCHEDULE A

This Schedule forms part of the Agreement between the Regional District and the Society.

1. ELIGIBLE EXPENDITURES

1.1 Eligible expenditures shall mean:

- a) Costs of rehabilitation, maintenance and repair of the vehicles and equipment;
- b) costs of wages and benefits of employees;
- c) costs of rent and utilities for office space;
- d) cost of fuel;
- e) insurance costs;
- f) other operating costs of the Society as reasonably required to provide Search and Rescue described in section 1.1

TO: Committee of the Whole **MEETING:** January 8, 2019
FROM: Doug Gardiner **FILE:** 5500-20-NBP
Fire Services Coordinator
SUBJECT: White Heather Lane Interface Firewater Storage Tank – Construction Tender Award

RECOMMENDATION

That the contract for the construction of the White Heather Lane Interface Firewater Storage Tank be awarded to David Stocker Excavating Ltd. for the tender price of \$166,351.15 (excluding GST).

SUMMARY

Detailed design of the White Heather Lane Interface Firewater Storage Tank was completed by McElhanney Consulting and the construction portion of the project was issued for Tender on November 6, 2018. On November 29, 2018 the Tender closed with five (5) tenders received. The lowest Tender price was received from David Stalker Excavating Ltd. in the amount of \$166,351.15 (excluding GST), and McElhanney has recommended awarding the project to this contractor.

BACKGROUND

Currently, if responding to a fire in the Rural Residential/Forested Lands interface areas of Area E, the Nanoose Volunteer Fire Department (NVFD) must return to the firehall in order to fill their tanker trucks.

In order to provide enhanced fire protection services the Regional District of Nanaimo (RDN) and NVFD plan to install a firewater storage tank at the intersection of White Heather Lane and Seablush Drive in the interface area. This tank will provide the NVFD with a water source much closer to the fire risk areas and reduce their turnaround time.

A list of the five (5) tender prices is provided in Table 1.

Table 1 – List of Tender prices

Tenderers	Tender Price (excluding GST)
David Stalker Excavating Ltd.	\$166,351.15
Hazelwood Construction Services	\$175,537.50
Copcan Civil Ltd.	\$191,871.25
Leuco Construction Services	\$195,037.68
Seafirst Construction Corp.	\$340,935.00

The lowest tender price was submitted by David Stalker Excavating Ltd. in the amount of \$166,351.15 (excluding GST).

The Consultant, McElhanney Consulting, has reviewed the tenders for compliance and recommends awarding the contract to David Stalker Excavating Ltd. See attached Tender Report.

ALTERNATIVES

1. Award the construction of the Interface Firewater Storage Tank project to David Stocker Excavating Ltd. for the Tender price of \$166,351.15 (excluding GST).
2. Do not award the tender and re-tender the project.
3. Provide alternate direction.

FINANCIAL IMPLICATIONS

The proposed 2019 capital budget amount includes provision for this project.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - We View Our Emergency Services As Core Elements Of Community Safety

The Interface Firewater Tank project advances the Board Strategic Priority to Focus on Service and Organizational Excellence. That priority states that the RDN will deliver efficient, effective and economically viable services that meet the needs of the Region, including viewing emergency services as core elements of community safety.



Doug Gardiner
dgardiner@rdn.bc.ca
November 29, 2018

Reviewed by:

- C. Morrison, Manager, Emergency Services
- D. Pearce, Director, Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. White Heather Lane Firewater Storage Tank Tender Report - McElhanney

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

Dec. 4, 2018
2231-12516-02

Attention: Mike Squire, ASCT
Project Engineer, Engineering Services

Dear Mr. Squire,

**Reference: White Heather Lane Firewater Storage Tank
Tender Report**

Tenders for the above referenced project closed at RDN offices on Thursday November 29, 2019 at 2:00 pm. Five (5) tenders were received as follows:

David Stalker Excavating Ltd.	\$166,351.15	(plus GST)
Hazelwood Construction Svcs	\$175,537.50	(plus GST)
Copcan Civil Ltd.	\$191,871.25	(plus GST)
Leuco Construction Ltd.	\$195,037.68	(plus GST)
Seafirst Construction Corp.	\$340,935.00	(plus GST)

We have reviewed the tenders received for compliance with tender requirements and note the following:

- Two contractors acknowledged receipt of all Addenda, three did not;
- Four contractors noted a substantial performance date (dates vary from March 31, 2019 to May 24, 2019), one contractor noted May 2019 without specifying a date;
- No arithmetic errors were found;
- The tender received from Seafirst Construction Corp. did not include a list of sub-contractors.
- All tenders included a description of both superintendent and project experience, a schedule, and the required Bid Bond.

For your information we have included a copy of our tender analysis spreadsheet. The low tender was submitted by David Stalker Excavating Ltd. who have demonstrated their experience and capacity to perform this work.

Based on the funding available, we recommend that the Regional District of Nanaimo award a contract to David Stalker Excavating Ltd. for the tendered amount of \$166,351.15 plus GST. In addition, we recommend the District carry a 10% contingency for the project should any unforeseen issues arise during construction.

If you have any questions, please do not hesitate to contact me.

Yours truly,



Michael Lonsdale, ASCT, LEED GA
Project Manager

Documentation Check:

Contractor	FT Page	David Stalker Excavating Ltd.	Hazelwood Construction Services	Copcan Civil Ltd.	Leuco Construction Ltd.	Seafirst Construction Ltd.
Item						
Addendum Rec'd (4)	1	3 (Fourth attached and signed)	3	4	2	3
Substantial performance	1	May 3, 2019	March 31, 2019	May 13, 2019	May 24, 2019	May 2019 No Date Provided
Signed & Sealed	3	No Issues	No Issues	No Issues	No Issues	No Issues
Arithmetic Check Unit prices	A1	No Issues	No Issues	No Issues	No Issues	No Issues
Schedule	A2	No Issues	No Issues	No Issues	No Issues	No Milestone Date Provided 5 Week Duration
Superintendent	A3	No Issues	No Issues	No Issues	No Issues	Reference Check Required
Experience	A4	No Issues	No Issues	No Issues	No Issues	Reference Check Required
Subcontractors & Suppliers	A5	No Issues	No Issues	No Issues	None Listed	List Not Included in Submission
Bid Bond		No Issues	No Issues	No Issues	No Issues	No Issues

REGIONAL DISTRICT OF NANAIMO
WHITE HEATHER LANE FIREWATER STORAGE TANK

CONSTRUCTION COST ESTIMATE

							David Stalker Excavating Ltd.	Hazelwood Construction Services	Copcan Civil Ltd.	Leuco Construction Ltd.	Seafirst Construction Corp.				
ITEM NO.	MMCD REF.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	REVISED UNIT PRICE	AMOUNT
1.0	GENERAL CONDITIONS														
1.1	Refer to Supplementary Specifications	Mobilization and Demobilization	Lump Sum	1.00	\$1,766.40	\$1,766.40	\$10,093.00	\$10,093.00	\$8,360.00	\$8,360.00	\$2,500.00	\$2,500.00	\$40,000.00	-\$25,000.00	\$15,000.00
	01 55 00	TRAFFIC CONTROL, VEHICLE ACCESS, AND PARKING:													
1.2	Refer to Supplementary Specifications	Control of Public Traffic	Lump Sum	1.00	\$4,645.00	\$4,645.00	\$4,426.00	\$4,426.00	\$6,230.00	\$6,230.00	\$2,500.00	\$2,500.00	\$40,000.00	-\$25,300.00	\$14,700.00
	01 57 01	ENVIRONMENTAL PROTECTION:													
1.3	Refer to Supplementary Specifications	Site Maintenance and Sediment Management	Lump Sum	1.00	\$2,873.00	\$2,873.00	\$3,418.00	\$3,418.00	\$6,380.00	\$6,380.00	\$3,000.00	\$3,000.00	\$20,000.00	-\$6,000.00	\$14,000.00
		GENERAL CONDITIONS SUBTOTAL				\$9,284.40		\$17,937.00		\$20,970.00		\$8,000.00			\$43,700.00
2.0	SITEWORKS														
2.1	31 11 01 1.4.1/2	Clearing and grubbing tank area (includes offsite disposal)	Square metre	230.00	\$4.00	\$920.00	\$8.00	\$1,840.00	\$7.60	\$1,748.00	\$15.32	\$3,523.60	\$60.00	-\$30.00	\$6,900.00
2.2	31 22 01 1.4.4	Stripping unsuitable material (300mm thickness), off-site disposal	Cubic Metre	70.00	\$38.50	\$2,695.00	\$41.00	\$2,870.00	\$18.70	\$1,309.00	\$33.10	\$2,317.00	\$100.00		\$7,000.00
2.3	31 24 13 1.8.5.1	Common excavation, off-site disposal	Cubic metre	450.00	\$30.50	\$13,725.00	\$38.00	\$17,100.00	\$25.10	\$11,295.00	\$49.33	\$22,198.50	\$60.00	\$10.00	\$31,500.00
2.4	Refer to Supplementary Specifications	Common excavation, storage, and re-use of native materials for embankment fill	Cubic metre	220.00	\$5.90	\$1,298.00	\$22.00	\$4,840.00	\$28.60	\$6,292.00	\$40.18	\$8,839.60	\$100.00	-\$51.00	\$10,780.00
2.5	31 23 17 1.6.1/2/3/4	Rock Removal – as directed by Contract Administrator	Cubic metre	25.00	\$135.00	\$3,375.00	\$255.00	\$6,375.00	\$300.00	\$7,500.00	\$56.40	\$1,410.00	\$1,000.00	-\$350.00	\$16,250.00
2.6	31 24 13 1.8.9	Subgrade preparation	Square metre	110.00	\$13.50	\$1,485.00	\$2.00	\$220.00	\$2.70	\$297.00	\$33.60	\$3,696.00	\$100.00	-\$35.00	\$7,150.00
2.7	Refer to Supplementary Specifications	Hydraulic seeding	Square metre	215.00	\$1.90	\$408.50	\$5.00	\$1,075.00	\$3.25	\$698.75	\$23.15	\$4,977.25	\$20.00	-\$5.00	\$3,225.00
2.8	Refer to Supplementary Specifications	Growing Medium and Seeding	Square metre	42.00	\$29.00	\$1,218.00	\$17.00	\$714.00	\$86.50	\$3,633.00	\$41.00	\$1,722.00	\$200.00	-\$110.00	\$3,780.00
2.9	33 11 01 1.8.9	50mm Concrete Cap	Cubic metre	2.00	\$1,035.00	\$2,070.00	\$1,096.00	\$2,192.00	\$855.00	\$1,710.00	\$375.00	\$750.00	\$3,000.00		\$6,000.00
2.10	Refer to Supplementary Specifications	Custom Signs	Each	2.00	\$476.00	\$952.00	\$1,081.00	\$2,162.00	\$335.00	\$670.00	\$600.00	\$1,200.00	\$700.00		\$1,400.00
2.11	03 40 01 1.4.4	Concrete Barriers	Linear metre	25.00	\$224.00	\$5,600.00	\$152.00	\$3,800.00	\$198.00	\$4,950.00	\$464.00	\$11,600.00	\$400.00	-\$160.00	\$6,000.00
2.12	Refer to Supplementary Specifications	10Kg Class Riprap - 450mm min. thickness	Square metre	55.00	\$74.25	\$4,083.75	\$52.00	\$2,860.00	\$54.00	\$2,970.00	\$96.81	\$5,324.55	\$300.00	-\$180.00	\$6,600.00
2.13	33 42 13 1.5.2	Culvert - 600mm HDPE - Boss 2000	Lineal metre	3.50	\$424.00	\$1,484.00	\$458.00	\$1,603.00	\$432.00	\$1,512.00	\$550.00	\$1,925.00	\$500.00	\$600.00	\$3,850.00
2.14	33 42 13 1.5.3	Concrete Sandbag End Walls (for all pipe sizes), refer to drawings	Each	2.00	\$307.50	\$615.00	\$780.00	\$1,560.00	\$1,430.00	\$2,860.00	\$2,200.00	\$4,400.00	\$3,000.00	-\$1,000.00	\$4,000.00
2.15	Refer to Supplementary Specifications	W-054-R/L Signs	Each	2.00	\$282.00	\$564.00	\$655.00	\$1,310.00	\$335.00	\$670.00	\$600.00	\$1,200.00	\$500.00	\$100.00	\$1,200.00
		SITE PREPARATION SUBTOTAL				\$40,493.25		\$50,521.00		\$48,114.75		\$75,083.50			\$115,635.00
3.0	33 11 01	WATERWORKS:													
3.1	Refer to Supplementary Specifications	Tank, deadmen and other appurtenances supply, and delivery	Lump Sum	1.00	\$91,100.00	\$91,100.00	\$81,906.00	\$81,906.00	\$81,900.00	\$81,900.00	\$84,000.00	\$84,000.00	\$100,000.00	-\$19,200.00	\$80,800.00
3.2	Refer to Supplementary Specifications	Tank, deadmen and other appurtenances installation, and backfill with import materials	Lump Sum	1.00	\$14,500.00	\$14,500.00	\$14,614.00	\$14,614.00	\$29,300.00	\$29,300.00	\$18,946.50	\$18,946.50	\$100,000.00	-\$13,300.00	\$86,700.00
3.3	33 11 01 1.8.1/2	Pipe - 150mm diam. PVC DR18, imported backfill.	Lineal metre	22.50	\$133.00	\$2,992.50	\$149.00	\$3,352.50	\$139.00	\$3,127.50	\$89.23	\$2,007.68	\$300.00	-\$100.00	\$4,500.00
3.4	33 11 01 1.8.3	Gate Valve - 150 F x H c/w 1.5m stem extension	Each	1.00	\$1,491.00	\$1,491.00	\$1,387.00	\$1,387.00	\$1,410.00	\$1,410.00	\$1,600.00	\$1,600.00	\$3,000.00		\$3,000.00
3.5	33 11 01 1.8.1/2	Bend - 150 F x F, 11.25 degree	Each	1.00	\$314.00	\$314.00	\$372.00	\$372.00	\$289.00	\$289.00	\$1,000.00	\$1,000.00	\$600.00		\$600.00
3.6	Refer to Supplementary Specifications	Fire Hydrant Assembly - Std. Dwg W4	Each	1.00	\$6,176.00	\$6,176.00	\$5,448.00	\$5,448.00	\$6,760.00	\$6,760.00	\$4,400.00	\$4,400.00	\$6,000.00		\$6,000.00
		WATERWORKS SUBTOTAL				\$116,573.50		\$107,079.50		\$122,786.50		\$111,954.18			\$181,600.00
					Total:	\$166,351.15		\$175,537.50		\$191,871.25		\$195,037.68			\$340,935.00

TO: Solid Waste Management Select Committee **MEETING:** January 10, 2019

FROM: Larry Gardner
Manager, Solid Waste Services **FILE:** 5360-01

SUBJECT: Federation of Canadian Municipalities Vietnam Municipal Solid Waste Management Project

RECOMMENDATION

That the Board approve Solid Waste Services Manager, Larry Gardner, to participate as an expert volunteer on the Federation of Canadian Municipalities Vietnam Municipal Solid Waste Management Project, Step 1.

SUMMARY

The Federation of Canadian Municipalities (FCM) has initiated a 3 year, \$1,000,000 project funded by Environment and Climate Change Canada to assist Vietnamese cities in managing their municipal solid waste. For Step 1 of the project, FCM is seeking individual experts as technical advisors from 2 or more Canadian municipalities or Regional Districts to help participating Vietnamese cities assess their municipal solid waste management practices, identify potential solutions and secure funding.

The Regional District of Nanaimo (RDN) is a world leader in municipal solid waste management and this initiative provides for a rare opportunity to benefit other communities in another country though the sharing of our experiences. Larry Gardner has more than 30 years' experience with solid waste management including the assessment, monitoring, and operation and monitoring of landfills. The combination of Larry Gardner's skills and the RDN's accomplishments make him a well suited candidate for the FCM initiative.

The initial commitment for Step 1 is a two-week mission to Vietnam in March 2019 with a total time commitment of approximately 18 days to cover preparation, travel, the mission and follow-up. FCM covers the travel expenses.

On successful completion of Step 1, FCM has planned for a general recruitment call to all FCM municipalities to become Vietnam Solid Waste Management partners, participating in the full project to its end in March 2021 (Step 2). The RDN's participation in Step 2 of the project would be a future decision of the Board.

BACKGROUND

The *Improved Municipal Solid Waste Practices to Reduce Short-Lived Climate Pollutants in Vietnam Project* is funded by Environment and Climate Change Canada and implemented by

FCM and the Association of Cities in Vietnam. This two and a half year project will support two medium-size cities in Vietnam (Bac Giang in northern, and Hoi An in central Vietnam) to implement innovative pilot initiatives that contribute to the reduction of short-lived climate pollutants by improving practices in municipal solid waste management.

The project is being carried out in 2 steps as follows:

Step 1

This first Step will see the selection of 2 or more volunteer technical advisors likely from 2 or more municipalities or Regional Districts to conduct a two-week mission to Vietnam in March 2019. This amounts to an initial commitment of approximately 18 days (i.e. prep, travel, mission, follow-up).

The focus of Step 1 is to consider:

- technologies for the capture of methane and to rehabilitate existing landfills;
- initiatives to increase and/or improve the treatment of organic waste, including separation and processing into viable compost materials; and
- increased capacity within participating cities for municipal solid waste planning and management.

Step 2

In March 2019, FCM will open up a general call for expressions of interest for long-term (2 years) participation in the Vietnam Solid Waste Management project to all member municipalities. Applicants will be expected to commit to participation in four missions to Vietnam and hosting one Vietnamese study delegation over the life of the project.

The focus of Step 2 is to:

- participate with a team of solid waste practitioners from FCM member municipalities, technical experts/consultant, local Vietnamese experts and City staff to plan and deliver projects to help Vietnamese cities develop capacity, undertake activities and achieve solid waste management objectives.
- provide technical assistance (assisting and coaching) to Vietnamese counterparts to carry out their planned tasks related to landfill rehabilitation and gas control, organic waste separation and composting and/or solid waste management strategic planning;
- assess progress from previous missions and define activities to be carried out prior to the next mission;
- plan and conduct short workshops or seminars on topics of relevance to the cities if requested and included in the work plan;
- conduct a study program for a delegation of officials from Vietnam and,
- final mission (Feb/March 2021) – participate in the final knowledge sharing event and assist with project evaluation;

ALTERNATIVES

1. Approve Solid Waste Services Manager, Larry Gardner, to participate as an expert volunteer on the FCM Vietnam Municipal Solid Waste Management Project, Step 1
2. Do not approve of participation in the Vietnam Municipal Solid Waste Management Project.

FINANCIAL IMPLICATIONS

All travel expenses are covered by FCM for the duration of the mission. Time is donated by the individual volunteer expert and the respective organization and is estimated at approximately 18 days with an estimated cost implication of the RDN of about \$8000 should the application be successful.

STRATEGIC PLAN IMPLICATIONS

Focus On The Environment- We Will Have A Strong Focus On Protecting And Enhancing Our Environment In All Decisions



Larry Gardner
lgardner@rdn.bc.ca
January 1, 2019

Reviewed by:

- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

TO: Regional District of Nanaimo Board **MEETING:** January 22, 2019
FROM: Jeannie Bradburne **FILE:** 1700-06
 Director of Finance
SUBJECT: 2019 Financial Plan Approval

RECOMMENDATION

That the 2019 Financial Plan, as presented December 4, 2018, be approved.

SUMMARY

The 2019 Proposed Budget was presented to the Board at the December 4, 2018 Committee of the Whole. A public engagement review of the 2019 Proposed Budget was conducted, with the results being presented at the January 8, 2019 Committee of the Whole.

Board approval is being sought on the 2019 Financial Plan, so that work can begin on the new initiatives and capital projects. Final costs from some external organizations and carry-forward amounts for continuing projects will not be fully known until later in January. The updated 2019 Financial Plan, including updated carry-forward amounts, updated costs from external organizations, and approved Board motions, will be presented as part of the five-year financial plan review on February 12, 2019.

BACKGROUND

Local governments are required to prepare five-year financial plans. For Regional Districts, these must be approved by March 31 each year. The 2019 budget was presented to the Board at the December 4, 2018 Board Meeting and the full five-year financial plan will be presented at the February 12, 2019 Committee of the Whole.

The Regional District is currently operating under the authority of the 2018-2022 Financial Plan, which allows the day-to-day operations to continue until such time as the 2019-2023 Financial Plan can be adopted. Approval of the 2019 budget will allow staff to proceed with new initiatives in 2019, including capital projects commencing in the year. This will provide additional time for these projects to be completed compared to waiting for approval of the entire 2019-2023 Financial Plan. Minor changes to the 2019 year will occur prior to approval of the 2019-2023 Financial Plan. These changes will obtain Board approval when the five-year financial plan is adopted on February 26, 2019.

The following changes will be incorporated into the 2019 budget when presented as part of the five-year financial plan on February 12, 2019:

- Motions made by the Board at the December 4, 2018 and January 22, 2019 Board Meetings
- Updated carry-forward amounts for Operating and Capital projects
- Minor budget amendments for items not previously known, including some final costs from external organizations, and grant application results.

The Five-Year Financial Plan for 2019-2023 is scheduled to be approved at the February 26, 2019 Board Meeting.

ALTERNATIVES

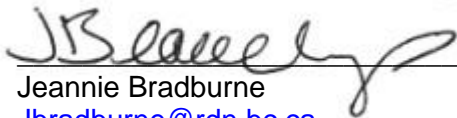
1. That the 2019 Financial Plan, as presented December 4, 2018, be approved.
2. That the Board provide direction to staff for recommended amendments to the 2019 Financial Plan.

FINANCIAL IMPLICATIONS

The Financial implications are detailed in the 2019 Proposed Budget Overview Report, presented at the December 4, 2018 Report to Committee of the Whole and the 2019-2023 Financial Plan Volume 1 binder.

STRATEGIC PLAN IMPLICATIONS

Focus On Service And Organizational Excellence - As We Invest In Regional Services We Look At Both Costs And Benefits - The RDN Will Be Effective And Efficient



Jeannie Bradburne
Jbradburne@rdn.bc.ca
January 14, 2019

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

TO: Regional District of Nanaimo Board **MEETING:** January 22, 2019
FROM: Jeannie Bradburne **FILE:** 1970-10
 Director of Finance
SUBJECT: Parcel Tax Review Panel

RECOMMENDATIONS

1. That the Board appoint the Chair, the Manager, Administrative Services, and the Director of Finance to preside as the parcel tax review panel.
2. That the 2019 parcel tax review panel be held at 4:00 pm on February 26, 2019 in the Board Chambers, 6300 Hammond Bay Road, if required.

SUMMARY

The Parcel Tax Roll Review Panel must be established to hear complaints respecting the parcel tax roll. Once complete, the roll will be authenticated and sent to the Surveyor of Taxes for the February 27, 2019 deadline. Should no written complaints in compliance with section 205 of the *Community Charter* be received by 48 hours prior to the scheduled date, the sitting of the Parcel Tax Roll Review Panel will be cancelled.

BACKGROUND

Per Section 204 of the *Community Charter*, a Board must appoint at least 3 persons as the members of the Parcel Tax Roll Review Panel.

Per section 205 (1) of the *Community Charter*, a person may only make a complaint to the Parcel Tax Roll Review Panel on one or more of the following grounds

- (a) There is an error or omission respecting a name or address on the parcel tax roll;
- (b) There is an error or omission respecting the inclusion of a parcel;
- (c) There is an error or omission respecting the taxable area or the taxable frontage of a parcel;
- (d) An exemption has been improperly allowed or disallowed.

Per section 205 (3) of the *Community Charter*, a complaint must not be heard by the parcel tax roll review panel unless written notice of the complaint has been given to the municipality at least 48 hours before the time set for the first sitting of the review panel. Should no complaints be received in writing by 4:00 pm on February 24, 2019, the parcel tax roll review panel will be cancelled.

ALTERNATIVES

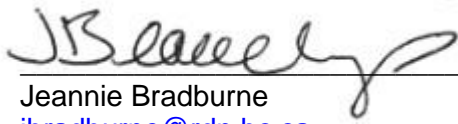
There are no alternatives because it is a legislative requirement.

FINANCIAL IMPLICATIONS

There are no financial implications to establishing a parcel tax review panel. There are minimal costs to advertise the time and place of the panel per section 94 [*public notice*] of the *Community Charter*.

