

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, FEBRUARY 8, 2011
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

- 4 - 11 Minutes of the regular Committee of the Whole meeting held January 11, 2011 and the Special Committee of the Whole meeting held January 18, 2011.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

- 12 - 16 **Laurie Gourlay, Mid Island Sustainability & Stewardship Initiative**, re Drinking Water & Watershed Protection Snapshot Report, Area 'A' OCP and Public Comment.

UNFINISHED BUSINESS

CORPORATE ADMINISTRATION SERVICES

- 17 - 29 2011 Service Area Work Plan Projects.

FINANCE AND INFORMATION SERVICES

FINANCE

- 2011-2015 Financial Plan. (to be circulated)
- 30 - 36 2011 Community Works Funds Program.
- 37 - 43 Community Works Funding Agreement.

- 44 - 69 Bylaw No. 1611 – Establishes a Call Answer Levy for the District 68 E-911 Call Service.
- 70 - 72 Bylaw No. 1625 – Authorizes Expenditures from the Nanoose Bay Bulk Water Service DCC Reserve Fund.
- 73 - 75 Policy A2.18 - Contributions to Third Party Events.

DEVELOPMENT SERVICES

PLANNING

- 76 - 80 VIHA Grant for Capacity Building – Ending Homelessness.
- 81 - 84 Agricultural Advisory Committee – Attendance of Member at Workshop.
- 85 - 90 Little Qualicum River Village – Land Use Regulation & Covenant Registration.
- 91 - 96 Proposed Policy – Groundwater Application Requirements for Rezoning Un-serviced Lands.

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER & ENGINEERING

- 97 - 107 Bylaws No. 813.47, 869.08 & 889.59 – Extend the Boundaries of the French Creek and Northern Community Sewer Services and the Morningstar Streetlighting Service to Include an Area ‘G’ Property (Lot 4 Corner Lowry’s and Wembley Roads).

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

- 108 - 113 Program Update – Regional Residential Food Waste Collection.

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area ‘A’ Parks, Recreation and Culture Commission.

- 114 - 119 Minutes of the Electoral Area ‘A’ Parks, Recreation and Culture Commission meeting held January 19, 2011. (for information)

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

Electoral Area 'H' Parks and Open Space Advisory Committee. (verbal report
Director Bartram)

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

That pursuant to Section 90(1) (g) of the Community Charter the Board proceed to an In Camera meeting to consider items related to legal issues.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, JANUARY 11, 2011 AT 7:13 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director M. Unger	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
N. Avery	General Manager, Finance & Information Services
J. Finnie	General Manager, Regional & Community Utilities
D. Trudeau	General Manager, Transportation & Solid Waste
P. Thorkelsson	General Manager, Development Services
T. Osborne	General Manager, Recreation & Parks
N. Hewitt	Recording Secretary

CALL TO ORDER

The Chairperson asked for a minute of silence to mark the passing of Deputy Chairperson Larry McNabb. Director McNabb was well-respected as a Director and worked on the Board for 26 years.

The Chairperson welcomed newly appointed Director Lefebvre and Director Unger to the Board.

DELEGATIONS

Gail Adrienne, Nanaimo & Area Land Trust, re 2010 Annual Report and Request for Renewed Annual Funding.

Mr. Tanasichuk provided a visual/verbal presentation on the 2010 Annual Report for Nanaimo & Area Land Trust and requested funding for 2011.

MINUTES

MOVED Director Bartram, SECONDED Director Johnstone, that the minutes of the regular Committee of the Whole meeting held November 9, 2010 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Elena Andrade, re Petition to Support Urban Agriculture.

MOVED Director Holdom, SECONDED Director Burnett, that the petition to support urban agriculture be received.

CARRIED

Laurie Gourlay, Mid Island Sustainability & Stewardship Initiative, re Proposed Mid Island Biosphere Reserve, RDN Water Resources Report and Area 'A' OCP.

MOVED Director Holdom, SECONDED Director Burnett, that the correspondence from Laurie Gourlay of Mid Island Sustainability and Stewardship Initiative be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Bylaws No. 861.03 and 1059.04 – Amend Cost Apportionment Provisions for the Northern and Southern Community Recreation Services.

MOVED Director Westbroek, SECONDED Director Bartram, that "Southern Community Recreation Service Amendment Bylaw No. 1059.04, 2011" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Westbroek, SECONDED Director Bartram, that "Northern Community Recreation Service Amendment Bylaw No. 861.03, 2011" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

Proposed Cell Tower on Greater Nanaimo Wastewater Treatment Plant Lands.

MOVED Director Westbroek, SECONDED Director Kipp, that staff be authorized to conclude an agreement with Telus to locate a cell tower at 4600 Hammond Bay Rd. as outlined in this report subject to the results of the public consultation process.

