

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

**Tuesday, September 26, 2023
1:00 P.M.
Board Chambers (Webstreamed)**

In Attendance:	Director V. Craig*	Chair
	Director J. Stanley*	Electoral Area A
	Director L. Melanson*	Electoral Area C
	Director B. Rogers	Electoral Area E
	Director L. Salter	Electoral Area F
	Director L. Wallace	Electoral Area G
	Director S. McLean	Electoral Area H
	Director S. Armstrong	City of Nanaimo
	Alternate	
	Director H. Eastmure*	City of Nanaimo
	Director B. Geselbracht*	City of Nanaimo
	Director E. Hemmens*	City of Nanaimo
	Director P. Manly*	City of Nanaimo
	Director J. Perrino	City of Nanaimo
	Director I. W. Thorpe*	City of Nanaimo
	Director M. Swain	District of Lantzville
	Director D. O'Brien	City of Parksville
	Director S. Wood	City of Parksville
	Director T. Westbroek*	Town of Qualicum Beach
Regrets:	Director T. Brown	Vice Chair
	Director L. Krog	City of Nanaimo
Also in Attendance:	T. Osborne	Acting Chief Administrative Officer
	C. Crabtree	Gen Mgr. Corporate Services
	L. Grant	Gen. Mgr. Development & Emergency Services
	E. Tian	Gen. Mgr. Regional & Community Utilities
	J. Hill	Corporate Officer
	P. Thompson	Mgr. Current Planning
	M. Walters	Mgr. Water Services
	C. Holt	Zoom Moderator
	S. Syme	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order.

* Denotes electronic meeting participation as authorized by Section 10 of "Regional District of Nanaimo Board Procedure Bylaw No. 1862, 2022".

TERRITORIAL ACKNOWLEDGEMENT

The Chair respectfully acknowledged the Coast Salish Nations on whose traditional territory this meeting took place.

APPROVAL OF THE AGENDA

23-457

It was moved and seconded that the agenda be approved, as amended, to include addendum items and to bring forward the In Camera portion to follow item 5.2 Delegations – Items not on the Agenda.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

23-458

It was moved and seconded that the minutes of the Regular Board meeting held September 12, 2023, be adopted.

CARRIED UNANIMOUSLY

DELEGATIONS - ITEMS NOT ON THE AGENDA

David Warburton, Port Theatre Society, re Annual Report

David Warburton from the Port Theatre Society provided an overview of the Port Theatre Society's activities over the last year and thanked the Board for their support.

Jack Tieleman & Paul Chapman, Nanaimo & Area Land Trust, re NALT Annual Report

Jack Tieleman & Paul Chapman from Nanaimo & Area Land Trust (NALT) provided a PowerPoint presentation for their Annual Report and asked the Board to consider providing NALT with a \$40,000 grant for 2024.

IN CAMERA

23-459

It was moved and seconded that that pursuant to the following sections of the *Community Charter* the Board proceed to an In Camera meeting:

- 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public
- 90(1)(m) A matter that, under another enactment, is such that the public may be excluded from the meeting

- 90(1)(o) the consideration of whether the authority under section 91 [other persons attending closed meetings] should be exercised in relation to a council meeting
- 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party

CARRIED UNANIMOUSLY

TIME: 1:15 P.M.

RECONVENE: 2:06 P.M.

Director Thorpe left the meeting at 2:06 P.M.

COMMITTEE MINUTES

23-460

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

Electoral Area Services Committee Meeting - September 7, 2023

Committee of the Whole Meeting - September 11, 2023

CARRIED UNANIMOUSLY

CONSENT AGENDA

23-461

It was moved and seconded that the following items be adopted by consent:

8.1.1 Request for Endorsement of Comments on Cowichan Valley Regional District Rezoning Application, 13271 Simpson Road, Area H, Cowichan Valley Regional District

CARRIED UNANIMOUSLY

The items and recommendations referred to above are as follows:

ELECTORAL AREA SERVICES COMMITTEE RECOMMENDATIONS

Request for Endorsement of Comments on Cowichan Valley Regional District Rezoning Application, 13271 Simpson Road, Area H, Cowichan Valley Regional District

23-462

That the Board provides the following comments in response to the Rezoning Application referral from the Cowichan Valley Regional District dated July 21, 2023 with respect to 13271 Simpson Road, in Electoral Area H of the Cowichan Valley Regional District:

1. In response to community concern about aquifer protection, the Regional District of Nanaimo requests that Schnitzer Steel's Environmental Management plan address the protection of the Cassidy Aquifer and that any surface water runoff is captured in an oil/water separators to avoid the contamination of the aquifer; and,
2. request that screening and buffering along the Trans Canada Highway be a condition of approval.