STRATEGIC PLAN IMPLICATIONS

Not applicable.



Jeannie Bradburne
jbradburne@rdn.bc.ca
January 11, 2019

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

TO: Regional District of Nanaimo Board **MEETING:** January 22, 2019
FROM: Chris Midgley
Manager, Strategic Initiative and **FILE:**
Asset Management
SUBJECT: AVICC Resolution – Traffic Calming

RECOMMENDATION

That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at its 2019 Annual General Meeting:

WHEREAS regional district efforts to build more complete, compact communities within electoral areas have increased pedestrians and cyclists on roads in areas designated for growth;

AND WHEREAS the safety of pedestrians and cyclists on roads in rural areas designated for growth would be enhanced with traffic calming measures designed to reduce vehicle speeds and prioritize non-motorized traffic;

THEREFORE BE IT RESOLVED that the Provincial Ministry of Transportation and Infrastructure develop new criteria and standards for traffic calming in areas designated for growth in Electoral Areas.

SUMMARY

The resolution for Association of Vancouver Island and Coastal Communities (AVICC) for endorsement at the 2019 Annual Meeting requests that the Ministry of Transportation and Infrastructure (MOTI) develop new criteria and standards for traffic calming in Electoral Areas.

BACKGROUND

The Regional District of Nanaimo (RDN) has maintained a long-standing commitment to responsible growth management, including focusing growth and development in rural village centres in the region's Electoral Areas. As these village centres, and other desirable locations within the region have grown into larger, more complete communities, there has been a corresponding increase in pedestrians, cyclists and other users of non-motorized transportation. At the same time, authority for the design, construction and maintenance of roads in Electoral Areas resides with MOTI.

Recognizing the growing risk of injury or death to pedestrian and cyclists on high speed, high traffic volume roads, RDN staff and Electoral Area directors have repeatedly raised the issue of traffic calming at meetings with MOTI staff. Responses have consistently focused on MOTI's

mandate to construct and maintain roads to standards that prioritize commercial traffic flow; the high cost of constructing traffic-calming measures within an existing road right-of-way; exposure to liability; and financial uncertainty arising from potential changes to the maintenance contract for provincial roads. Further, in order to justify any changes to provincial right-of-ways the Province must complete a comprehensive engineering study that includes an analysis of vehicle flows, speeds and accident history. This effectively eliminates any proactive effort to mitigate the risks to pedestrians and cyclists of high speed, high volume traffic on provincial roads.

It is not realistic for such a change to be considered on all provincial roads. To provide some focus, this resolution stresses the importance of developing new criteria and standards for traffic calming in areas designated for growth, where there is an increasing number of pedestrians or cyclists occupying the right-of-way.

The AVICC Annual General Meeting provides the appropriate forum for further consideration of the resolution. If supported at AVICC, the resolution will be further debated at the Union of British Columbia Municipalities (UBCM Conference) later in 2019.

ALTERNATIVES

1. That the Board forward to the Association of Vancouver Island and Coastal Communities the resolution to develop new criteria and standards for traffic calming in areas designated for growth in Electoral Areas, for endorsement at the 2019 AVICC Annual General Meeting.
2. That alternate direction be provided to staff.

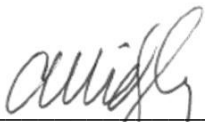
FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC PLAN IMPLICATIONS

Focus On Relationships - We Will Facilitate/Advocate For Issues Outside Of Our Jurisdiction

The preparation of draft resolutions for the Board's consideration and submission to the AVICC aligns with the Board's key focus area within the Strategic Plan of 'Relationships'. Through the AVICC resolutions process, the Board is provided with opportunities for the RDN to partner with other governments to advance our region's interests, and to advocate for issues outside of our jurisdiction.



Chris Midgley
cmidgley@rdn.bc.ca
January 14, 2019

Reviewed by:

- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

TO: Regional District of Nanaimo Board **MEETING:** January 22, 2019
FROM: Tom Armet
 Manager, Building & Bylaw Services **FILE:**
SUBJECT: AVICC Resolutions 2019 – Regulate and Enforce Vehicle Parking on Provincial Roads

RECOMMENDATION

That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at their 2019 annual general meeting:

WHEREAS regional districts have not been granted the authority to regulate vehicle parking on roadways in rural areas;

AND WHEREAS the Province and the RCMP have limited resources to regulate and enforce the increased volume of vehicles parked illegally on roads and right-of-ways that cause congestion and unsafe conditions for other vehicles, pedestrians and emergency first responders;

THEREFORE BE IT RESOLVED that the Province of British Columbia extend authority to regional districts to regulate and enforce vehicle parking on provincial roads and right-of-ways.

SUMMARY

A resolution for the Vancouver Island and Coastal Communities (AVICC) 2019 annual general meeting requests that the Province extend authority to regional districts to regulate and enforce vehicle parking on provincial roads.

BACKGROUND

The Regional District of Nanaimo (RDN) receives numerous requests from the public to address vehicles illegally parked on roads and right-of-ways, particularly in proximity to regional parks, trails, beach access and boat launches. Recreational areas are extremely popular and attract high volumes of users from the region and other areas of the Province. There is often insufficient dedicated parking resulting in illegal parking. These factors combine and impact area residents and others by blocking access to private properties, impeding the free flow of traffic, creating unsafe conditions for pedestrian traffic and blocking access for emergency first responders.

In some areas, such as Gabriola Island, vehicle owners are parking or leaving their vehicles for extended periods of time, at boat launching areas, causing congestion and unsafe conditions.

Parking enforcement is outside the jurisdiction of the RDN (and other regional districts) as provincial/rural roads fall under the authority of the Province of BC. Complaints about parking are often made to the RDN and then referred to the RCMP or Ministry of Transportation and Infrastructure (MOTI). The RCMP has jurisdiction to enforce the Motor Vehicle Act relating to parking, however this is not a high priority for the police. MOTI staff have limited ability to deal with illegally parked vehicles or to otherwise regulate parking in or near recreational areas that are managed by the RDN.

Extending authority to regional districts to enforce parking regulations will address gaps in legislation that create unnecessary problems for rural communities.

ALTERNATIVES

1. The Association of Vancouver Island and Coastal Communities be requested to consider the resolution to extend authority to regional districts to regulate and enforce vehicle parking on provincial roads and right-of-ways.
2. That alternate direction be provided.

FINANCIAL IMPLICATIONS

The financial implications of regulating and enforcing parking on provincial roads has not been determined.

STRATEGIC PLAN IMPLICATIONS

The preparation of draft resolutions for consideration of the Board and submission to the AVICC aligns with the Board's key focus area within the Strategic Plan of 'Relationships'. Through the AVICC resolutions process, the Board is provided with opportunities for the RDN to partner with other governments to advance our regions interests, and to advocate for issues outside of our jurisdiction.



Tom Armet
tarmet@rdn.bc.ca
January 14, 2019

Reviewed by:

- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

TO: Regional District of Nanaimo Board **DATE:** January 22, 2019

FROM: Stephen Boogaards
Planner **FILE:** PL2017-093

**SUBJECT: Zoning Amendment Application No. PL2017-093
3097 Landmark Crescent – Electoral Area C
Amendment Bylaw No. 500.414, 2018 – Adoption
Lot 7, Section 20, Range 3, Mountain District, Plan 31215**

RECOMMENDATION

That the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414, 2018”.

SUMMARY/CONCLUSIONS

The proposed “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414” (Bylaw 500.141) would permit the subject property to be subdivided into two 1.0 hectare lots. The applicant has completed the conditions of approval for proposed Bylaw 500.141”, therefore staff recommends that the Board adopt Bylaw No. 500.414.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Boleslaw Pasieka to rezone the subject property from Rural 1 (RU1) Zone, Subdivision District ‘D’ to RU1 Zone, Subdivision District ‘F’ in order to permit the subdivision of the property into two 1.0 hectare lots. Bylaw 500.414 was introduced and given first and second reading on January 23, 2018. The Board also waived the Public Hearing on January 23, 2018 in accordance with Section 464(2) of the *Local Government Act*, as the proposal is consistent with “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997.” The bylaw received third reading on February 27, 2018.

As a condition of rezoning approval, and prior to the adoption of Bylaw 500.414, the applicant was required to register a Section 219 Covenant on the property title to ensure each parcel is 1.0 hectare, prevents further subdivision of the parcels, prohibits further development within the Streamside Protection and Enhancement Area for the Millstone River, and prohibits further development within 15.0 metres of the Agricultural Land Reserve boundary. The requirement of “Board Policy B1.21 – *Groundwater – Application Requirements for Rezoning of Un-Serviced Lands*” for each well on the new lots has been met prior to adoption. The applicant has satisfied the conditions of approval. As such, the Bylaw is presented to the Board for consideration for adoption.

ALTERNATIVES

1. To adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414, 2018”.
2. To not adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414, 2018”.



Stephen Boogaards
sboogaards@rdn.bc.ca
December 17, 2018

Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Proposed Amendment Bylaw No. 500.414, 2018

Attachment 1
Proposed Amendment Bylaw No. 500.414, 2018

Attachment 1
Proposed Amendment Bylaw No. 500.414, 2018

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.414

A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414, 2018”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 - 1. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as

Lot 7, Section 20, Range 3, Mountain District, Plan 31215

from Rural 1 Zone Subdivision District ‘D’ to Rural 1 Zone Subdivision District ‘F’

Introduced and read two times this 23rd day of January, 2018.

Public Hearing waived in accordance with Section 467 of the *Local Government Act*.

Read a third time this 27th day of February, 2018.

Adopted this ___ day of _____ 20XX.

Chair

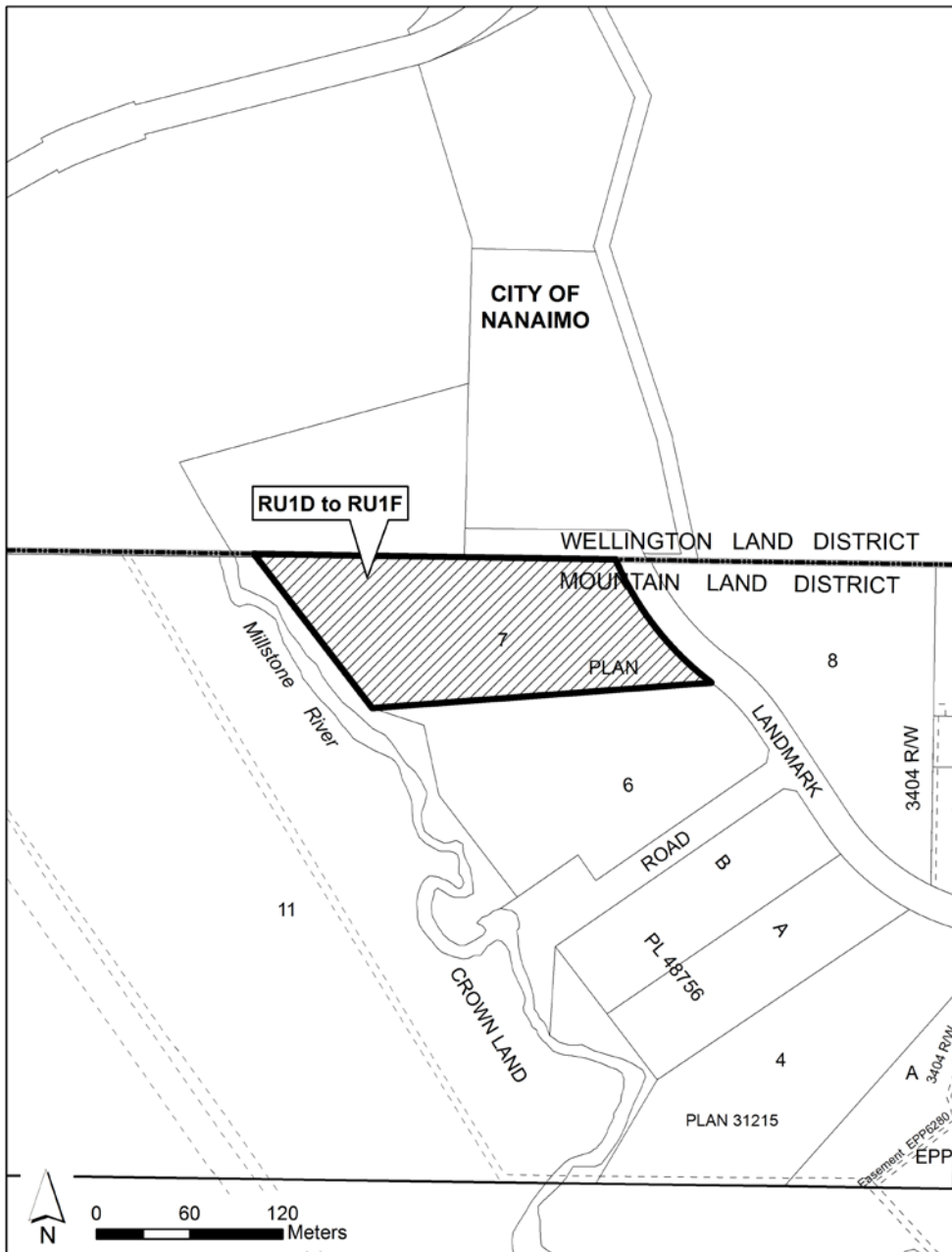
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.414, 2018".

Chair

Corporate Officer

Schedule '1'



TO: Regional District of Nanaimo Board **MEETING:** January 22, 2019
FROM: Jamai Schile
Senior Planner **FILE:** 6789 - 30 MA
SUBJECT: Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach
Official Community Plan – Third Reading

RECOMMENDATIONS

1. That the Board receive the Summary of the Public Hearing held on January 8, 2019 for “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018”.
2. That “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018” be read a third time.
3. That “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018” be adopted.

SUMMARY

The Town of Qualicum Beach is requesting that the Regional Growth Strategy (RGS) be amended to relocate the RGS Growth Containment Boundary (GCB) to be contiguous with the Town’s municipal boundary. The amendment bylaw was introduced and given first and second reading on December 4, 2018, and proceeded to Public Hearing on January 8, 2019. It is recommended that “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018” (Bylaw 1615.03) be considered for third reading and adoption.

BACKGROUND

On June 18, 2018, the Town of Qualicum Beach adopted the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018”. For the Town to fully implement their Official Community Plan (OCP), an amendment to the RGS is required. Thus, the Town is requesting that the GCB be relocated at the Town’s municipal boundary. If approved, this change means that the land within the Town’s boundary will be designated Urban Area in the RGS and the applicable RGS maps will be updated to show the change to the GCB. Within the town’s boundary there will remain a municipal Urban Containment Boundary (UCB) that surrounds the areas where urban type growth will be supported. The community’s OCP defines the limits of urbanization within the designated area through the UCB policies established in Section 2.1.1 and the Land Use Designation Map, Schedule 2.1.

Bylaw 1615.03 was introduced and given first and second reading on December 4, 2018 (see Attachment 1). This was followed by a Public Hearing held on January 8, 2019, which was advertised in the regional newspapers on January 1 and 3. During the Public Hearing period

the RDN received twenty-six written submissions that were added to the public record and provided to Board members at the Public Hearing. The Hearing was well attended by interested residents, and of those in attendance thirty-eight people provided verbal comment at the meeting. The report that summarizes the proceedings and comments made at the public hearing is attached for the Board's consideration (see Attachment 2).

Following the close of the Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by legal precedent. Having received the meeting notes of the Public Hearing eligible Board members may vote on the amendment bylaw.

ALTERNATIVES

1. To receive the Summary of the Public Hearing and give third reading and adopt "Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018"
2. To receive the Summary of the Public Hearing and to not give third reading to "Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018"

FINANCIAL IMPLICATIONS

Proceeding with the recommendations has no implications related to the Board 2018 - 2022 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The Board's Strategic Plan recognizes "economic health" and "the environment" with a "Focus On The Environment - We Will Have A Strong Focus On Protecting And Enhancing Our Environment In All Decisions".



Jamai Schile, Senior Planner

jschile@rdn.bc.ca

January 14, 2019

Reviewed by:

- P. Thompson, Acting General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Proposed Amendment Bylaw No. 1615.03, 2018
2. Summary of the Public Hearing

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1615.03, 2018

A Bylaw to Amend

Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011

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

1) TITLE

This Bylaw may be cited as “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.03, 2018”.

2) AMENDMENT

The “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011”, is hereby amended as follows:

- a) Delete Appendix A, Maps 1, 2 and 5, and replace with Attachment 1, that show the Regional Growth Strategy Growth Containment Boundary is the same as the Town of Qualicum Beach municipal boundary.
- b) Delete Appendix A, Map 3 and Map 4, and replace with Attachment 2, that show the Regional Growth Strategy Growth Containment Boundary is the same as the Town of Qualicum Beach municipal boundary, and that all the land within the municipal boundary is shown as Urban Area.
- c) Delete Appendix B, Sheets 4, 5 and 6, and replace with Attachment 3, that shows the Regional Growth Strategy Growth Containment Boundary is the same as the Town of Qualicum Beach municipal boundary.

Introduced and read two times this 4th day December, 2018.

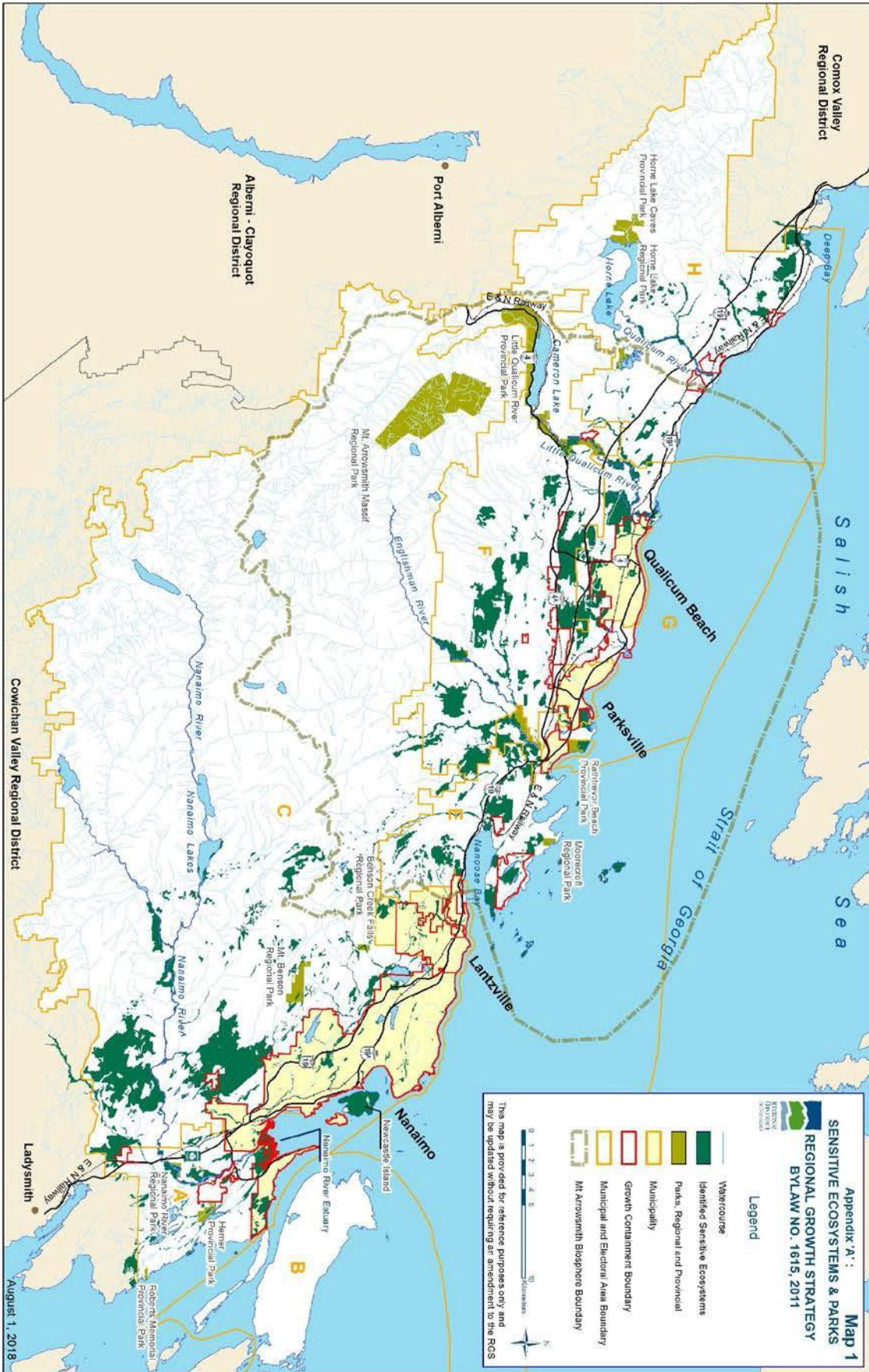
Read a third time this ____ day of _____, 20 XX.

Adopted this ____ day of _____, 20 XX.