CARRIED

MOVED Director Westbrook, SECONDED Director Kipp, that Telus be advised that the Board agrees that Telus may include descriptions and illustrations of the monopole and monopine tower options in its public consultation materials in order to seek feedback on the preferred option.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

District of Lantzville Service Agreements – 2011/2012.

MOVED Director Haime, SECONDED Director Bartram, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Administrative Services beginning January 1, 2011 and ending December 31, 2012, be approved.

CARRIED

MOVED Director Haime, SECONDED Director Bartram, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Animal Control beginning January 1, 2011 and ending December 31, 2012, be approved.

CARRIED

MOVED Director Haime, SECONDED Director Bartram, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Building Inspection beginning January 1, 2011 and ending December 31, 2012, be approved.

CARRIED

MOVED Director Haime, SECONDED Director Bartram, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Emergency Planning beginning January 1, 2011 and ending December 31, 2012, be approved.

CARRIED

MOVED Director Haime, SECONDED Director Bartram, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Bylaw Enforcement beginning January 1, 2011 and ending December 31, 2012, be approved.

CARRIED

PLANNING

Ministerial Approval of Official Community Plans and Regulatory Bylaws.

MOVED Director Holdom, SECONDED Director Ruttan, that the Regional District of Nanaimo declines participation in the trial project to waive the requirement for ministerial approval of Official Community Plans and land use regulation bylaws.

CARRIED

RECREATION AND PARKS SERVICES

PARKS

Area 'H' Community Parks - Lighthouse Community Centre Lease Agreement.

MOVED Director Bartram, SECONDED Director Rudischer, that the Lease agreement between the Lighthouse Community Centre Society and the Regional District of Nanaimo for the property legally described as: Lot 1, District Lot 32, Newcastle District, Plan 42674 for a ten year term be approved.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WATER

Drinking Water & Watershed Protection – Watershed Snapshot Report 2010.

MOVED Director Bartram, SECONDED Director Westbrook, that the Board receive the Watershed Snapshot Report 2010 and direct staff to make the report available for public information and comment.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Westbrook, that the minutes of the District 69 Recreation Commission meeting held December 16, 2010 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the the following recommendation be forwarded to the Board for consideration at the 2011 budget deliberations:

That the the Board support increasing the service funding to the Arrowsmith Community Enhancement Society from \$28,000 to a maximum of \$44,000.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Laurie Gourlay, Mid Island Sustainability & Stewardship Initiative, re Proposed Mid Island Biosphere Reserve, RDN Water Resources Report and Area 'A' OCP.

MOVED Director Burnett, SECONDED Director Holme, that the correspondence from Laurie Gourlay of Mid Island Sustainability & Stewardship Initiative, be referred back to staff for a response.

CARRIED

Nanaimo & Area Land Trust, re Request for Renewed Annual Funding.

MOVED Director Holdom, SECONDED Director Kipp, that the request for renewed annual funding from Nanaimo & Area Land Trust be referred to the Special Committee of the Whole Committee on January 18, 2011.

CARRIED

NEW BUSINESS

Draft Policy for Water Sustainability Act.

MOVED Director Bartram, SECONDED Director Young, that staff review the draft policy proposal on the Water Sustainability Act and provide the Province with comments to include supporting the proposal if appropriate.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 7:50 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JANUARY 18, 2011, AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director M. Unger	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
N. Avery	General Manager, Finance & Information Services
J. Finnie	General Manager, Regional & Community Utilities
D. Trudeau	General Manager, Transportation & Solid Waste
P. Thorkelsson	General Manager, Development Services
T. Osborne	General Manager, Recreation & Parks
N. Hewitt	Recording Secretary

CALL TO ORDER

The Chairperson presented five-year service pins to Directors Young, Bestwick and Burnett, and congratulated them on their dedication to the Board.

FINANCE AND INFORMATION SERVICES

FINANCE

2010 Proposed Budget Overview

MOVED Director Burnett, SECONDED Director Young, that the tax requisition for the Nanaimo Airport planning process for the Regional Growth Strategy budget proceed as budgeted.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the tax requisition for the Nanaimo Airport planning process remain in the Regional Growth Strategy budget.

CARRIED

MOVED Director Burnett, SECONDED Director Young, that the tax requisition for the Nanaimo Airport planning process – Electoral Area Planning process remain in the Electoral Area Planning budget.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the tax requisition for the Electoral Area Planning budget be decreased by \$20,000, and that the Agricultural Plan be funded 50% by the Electoral Area Community Works Fund.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the tax requisition for the Electoral Area Administration/Building Policy & Advice budget proceed as budgeted.