ADOPTED ON CONSENT

ITEMS REMOVED FROM THE CONSENT AGENDA

None.

Director Salter re-joined the meeting at 2:09 P.M.

COMMITTEE RECOMMENDATIONS

ELECTORAL AREA SERVICES COMMITTEE RECOMMENDATIONS

Development Permit with Variance Application No. PL2023-070, 700 Horne Lake Road, Electoral Area H

The Chair called for members of the public wishing to speak to Development Permit with Variance Application No. PL2023-070, 700 Horne Lake Road, Electoral Area H.

No one in attendance wished to speak.

23-463

It was moved and seconded that the Board approve Development Permit with Variance No. PL2023-070 to increase the surface area for fascia signs and a freestanding sign on the property subject to the terms and conditions outlined in Attachment 3.

CARRIED UNANIMOUSLY

Development Permit with Variance Application No. PL2023-050, 2295 Widgeon Road, Electoral Area H

The Chair called for members of the public wishing to speak to Development Permit with Variance Application No. PL2023-050, 2295 Widgeon Road, Electoral Area H.

No one in attendance wished to speak.

23-464

It was moved and seconded that the Board approve Development Permit with Variance No. PL2023-050 to permit a second-storey addition to the existing dwelling and the construction of a second dwelling subject to the terms and conditions outlined in Attachment 2.

CARRIED UNANIMOUSLY

Development Variance Permit Application No. PL2023-046, 210 Cochrane Road, Electoral Area H

The Chair called for members of the public wishing to speak to Development Variance Permit Application No. PL2023-046, 210 Cochrane Road, Electoral Area H.

Brian Gregg, Telus Land Use Consultant, answered questions from the Board.

23-465

It was moved and seconded that the Board approve Development Variance Permit No. PL2023-046 to reduce the setbacks for a proposed telecommunications tower, related infrastructure, and a fence subject to the terms and conditions outlined in Attachment 2.

CARRIED UNANIMOUSLY

Development Variance Permit Application No. PL2023-067, 121 Hilliers Road North, Electoral Area G

The Chair called for members of the public wishing to speak to Development Variance Permit Application No. PL2023-067, 121 Hilliers Road North, Electoral Area G.

A resident spoke in favor of the application.

23-466

It was moved and seconded that the Board approve Development Variance Permit No. PL2023-067 to reduce the setback for a proposed fence greater than 2.0 metres in height subject to the terms and conditions outlined in Attachment 2.

CARRIED UNANIMOUSLY

Zoning Amendment Application No. PL2022-186, 1788 Fielding Road, Electoral Area A, Amendment Bylaw 500.443 – Introduction

23-467

It was moved and seconded that the Board introduce and give two readings to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.443, 2023”.

CARRIED UNANIMOUSLY

23-468

It was moved and seconded:

2. That the Board direct that the conditions set out in Attachment 7, be completed prior to the consideration of adoption of "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.443, 2023".
3. That the Board delegate the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.443, 2023", to the Director of Electoral Area A.
4. That the Board receive the summary report of the community engagement as provided in attachment 4.

CARRIED UNANIMOUSLY

Bylaws No. 813.59 and 889.80 - Inclusion of 1 Property into the French Creek and Northern Community Sewer Service Areas

23-469

It was moved and seconded that "French Creek Sewerage Facilities Local Service Amendment Bylaw No. 813.59, 2023" be introduced and read three times, and that, after having been read three times, be forwarded to the Electoral Area G Director for consent.

CARRIED UNANIMOUSLY

23-470

It was moved and seconded that "Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.80, 2023" be introduced and read three times, and that, after having been read three times, be forwarded to the Electoral Area E and G Directors and the participating municipalities for consent.

CARRIED UNANIMOUSLY

River's Edge Service Area Name Change and Bylaws 1353.02, 1354.02, and 1363.01 with Updated Map Schedules

23-471

It was moved and seconded that third reading of "River's Edge Streetlighting Service Area Amendment Bylaw No. 1353.02, 2022" be rescinded.

CARRIED UNANIMOUSLY

23-472

It was moved and seconded that third reading of "River's Edge Water Supply Service Area Amendment Bylaw No. 1354.02, 2022" be rescinded.