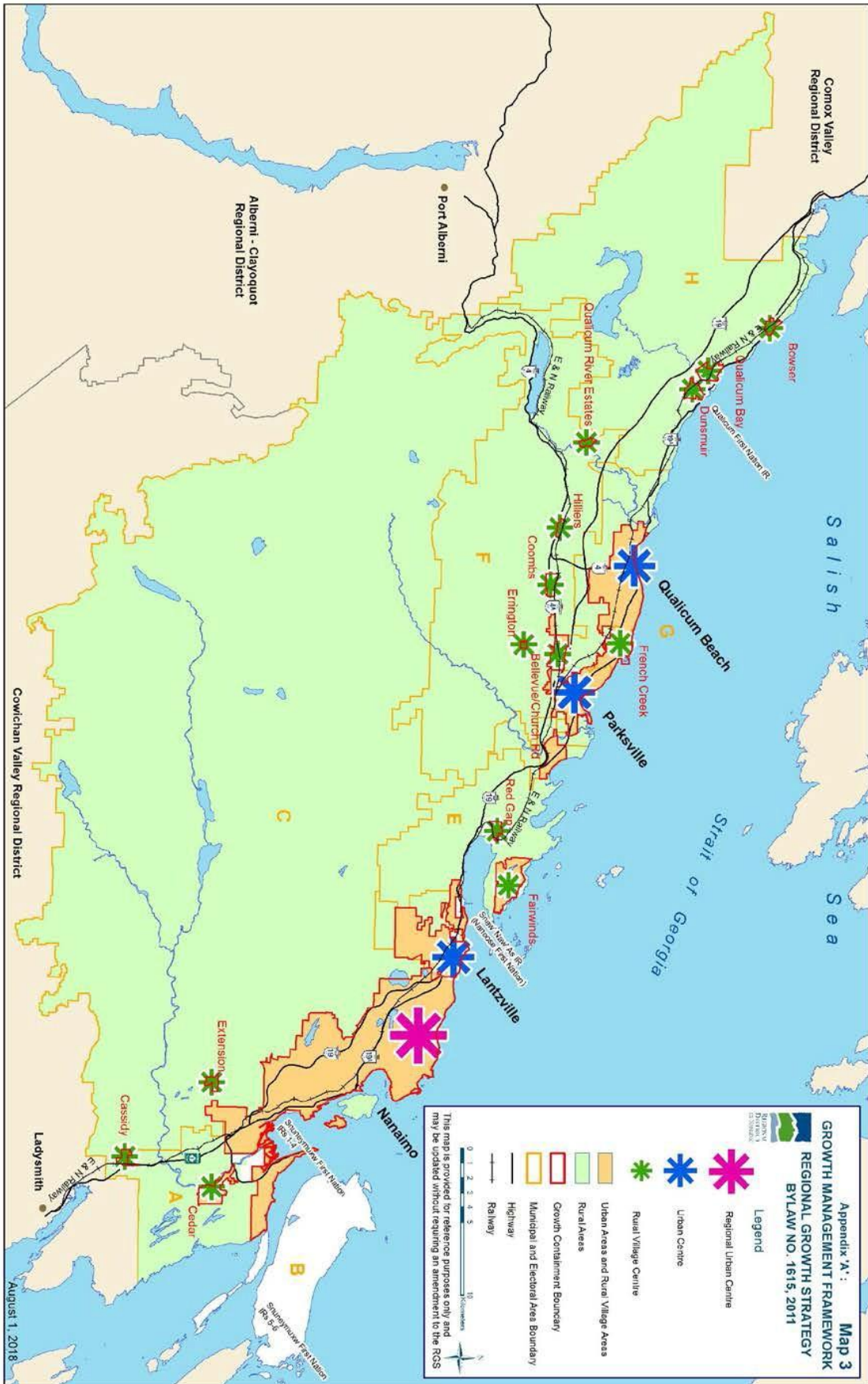
Chair

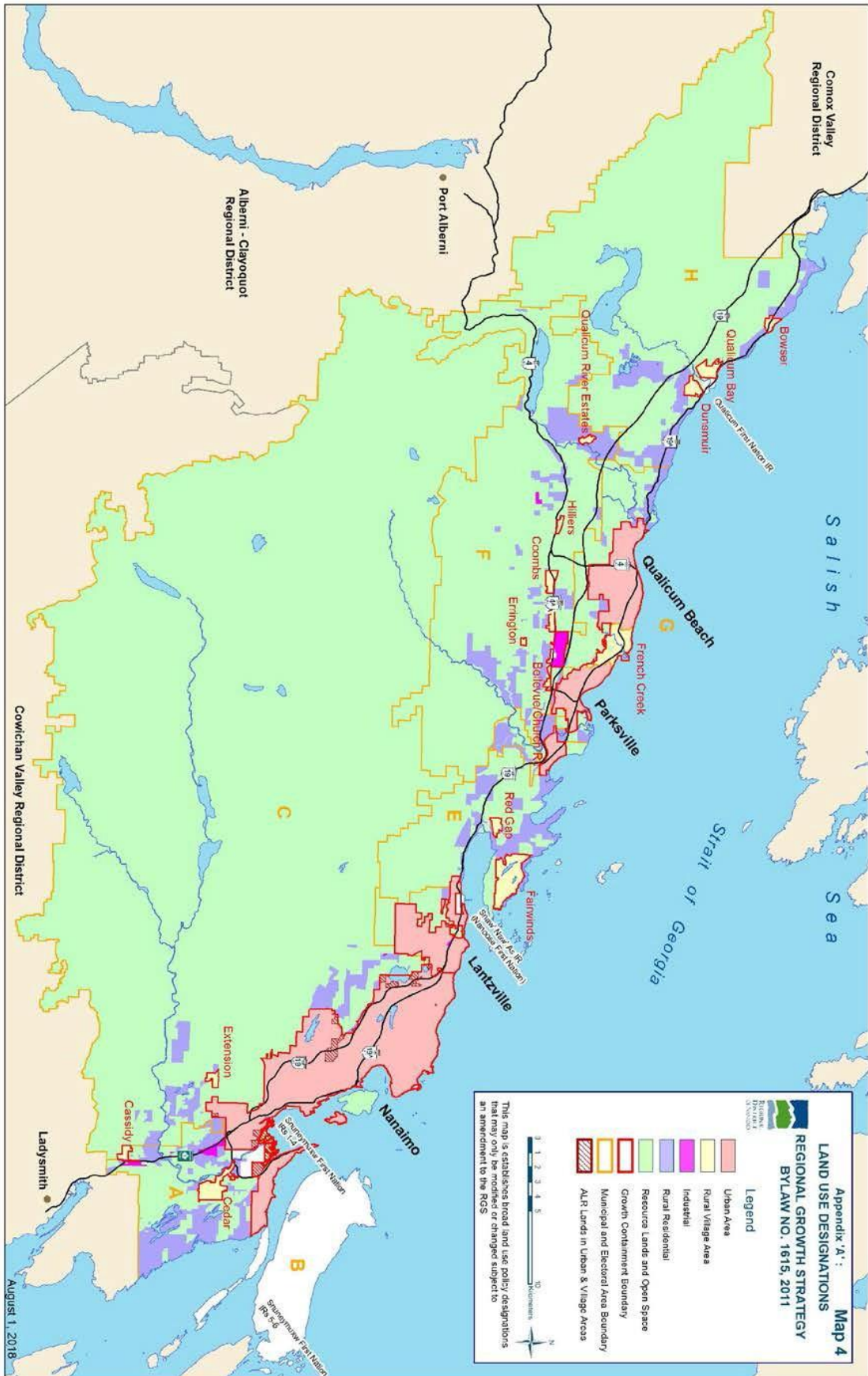
Corporate Officer

Appendix A: RGS Maps 1 to 5



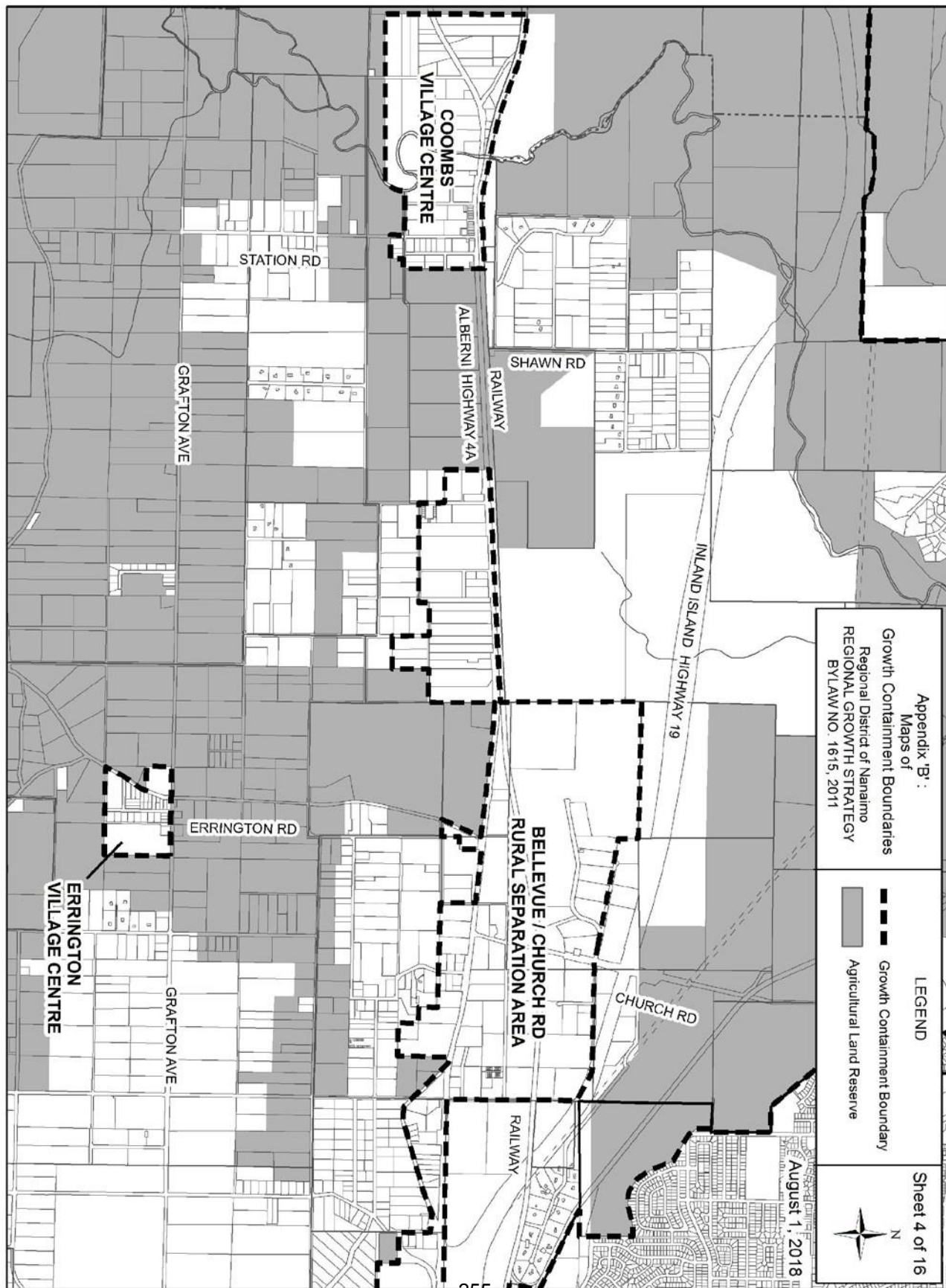


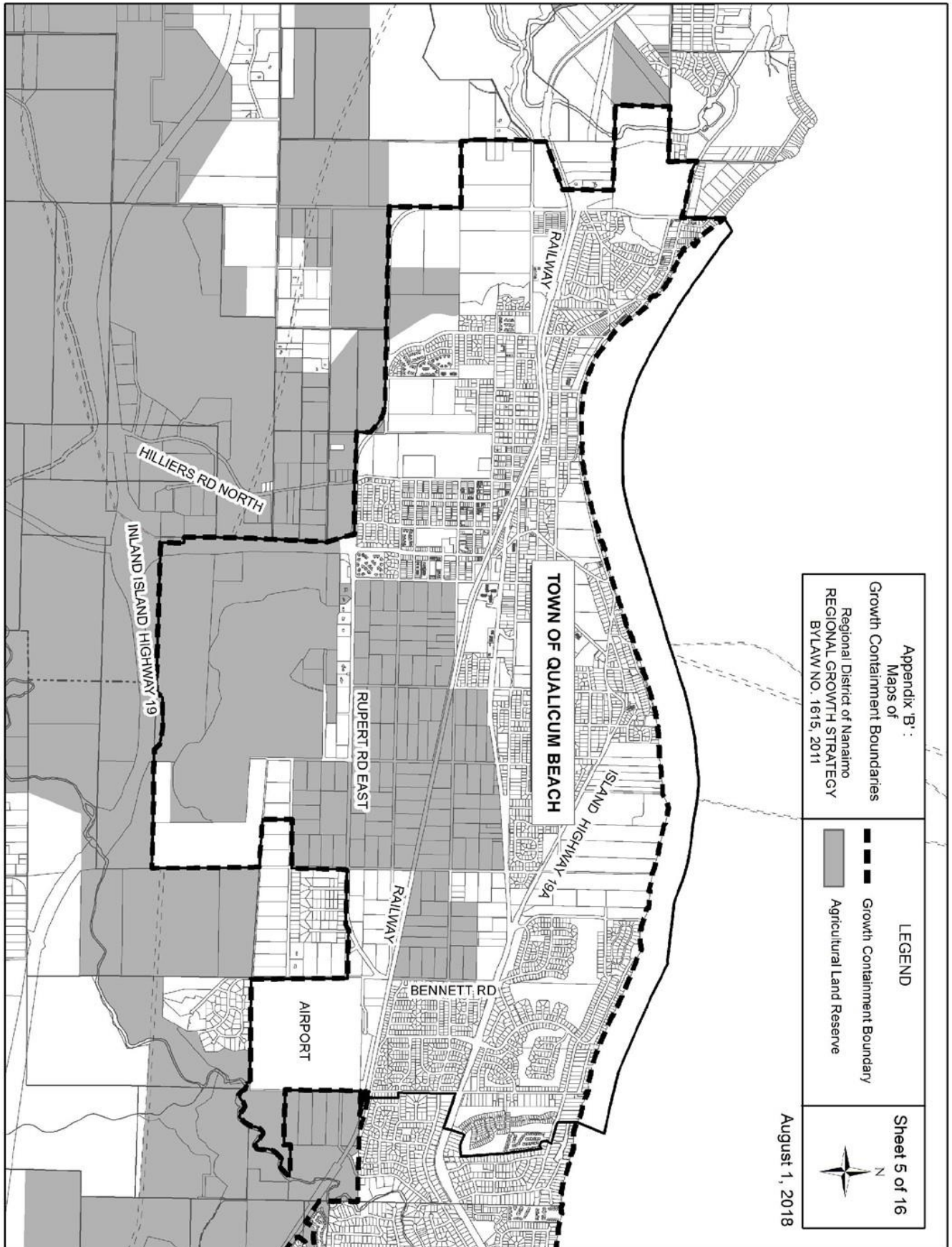






Appendix B: RGS Sheets 4 to 6





Appendix 'B':
Maps of
Growth Containment Boundaries
Regional District of Nanaimo
REGIONAL GROWTH STRATEGY
BYLAW NO. 1615, 2011

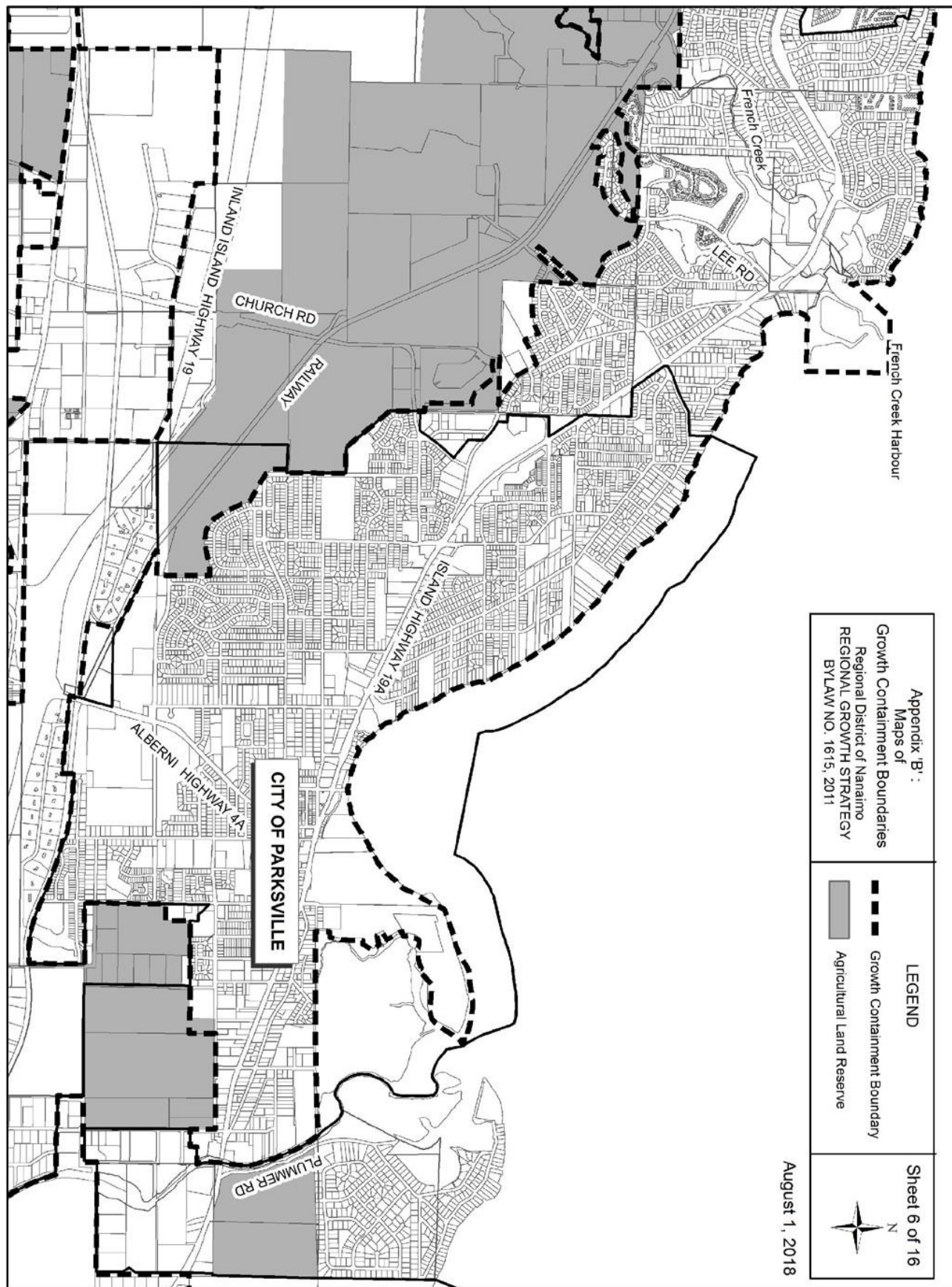
LEGEND

-  Growth Containment Boundary
-  Agricultural Land Reserve

Sheet 5 of 16



August 1, 2018



Appendix 'B':
Maps of
Growth Containment Boundaries
Regional District of Nanaimo
REGIONAL GROWTH STRATEGY
BYLAW NO. 1615, 2011

LEGEND
 - - - - - Growth Containment Boundary
 [Shaded Box] Agricultural Land Reserve

Sheet 6 of 16
 N
 August 1, 2018

Attachment 2

**Summary of the Public Hearing
Held at RDN Board Chambers
6300 Hammond Bay Rd
Tuesday, January 8, 2018 at 6:00 pm
To Consider Regional District of Nanaimo
Amendment Bylaw No. 1615.03, 2018**

Note: This report is not a verbatim recording of the proceedings but a summary of the comments of those in attendance at the Public Hearing.

PRESENT:

I. Thorpe, RDN	Chair
K. Wilson, RDN	Director, Electoral Area A
V. Craig, RDN	Director, Electoral Area B
M. Young, RDN	Director, Electoral Area C
B. Rogers, RDN	Director, Electoral Area E
J. Fell, RDN	Alternate Director, Electoral Area F
C. Gourlay, RDN	Director, Electoral Area G
S. McLean, RDN	Director, Electoral Area H
E. Mayne, RDN	Director, City of Parksville
A. Fras, RDN	Director, City of Parksville
T. Westbroek, RDN	Director, Town of Qualicum Beach
M. Swain, RDN	Director, District of Lantzville
L. Krog, RDN	Director, City of Nanaimo
S. Armstrong, RDN	Director, City of Nanaimo
D. Bonner, RDN	Director, City of Nanaimo
T. Brown, RDN	Director, City of Nanaimo
B. Geselbracht, RDN	Director, City of Nanaimo
E. Hemmens, RDN	Director, City of Nanaimo
G. Garbutt, RDN	General Manager, Strategic & Community Development
P. Thompson, RDN	Manager of Current Planning
J. Schile, RDN	Senior Planner, Long Range Planning
B. Ritter, RDN	Recording Secretary

Approximately 40 members of the public attended the meeting.

The Chair called the hearing to order at 6:13 PM, introduced those present representing the Regional District of Nanaimo (RDN), and outlined the procedures to be followed during the Public Hearing.

Jamai Schile provided an explanation of the proposed amendment bylaw and application process.

The Chair called for formal submissions with respect to Bylaw 1615.03, 2018.

Two written submissions were received at the hearing as identified in the notes below.

The following verbal submissions were given at the Public Hearing.

Luke Sales - Director of Planning for Town of Qualicum Beach. Read from his written submission which is included in this report. Explained the background to the bylaw amendment and how it relates to the Town of Qualicum Beach Official Community Plan (OCP). Explained the Town's OCP process and what it entailed. Explained that the Regional Growth Strategy (RGS) Growth Containment Boundary (GCB) is only mentioned twice in the text, an appendix and on a map, and will not change the Town's plan. Decision to amend the bylaw from previous Council was to simplify the governance process and clarify jurisdictions. The proposed amendment bylaw may alter the process for working with the RDN on land use issues, but it will not change the Town's long term plan. Noted that a similar GCB adjustment occurred for City of Nanaimo and no lands have subsequently been removed from the Agricultural Land Reserve (ALR) since that time, nor did it result in major land use changes. Reiterated that this change is not a change in land use, but a question of procedure. Requested Board to approve the proposed amendment bylaw.

Director Swain – asked if Mr. Sales was presenting as a resident or employee of the Town.

Luke Sales – answered that he is present as a representative of the Town of Qualicum Beach.

Charna Macfie - 578 Maple St, Qualicum Beach. Read her written submission which is included in this report.

Chair – expressed that all Directors present are required to listen to all submissions with an open mind.

Kevin Monahan – 586 Alder St, Qualicum Beach. Read from his written submission which is included in this report.

Mark Sager – 1495 Marine Dr. West Vancouver. M. Sager is a Lawyer, who was asked by some citizens of the Town to look at the Town's request to move the GCB. Expressed that it is unlawful for the RDN to change the GCB until the Regional Context Statement in the Town's OCP is amended to permit the change. (A handout was provided to the Board to support these points). Suggested that the bylaw should be tabled until the inconsistencies are clarified.

Mary Riches - 171 First Ave W, Qualicum Beach. Feels that the Town is asking the RDN to designate the whole town, including ALR, as urban and that all properties would be available for development and removing land from the ALR. Green space should be protected. Wonders if the Town and community are in agreement about the extent of urbanization and loss of green space and loss of ALR land. Feels that it will affect habitat and reduce water quality, and quality of life within the Town.

Linda Todsén - 2075 West Island Hwy, Qualicum Beach. Read from her written submission which is included in this report.

Dave Golson - 578 Memorial Ave, Qualicum Beach. Attended most meetings for the Town's OCP review and completed the Town's Quality of Life Survey (the Survey). At one of the public meetings in 2017 he recalled answering a question on a feedback forum (reading from document/form) "no mention of urban containment; why not? It was an important issue over the last four years". In another OCP meeting the Town was asked "what was occurring with the urban containment" boundary, and the answer was that there were no decisions made

regarding any changes. Later in that same meeting, it speaks of OCP and Quality of Life discussions around housing policy, that if implemented “would lead to a change in the UCB”. In the Survey there were no questions regarding the UCB, only a couple of questions for ALR land usage. From the Survey, 21 percent said that it should permit any development on any land, 51 percent believed it should occur in the downtown core and 50 percent agreed that ALR land usage should be allowed on a case by case basis. He expressed that he did not see any dialogue in the OCP process about making changes to GCB. Feels there should be buffer zones between the development zones and rural lands and that the RDN is needed to keep watch and balance growth. He requested that the Board reject the request.

Adam Walker - 89 Hillers Rd N, Qualicum Beach. Councilor for Town of Qualicum Beach. (A handout was provided to the Board that is included in this report.) Expressed that the motion is flawed and does not represent residents. He referred to the handout where maps show all lands to be added to the GCB, i.e. there is a well field, conservation lands, old regional landfill site and agricultural land not within ALR. There are also 300 acres of agricultural and forestry lands not in the ALR. He expressed that the inclusion of these lands violates Bylaw 1615, and precludes them from being a minor amendment. Included in the handout are extracts of the bylaw showing criteria that are not considered minor, but are included in this amendment. Feels that the OCP review did not include “clear communication, outreach and education about the RGS”. He feels that the motion is short sighted. The handout outlines how the RDN is not considering the impact that development will have on neighbours, and its impact to waste water treatments, roads and traffic, and recreational services etc. He feels that by proceeding, the RDN are accepting the associated costs and responsibilities and passing them onto RDN constituents. He feels that this is about RDN agreeing to waive its right to process and its duty to plan for the effects of development. Feels that it is short sighted for the RDN to make 300 acres of ALR land available for development, without having any access to plans, studies or impact studies. Page 14 of the handout shows one of the many contradictions with the amendment and the long term plan. Feels the amendment is a way to circumvent good process and planning.

Deborah McKinnely - 346 Denzel Rd, Qualicum Beach. Read her written submission which is included in this report.

Pat Jacobson - 606 Sumac Drive, Qualicum Beach. Expressed concern about increasing environmental degradation, and the threat to social and economic well-being in the Town. Feels that even though the RDN have said that this is a Town issue, we need to act beyond boundaries when it comes to land use decisions. Municipalities share the cost, air, water, healthcare, waste, recreation, transportation and a high quality of life. Feels that there is a push for more developments and less trees. Questions if the Town is really securing local wellbeing?

Presented ten points to consider:

1. Watersheds should have local control.
2. Timber companies are large owners of watersheds and motives are in conflict with residents.
3. Need to protect and replenish trees.
4. Valuation of natural assets should be prioritized over engineered infrastructure.
5. Define capacity of watershed.
6. Accelerate reconciliation with First Nations.
7. Build on Drinking and Watershed Technical Advisory Committee’s work.
8. Look at decision making processes and ask are people involved or are organizations still un-empowered.
9. Change name of RDN to more be inclusive.

10. Change name of RGS to “Regional Growth Sustainability”.

Does not think this is a minor amendment and is not consistent with the RGS. Asked the Board to vote no.

Zweitse De Wit - 760 Berwick Rd S, Qualicum Beach. Expressed that he wanted to add some clarity and depth to the discussion. He has experience in the community and the previous OCP review, and saw many previous requests for the boundary to be moved to the Town boundary. The Council of the day wasn't successful with the request because they had to complete a full OCP review. The review is now done and the Council now feels that the GCB should be adjusted. He expressed that the town is small and that housing is the big issue, and there is about 50 percent of the land that can't be changed because of jurisdictions or hurdles that would have to be overcome. Feels that the amendment will help growth and business in the community. Feels that request is reasonable and that the Town is equipped to make its own decisions. Requested that the Board support this request.