CARRIED

MOVED Director Westbrook, SECONDED Director Bartram, that the Summer Recreation Assistant funding remain in the budget for the Northern Community Recreation to be used if required.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the tax requisition for the Northern Community Recreation budget be increased by \$16,000 to provide funds for the Arrowsmith Community Enhancement Society for the Electoral Area 'F' service contract.

CARRIED

MOVED Director Holdom, SECONDED Director Kipp, that the tax requisition for the Regional Parks Operations budget be increased by \$30,000 to address the operating grant to the Nanaimo Area Land Trust (NALT).

DEFEATED

MOVED Director Kipp, SECONDED Director Johnstone, that the tax requisition for the Regional Parks Operations budget be increased by \$20,000 to provide an operating grant to the Nanaimo Area Land Trust (NALT).

CARRIED

MOVED Director Bestwick, SECONDED Director Johnstone, that the tax requisition for the Nanoose Bay Peninsula Water Service budget be reduced by \$10,000 as a result of the lower revised estimate for the water main line pigging system.

CARRIED

MOVED Director Rudischer, SECONDED Director Bartram, that the tax requisition for the Electoral Area 'B' Cultural Centre Contribution budget for funding towards the museum society be referred to staff to prepare a report for the Board's review.

CARRIED

MOVED Director Young, SECONDED Director Johnstone, that the tax requisition in the Electoral Area 'C' budget be reduced by \$6,000 as a result of the lower cost of the revised plan from a trail to a playground set at Meadow Drive Park.

CARRIED

MOVED Director Biggemann, SECONDED Director Sherry, that the tax requisition in the Electoral Area 'F' Community Park budget be reduced by \$5,000 for the Meadowood Community Park concept plan as per the community's response.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the tax requisition in the Electoral Area 'H' Community Park budget proceed as budgeted.

CARRIED

MOVED Director Bartram, SECONDED Director Westbrook, that the tax requisition in the Drinking Water/Watershed Protection Services budget proceed as budgeted.

CARRIED

MOVED Director Westbrook, SECONDED Director Bartram, that the tax requisition for the Nanoose Bay Peninsula Water Service budget be decreased by \$10,000 based on the lower revised estimate for the well control automation system.

CARRIED

MOVED Director Ruttan, SECONDED Director Holdom, that the tax requisition for the Southern Community Wastewater budget be reduced by \$22,500 (GNPCC share) through the deferral of the service vehicle replacement.

CARRIED

MOVED Director Ruttan, SECONDED Director Holdom, that the tax requisition for the Duke Point Wastewater Treatment budget be reduced by \$3,000 (Duke Point share) through the deferral of the service vehicle replacement.

CARRIED

MOVED Director Bestwick, SECONDED Director Sherry, that the tax requisition for the Southern Community Wastewater budget be reduced by \$35,000, as the gas compressor will be funded by the co-generation project grant.

CARRIED

MOVED Director Lefebvre, SECONDED Director Westbrook, that the tax requisition in the Northern Community Wastewater budget be reduced by \$40,000 to defer the seal interceptor joints project.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that the tax requisition in the Emergency Planning budget be reduced by \$12,000 to defer for one year the generator for the Cedar reception center.

CARRIED

MOVED Director Lefebvre SECONDED Director Holdom, that the tax requisition in the Southern/Northern Transit Service budget be reduced by \$115,000 through the deferral of the radios and automated vehicle locator equipment for one year.

CARRIED

MOVED Director Bartram SECONDED Director Johnstone, that the tax requisition in the Wastewater Services budget be reduced by \$60,000 to defer the Engineer/Project Manager position until 2012.

CARRIED

ADJOURNMENT

MOVED Director Holdom, SECONDED Director Bartram, that this meeting terminate.

CARRIED

TIME: 7:45 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GMR&PS	
GMDs	<input checked="" type="checkbox"/>	GMT&SWS	
GMF&IS		GMR&CS	<input checked="" type="checkbox"/>
JAN 28 2011			
SMCA		BOARD	<input checked="" type="checkbox"/>
CHAIR			
<i>CoW Correspondence</i>			

RDN, Committee of the Whole
 Att'n Administrative Services
 Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo, BC, V9T 6N2

Re: RDN Snapshot Report, Area A OCP & Public Comment

January 28, 2011

Dear RDN Board Members & Staff,

MISSI has reviewed the Drinking Water & Watershed Protection Snapshot Report that was released yesterday, and would like to bring some concerns to your attention.

We are first raising these to you, the RDN CoW, since present timing conflicts could undermine policy and planning changes necessary to achieve best practices. MISSI also expects to make a submission through the Snapshot Report's commentary process.

First though MISSI would like to commend the RDN for releasing the Drinking Water & Watershed Protection Snapshot Report.