CARRIED UNANIMOUSLY

23-473

It was moved and seconded that third reading of "Regional District of Nanaimo River's Edge Storm Water Management Service Area Amendment Bylaw No. 1363.01, 2022" be rescinded.

CARRIED UNANIMOUSLY

23-474

It was moved and seconded that "River's Edge Streetlighting Service Area Amendment Bylaw No. 1353.02, 2022" be read a third time as amended and be forwarded to the Inspector of Municipalities for Approval.

CARRIED UNANIMOUSLY

23-475

It was moved and seconded that "River's Edge Water Supply Service Area Amendment Bylaw No. 1354.02, 2022" be read a third time as amended and be forwarded to the Inspector of Municipalities for Approval.

CARRIED UNANIMOUSLY

23-476

It was moved and seconded that "Regional District of Nanaimo River's Edge Storm Water Management Service Area Amendment Bylaw No. 1363.01, 2022" be read a third time as amended and be forwarded to the Inspector of Municipalities for Approval.

CARRIED UNANIMOUSLY

Bylaw No. 947.07 - A Bylaw to Include 3401 Dolphin Drive into the Fairwinds Sewer Service Area

23-477

It was moved and seconded that "Fairwinds Sewerage Facilities Local Service Area Amendment Bylaw No. 947.07, 2023" be introduced and read three times, and that, after having been read three times, be forwarded to the Electoral Area E Director for consent.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE RECOMMENDATIONS

2023-2026 Strategic Plan Report

23-478

It was moved and seconded that the Board direct staff to bring forward a report to the September 26, 2023, Board meeting, which reflects the Committee of the Whole's discussion of September 11, 2023.

CARRIED UNANIMOUSLY

RECESS: 2:31 P.M.

RECONVENE: 2:40 P.M.

REPORTS

Parksville Qualicum Beach Tourism Association Request for Support to Renew the Five-Year Municipal Regional District Tax

Blain Sepos, Parksville Qualicum Beach Tourism Association presented a PowerPoint presentation on the Municipal Regional District Tax (MRDT) and requested the Board's support for the five-year MRDT renewal.

23-479

It was moved and seconded:

1. That the Regional District of Nanaimo Board support Parksville Qualicum Beach Tourism Association's renewal of the two per cent Municipal Regional District Tax in Electoral Areas E, F, G & H, City of Parksville, and Town of Qualicum Beach; and
2. That the Regional District of Nanaimo Board supports the Municipal Regional District Tax amounts collected by accommodation providers in Electoral Areas E, F, G & H (per Regional District of Nanaimo Bylaws) to be provided directly to Parksville Qualicum Beach Tourism Association by the Province; and
3. That the Regional District of Nanaimo Board support the use of Municipal Regional District Tax collected by Online Accommodation Platforms toward local affordable housing initiatives aligned with:
 1. affordability assistance for accommodation sector workers;
 2. supporting local government in short-term vacation rental research and potential regulation; and
 3. supporting affordable housing capital construction projects; and
4. That the Parksville Qualicum Beach Tourism Association work with the Regional District of Nanaimo, City of Parksville and Town of Qualicum Beach to identify local affordable housing initiatives and submit the required Affordable Housing Municipal Regional District Tax Plans to the Province for approval to use revenues from Online Accommodation Platforms to fund local affordable housing initiatives aligned with:
 1. affordability assistance for accommodation sector workers;
 2. supporting local government in short-term vacation rental research and potential regulation; and
 3. supporting affordable housing capital construction projects.

CARRIED UNANIMOUSLY

2023-2026 Strategic Plan

23-480

It was moved and seconded that the Board approve the "Regional District of Nanaimo: Draft 2023-2026 Strategic Plan V4", dated September 15, 2023.

CARRIED UNANIMOUSLY

2024 Board and Electoral Area Services Committee Regular Meeting Schedule

23-481

It was moved and seconded that the 2024 Board and Electoral Area Services Committee Regular Meeting Schedule be approved as presented.

CARRIED UNANIMOUSLY

French Creek Community Park Restoration Grant Application

23-482

It was moved and seconded that the Board endorse the Friends of French Creek Conservation Society Pacific Salmon Foundation grant application for the French Creek Community Park riparian protection and restoration project in partnership with the Regional District of Nanaimo Parks Services Division.