Lance Nater - 996 Royal Dornoch Drive, Qualicum Beach. Opposed to the Town request to expand GCB. Expressed that while he has heard that this change is motivated by governance, and as a result of extensive two year review, he did not see the topic of moving GCB ever raised over that review. On the Town website the question is asked about the Urban Containment Boundary move and the response was that there were no decisions made. The previous Council, in 2018, voted to move the Urban Containment Boundary, not the GCB, to the Town Boundary. At the December 2018 Board meeting, the Directors expressed concern about inclusion of ALR within boundary but others thought that ALR would prevent this. He cited examples where ALR did not prevent this - in Delta, Richmond and Powell River.

Has not been able to find any examples where RDN delayed or interfered with proposals from the Town. He questions why the Town is now worried? If boundaries are moved across the region how will RDN implement the RGS? Feels that the 30-35 percent portion of ALR within the boundary must be responsibly handled outside of changing Councils, and that the RGS is beneficial to the Town. Suggest that the process should be fixed and the amendment be denied.

Fox McKinley - 346 Denzel Rd, Qualicum Beach. Read out his written submission which is included in this report.

Deborah McKinley read the written submission from Ray and Sue Abermann (address unknown), which is included in this report.

Fox McKinley - read the written submission from Joe Stanhope (Island Highway, French Creek) which is included in this report.

Louella McVicar - read the written submission from Domena Diesling (564 Berwick Rd N, Qualicum Beach) which is included in this report.

Graham Riches - 171 First Ave W, Qualicum Beach - read his written submission which is included in this report.

Cameron Eaton - 591 Tamarack Dr, Qualicum Beach. Feels the Town would like to make all of the decisions about development and managing the town. He expressed that the relationship with the RDN is integral to the RGS and read out an extract from what he called the RDN Mission Statement regarding the RGS in support of this. He feels that this amendment does not

meet the minor amendment definition and read out an extract of the Section 1.5.1 of the RGS to support this. Feels would negatively impact ALR land and the environment. Asked the Board to deny the amendment.

Lois Eaton - 591 Tamarack Dr, Qualicum Beach. Read out her written submission which is included in this report.

Michael Jessen - 1266 Jukes Place, French Creek. Read his written submission which is included in this report.

Ron Buechert - 755 & 760 Laburnum Rd, Qualicum Beach. He feels very effected by RDN decisions as he holds a large parcel of land on the Town boundary (one third that is ALR). He worked on the first RDN Growth Management Strategy, where independent input is allowed and where experts can speak freely. He feels that the RDN has an important role in the management of land in the Town. He sees that many areas in the town boundary are designated as endangered eco systems, and that area would now be designated urban, as would his agricultural land. Would like to see the RDN continue to have a role in Town land use issues. Would like to see the GCB move further into the Town to protect wildlife and agricultural lands. Asked that the Board not accept the amendment.

Rob Wager - 6202 Waterbury, Nanaimo. Expressed that the community has spent years trying to determine where the community is going, and now people who are not happy are asking for that to be overridden. If citizens want this direction to go forward, wonders why the RDN would like to block that? Noted that the ALR is provincially regulated and cannot be removed by municipalities.

Elaine Watson - 121 East Sunningdale Rd, Qualicum Beach. Concerned that the GCB changes have not been discussed with citizens, and many are shocked and unaware. Feels that citizens don't want big changes and fear environment impact, and do want affordable housing. Asked the Board to delay or deny this change and allow the people to speak.

Scott Harrison - 529 Mashie Close, Qualicum Beach. Councilor for Town of Qualicum Beach. Is in support of the amendment to proceed with the amendment. Highlighted that the Town's OCP was adopted by unanimous vote. Explained that the proposed changes (referenced OCP map in OCP Schedule 1 or 2), expanded to include the airport area to do some development around the airport, but were otherwise largely unchanged from the 2011 OCP. From his experience, this issue has motivated about 50 to 60 people in a town of 9,000. Agrees with the Senior Planner recommendation and can't see any clear contraventions in the process established in the *Local Government Act*. Supports the RDN in moving forward with the request.

Bruce McArthur - 717 Redwood Dr. Expressed that the OCP only mentions the GCB as it relates to the RGS statement, while the urban containment boundary is presented more often. Uncertainty as to definition of UCB, which was previously called GCB. Finds the document confusing. Expressed that this amendment should not be considered a minor amendment.

Tim Pritchard - 663 Windward Way, Qualicum Beach. Was a member of the Town's OCP Review Steering Committee and Director of the Town's Residents' Association. Feels that comments relate primarily to procedural matters and ignore major issues of the Town and OCP process. Feels that the need for housing (diversified and affordable housing for young families and retirees) was front and centre in the OCP.

Feels that there is a myth that the Town has experienced too much growth and needs a population cap, and that statistics show the population only increased by 51 people per year (0.6% / yr) in the last five years, and was unchanged in the previous five years. Feels that under current circumstances the town couldn't grow if it wanted. The Town released a document that showed there were only 90 vacant lots in 2018 and even lower now. Asked where needed housing is going to go? Some want densification of downtown, but most young families want single homes, not strata. He expressed that there is a need for more housing and that there is a very limited amount of land available. He is also concerned that with no town growth businesses are closing down, and staff have trouble finding housing.

Douglas MacKay-Dunn - 2617 Island Hwy W, Qualicum Beach. Has experience in local government. Is concerned at the significant expansion of the GCB and that inclusion of ALR land is dangerous and may place those lands at risk. Even though current Council says that they will not change ALR lands, this does not bind future Councils. Would like to see agricultural land expanded to help with the negative impacts of climate change. Feels that the ALR should not be included in the new GCB, and should be excluded. Would like the matter be sent back to the Town for another public process.

Annette Tanner - 563 Crescent Rd W, Qualicum Beach. Displayed bioregional map of Vancouver Island to refer to in her presentation (speaker did not submit map as part of this report). Ms Tanner is the Chair of Western Canadian Wilderness Committee (Mid-Island Chapter). She is in support of the RGS, and spoke of various environmental aspects of the region and the need to protect them. Feels that there is a lack of public land, and we should not sell any more Crown Land. Feels that ALR should be preserved. Referred to pages 13-16 of the handout (provided in this report). Does not support the amendment. Also submitted a copy of the comments submitted by the Wilderness Committee, in 2005, relating to the RDN's Parks Plan revision (included in this report).

Director Bonner - asked for clarification as to whether Ms Tanner was in support of the bylaw amendment.

Annette Tanner - replied that she was not in support of the bylaw amendment.

Scott Tanner - 563 Crescent Rd W, Qualicum Beach. Not in support of the bylaw amendment. Feels that there should be good planning before profits.

Louella McVicker - 832 Redonda Place, Qualicum Beach. Was involved in current OCP review committee and did discuss boundaries and determined that the boundaries did not need to change. Feels that this amendment is coming in the back door and not recognizing work done by the OCP. Feels that this amendment makes it easier to remove land from ALR, and that that we must be vigilant about protecting agricultural land. Asked the Board to re-look at the amendment for legal effects, and protection of agricultural land.

Linda Todsén - 2075 Island Hwy W, Qualicum Beach. Surprised by ALR fear mongering. She attended most meetings of OCP review and noted that there was only one ALR parcel that was being considered which was a five acre piece close to town. Feels that this does not constitute a concern. Feels that it is not true that there is a plan to remove ALR lands. There is approximately 30 percent of the town that is ALR and feels there is no way it would be removed by either the Town or the Province.

Lois Eaton - 591 Tamarac Dr, Qualicum Beach. Cited where land in the Town was removed from ALR to build a golf course (which occurred) and to build a resort (which did not happen). Noted that the developers are now requesting that they would like to change zoning from tourist to dense residential, even though land is wetland and needs careful attention. Demonstrates how a two-step approach is being used to move land from ALR to residential. Does not feel that the ALC is a guaranteed protection from that. Feels that the Town needs to protect a growing decline in food production. She is not opposed to housing, but feels that climate change should be prevented in the process. Asked the Board to delay the change until the citizens are in agreement.

Annette Tanner - 563 Crescent Rd W, Qualicum Beach. Read out the Vision Statement from the Growth Management Plan - in particular in regards to the role of the urban containment to limit urban sprawl and bring focus to development, in regards to retaining strong rural lifestyle and activity and protecting the environment. Feels this needs to be upheld.

Kevin Monaghan - 586 Alder St, Qualicum Beach. Questions why this amendment is happening. Feels that the whole matter does not make sense. Asks the Board to reconsider this amendment.

Susan Stark - 238 Seacroft Rd, Qualicum Beach. Wants to highlight the word "simplify". She feels the amendment was made to simplify how residents and business owners make decisions. She is in support of the amendment.

Dave Willie - Qualicum Beach. He feels that the amendment is motivated by governance, and that the present Council is simply following up on the previous Council's request. Feels that the OCP process is complete and that the amendment should proceed. Expressed that all, not just special interest groups, should be heard.

Greg Simmons - 238 Seacroft Rd, Qualicum Beach. Sees many parallels with process in Qualicum Beach and Salt Spring from 2004, and feels it is anti-change and anti-growth. He feels that it is hypocritical to ask that the changes that previous residents enjoyed, to now be denied for any others. He cautioned the need to not push others out and deny change.

Robert Filmer - 501 Tyee Crescent, Qualicum Beach. Council member of Town of Qualicum Beach, but speaking on behalf of himself, not as a Town representative. Feels that residents voted for change, and he is in favour of the change, and that the Town should move forward with this change.

Craig Dutton - 355 Nenzel Rd, Qualicum Beach. Pheasant Glen owner, lawyer and businessman. He questions the legal advice of M. Sager, and suggests the RDN should seek independent advice. Mentioned that Pheasant Glen has hosted many events in the town and added much to the town. If the amendment is passed, it will include the Pheasant Hill resort land into the town boundary, and allow them to connect to the sewer system. Otherwise they will have to treat their own sewer. Pheasant Glen has 15 million dollars invested in the resort, and the bylaw change will affect them and delay them. Feels the amendment is a governance issue, and should allow the Council to make the decisions and govern within jurisdictions.

Sandra Finley - 203-222 Second Ave West, Qualicum Beach. Feels that as a democracy the government is expected to govern, and that there are safeguard laws that govern them, and elected members can't just override the law.

Marilyn Steiner - 550 Yambury Rd, Qualicum Beach. Served two terms of Council and involved in various OCPs. She feels that the impression given at the evening's public hearing is that the sky is falling. Feels however, that it is not unreasonable to extend the boundaries as proposed. She feels that no one is going to do anything to the ALR, and that it is practically impossible to get land out of the ALR. She noted very low growth in the town, and that the town is a well-managed, which is likely to continue. She feels that those that have moved to the Town more recently are those that are against the change. She feels that those present at the public hearing are not representative of all, but that many are happy to put their trust in the elected Council to make this decision. She asked the Board to vote in favour.

The Chair called for further submissions for the second time.

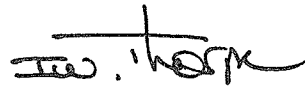
The Chair called for further submissions a third and final time.

There being no further submissions, the Chair adjourned the Public Hearing at 9:08 PM.

Certified fair and accurate this 15 day of January, 2019.



Bernadette Ritter
Recording Secretary



Ian Thorpe
Chair, Regional District of Nanaimo
Public Hearing Delegate/Chair

RDN Delegation January 8 2019

Good evening Chair Thorpe and members of the board,

My name is Luke Sales and I am the Director of Planning for the Town of Qualicum Beach.

I am here to speak briefly about Amendment Bylaw 1615.03, 2018 and how the proposed change relates to the Town's Official Community Plan (OCP).

The Town adopted its recent OCP on June 18, 2018, after nearly two years of extensive public consultation. More than 2000 people responded to the 2017 Quality of Life Survey, and many more people took part in the process in other ways.

The OCP as adopted is 167 pages, plus maps. The plan includes

- ten sections on land use,
- five sections on municipal services,
- 5 implementation items,
- 17 development permit areas and
- a long-term sustainability plan.

Within the maps there is a clear Urban Containment Boundary that separates the Agricultural Land Reserve and rural lands from land with potential for urban development.

The proposed amendment will not change the Town's plan. In fact, the Growth Containment Boundary is not mentioned anywhere in the text of the Official Community Plan. It is on one map, and in the Regional Context Statement.

When the previous Council made this change, the intent was to simplify the governance process and clarify jurisdictions. The Town works with the RDN on many regional services and will continue to do so. But for land use, it was important to Council to have more authority within Town boundaries. The proposed amendment may alter the process for working with the RDN on land use issues, but it will not change the Town's long-term plan.

This same approach of aligning the Growth Containment Boundary with the municipal boundary was adopted in the 2011 Regional Growth Strategy by the City of Nanaimo. It should be noted there have not been any lands removed from the Agricultural Land Reserve in Nanaimo since that time, nor did the 2011 amendment result in major land use changes.

The residents who are here tonight care for the future of Qualicum Beach, and it is this intense commitment to civic responsibility and love for our Town that has helped make Qualicum Beach a truly special place. Some will describe this as a change in land use, but that is not the case. The question before the board is one of procedure.

Whether or not the board supports the proposed Amendment Bylaw, the Town will continue to maintain a high standard for planning and community engagement. On behalf of the Town of Qualicum Beach I ask that you approve the proposed bylaw. Thank you.

Luke Sales
Director of Planning
Town of Qualicum Beach

Schile, Jamai

From: Charna Macfie
Sent: January 8, 2019 4:24 PM
To: Ian Thorpe; Rogers, Bob; Planning Email; Wilson, Keith; Craig, Vanessa; Young, Maureen; Salter, Leanne; Gourlay, Clarke; McLean, Stuart; Leonard Krog; Sheryl Armstrong; Don Bonner; Tyler Brown; Ben Geselbracht; Erin Hemmens; Jim Turley; Ed Mayne; Adam Fras; Mark Swain
Subject: January 8 public hearing RGS amendment

Submission from Charna Macfie
578 Maple St.
Qualicum Beach, BC V9K1J3

Regional Growth Strategy Amendment 1615.03
Public Hearing January 8, 2019

The main purpose of the Regional Growth Strategy (RGS) is to accommodate and manage growth for the region in a sustainable way. (The RGS vision states that the quality of life “is grounded in a strong commitment to protecting the natural environment and minimizing harm to life-sustaining ecological systems.”) The RGS recognizes the challenges our communities must address to adapt to climate change, growing populations and diminishing resources. And land is our most valuable natural resource.

All of us here are being told that the Towns’s Growth Containment Boundary (GCB) should be moved to the municipal boundary because this is an issue of governance. There is something incongruous about this reasoning. And it opposes Goal 11 of the RGS - cooperation among jurisdictions.

I don’t agree with Qualicum Beach Council that the Regional District wants to control or interfere in land use decisions in Qualicum Beach. If there are or have been situations when the Regional District interfered with local affairs in the Town, the public is unaware. Council’s push for autonomy is unreasonable and mysterious. Trying to answer and understand this action by Council raises much speculation.

Considering the efforts of Regional District to manage growth in a sustainable way through the RGS and the Agricultural Area Plan, it is counter productive and against policies and plans to pass this amendment for the supercilious reason of governance. People’s concerns about the amendment go far beyond the pettiness of a one sided power struggle.

There is more at stake here than trying to avoid appearing authoritarian to one’s peers. Issues such as the future of our environment and communities, collaboration with each other, working together to confront the many and serious challenges facing all of us as a community, building self-sufficiency and resilience, finding ways to adapt to climate change, reducing our emissions, and economic stability is where our focus must be. All these issues are fundamental to the RGS.

Commentaries from residents about criteria for minor versus major amendment have been presented to Board members. The Board has already heard about the particular omissions during the Town’s OCP review process that are directly related to this amendment. The community did have an extensive OCP review with housing as the main theme, but no discussions about the controversial issue of growth boundaries. The Quality of Life Survey Results document is a record of the survey questions and answers. There is nothing in that document about growth or urban containment boundaries. The fact that the growth and urban containment boundaries were not part of the OCP review process means that this amendment is not minor according to the criteria for major versus minor amendments.

Policy 4.3 under Goal 4 Concentrate housing and jobs in growth centres says that “proposals for expanding Growth Containment Boundaries should be supported by:” a land use concept plan and various studies and assessments of sensitive

areas, availability of water, watershed impacts, wastewater disposal impacts, impacts on emergency services, aggregate deposits, transportation. The amendment package received by the RDN does not include the above information that would have been part of the OCP review process when planning to expand the GCB. Is it not customary to request this information from the Town before moving forward with the amendment process?

Another criteria for minor amendment has also not been met. Regardless of what the Town's intentions may be, this amendment will change land use designation from agricultural to urban. Many consider such a significant land use re-designation as having a negative impact on agricultural lands or land in Agricultural Land Reserve. Criteria for minor amendment states that it is not a minor amendment when agricultural land will be negatively impacted.

Everyone is aware there is a large area of agricultural land in East and South Qualicum Beach. The Qualicum Beach Zoning map identifies Agricultural Land Reserve (ALR) as A1 zone. Qualicum Beach contains A1 zoned lands that are not in the ALR. A few A1 lots that are not under Agricultural Land Commission (ALC) protection has minimum parcel size of 50 hectares. There are more than 30 properties of different sizes zoned A1 with minimal parcel size of 2 hectares. The ALC still uses 2 hectares as the minimum parcel size for agricultural land. Therefore, the argument that expanding the GCB will not threaten agricultural land is not entirely accurate. Some agricultural land is not protected by the Agricultural Land Commission.

(The current ALC follows their mandate of protecting agricultural land, but are apparently understaffed and lack resources. Although land exclusion requests are not as numerous as alternative land use requests, some land removal approvals are awarded depending on certain criteria. One Qualicum Beach property for 21 hectares with support from Council won approval for removal from ALR in 2005.)

I assume the Town knew their amendment request would trigger a new land use designation for Qualicum Beach greenbelt. A major land use change in one broad sweep. The current Qualicum Beach Council are not fully responsible for requesting this amendment. The decision to move the GCB was made by previous Council at third reading of the OCP **after** the public hearing last May.

The current Council knowing what they know now after listening to our comments with an open mind, may re-consider the validity and consequences of the amendment. Council may find it wise and beneficial to rescind their request for amendment.

People attending the public hearing or sending in comments in opposition to the amendment are simply community minded with no financial vested interest in the outcome. Their actions and choices are based on what they believe is best for the common good and for their community. They are here actively advocating for the principles and policies within the RGS. Their voices have value.

Voting against the amendment is voting in favour of the RGS.

Submission of Kevin Monahan to the Regional District of Nanaimo
Public Hearing January 8, 2019.

It has been said before this Board, that as chair of the Official Community Plan Review Steering Committee, I exercised a diabolical level of persuasion over the committee to suppress discussion of the Urban Containment Boundary. This is simply not true. Since the UCB is simply the outermost limit of the lands considered “suitable for urban development”, my recommendation was that the discussion should be about identifying lands suitable for urban development. Once that discussion was concluded, the UCB would have been clearly defined.

The board has been advised by the Town of Qualicum Beach that this is a governance issue—that this is a means for the Town to take back control over land-use decision-making in Qualicum Beach. And the board members are understandably reluctant to interfere in internal Qualicum Beach issues or to police its consultation processes. So why should the board take an interest in these internal Qualicum Beach issues?

1-Because land-use decision-making power was never taken away from the Town. To say that the current situation requires the Town to get permission from the RDN for any land-use decision is simply not true. Zoning, development permits, by-laws, etc are 100% within the Town’s authority. The only time the RDN has ever been involved is when the municipality wants to make a change to its Urban Containment Boundary as a result of an OCP amendment.

However, these circumstances are far from normal. The Town has not asked the RDN to amend its Growth Containment Boundary to match its own Containment Boundary. In fact, the Town is asking the RDN to do something entirely different—to amend the Regional Growth Strategy in a way that does not follow the rules set out in the *Local Government Act*. And this makes it very much an RDN issue. It appears that the Town is creating an issue for the RDN and not the other way around.

By approving this application, the board would be removing itself from a role which was specifically given to it by the Provincial Government. If there is negative fallout as a result it will be the RDN that has to justify its decision, not the Town of Qualicum Beach.

2-The RDN is the body with the responsibility for setting long-term planning goals for the region, so its policies do matter. If the RDN passes this amendment, it will be designating all the ALR within Qualicum Beach as “suitable for urban development.” It may be true that there is no immediate intent to urbanize those lands, but make no mistake about it, this is an endorsement of the idea of converting ALR to “urban land”. After this there will always be an endorsement of the idea established in the Regional Growth Strategy.

According to your own web-site “The RGS sets the direction for Official Community Plans (OCPs) and other bylaws of member municipalities and the regional district. An OCP must include a Regional Context Statement, to describe how it either does, or will become consistent over time with the direction set by the RGS.” So this designation of ALR as “urban” is a policy that creates a goal for future OCPs to aspire to. Is this a policy the RDN wishes to enshrine in the Regional Growth Strategy?

**Submission of Kevin Monahan to the Regional District of Nanaimo
Public Hearing January 8, 2019.**

3-On September 18, 2018, the RDN voted to accept the Qualicum Beach OCP's Regional Context Statement. This statement is a part of the OCP, mandated by the Local Government Act, which is supposed to describe how the OCP is consistent with the RGS, and if it is not, how it will become consistent over time. However, the Town's statement does nothing of the kind. Instead it specifies how they will be different, not similar, and the Town's UCB and the RDN's GCB will be managed independently of each other. Clearly, the Town's OCP does not comply with the requirement of the Local Government Act that if the two boundaries are not consistent, they must be made consistent over time. It is this proposed amendment that would make them inconsistent.

When the Board voted to accept the Regional Context Statement, it is not clear that the Regional Context Statement was actually presented to the Board. It appears that it did not appear in the agenda for the COW meeting or for the regular Board meeting. Certain wording from the Regional Context Statement may have been presented to the Board, but even that is not clear. I believe that more directors would have voted against the acceptance of the Regional Context Statement if they had actually seen it—because it simply does not make sense. For your convenience, I have attached the relevant page from the Regional Context Statement.

I strongly suggest that the Board should not give 3rd reading to this amendment and instead, ask Qualicum Beach to amend its Regional Context Statement to explain how the two boundaries are to be made consistent over time.

4-When one considers this proposed amendment, failures of process abound. If Qualicum Beach had actually encouraged discussion of this proposal, instead of refusing to hear any public comment; if the full page of the Regional Context Statement had been presented to the Directors; things might be very different now. We might not have needed this public hearing at all.

Proper process may seem to be unnecessary when it is perceived to be a minor issue. Until it turns out not to be so minor after all. By following proper process, decisions are made in a transparent and inclusive manner, the public feels like a part of the process, instead of feeling excluded, and the end result is a far more durable and robust product, and one that is resistant to challenge.

I urge the board members—you can't be 100% sure of the future impacts of this decision; you can't be sure of the appropriateness of this proposal. Therefore the best thing to do is nothing. Please take the time to reconsider this amendment and seriously consider asking Qualicum Beach to bring its Regional Context Statement into compliance with the Local Government Act.