That said we are compelled to express concern about potentially serious consequences that may follow if the new information in the RDN Snapshot Report is not integrated into processes presently underway and due for early consideration by the CoW.

MISSI has at least part of a solution to offer, but the current state of aquifers and possible threats to drinking water quality and supply, detailed particular to Area A, suggest that the health and rural livelihood of residents may be at risk if the interest of southern RDN communities are not given the time needed to be fully considered.

Three quick points then that we would ask the CoW to consider:

1) - there is an inherent conflict in the timing that various RDN departments have underway with respect to water and planning. The cart is before the horse.

While the RDN has set Feb. 28th as the date by which public comments must be submitted, with respect to the Drinking Water & Watershed Protection Snapshot Report, the public are unable to consider such public concerns so that they may integrate them within comments to the draft Area A OCP – since the OCP is to receive 1st & 2nd Reading on February 22nd.

Since both the Area A OCP and the Snapshot Report have only recently been posted on the RDN website for public review, then it would seem reasonable to ensure that both of the planning documents contribute to the larger long-term goals of the RDN.

There is however too little time for the large OCP document to be considered by residents before the February 22nd deadline. This short timeframe is further complicated by the release of the Snapshot Report - another major document with new, but different, information – information that reveals serious problems to water supply and quality.

Residents of Area A, south Nanaimo and communities comprising Cedar and Yellowpoint, living over the second most vulnerable aquifer on Vancouver Island - according to the RDN Snapshot Report, need additional time to consider their options before the OCP for Area A goes to 1st/2nd Reading.

The Area A OCP 1st and 2nd Reading should then be postponed until the comments to the Snapshot Report can be brought into an updated Report, integrated within the draft Area A OCP, and affected residents given the chance to read and respond to recommendations.

2) Groundwater, aquifer and watershed protection measures need to be fully integrated within planning for the region, if growth projections and quality of life are to be assured.

The surprising revelation that the Yellowpoint aquifer is both little understood, and being rapidly depleted, will raise many concerns for residents of Area A. And the vulnerability and potential for contamination of the Cassidy aquifers, beneath the airport and Island Highway, will require serious study before development decisions are made.

In order to meet the goals of sustainability and stewardship, supported in the RDN's 2010-12 Strategic Plan, MISSI believes additional research is needed to identify potential threats to the groundwater and vulnerable aquifers of Area A.

MISSI would request then that the focus of the RDN Drinking Water & Watershed Protection program be realigned so that the Nanaimo River and watershed, Cassidy and Yellowpoint Aquifers, be now identified as requiring substantive early action and priority attention.

3) We would finally like to suggest that education and outreach, combined within a familiar model, offers a means to engage the public so that the serious problems and pending water shortages posed to Area A, might be addressed for long-term benefits.

In this respect an emphasis on sustainability and stewardship opens the door to immediate, proactive and personal actions that can be taken to offset further damage to the water table.

The proposal for a Coastal Communities Biosphere Reserve, presented at the CoW January 11th meeting by MISSI, therefore offers a practical and well-tested approach - one that can be implemented quickly given the CoW's familiarity with the process put in place to support the Mt Arrowsmith Biosphere Reserve in the north of the RDN.

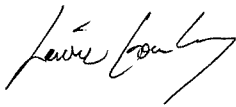
A similar initiative for the southern RDN region could serve to engage residents, business and communities in Area A, offering a practical means to implement sustainable development within economic, social and environmental goals – with water sustainability challenges foremost in such efforts. In this respect we have attached our pamphlet, fyi.

In summary then, MISSI is requesting that the CoW delay 1st and 2nd Reading of the Area A draft OCP, undertake studies to assess choices and ensure water security, and consider means to involve residents in hard decisions that must be made in the near future.

With this in mind MISSI would finally like to note that we are fortunate to have Dr. Gilles Wendling, an independent consultant and expert in water issues, speaking in Cedar before our public meeting of February 24th (poster attached). Should the CoW wish we would be pleased to partner on this important talk, and with the RDN as co-sponsor find a larger venue that might accommodate more of the residents of Area A and the region's southern communities.

Should the CoW require further information, or MISSI can assist in other such efforts, please do not hesitate to contact us.

Sincerely,



Laurie Gourlay, President
Mid Island Sustainability & Stewardship Initiative
P.O. Box 333, Cedar, B.C., V9X 1W1
(250 722-3444) www.missimidisland.com <info@missimidisland.com>

Biosphere Reserves are 'working areas', where jobs and economic activities are advanced within a framework of long-term prosperity and sustainability.

Furthering economic development while addressing social costs and benefits, builds a solid foundation for biosphere reserves.

Economic & Ecological Sustainability

...thinking globally, acting locally.