CARRIED UNANIMOUSLY

Nanoose Bay Pump Station #6 and Forcemain Replacement Project - Construction Contract Award

23-483

It was moved and seconded:

1. That the Board approve the award of a contract in an amount up to \$831,175 (exclusive of refundable taxes) to IWC Excavations Ltd. for the Nanoose Bay Pump Station #6 and Forcemain Replacement Project.
2. That the Regional District of Nanaimo Board authorize the Chief Administration Officer and the Corporate Officer to execute the contract.

CARRIED UNANIMOUSLY

Nanoose Bay Volunteer Fire Department Radios and Communication

23-484

It was moved and seconded that the 2023 Nanoose Bay Volunteer Fire Department budget be amended by reducing the Transfer to Vehicle/Equipment Reserves by \$50,000 and added to the operational budget for the purchase of radio communication devices.

CARRIED UNANIMOUSLY

23-485

It was moved and seconded that the 2023 Financial Plan be amended accordingly.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM DELEGATIONS AND CORRESPONDENCE

Nanaimo & Area Land Trust Funding

It was moved and seconded that the 2024 Financial Plan increase the contribution to the Nanaimo & Area Land Trust (NALT) to \$40,000.

It was moved and seconded to amend the main motion to replace the word “increase” with “maintain”.

CARRIED UNANIMOUSLY

The Chair called the main motion as amended as follows:

23-486

It was moved and seconded that the 2024 Financial Plan maintain the contribution to the Nanaimo & Area Land Trust (NALT) at \$40,000.

CARRIED UNANIMOUSLY

Letter of Appreciation

23-487

It was moved and seconded that a letter of appreciation from the Board, signed by the Chair, be sent to Blain Sepos, Executive Director, Parksville Qualicum Beach Tourism Association.

CARRIED UNANIMOUSLY

Director Armstrong left the meeting at 3:35 P.M.

Director Melanson left the meeting at 3:50 P.M.

MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

French Creek Pollution Control Centre Septage Receiving Station Closure

Melinda Mueller, Action Tank & Pump Service, shared her concerns regarding the proposed closure of the French Creek Pollution Control Centre.

It was moved and seconded that:

Whereas, with the upcoming necessary repairs required at the French Creek Pollution Control Centre (FCPCC), the Septage Receiving Station will not be able to accommodate the disposal of septage for approximately two weeks in October 2023, that staff be directed to:

1. Provide a report by end of Q1 2024, on other potential disposal sites when closures occur for the FCPCC, similar to what occurs when the Chase River Pump Station is not available; and
2. Provide financial relief for haulers extra time and travel costs associated with having to travel to Nanaimo to dispose, by offering a discount on the septage disposal user-rates listed in Schedule 'F' of "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016", for the days the FCPCC Septage Receiving Station will be closed.

It was moved and seconded to defer the motion to the October 10, 2023 Board meeting.

Opposed (15): Director Craig, Director Stanley, Director Rogers, Director Salter, Director Wallace, Director McLean, Director Eastmure, Director Geselbracht, Director Hemmens, Director Manly, Director Perrino, Director Swain, Director O'Brien, Director Wood, Director Westbroek

DEFEATED UNANIMOUSLY

The Chair called the main motion as follows:

23-488

Whereas, with the upcoming necessary repairs required at the French Creek Pollution Control Centre (FCPCC), the Septage Receiving Station will not be able to accommodate the disposal of septage for approximately two weeks in October 2023, that staff be directed to:

1. Provide a report by end of Q1 2024, on other potential disposal sites when closures occur for the FCPCC, similar to what occurs when the Chase River Pump Station is not available; and
2. Provide financial relief for haulers extra time and travel costs associated with having to travel to Nanaimo to dispose, by offering a discount on the septage disposal user-rates listed in Schedule 'F' of "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016", for the days the FCPCC Septage Receiving Station will be closed.

Opposed (1): Director Rogers

CARRIED

IN CAMERA

23-489

It was moved and seconded that pursuant to the following sections of the *Community Charter* the Board proceed to an In Camera meeting:

- 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public
- 90(1)(m) A matter that, under another enactment, is such that the public may be excluded from the meeting
- 90(1)(o) the consideration of whether the authority under section 91 [other persons attending closed meetings] should be exercised in relation to a council meeting
- 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party

CARRIED UNANIMOUSLY

TIME: 4:10 P.M.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

TIME: 4:26 P.M.

CARRIED UNANIMOUSLY

CHAIR

CORPORATE OFFICER