Kevin Monahan
586 Alder St.
Qualicum Beach, BC
V9K 1J3

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
<p>GOAL 4: Concentrate Housing and Jobs in Rural Village and Urban Growth Centres</p> <p>1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?</p> <p>2) Does the OCP support one or more mixed use centres intended to be complete, compact communities with places to live, work, learn, play, shop, and access services?</p> <p>3) Does the OCP support a range of housing diversity and consider the needs of the elderly, disabled or those of low to moderate income?</p>	<p>√</p> <p>√</p> <p>√</p>	<p><i>The "Village Neighbourhood" is the heart of Qualicum Beach, home to commerce, social activity, goods and services, and higher-density housing.</i></p> <p>The Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy.</p> <p>Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use"</p> <p>Section 2.2.1 "Village Neighbourhood" Section 2.1.2 "Complete Nodal Communities"</p> <p>Section 3.1.23 "Affordable Housing Policy" Section S3.3.1 "Complete, Compact Community Land Use" Section 2.1.2 "Complete Nodal Community" Section 2.2.2 "Residential"</p>	
<p>GOAL 5: Enhance Rural Integrity</p> <p>1) Does the OCP recognize the importance of the role Resource Lands and Open Spaces play to accommodate agricultural activities, forestry, aggregate mining and other primary industries, and for recreational and/or environmental protection purposes?</p> <p>2) Does the OCP discourage the designation of additional Rural Residential lands?</p>	<p>√</p> <p>√</p>	<p><i>Rural land uses provide a green buffer for urban uses, have a high ecological value, form a part of the identity of the Town and provide a land reserve for the future production of food.</i></p> <p>Section 2.3 "Natural Resources" Section 2.2.7 "Parks and Natural Space" Section S3.3.4 "Sustainable Food Systems" Schedule 2.8 "Recreational Greenways" Section 2.2.6 "Rural"</p>	
<p>GOAL 6: Facilitate the Provision of Affordable Housing</p> <p>1) Does the OCP contain strategies to increase the number and variety of affordable housing units?</p>	<p>√</p>	<p><i>The OCP supports the development of affordable housing, special-needs housing and rental housing.</i></p> <p>Section 3.1.23 "Affordable Housing Policy" Section S3.3.1 "Complete, Compact Community Land Use" Section 2.1.2 "Complete Nodal Community" Section 2.2.1 "Village Neighbourhood" Section 2.2.2 "Residential"</p>	

Submit by Mark Sager.

OUTLINE OF SUBMISSIONS

1. The core of this submission is that it would be unlawful for the Regional District to change the Regional Growth Containment Boundary for Qualicum Beach until the regional context statement in Qualicum Beach's official community plan is amended to contemplate and permit such a change.

The Regional Context Statement

2. The Regional District's pending change to the Regional Growth Strategy will result in the Regional District's Regional Growth Containment Boundary for Qualicum Beach being larger than the municipality's Urban Containment Boundary.
3. Under the *Local Government Act*, if a regional district's regional growth strategy applies to the same area of a municipality as an official community plan (as here), certain requirements apply under Provincial law.
4. Specifically, section 446(1) of the *Local Government Act* provides that:

If a regional growth strategy applies to all or part of the same area of a municipality as an official community plan, the official community plan must include a regional context statement that is accepted in accordance with this Division by the board of the regional district for which the regional growth strategy is adopted.

[emphasis added]

See Relevant Provisions of Local Government Act

5. As set out at section 446(1), the required regional context statement must be accepted by the board of the regional district for which the regional growth strategy is adopted.
6. Qualicum Beach's Official Community Plan does in fact include a regional context statement, which was approved by the Regional District – at Appendix B to Qualicum Beach's OCP.

Qualicum Beach's Regional Context Statement complies with 447(1)(a)

7. Under section 447(1)(a) of the *Local Government Act*, the required regional context statement must identify the relationship between the official community plan and the matters required to be set out in the regional growth strategy:

A regional context statement must specifically identify:

- (a) the relationship between the official community plan and the matters referred to in section 429(2) and any other regional matters included under section 429...

See Relevant Provisions of Local Government Act

- 8. The regional context statement in Qualicum Beach's Official Community Plan complies with this statutory requirement of paragraph 447(1)(a).
- 9. Specifically, the regional context statement in Qualicum Beach's Official Community Plan provides, *inter alia*:

The Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy" [emphasis added].

- 10. In other words, the regional context statement in the OCP says that where the Regional Growth Containment Boundary specified by the Regional District differs from the Urban Containment Boundary in Qualicum Beach's OCP, it is the municipality's Urban Containment Boundary that will prevail for planning/development purposes.
- 11. The inclusion of this statement was previously accepted by the Regional District's board in accordance with s. 446(1) of the *Local Government Act*.

Non-compliance with 447(1)(b)

- 12. However, the Local Government Act has a further requirement for the regional context statement – one with which the pending change by the Regional District does not comply.
- 13. Specifically, paragraph 447(1)(b) of the *Local Government Act* further requires that the regional context statement in a municipality's Official Community Plan must provide for how the Official Community Plan will be made consistent with a regional growth strategy over time:

A regional context statement must specifically identify

...

(b) if applicable, how the official community plan is to be made consistent with the regional growth strategy over time.

[emphasis added]

See Relevant Provisions of Local Government Act

14. It appears that at the time that the regional context statement in Qualicum Beach's OCP was adopted, there was no relevant differential or inconsistency between Qualicum Beach's Urban Containment Boundary and applicable Regional Growth Containment Boundary as specified by the Regional District.
15. Therefore the requirement of s. 447(1)(b) would not have applied. There would have been no need to specify how:
 - i) the municipality's Urban Containment Boundary; and
 - ii) the Regional District's Regional Growth Containment Boundary,would be "made consistent over time", as required under 447(1)(b).
16. However, if the Regional District moves ahead with the proposed change, then there will exist exactly such a differential or inconsistency – thus engaging the requirement of paragraph 447(1)(b) to explain how the inconsistency will be resolved over time.
17. In other words, moving ahead with the proposed change would render the regional context statement in Qualicum Beach's OCP unlawful and invalid under the *Local Government Act*.
18. Before such a change to the regional growth strategy is made, the regional context statement in Qualicum Beach's OCP must be amended and approved as revised (by the Regional District) to provide for how the Urban Containment Boundary and a Regional Growth Containment Boundary that expands growth to the entirety of the municipality's borders will be made "consistent" over time.
19. It would be unlawful for the Regional District to move ahead with a change that would render the regional context statement in the OCP itself unlawful Provincial law.
20. If it is suggested in response to this Submission that Qualicum Beach could in the future, amend the regional context statement in its OCP to explain how the Urban Containment Boundary will be changed in the future to be made "consistent" with the Regional Growth Containment Boundary, so as to comply with 447(1)(b), it should be noted that any such step by Qualicum Beach would both:
 - (i) vitiate the current OCP provision setting out that it is the Urban Containment Boundary that trumps the Regional Growth Containment Boundary, in the event of conflict; and
 - (ii) amount to a substantial change of the UCB itself (in substance if not form) – a matter which would require a public consultation process.
21. It would therefore be premature and unlawful for the Regional District to proceed at this time with the proposed change to the Regional Growth Containment Boundary.

Relevant Provisions of Local Government Act,

[RSBC 2015] CHAPTER 1

Division 5 – Regional Context Statements

Requirement for regional context statements in municipal official community plans

446 (1) If a regional growth strategy applies to all or part of the same area of a municipality as an official community plan, the official community plan must include a regional context statement that is accepted in accordance with this Division by the board of the regional district for which the regional growth strategy is adopted.

(2) After a regional growth strategy is adopted, the requirement under subsection (1) must be fulfilled by the applicable council submitting a proposed regional context statement to the board within 2 years after the regional growth strategy is adopted.

(3) If a regional growth strategy is binding on a new municipality under section 436 (10) [*municipal corporation within regional district area*] and the regional growth strategy applies to all or part of the same area of the municipality as an official community plan, the requirement under subsection (1) of this section must be fulfilled by the council submitting a proposed regional context statement to the board within the earlier of the following:

- (a) the period established by the Lieutenant Governor in Council by letters patent;
- (b) 2 years after the municipality was incorporated.

Content of regional context statement

447 (1) A regional context statement must specifically identify

- (a) the relationship between the official community plan and the matters referred to in section 429 (2) [*required content for regional growth strategy*] and any other

regional matters included under section 429
(3) [*additional content*], and

(b) if applicable, how the official community plan is to be made consistent with the regional growth strategy over time.

(2) A regional context statement and the rest of the official community plan must be consistent.

APPENDIX 'B'

REGIONAL CONTEXT STATEMENT

According to the Local Government Act Section 866.1, Regional District member municipalities must include a Regional Context Statement in their respective Official Community Plan to outline the relationships between their OCP and the Regional Growth Strategy. These Regional Context Statements must include consistencies and inconsistencies between the two documents, and outline goals that work towards making the OCP consistent with the RGS over time. This appendix identifies consistencies and inconsistencies between the Official Community Plan and the Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011.

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
<p>GOAL 1: Prepare for Climate Change and Reduce Energy Consumption</p> <p>1. Does the OCP support lowering GHG emissions 33% below 2007 levels by 2020 and 80% by 2050, or as indicated by the RDN's Community Energy & Emissions Plan?</p> <p>2. Does the OCP encourage sustainable land use, transportation patterns and housing forms that minimize GHG emissions and promote energy conservation?</p> <p>3. Does the OCP support adaptation and emergency planning measures to mitigate potential effects of climate change such as sea level rise, flooding, water deficits and wildfires?</p> <p>4. Does the OCP encourage a reduction in the use of personal automobiles and promote the use of alternative forms of transportation within the region?</p>	<p>√</p> <p>√</p> <p>√</p> <p>√</p>	<p>√</p> <p>√</p> <p>√</p> <p>√</p>	<p><i>The Town establishes long-term goals for GHG reductions in the "Sustainability Plan" section, with further implementation measures throughout the OCP.</i></p> <p>Section S3.2 "Climate Emissions Planning"</p> <p>Section S3.3 "Visionary Principles"</p> <p>Section 3.1.17 "Waterfront Master Plan"</p> <p>Section S3.3.2 "Low Impact Transportation"</p>
<p>GOAL 2: Protect the Environment</p> <p>1. Does the OCP outline strategies to protect the life-supporting qualities of both fresh water (surface and ground) and sea water from degradation and depletion?</p>	<p>√</p>	<p>√</p>	<p><i>The Town has strong policies in place through Development Permit Areas and development guidelines and implementation measures to preserve and protect the natural ecosystems.</i></p> <p>Section 3.1.10 "Water Quality Protection Bylaw"</p>

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
2. Does the OCP advocate for developing measure to protect streams and streamside areas?	√		Section 3.2 "Development Permit Area G1-G12- Ecological Greenway Areas".
3. Does the OCP promote measures to maintain good air quality in the region?	√		Section S3.2 "Climate Emissions Planning"
4. Does the OCP work to protect the region's natural ecosystems and ecologically-significant features such as floodplains, shorelines, intertidal areas, stream systems, aquifers, and urban forests?	√		Section S3.3.7 "Healthy Landscapes". Section 3.1.4 "Tree Protection Bylaw". Section 3.2 "Development Permit Area G1-G12- Ecological Greenway Areas".
5. Does the OCP promote the conservation of natural segments of the coastal zone through greater public awareness and the use of low-impact development?	√		Section 3.2 "Development Permit Area G8-Marine Shoreline".
6. Does the OCP include policies to protect and conserve Environmentally-Sensitive Areas?	√		Section 3.2 "Development Permit Area G1-G12- Ecological Greenway Areas".
7. Does the OCP discourage development from locating in areas that are at high risk to potential natural hazards such as soil erosion, sea level rise, and flooding?	√		Schedule 2.5 "Hazardous Lands Development Permit Area"
GOAL 3: Coordinate Land Use and Mobility			
1) Does the OCP ensure that land use patterns and mobility networks are mutually supportive and work together to reduce automobile dependency and provide for efficient goods movement?	√		<i>The OCP identifies a wide range of transportation alternatives to connect people, places and goods.</i> Section S3.3.1 "Complete, Compact Community Land Use" Section S3.3.2 "Low Impact Transportation"
2) Does the OCP promote increased opportunities to walk, cycle or take transit?	√		Section S3.3.2 "Low Impact Transportation"
3) Does the OCP recognize the importance of the E&N Rail corridor as a strategic transportation facility and right of way to ensure its protection as a transportation corridor for the long term?	√		Section S3.3.2 "Low Impact Transportation" Section 2.2.9 "Parks"

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
<p>GOAL 4: Concentrate Housing and Jobs in Rural Village and Urban Growth Centres</p> <p>1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?</p> <p>2) Does the OCP support one or more mixed use centres intended to be complete, compact communities with places to live, work, learn, play, shop, and access services?</p> <p>3) Does the OCP support a range of housing diversity and consider the needs of the elderly, disabled or those of low to moderate income?</p>	<p>√</p> <p>√</p> <p>√</p>	<p><i>The "Village Neighbourhood" is the heart of Qualicum Beach, home to commerce, social activity, goods and services, and higher-density housing.</i></p> <p>The Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy.</p> <p>Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use"</p> <p>Section 2.2.1 "Village Neighbourhood" Section 2.1.2 "Complete Nodal Communities"</p> <p>Section 3.1.23 "Affordable Housing Policy" Section S3.3.1 "Complete, Compact Community Land Use" Section 2.1.2 "Complete Nodal Community" Section 2.2.2 "Residential"</p>	
<p>GOAL 5: Enhance Rural Integrity</p> <p>1) Does the OCP recognize the importance of the role Resource Lands and Open Spaces play to accommodate agricultural activities, forestry, aggregate mining and other primary industries, and for recreational and/or environmental protection purposes?</p> <p>2) Does the OCP discourage the designation of additional Rural Residential lands?</p>	<p>√</p> <p>√</p>	<p><i>Rural land uses provide a green buffer for urban uses, have a high ecological value, form a part of the identity of the Town and provide a land reserve for the future production of food.</i></p> <p>Section 2.3 "Natural Resources" Section 2.2.7 "Parks and Natural Space" Section S3.3.4 "Sustainable Food Systems" Schedule 2.8 "Recreational Greenways" Section 2.2.6 "Rural"</p>	
<p>GOAL 6: Facilitate the Provision of Affordable Housing</p> <p>1) Does the OCP contain strategies to increase the number and variety of affordable housing units?</p>	<p>√</p>	<p><i>The OCP supports the development of affordable housing, special-needs housing and rental housing.</i></p> <p>Section 3.1.23 "Affordable Housing Policy" Section S3.3.1 "Complete, Compact Community Land Use" Section 2.1.2 "Complete Nodal Community" Section 2.2.1 "Village Neighbourhood" Section 2.2.2 "Residential"</p>	

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
<p>GOAL 7: Enhance Economic Resiliency</p> <p>1) Does the OCP generally support and encourage types of economic development that can help make the economy more vibrant and sustainable?</p> <p>2) Does the OCP include provisions to encourage and support a broad range of industrial, commercial and institutional development in appropriate locations?</p> <p>3) Does the OCP recognize the importance of the region's service sector, tourism, aggregate resources, agriculture, shellfish aquaculture, forestry, and green business and promote their development, where appropriate?</p>	<p>√</p> <p>√</p> <p>√</p>	<p>Increased opportunities for employment is key to achieving a healthy demographic mix and vibrant social network.</p> <p>Section S3.3.6 "Economic Prosperity" Section 3.1.19 "Sustainability Action Plan" Section 2.2.4 "Light Industrial"</p> <p>Section S3.3.6 "Economic Prosperity" Section 3.1.19 "Sustainability Action Plan"</p> <p>Section S3.3.6 "Economic Prosperity" Section 3.1.19 "Sustainability Action Plan"</p>	
<p>GOAL 8: Enhance Food Security</p> <p>1) Does the OCP support the Agricultural Land Commission in retaining lands within the ALR for agricultural purposes, and discourage the future subdivision of ALR lands?</p> <p>2) Does the OCP promote the development of urban agriculture initiatives and projects?</p> <p>3) Does the OCP support the production, processing, distribution and sale of locally grown produce (including shellfish)?</p> <p>4) Does the OCP focus development of non-agricultural practices away from rural lands to reduce land use conflicts in agricultural areas?</p>	<p>√</p> <p>√</p> <p>√</p> <p>√</p>	<p>Food and agriculture are essential ingredients of cultural and economic development planning in Qualicum Beach.</p> <p>Section S3.3.4. "Sustainable Food Systems"</p> <p>Section S3.3.4. "Sustainable Food Systems"</p> <p>Section S3.3.4. "Sustainable Food Systems"</p> <p>Section 2.2.6 "Rural"</p>	

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
<p>GOAL 9: Celebrate Pride of Place</p> <p>1) Does the OCP support protection of important historic/cultural resources and cultural sites; and enhance natural and man-made amenities that contribute to the unique character of the community and the region?</p> <p>2) Does the OCP encourage excellence in architecture and urban design?</p>	<p>√</p> <p>√</p>	<p></p> <p></p>	<p><i>The OCP supports heritage conservation and long-term cultural planning.</i></p> <p>Section 3.1.6 "Heritage Conservation Areas" Section 3.1.22 "Arts and Culture Master Plan"</p> <p>Section 3.1.11 "Multi-family Design Guidelines" Section 3.2 "Development Permit Areas"</p>
<p>GOAL 10: Provide Services Efficiently</p> <p>1) Does the OCP support more efficient use and conservation of water?</p> <p>2) Does the OCP support new community water and wastewater systems that are publicly owned?</p> <p>3) Does the OCP restrict the provision of water and sewer services to lands designated as Rural Residential, Resource Lands, or Open Space?</p> <p>4) Does the OCP support and promote energy-efficient subdivision, site, and building design and construction?</p> <p>5) Does the OCP undertake integrated, coordinated emergency preparedness planning on a regional basis, including strategic planning for fire protection services and natural hazards management?</p>	<p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p>	<p></p> <p></p> <p></p> <p></p> <p></p>	<p><i>The OCP supports the efficient implementation of public utilities as needed to support the Town's long-term goals for sustainability.</i></p> <p>Section 2.5.4 "Water" Section 2.5.2 "Liquid Waste"</p> <p>Section 2.5.4 "Water" Section 2.5.2 "Liquid Waste"</p> <p>Section 2.1.1 "Manage Urban Growth" Section 2.5.2 "Liquid Waste" Section 2.5.4 "Water"</p> <p>Section 2.5.4 "Water" Section 2.5.2 "Liquid Waste"</p> <p>Section 2.6 "Safety and Emergency Preparedness"</p>

REGIONAL GROWTH STRATEGY	Consistency between OCP and RGS		OCP REFERENCE
	YES	NO	
<p>GOAL 11: Enhance Cooperation Among Jurisdictions</p> <p>1) Does the OCP recognize the need to coordinate planning with Indigenous Peoples and involve Indigenous Peoples in planning processes in a similar way to other levels of government?</p> <p>2) Does the OCP recognize the key and often primary roles, played by the private and voluntary sectors in such areas as development, tourism and environmental protection?</p>	<p>√</p> <p>√</p>		<p><i>The OCP supports inter-jurisdictional collaboration in its long-term visioning as well as in its implementation measures.</i></p> <p>Section S3.3.3. "Community Health – Arts and Culture".</p> <p>Section S3.3.3. "Community Health"</p>

Attention:

The Directors of the Board of the Regional District of Nanaimo

6300 Hammond Bay Road

Nanaimo, BC, V9T 6N2

Re: Bylaw No. 1615.03

We support the amendment to Bylaw No. 1615.03 that states the following:

- The Growth Containment Boundary (GCB) be moved so that it is contiguous with the Town of Qualicum Beach's municipal boundary and
- All land within the Town of Qualicum Beach's municipal boundary will be designated Urban Area in the RGS.

We support this amendment as we feel that Qualicum Beach is fully capable of managing land use decisions within the Town's boundaries. Qualicum Beach has worked towards being environmentally responsible and has encouraged sustainable and aesthetically pleasing growth and we completely trust that this will be maintained going forward. Many layers of approvals for a change of land use would remain even with the adoption of this amendment; due process and public input will still be required. We would not expect that the RGS ideals of shared social, economic and environmental goals would be lost.

Those who oppose this amendment and the process by which they feel it has been reached, had every opportunity throughout the very lengthy OCP process to work this through, to come up with solutions. However, in our opinion, they avoided discussion on the RGS or the UCB as it was seen as another layer of bureaucracy that could possibly hold up or cancel projects altogether, so that the "status quo" that they appear to prefer, would not be altered.

With every added layer of bureaucracy there is a time factor and a cost involved that at the end of the day must be passed on to the consumer. With "affordable housing" being at the forefront of many collective conversations we need to consider all aspects of what is involved. The passing of this amendment would be an important step in the right direction.

Best Regards,

Rick and Linda Todsens
2075 Island Hwy. W.
Qualicum Beach

Ladies & Gentlemen of the Board, I thank you for the opportunity to address you this evening.

It's almost 5 years ago that I stood here in front of your predecessors, and presented basically the same argument, which is, that Qualicum Beach's Council & Staff have no right to put you in Legal Jeopardy because they failed to cross their T's and dot their I's and tried to rush through this request for a Boundary change.

I wonder how many of you spent your Christmas vacation trying to read the entire proposal? Too much information, not enough time? Not to worry, a lot of us were in the same boat and failed to notice a few pertinent facts that were missing, like the Regional Context Statement, and the inconsistencies of the Town's latest OCP, which in fact are integral parts of the request.

Today they're appealing to you Directors, to make a simple Boundary change that would permit development everywhere, **including ALR land.**

Betcha' the Town & Staff will respond with "oh, she's just against development of any kind," or "oh no, we'd never permit development on ALR lands."

Regarding the 1st issue, I am absolutely FOR controlled development, especially low-income housing & rentals, which are desperately needed today.

Regarding the 2nd issue, let me tell you, development on ALR land, isn't quite as Sacrosanct as you might think:

Back in 2005 Pheasant Glen Golf Course was able to re-zone 21.3 hectares of ALR land because they proposed a 225-unit, Resort Development. However, there was also a Registered Covenant that stated **no permanent residences** could be built on that land.

From the beginning, the owners promised all sorts of amazing features, like a new Hotel, Spa & Fitness Center, Conference Centre, Daycare Facilities, Community Gardens, Contributions to the Town's Parks & Trails, Donations to the Affordable Housing Reserve Account, even a \$10,000 contribution towards Road Safety, all of which would bring in lots of work for the Building Trades & Hospitality sectors, and of course a huge influx of Tax Dollars. Sounds great, eh? You'd be crazy not to go along with such a sweet-sounding development deal, right? WRONG!

Since 2005, Pheasant Glen has not erected ONE NEW BUILDING, unless the toilet on the 4th qualifies, yet the owners continue to press for more development permits, as was evidenced about 5 years ago and last year as well, but in order to pass this latest request, the Town needs full control of its Boundary which they're hoping you will grant them.

Be wary about requests like this, because for the most they are nothing more than a Trojan Horse. Now, if you're in the development business, it's an excellent way to get someone else, in this case, the Town, to help fight any obstacles you might encounter that could negatively affect your bottom line & profits.

However, for the rest of us, we're trying to protect specific areas of land, especially the ALR, and we're doing it because we know that if we don't it will invariably lead to Urban Sprawl, loss of Valuable Land for Food Growth, Environmental Degradation through Tree Removal, Water Wastage and Lord knows how many other horrendous effects on this precious piece of earth we call HOME. In fact, we fear, to quote Ms. Joni Mitchell, "they'll pave paradise, and put up a parking lot, with a pink hotel, a boutique, and a swinging hot spot. Don't it always seem to go, that you don't know what you've got till it's gone."

As an addendum to my statement about ALR scams, did you hear the latest about the Town of Powell River and the "OVERSIGHTS" by the Staff, the Mayor, the Engineers & Developers, even the Land Titles Office, that built a road on protected ALR land to access a new subdivision that the Mayor has an ownership stake!

The Town also previously supported having a larger parcel removed from the ALR to establish an "INTERNATIONAL SCHOOL", but fortunately that application was refused by the ALC, which probably saw it for what it was, another Trojan Horse deal. By the way, the ALC has proclaimed that the road must be removed and could cost the city nearly \$600,000!

Leaving big politics aside and returning to small scale ALR lands, my interest in this affair is because my husband & I bought a 5-acre farm in Qualicum Beach 18 years ago, specifically because it was designated ALR, which we believed would be a forever safe home to all our horses, sheep, goats, dogs & cat that we brought with us from Ontario, plus the fish, chickens, pheasants and peafowl we started to raise again.

But now that the Qualicum Beach Council & Staff are requesting this Boundary Change that'll designate ALL LAND within the Town (including ALR) as "suitable for urban development", and it could mean ALL farm land, not just ours, is in jeopardy.

My question to you is this: what's to become of those farmers who make a living from their land, when a housing development goes in next door and the neighbors incessantly complain about tractor noises; barnyard smells, chickens crowing; the smoke from a fire that's burning brush or other similar stuff?

I'll tell you, they'll have to put up with nasty neighbors like we have who planted 50 non-indigenous willows, (famous for their water-ravenous roots), within two metres of the headwaters of Beach Creek, which is a major salmon-bearing stream. The purpose was to block our view, but in fact, he's jeopardizing the coho that inhabit the waters, that our Stream-Keepers have worked so diligently to restore!