Balanced growth furthers community and sustainability...fostering locally-appropriate, low-cost solutions. We address our regional interests, needs, and common goals together.

The net worth of biosphere reserves, and a transition to sustainability, can be seen in the cooperative, healthy and ecological benefits that are incrementally put in place.

Conservation efforts are integrated into local community, government and business plans, growing with our neighbourhoods.

A cooperative approach, biosphere reserves help public, private and government interests work together for us all...



A Necklace of Historical, Cultural & Natural Pearls...

Consider the possibility of a mid island UNESCO biosphere reserve and buffer, from the Southern Gulf Islands National Marine Park to Ladysmith Harbour to Nanaimo estuary ...& points between.

Parks, walkways and heritage features would provide major eco-tourist and economic benefits. Water-front, marine environment and harbour developments would be improved with shoreline, wildlife, conservation and natural resource goals in mind.

****Three Key Goals Balance a Biosphere Reserve:***

.Economic

.Social

.Environmental



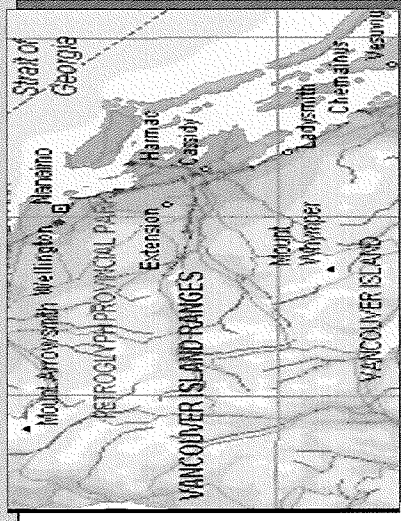
A designated UNESCO Biosphere Reserve would help protect Vancouver Island's biodiversity and habitat, fostering interest in the protection of special places and species in the mid region — and our 'pearls' of historical, cultural & natural importance.

Please consider adding your voice to this initiative, a living and lasting legacy for VI coastal communities.

Please direct inquiries to: *Mid Island Sustainability & Stewardship Initiative*, <www.missimidisland.com>

A 'Coastal Communities' Biosphere Reserve

...Ladysmith ...Cedar ...Yellowpoint ...VI



Special Places, Diverse Communities, Green Lands & Blue Seas.

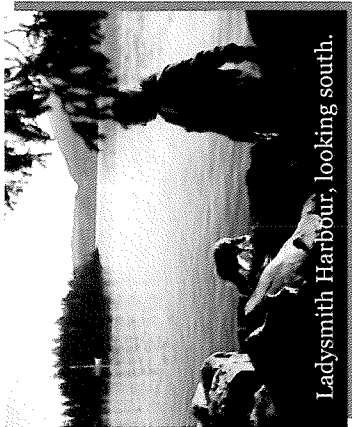
Leadership in Conservation and Sustainable Development!



This innovative initiative began in 2006 with a discussion about the need to foster long-term economic and ecological solutions for community planning and development in the mid island region.

We wanted to retain special places that were close to home, and to keep those recreational, heritage and green spaces that are nearby -so we could all continue to enjoy them.

This biosphere reserve proposal opens the door to solutions, to further steps we might take together to share our coastal beauty, quality of life, and a sustainable economy that supports mid island communities and Vancouver Island.



Ladysmith Harbour, looking south.

The... 'Coastal Communities' Biosphere Reserve A proposal for Vancouver Island Ladysmith... Yellowpoint... Cedar.

This sustainable, economically-rewarding, job-creating and conservation-oriented working reserve for the mid island region would encompass the lands and seas that extend along the narrow east coast of Vancouver Island, between the coastal mountain range and Gulf Islands.

From the rural countryside south of Ladysmith to southern urban boundaries of Nanaimo the green lands, marine waters, communities and towns would be invited to join and become a part of a larger UNESCO Biosphere plan.

...more information about this proposal, upcoming meetings as well as opportunities to get involved, can be found by contacting the Mid Island Sustainability & Stewardship Initiative, P.O. Box 333, Cedar, B.C., V9X 1W1

(250) 722-3444, (midislandcommunities@shaw.ca) <www.missimidisland.com>

(Winter, 2011)

Your Comments...

Please feel free to jot down any thoughts or ideas, and forward to:

Mid Island Sustainability & Stewardship Initiative
Laurie Gourlay - MISSI President, P.O. Box 333,
Cedar, B.C., V9X 1W1, <www.missimidisland.com>
(e-mail: midislandcommunities@shaw.ca)

We encourage all who love Vancouver Island's beauty and welcoming spirit to consider the protection of special places, and to contribute to our quality of life, to sustainable development, and to the betterment of the places where we live, work and play!

Talk with friends and family about the 'pearls' you find important to your community ...and along Vancouver Island's east coast.

And look for ways to keep these special places, the paths and trails between — so we'll all get to enjoy them and the treasures they hide.

Please consider supporting this proposal for a mid island 'Coastal Communities' Biosphere Reserve.

And if you get a chance send us a picture of yourself, out there— having fun!



MID ISLAND SUSTAINABILITY & STEWARDSHIP INITIATIVE



RDN REPORT	
CAO APPROVAL	
EAP	
COW	✓ Feb. 8/11
FEB - 2 2011	
RHD	
BOARD	

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: January 28, 2011

FROM: Linda Burgoyne, Administrative Assistant

SUBJECT: 2011 Service Area Work Plan Projects

PURPOSE:

To provide the Board of Directors with a list of the service area work plan projects for 2011.

BACKGROUND:

Annually the General Managers oversee the preparation of their service area work plan projects list for the upcoming year. These projects are developed based on the direction obtained through the Board's Five Year Financial Plan, Board Strategic Plan, long term program plans (such as the Transit Business Plan, Regional Growth Management Plan, Liquid Waste Management Plan and the Solid Waste Management Plan), anticipated departmental activities and specific Board direction that occurs throughout the year. The work plan projects are reviewed with the Chief Administrative Officer in preparation for submission to the Board for information.

The format of the service area work plan projects list indicates the name of the project, the initials of the project leader, and a brief synopsis of the action required.

ALTERNATIVES:

This report is presented to the Board of Directors for information only.

FINANCIAL IMPLICATIONS:

Each of the work plan projects and activities listed is funded through the service area budgets which are established annually through the Board's Five Year Financial Planning process.

SUMMARY:

The service area work plan projects list is developed annually and reviewed by the General Managers and the Chief Administrative Officer. The work plan projects listed for 2011 are being submitted to the Board for information.

RECOMMENDATION:

That the Board receive the service area work plan projects list for 2011 for information.

Report Writer

CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

2011 SERVICE AREA WORK PLAN PROJECTS

CORPORATE ADMINISTRATION

CORPORATE ADMINISTRATION	ACTION
Regional Service Review Project (CM)	Board – Ongoing exploration of regional service integration where opportunities arise, (i.e. watershed protection/economic development, etc.)
Nanoose Bay Firehall Referendum (MP/JA)	Organize and prepare referendum materials, advertising, facility rentals, and staffing for March 26 th Referendum
Scan minutes from prior years to include on the Intranet (MP/JA)	Complete scanning of minutes prior to 1980
Scan bylaws from prior years to include on the Intranet (MP/JA)	Scan amendments to Bylaw No. 500
November 19, 2011 Local Government Elections (including School Board and Islands Trust) (MP/JA)	<ul style="list-style-type: none"> • Organize candidates, referendums, scrutineers, and advertising • Organize facility rentals for advance and election day polling stations • Hire and train staff • Prepare election materials

HUMAN RESOURCES	ACTION
CUPE Negotiations (MP)	Negotiation meetings continue
Labour Management Committee (MP)	Improve communications with CUPE through more frequent Labour Management Meetings
Human Resources Database	Undertake upgrades to current HR database software

PUBLIC CONSULTATION	ACTION
RDN Website (MO)	<ul style="list-style-type: none"> • Complete upgrades to website; • Include use of social media in communications • Ongoing production of Regional Perspectives and Electoral Area Newsletters • Assistance with specific department communications include 2011 Local Government Elections

DEVELOPMENT SERVICES

BUILDING INSPECTION	ACTION
Work-flow / System Review (TA)	Undertake efficiency review of plan check/permit processing system within resourcing levels
Community Outreach (TA)	Use of RDN publications, website, media and direct mailings to enhance public awareness of building regulations
Building Bylaw Implementation (TA/PHT)	Establish a site office in Electoral Area 'H' to promote public communication and ease of permitting applications
Revisions to Building Bylaw (TA)	Continue development of new Building Bylaw. Work with other agencies and groups to provide educational opportunities on changes at the Regional and Provincial level. (2011 Building Code)
Enforcement Activity (TA)	Maintain focus on compliance by resolving infractions through pro-active enforcement and public awareness

BYLAW ENFORCEMENT	ACTION
Core Service (TA, JE, BB)	Continue timely response to public complaints with focus on compliance versus legal action
Community Outreach (TA, JE, BB)	Increase public awareness of regulatory bylaws through the development of a brochure, website updates and information in RDN publications
Interagency Response / Enforcement (TA)	Develop protocol for inter-agency response to land use contraventions affecting public health and safety
Interagency Response / Enforcement (TA)	Maintain community relationships by participating in inter-agency meetings and liaison with key organizations such as police, fire, ALC and municipalities