Director Westbroek is well familiar with the scenario and also, knows our farm property and how hard we work to keep it in optimum shape: We grow fruit, vegetables, nuts and flowers and give them away to the poor, needy & elderly, while our miniature horses have always been available for Senior's or Children's visits. We're fortunate that we don't have to charge for any of this, but I know lots of others who do make a living from their farmlands:

One outstanding example is Mindi's Market Garden, not far from us, & also in the ALR, whose owner has managed to support a large family AND send his kids to college through the produce and hard work from his land. If his surrounding neighbors were to sell off their land for a hefty profit, and a development rose up, it's not likely he'd stay on, and then OOPS! there goes another quality food source.

Now can you understand how broad the ramifications are from this one request by the Town of Qualicum Beach?

Please be sure you are 100% clear about all the facts regarding this request, before voting on it - because it's vitally important, to the lives of many Qualicum Beach residents - and hopefully your vote will be NO.

Thank you,

(Deborah McKinley, Qualicum Beach)

Fox McKinley's Presentation to the RDN

Good Evening!

My name is Fox Mckinley and we have lived in Qualicum Beach for the last 17 years, having moved here from the rat-race & snow of Southern Ontario.

Thank you for the opportunity to address this Board.

I recognize that it is early in your term, and you've had a lot to digest in a very short time, but hope that with this process called, as quickly as it has been, that it doesn't cause you to rush to judgement and make a hasty, unsubstantiated decision.

Remember that 75% of the RDN's population is made up of the 4 municipalities including Qualicum Beach, and any decision can, and will, affect all 4 of them.

There are no winners if we deem it necessary to resort to on-going litigation, as this request by Qualicum Beach, flies in the face of articles 446, 447 and 448 of the Local Government Act.

The residents of Qualicum Beach, by a large margin has proven in the 2018 Quality of Life Survey, would oppose this latest action, assuming that they were even aware of what Council was attempting to do. The Survey showed that the Taxpayers like the Town the way it is, or was, when they decided to live here.

There are many reasons why one would choose to live in Qualicum Beach, but Urban Sprawl was certainly not one of them. Lifestyle topped the list. It is disingenuous for this newly-elected and inexperienced Council to suggest otherwise with this narrow-minded power grab.

No one is opposed to Development, if it is properly thought out with managed growth that is sensitive to the Environment and follows the mandate of the ALC as it now stands. And the chances of the ALC taking farmland out of the ALR is about 100 to 1.

This is not my first rodeo as I was here in 2014 with the same issue. Fortunately, the Board at that time, voted in our favor, handing the previous pro-development Qualicum Beach Council a negative vote. We hope that HISTORY will repeat itself.

In my humble opinion, this new Qualicum Beach Council, by requesting this amendment is: acting in bad faith with a profound betrayal of public trust; a failure to defend our OCP and Quality of Life Survey; and Official Town By-Laws; and a complete accommodation to the interests of self-serving Private Developers.

Thank you for time.

Fox McKinley

Qualicum Beach

January 8, 2019 (Abermann Presentation to the RDN read by Deb McKinley)

Mr. Chairman and Directors,

We would like to outline our concerns regarding the Town of Qualicum Beach's request for an amendment to Bylaw No. 1615.03. Our prime concern is the Town's definition of "governance" as the rationale for a seemingly benign application to extend the Town's Growth Containment Boundary to be contiguous with the Town's municipal boundary.

During our 23 years' residency in Qualicum Beach, we have never experienced a single incident when the RDN was an obstacle to land use issues or decisions in Qualicum Beach. As a matter of fact, we viewed, with a large degree of comfort, the fact that the RDN provided us with a protective source of a "reasoned second opinion" and an overall vision for the future. On the contrary, we have personally experienced the incorporation of our, and adjoining properties, from the RDN into the Town of Qualicum Beach with no vote or input from the property owners.

To us, the term "governance" has far broader responsibilities than just moving borders. We pay taxes to the RDN to provide a host of services. What will be the future tax consequences to the residents of Qualicum Beach and The RDN itself? Will the Town profit from collecting taxes in this expanded area while the RDN continues paying the cost for new arenas, recreation programs, sewers, watershed management, etc. Will the RDN be expected to provide bus services to these newly developed areas or should the Town of Qualicum Beach, in its eagerness to govern, be required to provide its own transit service? There are too many interrelated services, responsibilities and costs that have not been considered in the discussion of this bylaw amendment and the implications for "governance".

There are several issues in the Town's presentation to the RDN that we would ask you to consider:

1. There is concern in Qualicum Beach that, once again, this is not a minor amendment to the OCP.
2. There are concerns that this decision was not part of the approved OCP but was proposed/approved by Town Council and added to the OCP after the fact.
3. Mayor Wiese has stated in a letter dated January 3, 2019 that "The Agricultural Land Reserve is off-limits to urban development, regardless of whether it is within the RDN's Growth Containment Boundary." The mayor's statement is diametrically contrary to the proposed Bylaw amendment ("all lands within the Town of Qualicum Beach's municipal boundary will be designated Urban Area in the RGS").
4. Are there not more responsibilities and accountabilities in "governance" to be clarified between the Town of Qualicum Beach and the RDN related to any bylaw amendment of this nature?

Mr. Chairman and Directors, we would ask that you and your Board exercise your right and obligation to continue to act as the "reasoned second opinion" and function as the governing body with the "bigger picture" perspective that the residents of Qualicum Beach hope for.

Ray and Sue Abermann

Qualicum Beach, BC.

As a long-time resident of this area, I have always admired the village or town concept adopted by the TQB. This has been a gold standard for planning - much like Whistler's plans and ideals. To move the Regional Growth Containment Boundary to be contiguous with the Town's municipal boundary will allow for more sprawl and urban development three kilometers from the Town center and will defeat this long-established principal.

What makes a community special? You know it when you see it, it is the opposite to sprawl and exponential growth we see everywhere.

James Howard Kunstler, American author, social critic, public speaker, speaks about the problems of suburbia, that it has destroyed our understanding of the distinction between the country and the town, between the urban and the rural. This sprawl also disconnects communities.

We're going to have to change our behavior whether we like it or not. We are entering a period of change in the world, a period that will be characterized by the end of the cheap oil. Should we be planning to live closer to each other? We see climate change even here. Has anyone noticed the red cedars dying, in my lifetime I see that the climate is changing. We see more drought, more extreme weather patterns, affecting local farmland, plant and animal habitats. We're going to have to grow more food closer to where we live. Not use it for urban and rural development. The age of the 3,000-mile Caesar salad is coming to an end.

"Anyone who believes that exponential growth can go on forever is either a madman or an Economist"

- Kenneth Boulding, Economist

Mr. Joe Stanhope

Island Highway, French Creek

To the Board of the Regional District of Nanaimo:

Subject: RGS Amendment and implementing Qualicum Beach's application

My connection to Qualicum Beach goes back to 1989, when my family bought a small house in town.

We specifically chose Qualicum Beach because of its "Village character" and surrounding green space, including viable agriculture, all inside the Town's boundary. Even then, the price for property was higher than in Parksville, reflecting the special amenities of this town.

Until most recently, we could assume that these values would still be part of our life in QB in the future. However, this all changed when the plan was amended for the GCB to conform with the Town's boundary — completely outside and ~~PA~~ST the very last moments of our public review process of the Official Community Plan!

I strongly object to this change and urge the Board to decline Qualicum Beach's application on many grounds, too many to be listed at this late hour, but most importantly:

1. no public process took place for the local community to give public input in an otherwise extensive community plan review process (which opens the question of why?) and
2. allowing this application will open the doors to urban sprawl and 3. it represents an abdication of the RDN Board's commitment to the Regional Growth Strategy with all of its extensive policies guaranteeing sustainability, ecological values and carrying capacity for nature and human population.

Sincerely,

Domena Diesing

(564 Berwick Rd. North Qualicum Beach, B.C. - Long term inhabitant of QB)

Submission of Graham Riches to the Regional District of Nanaimo Public Hearing January 8, 2019.

In my view the long term economic, social and environmental sustainability of Qualicum Beach should remain a matter for joint consideration within the RDN's Regional Growth Strategy. It should not be left to the sole discretion of the Town Council. This fast tracked submission to make the Growth Containment Boundary contiguous with the Municipal Boundary is certainly not a minor amendment. It remains as yet an unexplored set of complex issues (unaddressed by the recent OCP). Surely the protection of our common lands must draw upon the benefits of shared governance, public participation and the rule of law. Climate change alone demands we think big picture and plan together.

Living on the edge of the QB Village Core, I have become increasingly concerned about the accelerating speed of urbanization. Only 3 years ago I looked across First Ave and saw cottages, hedgerows, trees, birdlife and green space - today all being replaced by high rise housing and paved over parking lots. Rapid densification and urban growth pose the existential question: what are small rural towns for?

Growing up in a coastal English village there were many parallels to QB: not just quiet living space but ocean side beaches; shops; wood lands; a church or two; museums; golf courses; hotels; schools and even railway lines and train stations surrounded by a pristine rural environment.

I also recall from my house back then you stepped straight onto the Village Common - public space protected for 800 years by common law today long part of Canadian and BC jurisprudence, setting 'precedents for public access to crown land and for (the) common stewardship of shared resources' (see *Canadian Encyclopedia*, 2019)

This got me thinking about the complex land use planning and governance issues facing QB and the RDN if the Town Council is permitted to go it alone. What about:

- the benefits and strengths of federal structures - shared jurisdictions with access to resources and expertise and collaborative decision making within the joint RDN structure underwritten by provincial law?
- the role of common law and precedent in protecting traditional rights?
- our democratic rights as commoners and taxpaying residents of the RDN municipalities and electoral districts to be meaningfully & transparently consulted about regional growth strategies ? Is such public accountability to be lost in QB?

With climate change upon us including the possibility of natural disasters - forest fires, floods, drought - and with more land, maybe ALR lands, opened to rapid densification and urbanization how is sustainable agriculture, food and water

security best assured?

I doubt the Town on its own has the resources and capacity to manage such weighty and complex issues. Our small rural town needs all the assistance it can muster.

These matters are of interest to all RDN partners. Better to stay the course and work together. The necessary collaborative structures are already in place.

I therefore recommend the RDN not proceed with Bylaw amendment 1615.03

↓
171, First Ave West
Qualicum Beach, BC
V9K 1G9

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January 8, 2019 RDN Presentation

Good Evening Directors: Thank you for this opportunity to speak to you on the request before you to change Qualicum Beach's Regional Growth Boundary. I ask that you delay the decision or vote against it. My reasons follow.

Environment

Impacts on Climate Change from Every Decision

- Climate Change impact may seem outside the scope of this request.
 - No decision or action today is outside the impact it will have on Climate Change
- In 12 short years we will have passed the point of no return unless we dramatically, in every aspect of life, change our habits.
- It is not okay to take away any sober second thought safeguards.
 - This request removes you,
 - as the sober second thought on the land in question,
 - It is your oversight responsibility
 - given to you by the provincial government
 - for Regional Growth Strategy
 - which is really a sustainability strategy.

Qualicum Beach Sustainability Plan

QB has a sustainability plan. Its premises are within the bounds of the Regional Growth Containment Boundary – your sustainability plan. Your leadership is primal in seeing these plans are more than a planning exercise and becomes the framework for decision.

- Not sure if new council members are aware of
 - Qualicum Beach's Sustainability Plan,
 - or the Regional Growth Plan,
 - or of the specific goals in each of these plans.

Forwarding this request to you seems to be acting outside QBs sustainability plan, and the Regional Growth Plan, especially given

- the habit of tree removal from private properties and public land over the past few years, and
- lack of protection for trees and water
- Throughout the years of attending council meetings, I have not heard the Sustainability Plan or Regional Growth Plan
 - brought forward as a guideline for decision making
 - nor their goals being worthy of attention for implementation at a council meeting.
- Therefore, to me, it is seldom if ever on the horizon of our council when making decisions,
 - except for one councillor
 - he has two young children who will be living in this climate changed world we have created,
 - He demonstrates a depth of knowledge about climate change.

I will read two of the opening statements of Qualicum Beach's Sustainability Plan, which falls under the umbrella of your plan. I think it will help you understand why the request seems at odds with the two plans.

- The impacts of human civilization have had deep and lasting impacts on the capacity of our planet to support human life;
- It is within the capacity of our community to make deep and profound impacts that will improve the ability of future generations to meet their needs;

Qualicum Beach councillors asking this board to remove the sober second thought process, one the provincial government put in place as one of your roles, in my opinion defies the intent of their own Sustainability Plan and your Regional Growth Plan.

Phytoplankton and Trees – the planets oxygen producers

- Previously, 70% of our oxygen came from phytoplankton. We have made their aquatic living conditions so deadly that 40% of them have died off
- Trees and plants of all sizes are our earth's back up lungs.
- So far in Qualicum Beach there is no restriction on tree cutting on private land unless on a steep slope for example.

- On public lands trees have been removed recently for infrastructure, when some could have been left or replanted.
- This is a lack of environmental accountability on the land they currently have under their auspices.
 - The planet cannot afford this cavalier approach to trees.
- Further, there is no requirement to
 - plant one or two trees for every one cut down,
 - nor to pay the municipality so it can plant trees.
- In short, the town of Qualicum Beach has demonstrated indifference to the role trees and plants have in slowing climate change, despite their own Sustainability Plan and the Regional Growth Plan

Trees and Carbon in the atmosphere.

- Trees have another important role in this time of climate change.
- Living trees sequester or gather carbon.
- Once dead they give off carbon.
- To turn Climate Change around, we need to sequester more carbon and release less.
- Cutting trees down is the opposite action needed to slow/halt Climate Change
- Cutting down trees is a daily action in Qualicum Beach on public and private lands.
- I do not want to see the land on which this can occur extended.

Please delay your vote or say no

- until citizens know about the issues and can have their input
- and until you know more about its impact on climate change.

END OF FIRST PRESENTATION

Thank you for allowing me to speak again.

Mayor's Letter

Some of us who gave written submissions to this Board, prior to the December 4th meeting, received letters from our mayor. They highlight some of my concerns about this request from the Qualicum Beach Council.

Quote

- “The Agricultural Land Reserve is off-limits to urban development, regardless of whether it is within the RDN’s Growth Containment Boundary.” End of quote
 - Perhaps the current mayor is not aware of the two -step process Pheasant Glenn is using in moving ALR land out of the reserve and into residential development. I will speak to this in a moment.

Quote

- “The Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy.” End of quote
 - We are all aware of this, and know as soon as this board approves this request, the town can then move the UCB and develop the lands as they wish, within the new UCB

Quote

- “In the future I invite you to approach Council directly with your concerns. Over the next four years of this term, Council will maintain the Town’s high standard of public engagement, and I trust that you will stay engaged as we work with residents and stakeholders in pursuit of the Town’s long-term vision.” End of quote
 - While the mayor may not have meant this statement as a rebuke to me for directly approaching a board,
 - to whom I pay taxes,

- around a decision they were making that directly affected me,
- it felt like he did not like me coming directly to you.
- Last time I checked, while free-speech may be experiencing some turbulent waters in Canada, we still have it in place

Protecting ALR is everyone's business

- The Pheasant Glenn Golf course property applied years ago to have their land removed from the ALR
 - to build a golf course which they did and
 - for tourist destination resort accommodation which they never built.
- They have been vocal about their current desire to change the designation of their land
 - from tourist accommodation
 - to residential development
 - some 200+ units from one document I viewed.
- Their land which is wet land, sits on top of the town's aquifers – a combination known to require careful environmental stewardship.
- This example illustrates how municipalities and land owners use a two-step
 - (in this case tourist destination to residential development)
 - to remove land from the ALR for other development purposes.
- I do not feel the ALC is a guaranteed protection of ALR land
- Also, we see in another province how the environmental laws are being gutted under its new provincial government.
 - We need to maintain every manner of environmental, land and food security directive we have in place,
 - rather than opening them up to the roulette wheel of future politics.

In terms of Food Security

- Vancouver Island boasts ideal conditions for growing food.
- In 1950 as much as 85 per cent of the Island's food was locally supplied.
- In 2004 that dropped to only 5 – 10 percent
- Since 2004 there's been an increase in

5 of 8 Lois Eaton

- urbanization of our population
- in the development of lands for non-agricultural purposes and
- more pressure to create housing and other uses for land.”
- I am not opposed to housing development
 - We need affordable, decent housing for families and seniors who rent
 - We will need housing for
 - the environmental refugees who will soon be joining us from areas that are flooded from rising ocean water and
 - from areas that can no longer sustain life due to heat and lack of water.
- We just need to be very, very careful about our decisions around every aspect of land use.
- Climate Change is significantly altering the ways we can use our land, some in ways helpful to local farmers and gardeners on Vancouver Island and some in very challenging ways.
- I don't think you yet have enough information on the impact this decision will have on climate change.

Process

- Since moving the Regional Growth Boundary was never part of the OCP discussion,
 - this among other reasons makes it a major amendment
 - parachuted into the OCP,
 - after public discussion was stopped.
- There is a complete lack of transparency around this process.
- Qualicum Beach Citizens need robust involvement before this decision is made by you
- Recently, governments have lost court cases for lack of meaningful two-way dialogue.
- You have heard from others how any conversation with citizens about the change of boundaries was absent.
- I believe each of you sincerely wants to do the right thing.

- Life is changing and what is accepted as fair in 2019 is different than it was even a few short years ago. At the very least caution is required.

END OF SECOND PRESENTATION

Thank you for allowing this last set of comments from me.

Why the Rush

- Why is the Qualicum Beach council rushing this through?
- Each said at each All Candidates Meeting during the election process that they were committed to transparency, inclusion and maintaining the character of Qualicum Beach
- Most QB citizens do not know about this request which means it is not transparent nor inclusive process
- While the mayor listed in his letter to me 7 different types of conversations that had been held with Qualicum Beach citizens, this was not a topic at any of them.
 - To say you have talked with an individual or group,
 - but not talked about the specific topic at issue,
 - does not address the need for a conversation about the specific topic.
 - Consider applying this to conversations you have with your children about important topics.
 - If you tell your child we talked about this
 - they will tell you
 - Yes, you talked with me
 - but not about this.
 - We cannot change what happened but saying something different happened.
- This change could have major impacts on the character of QB, if not with this council then with future councils.
- Moving the Regional Growth Boundaries was never
 - part of the election discussion,

- the OCP discussions and
- and sadly
 - Councilor Westbroek,
 - Qualicum Beach's representative on this Board,
 - at this time
 - Did not report at the QB council meeting of December 17th
 - this request,
 - the RDN's discussion and decision on December 4th
 - the RDN's next step of scheduling this public meeting
- From a council that
 - only wants their citizens communicating directly them and not you,
 - it doesn't yet, seem to have figured out how to communicate with its citizens around such a major change,
- The process for this request and the request itself feel
 - like sleight of hand is the agenda
 - not transparency and inclusion.
- Pushing this public meeting along so quickly,
 - when preparations for Christmas and the actual week-long celebrations of Christmas and New Years diverted people's attention,
 - made learning about it very difficult.
- Further, Qualicum Beach has the highest percentage of seniors in all of Canada.
 - Many of these citizens do not like to
 - Drive so far
 - Drive in the dark
 - Drive when there is a prediction of snow.
- Therefore, even the date, location and time of this meeting feels constructed to not engage Qualicum Beach citizens,
 - even if they knew about the meeting and the issue.
- I ask that you delay this decision or say no to it.
- You need more information about environmental consequences
- and Qualicum Beach citizens need to learn about it so
 - they can voice their opinions.

Schile, Jamai

From: M Jessen
Sent: January 8, 2019 1:53 PM
To: Planning Email
Subject: Public Hearing on RDN Bylaw 1615.03

The following submission for the public hearing was sent to several directors because of worries over the weather conditions. I still hope to present the submission at the hearing if weather stabilizes.

Michael Jessen, P.Eng.

Submission to RDN Public Hearing on Amending the RDN Regional Growth Strategy by means of the Minor Amendment Process

Michael Jessen

1266 Jukes Place

Electoral Area G

Parksville B.C.

Mr. Chair and Directors.

Re: RDN Bylaw 1615.03 to include Town of Qualicum Beach OCP in RGS

My wife and I moved back to the Vancouver Island in 1998. I have been heavily involved in numerous community groups over the past 20 years. I have attended many public meetings on the 2008 Area G Official Community Plan (OCP) review, two RDN Regional Growth Strategy (RGS) reviews, numerous Qualicum Beach OCP reviews and made several attempts to monitor the recent Parksville OCP review.

I was quite shocked at the language used in the advertisement for this particular hearing. The purpose of the hearing was stated as being to consider approval of changes to the Regional Growth Strategy by means of Bylaw 1615.03. The proposed bylaw according to the newspaper advertisement "makes several minor changes to the RGS".

I hope we are not playing word games here. As I understand it the Town's recently renewed OCP requires a RGS amendment and the Town has opted to try to have the amendment accepted into the RGS by means of the "Minor Amendment Process". Believe me the changes proposed to the various boundaries in the OCP are not minor and therefore not a minor change to the RGS.

Prior to approximately 2010 all requested amendments of the RGS were subject to a very rigorous process dictated by the Local Government Act of the day. I attended most of the public consultations to update the RGS around 2011. The RDN had decided to clarify the path for

amending the RGS by setting out the process in relatively understandable language. In doing so it became clear that the amendment process is lengthy, involves a large number of entities and is expensive. The question was also asked “do ordinary clerical errors and updates” need to go through a full amendment process? The suggestion was made to incorporate a minor amendment process – and then even it was modified to allow very extensive changes to the RGS to be eligible for the minor amendment process as long as very specific steps were taken and completed during the OCP review.

Having sat through several of the Town's recent OCP consultation meetings and council consideration of the proposed changes to their OCP I can say that the proposed changes to the Urban Containment Boundary and Growth Containment Boundary did not receive adequate scrutiny and review to analyze all the implications of making such changes – both for the Town and the surrounding communities in the regional district. Little was heard from independent planning experts on making such changes. Qualicum Beach did not retain a consulting urban planner to shepherd the OCP review as it did in the past.

In B.C. we participate in and are served by two local governments. In other provinces like Alberta, incorporated municipalities down to hamlets are independent of rural counties. In B.C. the expectation is the municipalities will participate in the governance of the regional district and vice versa. The comment by some Town councillors that moving the growth containment boundary out to the Town boundary would limit further involvement of the RDN in the town's planning process was a little upsetting.

The Town owns and operates an airport within a few feet of the boundary of Area G. It bothers me that I may not have sufficient influence on land-use decisions at or around the airport, especially because the proposed containment boundaries could include lands in and around the airport. I am very concerned about the attitude the Town has with respect to participation in planning for all lands in the regional district.

It is my recommendation that the Town's proposal to effectively move both containment boundaries to be coincident with the Town Limits be sent back for further review.

Schile, Jamai

From: Scott Tanner
Sent: January 8, 2019 2:14 PM
To: Planning Email
Subject: Fwd: RDN Parks Planning Revision
Attachments: RDN Parks Plan Revision Concerns 2004-11-12.pdf

Attention Regional District of Nanaimo Chair and Directors,

re: Tuesday, January 8th public hearing.

The Wilderness Committee Mid-Island Chapter will be expressing support for the Regional District of Nanaimo's Growth Strategy Plan that provides the mechanism for the protection and maintenance of ALR parcels within the urban areas such as Qualicum Beach.

At tonight's hearing, I plan to expand on the Wilderness Committee's 2005 submission of comments for the proposed RDN's Parks Plan revision in order to outline and create a context for the importance of adhering to the current RDN's Growth Strategy Plan regarding the preservation of ALR lands. (see page 1 of 24 - 13 of 24) Please note page numbers at top right of page.

The importance of ALR lands re: liveability of the region, ecosystems services such as groundwater recharging, agri-tourism and interface buffers between the natural environment and development etc. are listed on pages 13-22. All points explaining the reasons for the protection of ALR lands have been supported by documentation from the 1995 RDN Parks Plan and the RDN Growth Management Plan.

Please manage to look over all of the 2005 submission, as it outlines an important part of our RDN history.

Yours truly,

Annette Tanner.
Wilderness Committee Mid-Island Chairperson

----- Forwarded message -----

From: Jonathan Behnke
Date: Mon, 7 Jan 2019 at 17:04
Subject: RDN Parks Planning Revision
To:

Hi Annette,

I was able to locate the attached document. If this is not what you were looking for, you may be able to obtain the document from the RDN directly. Or David Reid could shed some more light on it when he is back in the office on Jan. 13.