EMERGENCY PLANNING	ACTION
Operational Readiness (JD)	<ul style="list-style-type: none"> • Table top exercise, EOC & other training • Conduct EOC activation and notification drill • Working with Parks, conduct further Fuel Management Prescriptions and treatments while grant funding is available • Emergency Centre Generator
Public Awareness (JD)	<ul style="list-style-type: none"> • Continued recruitment and training of ESS and NEP volunteers • Public workshops – NEP facilitator • Website updates

CURRENT PLANNING	ACTION
Little Qualicum River Village (LQRV) (DL)	Summary report re development is proceeding to Committee
Servicing Bylaw (DL/PHT)	Draft bylaw being prepared for Committee
Procedures and Notification Bylaw Update (DL)	Introduced Fall 2010
Board of Variance Bylaw (DL)	New Bylaw to replace existing BOV Bylaw
Area Agriculture Plan (DL)	<ul style="list-style-type: none"> • Pending Board approval proceed with terms of reference, issuance of contract, and public input phase of project • Funding application to IAF complete – awaiting response
Fairwinds Neighbourhood Plans (DL/SC)	<ul style="list-style-type: none"> • Adoption of two new neighbourhood plans within EA ‘E’ • PIMs scheduled for end of January/first of February
Rezoning Policy with respect to proving adequate groundwater (DL)	Policy development
Zoning Bylaw general amendments (DL)	<ul style="list-style-type: none"> • Bylaw amendments • Include amendments to regulate 946 SD and possible adjustments to HBB regulations
Review and possible amendments of Flood Control Bylaw (DL)	<ul style="list-style-type: none"> • Possible Bylaw amendments • With expansion of Building Inspection FCB will apply across all RD
Application Forms (DL)	<ul style="list-style-type: none"> • New standard forms with updated information & ability to be filled out on-line • Ongoing – forms are drafted
Landscaping and Security (DL)	<ul style="list-style-type: none"> • Review existing requirements • Complete summary of security options • Review landscape standards • Report to Board
Secondary Suites(DL)	<ul style="list-style-type: none"> • Review secondary suites opportunities and limitations • Possible OCP and zoning bylaw amendments required • Report to Board
Property data base (DL/KM)	<ul style="list-style-type: none"> • Internal staff work • Work required with respect to report functionality and work flow
Parks Zoning (DL)	<ul style="list-style-type: none"> • Bylaw amendment • Draft to be prepared in consultation with Parks department

LONG RANGE PLANNING	ACTION
Regional Growth Strategy Review (PT)	<ul style="list-style-type: none"> • Continue consultation with municipalities • Complete revised draft of RGS for public comment • Complete companion documents to be released with draft RGS • Revise and update community engagement strategy • Develop education & awareness materials • Conduct community engagement on Draft RGS • Make further revisions to Draft RGS • Continue consultation on Draft RGS • Initiate bylaw adoption process • Use IAC for comments on review process and content of revised RGS
Regional Growth Strategy Implementation (PT)	<ul style="list-style-type: none"> • Initiate program to establish targets for achieving RGS goals • Initiate RGS monitoring and reporting program • Initiate study on rural village centres • Initiate development of Implementation Agreement • Initiate development of Corporate Implementation Strategy
Affordable Housing (PT/LB)	<ul style="list-style-type: none"> • Conduct assessment and prepare staff report on possible actions identified in Housing Affordability Study • Develop Affordable Housing Action Plan • Possible staff involvement in actions to start in 2011
Airport Planning Exercise (PT)	Develop terms of reference, hire consultant and participate in development of Land Use Plan and Accord for Airport lands
Community Viz (PT)	Continue to develop and document the use of CV for growth scenario impacts
Community Energy and Emissions Plan (PT)	Provide assistance and advice

COMMUNITY PLANNING	ACTION
Electoral Area 'A' Official Community Plan Review (PT/GK)	<ul style="list-style-type: none"> • Revise draft of new OCP • Initiate bylaw adoption process • Draft new bylaws to implement plan • Public consultation
Electoral Area 'A' Village Plan (PT/GK)	Develop terms of reference & initiate Village Plan process
GHG Emission Targets for OCPs (PT)	<ul style="list-style-type: none"> • Hire consultant to develop background report and recommendations on amendments to OCPs • Initiate process to add more detailed targets, policies and actions to one OCP
Implementation of Electoral Area 'G' OCP (PT/GK)	Complete zoning bylaws amendment process
Encouraging more sustainable forms of development (PT)	Initiate review of options to encourage more sustainable forms of development