Thanks,

Jonathan Behnke | Landscape and Urban Designer, SITES AP, LEED Green Associate

LANARC | T: 1-778-762-4800 x6 | C: 1-250-327-2779 | E: Jon@LanarcConsultants.ca

405-256 Wallace Street Nanaimo, BC V9R 5B3 | 96 Timbercrest Dr. Port Moody, BC V3H 4T1

www.lanarcconsultants.ca

Pearse, Maureen

From: WCWC Mid Island Chapter
Sent: Friday, January 28, 2005 3:44 PM
To: Pearse, Maureen
Subject: Delegation request for Feb. 8/2005 RDN mtg.
Attachments: ATT340583.txt

Western Canada Wilderness Committee, Mid-Island
Box 442, Qualicum Beach, BC, V9K 1S9, ph. 250 752-6585, fax: 250 752-7085
email: wccqb@shaw.ca www.cathedralgrove.com

Attention: Maureen Pearse
From: Annette Tanner, Chairperson Western Canada Wilderness Committee, Mid Island
Re: Request to appear as a delegation at the Tuesday, February 2, 2005 RDN meeting.

I would like to appear as a delegation and have included comments submitted to Lanarc Consulting in November, as a backgrounder for my presentation.
Thank you.

Annette Tanner, Chairperson.

Western Canada Wilderness Committee, Mid-Island
Box 442, Qualicum Beach, BC, V9K 1S9, ph. 250 752-6585, fax: 250 752-7085
email: wccqb@shaw.ca www.cathedralgrove.com

Friday, November 12, 2004.

Lanarc Consultants Ltd.
375 Franklyn Street,
Nanaimo, BC, B9R 2X5
T. 250 754-5651, F. 250 754-1990
Email: rueggeberg@lanarc.ca

Sent via email: rueggeberg@lanarc.ca

Dear Harriet,

Re: Regional District of Nanaimo Parks Plan Revision

Thank you for meeting with Ronda and Gary Murdock and me to discuss the Western Canada Wilderness Committee's concerns for a process for input that will address proposed revisions to the Regional District of Nanaimo's Park System Plan.

03-Feb-05

We look forward to receiving a copy of the working plans for the Parks Plan revision. Bob Lapham has been contacted for a meeting about the Little Qualicum River Floodplain Forest in Qualicum Beach and Area G, in order to provide you with an update on the work and public support that we have for acquisition of that forest.

Thank you also for the RDN Park Plan map. WCWC is at the moment compiling a conservation vision, map and strategy for Vancouver Island. Our Mid Island Chapter is particularly concerned with the Central Island's Regional District of Nanaimo's Regional Park Plans system, as land use issues within this region are critical to the future of conservation for the entire island.

At our meeting with you, on Wednesday, Nov. 3, 2004, we stated that December seems like a rushed time of the year to conduct public meetings, because of Christmas concerts, holiday plans and a large sector of the population leaving to go South for the Winter.

The December timeline for public presentations of a draft Parks Plan also seems rushed in light of the fact that the draft RDN Park Plan map at present :

1. Does not include the 1995 Sensitive Ecosystem Inventory mapping by Canadian Wildlife Service, Environment Canada and BC Ministry of Environment. This study and mapping of sensitive ecosystems on East Vancouver Island and the Gulf Islands supports a conservation priority for East Vancouver Island that includes the Coastal Douglas fir Zone and the Nanaimo Lowlands, all located within the Regional District of Nanaimo. The SEI polygons have recently been updated.

"GREENBELTS:

Goal:

A Greenbelt function is distinct from the other park functions. The service is an essential component of the Regional District's park system requiring the coordination of other Regional District services and the other agencies of the park system. The goal is to secure and protect for all time, regionally significant components of open space, productive or threatened habitat and sensitive landscape features which contribute to the inherent livability of the region and the protection of its natural resources and landscape character. Human access may be possible in some cases where natural resources are not disturbed. Greenbelts, which provide for human use, are referred to as Greenways.

Objectives:

- To protect natural streams, watercourses, lakes and marshlands, which contribute to water quality, fish habitat or wildlife corridors.

- To actively pursue the protection of informal outdoor recreational pursuits on Crown lands including the provision of suitable access and services.
- To work with other responsible government agencies and land owners to develop a plan for the security of a regional greenway system." **1995 RDN Parks Plan, p.15**

2. The Regional Park Plan map does not include all Crown Land within the regional district. It is necessary for the Government to complete its inventory of Crown Land within the regional district, before a regional parks plan can be finalized. It would be imprudent for the Regional District to prematurely close options to public land where available.

"Provincial Financial Support for Regional Park Systems

The province has been active in the past in supporting regional park land acquisition, providing Crown Land for park land and granting funds to assist with its acquisition. The assistance provided to the Greater Vancouver Regional District (GVRD) illustrates this. The GVRD has received millions of dollars in provincial grants and matching funds to assist with park land acquisition. BC Parks states that provincial funding is not in place to assist the Regional District of Nanaimo with its park land acquisition. However, the province has a number of programs in place to assist with the funding of community initiatives. **Furthermore, through its Protected Area Strategy, the province has expressed support for the creation of a greater park land resource, including sites closer to communities such as those provided by regional park systems.**

The Regional District Park System proposed by this Plan will require assistance from the province for park land acquisition. **As such, an extensive lobbying effort to secure provincial funding is in order.**

"While opportunities to acquire lands with provincial support are not readily available, and the price of land is increasing, the Regional District still has opportunity. An increased population base, an active economy and public opinion all appear on the side of the Regional District for the establishment of a comprehensive park system.

In consideration of these relevant issues the Regional District of Nanaimo is committed to immediate and effective action in order to establish a comprehensive park system." 1995 RDN Parks Plan, P.2,3

3. The Regional Parks Plan map does not include Agricultural Land Reserves. With minimally protected lands in the regional district, Agricultural land is vital to support a buffer and interface for wildlife, conservation/populated areas.

4. The Regional Parks Plan map does not include historic sites or popular recreation areas within the regional district as targets for future acquisition possibilities.

The Wilderness Committee is asking that the draft RDN Park Plan map include the completed inventory of Crown Lands, which Land, Water BC is compiling at present through their Crown Land Inventory, so that no options for parkland acquisition are missed. The extra time will also allow for the Sensitive Ecosystems, agricultural land and popular recreation areas and uses to be mapped as well.

In a press notice from the RDN it states, "Having achieved many of the objectives of the 1995 Regional Parks Plan, it's time to review and re-define the future direction policies, priorities and actions for regional parks for the next 10 years." Would it be possible to be specific about the objectives which have been achieved, by referring to the following objectives of the 1995 Regional Parks Plan?

"RDN SIGNIFICANT SITES

This section identifies significant sites and concepts in which the Regional District of Nanaimo has an interest. Thirty-eight (38) sites and four (4) concepts are recognized as significant to the Regional District's parks, outdoor recreation and open space mosaic. Provincial Parks are also catalogued due to their critical overall importance in providing opportunities to this region's parks mosaic. Twenty-three (23) of the identified significant sites have been highlighted to indicate which sites are currently under discussion around possible access or joint management with the Regional District of Nanaimo. Community park land initiatives specific to each of the Regional District's eight electoral areas are also outlined." **1995 RDN Parks Plan, p.III**

1. Which properties in the 1995 Parks Plan acquisition list were acquired? (Please indicate the size of the acquired parcels.)
2. Which properties in the 1995 Parks Plan acquisition list were lost due to sales, development, logging etc.? (Please indicate size of parcels.)
3. What lands are currently on the revised property acquisition list? Which of these lands have been acquired, which lands have been lost and which are still on the list? Please list in order of priority.

With only 1.4 percent of the Regional District's landbase within the Regional Parks Plan system, it is doubtful that the following mission statement for the 1995 Parks Plan has been met:

"The security, protection and stewardship of lands within the region which maintain livability, provide environmental and natural resource protection and

accommodate outdoor recreational pursuits." 1995 RDN Parks Plan (inside cover)

The 1.4 percent (see attached chart) of the RDN landbase in a Regional Parks System, can only be the cornerstone to maintaining livability for the area. Conservation of natural areas and access to outdoor recreation for the growing number of people projected to move to the area is part of planning and vision for future needs.

"Rapid Growth and the Need to Sustain Livability

The Regional District of Nanaimo is a key element in a rapidly developing geographical area referred to as the Georgia Basin. Within this area respected authorities recognize the threat that growth poses to livability and natural resources. It is not merely a "not in my back yard reaction".

"If current population growth trends continue, the region's population of 5 million can be expected to double over the next 25 years. The major question facing the Georgia Basin is whether we can accommodate this growth without destroying the livability and natural environment of the Region". (the "Georgia Basin Initiative" of the Round Table)

In the last five years the Regional District of Nanaimo has experienced a rapid population growth rate of 23.8%, compared to 14.4% for the rest of Vancouver Island. It is recognized by the public and various government agencies, that this growth has the potential to compromise the natural resources and livability of this region. Therefore, it is critical that governments manage this change with available means and the appropriate mechanisms to limit the impact on the quality and character of the region.

A Park System Plan is a recognized mechanism of protecting a region's significant natural resources and maintaining livability. Eighty-five percent of the Regional Districts across the province have established park systems, which protect lands that represent natural character, provide for informal outdoor recreation and secure significant natural features within these regions. **The Regional District of Nanaimo's Park System Plan has been prepared in consideration of the urgent need to provide such a service to manage the area's growth by maintaining a standard of livability.** Establishment of this park system follows successful precedents of many other regional park systems in this province." ***1995 RDN Parks Plan, p. 1***

The 1995 Regional Parks Plan efforts to set land aside as parks for public access for the future needs of future population projections is paramount in spite of the everyday pressure to build and manage recreation facilities for today. These population pressures at this point in the history of the Regional District must continue to focus on securing a lasting land base of regional parks for the future projected growth of the region. The goals and objectives of the 1995 RDN Parks

Plan outline the need to expand and build a park system. These goals and objectives are more relevant and more urgent today, as we plan for the future recreation and conservation needs of a growing population.

“Public Demand for Environmental Protection and Informal Outdoor Recreation

Recent trends in the attitudes of people show a shift to a greater environmental conscience in which the protection of lands from development and resource extraction is a priority and participation in activities, which involve informal recreation, within the natural environment is on the increase. During the development of the Park System Plan, residents from across the entire Regional District expressed the need and commitment to secure open space as a high priority. The public has requested that the Regional Board and its member municipalities develop a comprehensive park system, which protects natural resources, secures significant features and representative samples of the area's landscape, and provides the opportunity for passive outdoor recreation. A willingness was expressed by the public to assist in the costs of this initiative.

The Regional District Park System is a means for local residents to satisfy the demand to protect local lands of significance. The Regional Park System will provide for public participation and will accommodate the protection and stewardship of lands, which are close to home and easily accessible for daily appreciation of the natural environment. With the commencement of the parks plan process; the public is under the impression that something will be done by the Regional District of Nanaimo in this regard. This Park System Plan proposes a realistic strategy, which responds to public demands.” ***1995 RDN Parks Plan, p.2,3***

The following information details the importance of including the Environment Canada and Ministry of Environment's Sensitive Ecosystems Inventoried lands and provincial Crown Land, on the Regional District of Nanaimo's Parks Plan map. A higher level land use plan is required to meet a conservation strategy for protected areas on East Vancouver Island (E & N land) that is consistent with the Province's proclaimed 12 percent protected areas strategy (CORE). We would like to point out to the Regional District of Nanaimo that the previous government did not succeed in setting aside land within the E & N Land on East Vancouver Island or within the Regional District of Nanaimo for its target of 12 percent ecosystem representation in its Protected Areas Strategy.

With little opportunity for public access to limited Crown Land within the E & N lands on Vancouver Island or Crown Land within the Regional District of Nanaimo, the Western Canada Wilderness Committee vehemently opposes any further resource extraction, sale or development of crown land within the E & N Land or the Regional District of Nanaimo until an inventory of public land has been completed and a higher level land use plan has been put in place to determine the

highest best use of Crown Land located within the E & N land on Vancouver Island and Crown Land located within the Regional District of Nanaimo.

Without public land, the proposed Regional District of Nanaimo's Growth Management Plan as well as its Parks Plan, is unsustainable because the region cannot support further fragmentation, degradation or removal of endangered, red-listed habitat and species on its minimal public landbase.

The Regional District of Nanaimo's Growth Management Plan and Regional Parks plan, are located in one of BC's rarest and most endangered ecosystems, the Coastal Douglas-fir zone and Nanaimo Lowlands. These unique ecosystems extend from Campbell River to Victoria along the east coast of Vancouver Island and onto the adjacent Gulf Islands. The Mediterranean-type climate and long growing season supports one of the smallest, rarest and most biologically diverse ecosystems in Canada. Over 87 percent of Vancouver Islanders live in this area and the population is growing. A century of intense urban development and logging has caused this to be one of BC's most degraded ecosystems (places with the greatest loss of natural environment).

Today, less than 2 percent of the Nanaimo Lowlands region is protected. Much of that is already highly modified and heavily used for recreation. Most of the remaining wildlands are in private holdings so there are few conservation options available. As the corporately-owned forest lands are logged--most of them on short fifty to sixty year rotations--the need for natural habitats for birds, other wildlife and salmon, will increase.

The highest and best use for the remaining pieces of forested public lands-which are few and far between-is to protect them as parks. The Regional District of Nanaimo's Growth Management Plan without a comprehensive conservation-based Regional Parks system would greatly diminish the local quality of life and could condemn this ecosystem to extinction

The Regional Parks plan must be developed prior to any paving, logging or development within the Regional District. Good forests and natural ecosystems are hard to find and must be planned for, identified and acquired first before details on where and how to pave and develop are determined.

An excellent example of an older Coastal Douglas-fir forest with endangered red-listed plant communities on Crown Land can be found along the headwaters of Grandon Creek in Qualicum Beach. The addition of such a piece of land would certainly help the Regional Parks System achieve its goals of protecting more of the land base. Located within the Municipality of Qualicum Beach, this land borders the Regional District Area G and is an example how a Parks System Plan for the region

must focus on maintaining and restoring connectivity of natural areas.

Land and Water, BC must be approached to compensate the Regional District for the shortfall of public land in the region and for its under-represented public landbase. As a corporation, LWBC, must now be in a position to not only balance its books, but to balance the imbalance of land use within this province. The province has almost 95 percent of its land designated as public land. The east side of Vancouver Island has less than 5 percent of its land designated public land.

LWBC must not be allowed to target the sale of any further crown land from the E & N region of Vancouver Island.

Almost 95 percent of British Columbia is Crown Land where 12 percent of the land base has been designated as part of the Protected Areas Strategy by the previous government. A higher level plan is required for the East Coast of Vancouver Island (E & N land) where the proposed Regional Parks plan has almost no access to public owned provincial Crown Land.

On East Vancouver Island's E & N land and in the Regional District of Nanaimo, approximately 94 percent of the land has been **removed from** the Public Land Base and given to private industry. This results in only 2 percent of the land base designated as high use recreation areas with little conservation values or strategies to sustain wildlife habitat or to restore conservation corridors.

When the Regional District of Nanaimo's Regional Park System Plan was drawn up, there was only 2 percent of the landbase within the Regional District designated as high-use recreation areas.

- Has the 2 percent protected area within the Regional District of Nanaimo increased?
- By how much has it increased?
- What areas are being planned to be included into the Regional District of Nanaimo's Park System Plan, so that the mission statement for protection of the Regional District's natural features can be attained?
- With the projected population increases that the District of Nanaimo's Growth Management Plan addresses, what will be the ratio of people per hectare of park land within the Regional District of Nanaimo in the year 2030?

The highest best use for the remaining crown land within the RDN is for conservation and parks. Because of the Government's E & N land grant to private industry (Big Business), the form of logging we see on the E & N lands allows for local community jobs to be exported in the form of raw logs. Big Business is exempt from paying stumpage or property taxes for the running of our hospitals, schools and the Vancouver Island railway. The E & N lands have alienated crown land from the public as well as from the Small Business Woodlot Enterprises. The

government of the day made the decision to support Big Business (private industry) by giving away the public's E & N land - **1/5 of Vancouver Island**. The logging industry is well represented in this region. The Western Canada Wilderness Committee encourages a higher land use plan that will acknowledge public values related to the changing and growing needs of surrounding population centres and tourism. The plan must address the rapid elimination of our natural East Coast environment that supports the highest biological diversity in British Columbia, in Canada and possibly in all of North America.

The Small Business Woodlot Programs can be relocated outside the E & N land where the government has not given away the public's land to big business (private industry) and where the public still owns 94 percent of the province. Unfortunately the E & N land was given away to big business (private industry) and that decision has tied the hands of the BC public. A possible solution could be to move Small Business Programs for Crown Land to areas of BC where Crown Land exists.

There is very little public land remaining on East Vancouver Island (E & N land) for the maintaining and protection of public values and interest. The Western Canada Wilderness Committee requests that a higher plan be developed to determine how public land, where it still exists on East Vancouver Island (E & N land) can be used as a core to restore, repair, connect and preserve the natural environment for: tourism, clean water protection, conservation of endangered red-listed habitat to maintain and enhance our present endangered and red-listed wildlife species, clean air, fish habitat and public recreation spaces.

The rare and endangered mediterranean-style Coastal Douglas-fir climatic zone can only be conserved here on east Vancouver Island found within the Nanaimo Lowland Ecosystem. The Western Canada Wilderness Committee supports the small business programs, but cannot support further removal of the natural environment on the minimal crown land within these endangered biogeoclimatic zones, because these tiny ecosystems only exist here on the East Coast of Vancouver Island (E & N land).

The Regional District of Nanaimo's Growth Management Plan requires a bigger Regional Parks vision in order to protect critical habitat and red-listed, endangered and rare old forest structures within this threatened, endangered and quickly disappearing ecosystem.

We are very pleased that Environment Canada's and the Ministry of Environment's Sensitive Ecosystem Inventory for the East Coast of Vancouver Island has been completed and that the study area has now been recognized as a high priority for

restoration and conservation. With such an extremely high biodiversity in this biogeoclimatic zone, we now have the information that indicates that perhaps due to the high biodiversity of the region, 30 percent, or a minimum of 20 percent of the region needs to be protected to maintain the species present.

With the expected population increases and the desire for more golf courses and outdoor recreation facilities thanks to the mild climate on the East Coast of Vancouver Island's E & N Land and Regional District of Nanaimo, the Western Canada Wilderness Committee recommends that areas for conservation strategy be assessed and compiled separately from high use parks and recreation areas. Minimal numbers of fragmented small Provincial Parks have been overbooked for over 30 years and the natural areas within these isolated parks are showing signs of overuse.

If growing population trends require trails, golf courses and playing fields, the Western Canada Wilderness Committee insists that these be part of a recreation, health and growth management plan that would be separate from land designated as part of a conservation strategy aimed at maintaining or restoring enough of the natural environment to sustain the present wildlife species that depend on these natural ecosystems. Heavily modified, fragmented and overused parks, recreation fields, deforested trails and golf courses must have a recreation "greenspace" designation that is separate from land set aside for a conservation strategy.

Ministry of Environment Conservation Data Centre, will indicate to what extent biological inventories and ground truthing have been done in the blocks outside the Sensitive Ecosystem study area occurring within the E & N Land Grant Area. (Environment Canada and Ministry of Environment Sensitive Ecosystem Inventory, for East Vancouver Island.) The forests within the Regional District are the most endangered and threatened forest types in Canada; the forests located within the Nanaimo Lowland and the Coastal Douglas-fir biogeoclimatic zones.

Some of the Crown Land in question may have been a candidate under the CORE process. With the new scientific research work done in the past few years, it is imperative that access to crown land on East Vancouver Island's E & N Land and within the Regional District for Conservation, Recreation, Tourism and Small Business Woodlots must be evaluated in a cost benefit study to determine the highest best use of this highly valuable and quickly disappearing public resource.

On the east coast of Vancouver Island and within the Regional District of Nanaimo, where only 2 percent of the land base has been set aside for conservation, recreation and tourism needs, heavy residential and tourist use of these tiny

pockets of "protected" land, have already heavily modified the small over-used Provincial, Regional and Municipal Parks. Red-listed plant communities have become toilets, campsites, roads, parking lots, riding trails, picnic areas and playing fields where many residential user groups express their needs and their rights to outdoor recreation uses.

The expanding population predicted for the East Coast of Vancouver Island's E & N land and Regional District will require that the highest best use of crown land be addressed before any further removal of natural ecosystems on crown land occurs. The Regional District of Nanaimo must plan for a parks/ recreation/ conservation strategy **BEFORE** approving further sprawl and paving of the region. Without securing the natural environment for conservation and recreation before planning for development, the Regional District's will speed the extirpation of red-listed/threatened marbled murrelets and the extinction of the red-listed forest types on which these species are dependent.

According to the Discovery Channel's, **Champions of the Wild**, the world's most endangered mammal lives on Vancouver Island, the Vancouver Island Marmot with less than 30 existing in the wild. The quality of life and water that we know and enjoy will be diminished without planning for natural areas and recreation opportunities above the less than 2 percent currently achieved by the Regional District's Parks System Plan.

The Regional District of Nanaimo is surrounded by corporate-owned free enterprise land. As a result of market demands, forest companies are moving to ecosystem-based planning and forest certification. Weyerhaeuser's Coastal Forest Project has yearly reviews to evaluate their efforts in maintaining older forests in this region. To what percentage of ecosystem representation are older forests in the region being protected or set aside? At present we have only 110 hectares of Coastal Douglas-fir oldgrowth protected in the entire province. What percentage of the landscape would that be and what is the goal for maintaining and restoring older second growth forests? As well, perhaps the Ministry of Forests can work with the Forest Company holders of the Private Land within the Mount Arrowsmith TSA, to commit to an Inventory of the Private Lands and to commit to an ecosystem or landscape level plan that includes entire watersheds regardless of tenure.

A shockingly small amount of Old Growth protection over the total area of the Regional District, will fail to protect habitats needed by endangered plants and animals.

How much crown land does the provincial government own within the E & N Land and Regional District of Nanaimo? What percentage of the E & N Land, Regional District of Nanaimo is Provincial Forest land and what percentage is Provincial Parks

and Recreation land? Since we now have more information through the SEI study and understand that only 110 hectares of old growth coastal Douglas-fir forest have been protected on the entire east coast of Vancouver Island (1992, Marvin Eng, Ministry of Forests, Gaps in Ecosystem Representation), has an initiative been made to retain our older forests? Can small business woodlot programs gain access to land outside the E & N lands as a result of the recent government clawback? The little Crown Land located close to population centres must provide for conservation, recreation, drinking water protection and clean air.

All logging, development and sale of Crown Land within the E&N Land Grant area and Regional District must be put on hold until an inventory of Crown Land assets has been completed, including the Crown Land recently sold for general revenue by the previous and current Government. These profits must be reinvested into buying back the quickly disappearing natural ecosystems on East Vancouver Island within this Land Grant area. Land and Water, BC must stop selling crown land on East Vancouver Island's E & N land and stop targeting the removal of any more of these public lands out of public ownership, control and environmental protection.

Access to Crown Land for logging would be more available in areas of BC where over 90 percent of the land base is Crown Land. Logging and even tourism can be moved to areas in BC where the province owns Crown Land, but our East Vancouver Island growing urban centres that need protected drinking watersheds, clean air and recreation areas, cannot be relocated to other areas in BC, nor can we protect the sensitive, endangered East Coast Vancouver Island ecosystems elsewhere in BC.

Residents within the expanding population base of east Vancouver Island's E & N land and Regional District of Nanaimo cannot be expected to drive to Strathcona Park, or the West Coast or other areas of BC for their daily outdoor recreation needs, clean air or clean water.

It is unfortunate that a past government gave away East Vancouver Island (E & N land that used to belong to the province of BC) to Big Business (private industry) and tied the hands of the BC Public, but we must build a Regional Park Plan and demand that LWBC stop the sale of Crown Land within the E & N lands immediately.

The Western Canada Wilderness Committee is adamant that no further logging, resource extraction or liquidation of Crown Land takes place until LWBC has completed its inventory of Crown Land on East Vancouver Island's E & N land and that the Regional Park Plan includes those lands on their Regional Park Plan map.

LWBC must be petitioned to stop the sale of Crown Land within the E &N land and compensate the Regional District with a higher level land use plan and conservation strategy where the previous Government's CORE land use strategy for East Vancouver Island's E & N land and Regional District failed in 1994.

The Regional District cannot plan for growth until a Regional Parks plan has been put in place to assign protection of the natural features and outdoor recreation needs for the projected population in the Regional District of Nanaimo Growth plan.

LWBC must balance the public land of this region, not its books, by returning to the public, the restoration of a balanced land base comparable to that of the rest of the Province. Regional Districts and Municipalities up and down Vancouver Islands east coast (E &N) must recommend to LWBC at the upcoming AVICC this spring that:

1. An inventory of Crown Land within the E &N lands be completed
2. No further sales or logging take within those lands and that each regional government be compensated for the previous government's mismanagement of the CORE process that left the Regional District of Nanaimo and E & N lands out of the deal.

The recommendation to set aside the natural areas before they disappear, will be seen as the utmost urgent planning action that can be taken today before real-estate prices go up even further. Setting aside the forests, wetlands and streams of today is better than tearing up and reforesting the pavement of tomorrow.

Therefore, it is imperative that all Environment Canada Sensitive Ecosystem Inventoried SEI sites and Crown land, once LWBC has completed their inventory, be included in the Regional Parks Map in order for the Regional Parks plans to address a conservation strategy for their acquisition and protection.

Agricultural Land must also be mapped onto the Regional Parks plan, as it provides important locations of buffers and interface areas that provide critical conservation values as migratory corridors and greenspace visual corridors between parks, trails and development. With projected increases in population, the need for sustainability will require MORE Agricultural Land, not less, therefore the Western Canada Wilderness Committee does not support the rezoning of Agricultural Land for subdivisions or development such as proposals to remove Agricultural Land in Deep Bay.

The Regional District of Nanaimo's Growth Management Plan supports and recognizes the importance of Agricultural Land and a sustainable mix of land uses in the RDN GMP Report's vision statement.

"Communities in the Regional District of Nanaimo will seek to improve the quality of life for residents while respecting the ecological integrity of the environment. The region and its interdependent

communities will possess a vibrant, sustainable economy, and will contain a mix of land uses and housing types in safe, friendly, well designed neighbourhoods. The form and design of settlements will reflect the diversity of the region's landscapes and cultural qualities, and will maintain the distinction between urban and rural areas. Residents will have easy access to workplaces, services, natural areas, and educational opportunities by a choice of mobility options. Each community will be surrounded by designated urban boundaries and permanently protected, contiguous corridors of open space. Growth and development will be managed to improve the quality of the region's communities, protect open space, and enhance the natural environment for the benefit of all life." ***RDN Growth Management Plan***

Agricultural Land provides access to locally grown produce while also providing a contiguous corridor of open space. The economic opportunity that food production and agri-tourism provides in this setting must be protected.

Agriculture is, "the innovation, the technology, the economic backbone of our province." www.agaware.bc.ca Throughout the year, AgAware BC has been working to help the urban population put real faces to farmers and ranchers, through stories, at Media Family Days on the farm, in newsletters and on the website. **98 percent of our province's population doesn't live on farms.** AgAware has produced videos for BC schools so that these eye-openers to modern day farms and issues can touch us all. "AgAware's Hamburger Theatre exhibit at Science World never winds down. Around 3,000 visitors a day learn about the important industry behind the food they eat."

AgriTourism - "There are links to most of the open farms in BC in the AgriTourism section of AgAware BC's website, where you can search for a farm or event near your city or town. March, walk, drive a tractor, wave a flag, or hand out brochures you can help spread the word that "agriculture is everywhere"! www.agaware.bc.ca

Since every mouthful of food that is consumed in BC must travel approximately 2,000 kilometres, the Western Canada Wilderness Committee would like to support continued local access to local agricultural designated land as a way of reducing green house gases produced by trucks, planes and trains supplying us with far-away-food. The RDN Growth Management Plan supports the vision for an improved quality of life in the following goals:

"Goals

The main ingredients of the better quality of life identified in the vision statement are sorted into eight goals:

The Vision Statement calls **for containing urban areas to limit sprawl. The goal of urban containment will be attained by applying policies to focus development in urban areas rather than at the edges of communities.**

Maintaining a strong rural economy and the character of rural communities and ecosystems are important Growth Management Plan goals. **These goals can be achieved in part by halting the suburban development of rural lands,**

supporting provincial land use regulations, and making decisions that strengthen rural economic activity.

The public in the RDN has expressed deep concern about the environmental harm caused by growth. The Growth Management Plan calls for coordinated efforts to protect and restore the environment." ***RDN Growth Management Plan***

The Western Canada Wilderness Committee requests that all rural Agricultural Land within the RDN and E&N Lands remain intact in order to protect the Pacific Flyway for migratory birds. (Environment Canada, Canadian Wildlife Service). Agricultural land provides a buffer for wildlife migration in a part of Vancouver Island, BC that has not been able to set aside or protect 12 percent of the east coast land for wildlife, greenspace, recreation or conservation. (E & N Land Grant)

Agricultural Lands can also provide important wetland drainage and habitat for endangered and red-listed species, Pacific Flyway migratory birds, as well as nesting for local heron populations. Local salmon streams are recharged with the sponge effect of the water retention of the site. Agricultural use of the land will provide economic opportunity, rural open space, agri-tourism opportunities and sustain the rural agricultural economy and character.

"Official Community Plans will promote and encourage retention of large rural holdings.

Suburbanization of rural areas is a major threat to the character and quality of life in the RDN. Protection of rural lifestyles, environmental quality, and economically viable rural commercial activity requires large properties. Large land parcels are needed for livestock operations and for forestry. Smaller parcels tend to increase land values, making them uneconomic for commercial agriculture or forestry. Rural parcels should allow their owners to live and earn a living with minimal reliance on community services (especially water and sewer). This degree of self-sufficiency requires large land parcels.

Subdivision, rezoning, land use change, and speculation have aroused concern about the future of rural parts of the region. The RDN and municipalities, through the OCP process, will seek ways of retaining large rural parcels and discouraging their subdivision. Applications for development that are inconsistent with retention of large parcels and protection of rural character should be denied." ***Regional District of Nanaimo Growth Management Plan Website, www.rdn.bc.ca***

It is important to review the quality of life surveys for the Regional Districts and Official Community Plans to determine the role of Agricultural Land within the Regional District. Each community knows best how to preserve the quality of life in their own communities. The Western Canada Wilderness Committee supports community groups in preserving Agricultural Land.

"Policy 3D.

OCPs will include policies supporting retention of land in the Agricultural Land Reserve (ALR).

"Because of the geology and topography of Vancouver Island, many areas of agriculturally suitable soils are found in small pockets, a condition that is often used to justify their removal from the ALR. These pockets of soil may, however, be highly productive, and maintaining agricultural land is important to the regional and provincial economy as well as to the environmental quality and rural character of the RDN. The RDN is well endowed with agricultural land; with nine percent of its area in the ALR, the RDN has almost three times the Vancouver Island average. **The number of people employed in farming has grown in recent years, and the health of this economic sector requires a secure land base."** *Rdn website: www.rdn.bc.ca*

Local residents enjoy being able to buy fresh produce and eggs from farms at reasonable prices.

"RDN jurisdictions will adopt planning policies that support retaining agricultural land, and will protect the viability of agricultural operations by discouraging road and service extensions through or adjacent to such parcels, and by considering the need for appropriate land uses as buffers. Where ALR lands are located within urban containment boundaries, OCPs will include ways of retaining the existing and future agricultural and open space values of the lands.

Policy 3E.

Urban areas will be designed to protect rural integrity.

Urban Containment Boundaries will help to protect rural lands from pressures for urbanization, but other measures can reinforce the effectiveness of UCBs. For example, buffers of open space or large suburban lots may reduce the likelihood of conflicts over land use on the rural-urban fringe. Road designs should be designed to avoid directing traffic toward rural areas or increasing pressure to extend roads through rural lands." *RDN Grown Management Plan, www.rdn.bc.ca*

Nearly 87 percent of the population of Vancouver Island lives within the Nanaimo Lowland biogeoclimatic zone. Rural open space and a source of food production

potential of Agricultural Lands is necessary in a region where the CORE Land Use Plan and the Regional District of Nanaimo Parks Plan have so far failed to conserve 12 percent of the landbase for conservation or recreation values.

"GOAL 4: ENVIRONMENTAL PROTECTION

Policy 4A.

A program of open space protection will be developed by local, regional, and senior governments, including implementation of the *Regional Parks System Plan*.

The RDN, municipalities, and senior government agencies will design and implement a strategy for protecting open space and the natural legacy of the region. The strategy should identify or create new funding sources for a regional open space program, and coordinate the acquisition and management of land for open space use.

The open space protection program should:

- establish an open space acquisition and capital improvement fund to purchase and manage lands;
- form a partnership with existing funding and land banking groups such as the Nature Trust of BC and land management groups such as Ducks Unlimited;
- establish a consistent region-wide policy to encourage dedications of land;
- encourage cooperation among jurisdictions, building on the experience gained in the Community Greenways program; and
- implement the *Regional Parks System Plan*.

The region should work closely with local, provincial and federal resource management agencies to develop and implement cooperative open space projects. Implementation agreements should be established if appropriate.

In addition to funding and land acquisition, the RDN and municipalities should collaborate in preparing regulations to protect important environmental features. Such legislation may include:

- tree protection bylaws under Section 929 of the *Municipal Act*, and related initiatives to protect trees through Development Permits and subdivision approval processes;
- fill removal and fill placement bylaws to prevent damage to wetlands, floodplains, productive soils, and streams;
- consistent setbacks from streams, lakes, and marine shores so that natural features and the public interest can be protected;

- zoning classifications that reflect the different kinds of parks and protected areas in the RDN, such as playfields, limited use natural areas, privately-owned protected areas, and areas where public access and disturbance should be minimized.” ***RDN Growth Management Plan***

The Regional District of Nanaimo Parks Plan has been able to set aside less than 2 percent of the land base as parks for public access, enjoyment, recreation and wildlife conservation. Rural agricultural land offers the visual corridor for recreation and provides sustainable economic opportunity and wildlife corridors that compensate for the lack of recreation and conservation land use planning and land use options.

The agricultural land acts as a recharge area for aquifers and as sponge for collecting stormwater runoff. The importance of local organic farming opportunities cannot be overemphasized in a society that is becoming more and more health conscious.

The Western Canada Wilderness Committee would like to emphasize that due to the lack of a provincial conservation vision for the East Coast of Vancouver Island, the Regional District of Nanaimo has only approximately 2 percent of its land base set aside for recreation, trails, conservation and wildlife. Agricultural land provides rural greenspace, wildlife corridors, economic development in agri-tourism and food production and a contribution to the quality of life and rural character outlined in the following policy 4B.

“Policy 4B.

The RDN and local jurisdictions will base development and open space protection decisions on the ecological character of the land.

The designation of land for urban, rural, open space, or resource extraction uses will reflect and protect ecological characteristics of the area.

The first step in achieving this policy is to identify ecologically significant areas. The inventory of environmental features of the RDN is incomplete, so the Regional District, member municipalities, and senior governments will collaborate in conducting an open space inventory and mapping program to document the distribution and size of all remaining and restorable natural areas. The initiative can build on existing parks and open space mapping and should include results of senior governments' Sensitive Ecosystem Inventory. The immediate priorities of the project should be to:

- prepare an atlas of all environmentally significant terrestrial, aquatic, and marine areas at scales appropriate to accurately delineate small streams and

wetland refuges needed by coho salmon and other wildlife species;

- rate the ecological significance of the open space areas and determine their suitability for conservation, recreation, or limited development;
- determine needs, opportunities, and priorities for open space acquisition or protection in all parts of the region;
- link the inventory directly to nodal land use planning, open space acquisition programs, and regulation of environmentally disturbing activities.

Site plans for the development and community plans should consider environmental characteristics of an area first, and design plan elements to protect important features.

Policy 4C.

A system of interconnected trails, greenways, and natural corridors capable of sustaining or enhancing native plant and animal species will be established regionally. The Community Greenways project being undertaken in British Columbia with RDN and local involvement emphasizes the importance of establishing corridors of open space. OCPs in the RDN will recommend that Greenways principles and approaches should be applied in protecting riparian corridors and coastal and terrestrial components of an open space system throughout the RDN. Some of these corridors can be used for bikeway or pedestrian trail systems, but some sensitive areas may not be suitable for unrestricted human access.

Policy 4D.

Measures to protect the supply and quality of surface and groundwater will be developed and implemented in each jurisdiction.

Surface water protection measures include selecting and implementing appropriate riparian setbacks in new developments, and control over residential, industrial, and agricultural practices that affect water quality and quantity. **The RDN should explore partnerships and opportunities for coordination with the Ministry of Environment, Lands and Parks and the Department of Fisheries and Oceans to undertake integrated watershed planning and water quality enforcement.** Land use planning provides the most reliable means of protecting groundwater supplies and aquifer recharge areas. Land use decisions in unincorporated areas should, therefore, be based on information from watershed and aquifer studies. **Implementation of Growth Management Plan policies dealing with Services and Resource Use will also support the protection of surface and groundwater.**

Policy 4E.

Development of remaining natural segments of the coastal zone will be discouraged.

Most of the region's coastline has been alienated for private use: industry, private homes, tourist resorts, and military facilities. Provincial foreshore and aquaculture leases effectively privatize other coastal resources. Because the coastal zone is one of the most valuable public and environmental assets in the RDN, further private development that limits public access, use, and appreciation of the coastline or that alters the natural character of the coastal zone should be discouraged. Future development of aquaculture facilities may be located where minimal disruption of habitat and public access would occur. **A detailed coastal resource inventory should be conducted to document the nature, importance, and sensitivity of the region's foreshore and backshore.**

Policy 4F.

Floodplains and other aquatic features will be protected or restored to a natural condition.

All RDN jurisdictions, the Ministry of Environment, Lands and Parks, and the Department of Fisheries and Oceans will collaborate in developing and implementing bylaws and other measures to prevent filling or urbanization of floodplains, wetlands, lakes, and streams. **Floodplains are important parts of the aquatic ecosystem, providing storage for storm flows, minimizing the cost and extent of drainage works, allowing groundwater recharge, and supporting a variety of plant and animal species.** OCPs and zoning bylaws should be amended to protect floodplains and associated wetlands and water features. **Where floodplains and other aquatic features have already been affected by filling or development, opportunities for restoring their biological and hydrological function should be explored.**

- a. **protecting the land base and business environment needed by BC's agricultural producers to operate efficiently without undue restrictions or competition from other land uses; and**
- b. **preserving the limited supply of agricultural land that can provide a secure and healthy food supply for current and future generations"** ***RDN Growth Management plan***

It is important to note the importance of wilderness areas in recharging aquifers for salmon streams as well as for agricultural land use. The mission statement of the Western Canada Wilderness Committee is the preservation of wilderness through public education and scientific research. Agricultural lands provide economic

development opportunities while at the same time acting as buffers for badly fragmented and almost non-existing protected areas.

The E & N landscape of East Vancouver Island cannot support further fragmentation, degradation or removal of endangered, red-listed habitat and species on its minimal public land base. Agricultural Lands are fundamental in balancing the need for food and rural open space. Agricultural would address the preservation of one of the world's fastest disappearing resources: topsoil.

The highest and best use for Agricultural Land is to provide food for the growing east Vancouver Island population and to act as a buffer for the remaining pieces of forested public lands-which are few and far between.

The role of agricultural land in providing economic opportunity for agri-tourism, food production and rural open space can be better understood and valued, when it is pointed out how a lack of provincial land use planning for east Vancouver Island has affected the Regional Park System Plan. When the 1995 Regional Parks plan was drawn up, there was less than 2 percent of the land base within the Regional District part of the Regional Parks system. The following questions have to be addressed:

- At that time, what was the ratio per person per hectare of land?
- What is the ratio of numbers of people per hectare now?
- Has the 2 percent protected area within the Regional District of Nanaimo increased?
- By how much has it increased?
- What areas are being planned to be included into the Regional District of Nanaimo's Park System Plan? What percentage of the Regional District will be set aside for conservation of natural areas? How much will be set aside for outdoor recreation activities (trails and other highly modified landscapes)?
- With the projected population increases in Regional District, what will be the ratio of people per hectare of park land in the year 2030?
- What will be ratio of people per hectare of Agricultural Land in the year 2030?

The Western Canada Wilderness Committee encourages a higher land use plan that will acknowledge public values related to the changing and growing needs of surrounding population centres, tourism and the rapid elimination of our natural East Coast environment that supports the highest biological diversity in British Columbia, in Canada and possibly in all of North America.

Agricultural land is critical in compensating for the lack of planning and regrettable

permanent loss of Vancouver Island's East Coast PUBLIC ACCESS lands. These agricultural lands must be included on the Regional Parks Plan systems map.

The expanding population predictions for the East Coast of Vancouver Island's E & N land and Regional District of Nanaimo will require that the highest best use of these remnant crumbs of crown land and agricultural land be addressed and located on the Regional Parks Plan map before any further removal of Crown Land or agricultural land rezoning occurs.

The Regional District of Nanaimo must plan for a parks/ recreation/ conservation strategy, local food sources on agricultural land, economic opportunities in agriculture, and the quality of life that rural open spaces provide before approving further urban sprawl such as the development and paving of the foreshore and estuary of French Creek where fill and rip rap spill into the Straits of Georgia to "protect" the monster homes.

The little parcels of crown land located close to population centres must provide for conservation, recreation, drinking water protection and clean air. A Regional Parks System can enhance ecosystem-based planning or watershed assessments necessary for providing drainage and recharge capabilities for healthy watersheds while protecting critical habitat and endangered and rare old forest structures.

The Western Canada Wilderness Committee supports planning for growth by firstly, putting a plan in place to assign protection of the natural features of the area, outdoor recreation spaces, local food supply on our agricultural land and clean water needs for the population growth projected in the Regional District of Nanaimo Growth plan.

Agricultural Lands and Crown Land are sources of aquifer recharge and filtration for ground water resources while providing economic opportunity in agriculture and agri-tourism. Crown land must be shown on the map to provide core areas for the Regional Parks Plan acquisition strategy, while the agricultural lands must be mapped on the Regional Park plan map, to determine where buffers can be located.

A Regional Parks planning map that contains the Sensitive Ecosystem sites, Crown Land and Agricultural Land, will present a better model for a better Regional Parks Plan vision and strategy that would be more effective in maintaining the local natural, rural, cultural heritage, character and quality of life of the region that includes access to local public land for outdoor recreation areas.

Little Mountain, Morrison Creek and Lost Trails Wetlands are examples where leasing will not provide planning or vision for future park acquisition options. How

many more public land parks is the Liberal Government planning to dispose of? Please list the areas and highlight these sites on the Regional Parks Planning map. Morrison Creek and Little Mountain were included in the 1996 Vancouver Island Land-Use Plan as being protected under their Special Feature Protected Areas strategy. Please provide an accounting for these and other Regional Parks or trails where LWBC is effectively proposing to sell our Regional Parks. It must be assumed that any leases on private land will cease when real estate prices go up and land is sold.

In summary, it is imperative that the Regional District of Nanaimo lobby both the provincial government where the previous government's CORE land use decision left the Nanaimo Regional District with less than 2 percent of the entire region in protection and also the federal government where the original decision was made to remove the E & N land from the Crown. Both levels of government must be lobbied to return and restore to Crown a balanced land use base to the area. There must be no further Crown Land removed from the public sector until a process has been established to address the severe shortfall and shortsightedness of these two land use decisions.

“Provincial Financial Support for Regional Park Systems

The province has been active in the past in supporting regional park land acquisition, providing Crown Land for park land and granting funds to assist with its acquisition. The assistance provided to the Greater Vancouver Regional District (GVRD) illustrates this. The GVRD has received millions of dollars in provincial grants and matching funds to assist with park land acquisition. BC Parks states that provincial funding is not in place to assist the Regional District of Nanaimo with its park land acquisition. However, the province has a number of programs in place to assist with the funding of community initiatives. **Furthermore, through its Protected Area Strategy, the province has expressed support for the creation of a greater park land resource, including sites closer to communities such as those provided by regional park systems.**

The Regional District Park System proposed by this Plan will require assistance from the province for park land acquisition. **As such, an extensive lobbying effort to secure provincial funding is in order.**

“While opportunities to acquire lands with provincial support are not readily available, and the price of land is increasing, the Regional District still has opportunity. An increased population base, an active economy and public opinion all appear on the side of the Regional District for the establishment of a comprehensive park system.

In consideration of these relevant issues the Regional District of Nanaimo is committed to immediate and effective action in order to establish a comprehensive park system.” 1995 RDN Parks Plan, P.2,3

In the meantime, the Regional Parks Plan System must aim to "PLAN" for the future and not eliminate a vision or future for parks in the region. The Western Canada Wilderness Committee is concerned that a parks plan and vision for the future cannot be addressed until all possibilities for conservation and parks within the Regional District of Nanaimo are brought to the table and mapped.

Again, to recapitulate, a Regional Parks Plan System cannot be put together without a map that clearly marks all possibilities within this very challenging land use base. This information would include all Crown Land, (federal and provincial), once the inventory is completed, all Agricultural Land and all Environment Canada and Ministry of Environment's Sensitive Ecosystem Inventory sites. The location of popular recreation areas and trails can be mapped with the assistance of local groups such as hikers, horseback riders, etc.

Yours truly,

Annette Tanner,
Chairperson.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1417.05

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

WHEREAS the Regional District of Nanaimo may, by bylaw under Section 233 of the *Local Government Act*, establish terms and conditions of employment, including the appointment and termination, of its Officers and Employees;

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

1. This bylaw may be cited for all purposes as the "Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.05, 2019".
2. Schedule 'A' of Bylaw No. 1417 is hereby repealed and replaced with Schedule 'A' attached to and forming part of this bylaw.

Introduced and read three times this day of , 20xx.

Adopted this day of , 20xx.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Regional District of Nanaimo Officers and Management Employees Terms and Conditions of Employment Amendment Bylaw No. 1417.05, 2019".

Chair

Corporate Officer

**REGIONAL DISTRICT OF NANAIMO OFFICERS AND MANAGEMENT EMPLOYEES
TERMS AND CONDITIONS OF EMPLOYMENT
BYLAW NO. 1417**

SCHEDULE 'A'

**PART ONE:
PAID LEAVE OF ABSENCE**

(1) LEAVE OF ABSENCE

Leave of Absences with pay shall be provided as follows:

(a) Bereavement Leave

All Employees shall be entitled to a maximum of five (5) paid working days of compassionate leave in the event of life threatening illness or death in their immediate family. An Employee will be provided with additional unpaid leave in the event of a life threatening illness or a death in the immediate family.

Immediate family is defined as the father, mother, brothers, sisters, brothers-in-law, sisters-in-law, spouse, common-law spouse (as defined in the *Family Relations Act*), children, step-children, in-law parents, grandparents, grandchildren and current step-parents of an Employee.

(b) Parental Leave

In the case of the natural/adopting mother or natural/adopting father, Employees are entitled to a combined maternity/parental leave without pay for the total number of weeks as established in the current *Employment Standards Act* before or after the birth or adoption of the child. Contributions to benefits while on maternity/adoption or parental leave shall continue to be paid by the Employer.

(c) Dependent Illness

In the case of illness of a dependent child, spouse or parent of an Employee, when no one at the Employee's home can provide for the needs of the ill child, an Employee after notifying their supervisor, shall be entitled to use a maximum of five (5) accumulated sick leave days per year to care for their child and/or to make alternate arrangements for care

(2) **JURY DUTY**

Any Employee who is summoned to perform jury duty shall be excused from attendance for work while performing such duties and shall be entitled to his or her full pay provided that he or she shall pay to the District all Jury fees to which he or she is entitled except transport, accommodation and meal expenses.

**PART TWO:
ANNUAL VACATION ENTITLEMENT**

Vacation entitlement shall be based on a calendar year and Employees shall be eligible to receive their full entitlement commencing January 1st of each calendar year. Except where provided for separately between the Employee and the Employer, annual vacation entitlements for Employees shall be as follows:

During first year	4 weeks (pro-rated)
On completion of first year	4 weeks
On completion of fifth year	5 weeks
On completion of fourteen years	6 weeks
On completion of twenty years	7 weeks
On completion of twenty-five years*	8 weeks

*Applicable only to excluded staff with more than 10 years of service as of January 23, 2018