ENERGY AND SUSTAINABILITY	ACTION
Community Energy & Emissions Plan (CEEP) (CM)	Public Consultation on CEEP
Green Building Incentives - Pilot Program (CM)	<ul style="list-style-type: none"> • Part A – Green Building Checklist Implementation: \$15,000 • Part B – Incentives for Household Renewable Energy Systems: \$15,000 (wood stove exchanges, solar hot water systems, others to be determined)
Solar Community Initiatives (CM)	<ul style="list-style-type: none"> • System Installation Seminars for Developers and Building Inspectors • Coordinate Bulk Purchase of Solar Hot Water Systems: 04-08/11 • Integrate Solar Suitability Layer into RDN map GIS system: 05-06/11
Corporate Energy and Emissions Management Plan – Carbon Neutral Operations (CM)	<ul style="list-style-type: none"> • Spreadsheet for Corporate Energy Use Inventory and Estimated Offset Costs • Policy for Carbon Action Revenue Incentive Program (CARIP) money • Policy for Financing and/or developing regional offset projects to achieve Carbon Neutral Operations • Strategic Electricity Management Plan • Integrated Action Plan for Carbon Neutral Operations
Recognition Program for Residents (CM)	To be developed

FINANCIAL SERVICES

FINANCIAL REPORTING /ACCOUNTING	ACTION
Nanoose Bay Fire Hall (NA)	Referendum; borrowing bylaw adoption
Nanoose Bay Fire (NA)	Free crown grant applied for 2010
Nanaimo River/Coombs Hilliers/Dashwood/ Bow Horn Bay (NA)	<ul style="list-style-type: none"> • Design development for new firehalls • Report to Board.
Bowser Village – Seniors housing/wastewater plant site (NA)	Free crown grant applied for 2010
Fire Services Advisory Committee (NA)	Begin new committee meetings
Regional Services Review Phase 3 (NA,WI)	Assist with analysis
Board remuneration review (TM)	Three year review in accordance with Board policy
Transit payroll database (TM)	Review program and advise on options for improvements
Web based payroll capture (TM)	Pilot employee based payroll entry into Finance system
Property insurance catalogue (TM)	Obtain and catalogue photo inventory of insured assets
Property appraisal (TM)	RFP for appraisal services
Electronic upload of landfill and recreation customer transactions (TM)	Design new interface to improve transaction entry
Asset Management Software (WI/MM)	Lead staff team to review options for computerized asset management system
Audit services renewal (WI)	RFP for auditors
Financial Statement development tools (WI)	Review options to improve creating monthly financial statement reports

INFORMATION SERVICES	ACTION
Asset Management Software (WI/MM)	Assist with reviewing asset management software options
GPS Coordinates Project (MM/KR)	Capture coordinates for GIS systems for: <ul style="list-style-type: none"> • Parks trails • Service infrastructure (streetlights, manholes, water meters, fire hydrants)
Water & Liquid Waste Infrastructure Mapping (GIS)	Compile map data layers for future Asset Management System
Microsoft exchange(RM)	Upgrade email system
Web map database review (FP/GIS)	Review database scheme to make additions to maps more efficient
Orthophoto processing (GIS)	Complete applying photos to web map database
Community Viz software application (FP/GIS)	Transition GIS staff to use new software for planning analysis
Telephone system upgrade (MM/RM)	Purchase and install new equipment to provide redundancy and improve call transferring
I/P Version 6 (MM/RM/FP)	Assess implications of changes to IP addressing

RECREATION & PARKS SERVICES

COMMUNITY PARKS	ACTION
Cedar Skateboard Park (EA 'A') (WM/EM/JL)	Work with Cedar Skatepark Association during their fundraising campaign. Apply for Towns for Tomorrow funding Jan 11 – construction to follow pending funding announcement
Land Use Agreement with SD 68 for original Waterloo School Site to develop as a community park (TO/WM/EM)	Meet SD 68 and develop a land use agreement
Funding Agreement with SD 68 to upgrade sport courts at South Wellington ES and North Cedar ES. (TO/DB/DP/EM)	Meet with SD 68 and source grant funding
MCT Cedar Historic Community Park (EA 'A') (WM/LF/EM/JL)	Complete Tipple construction details for installation and install
Quennel Lake Boat Access (EA 'A') (EM/LF)	Meet with landowners around lake and near MoTI water access to review approach for implementation
Pebble Beach Access (EA 'A') (JL)	Apply for MoTI permit
Replace/upgrade stairs at Joyce Lockwood CP (EA 'B') (JL)	Secure contractor to undertake work
707 (EA 'B') (EM/JL/JM)	<ul style="list-style-type: none"> • Develop and install trail signs • Install gate per Management Plan • Work with lawyer on parcel consolidation • Implement bank stabilization recommendations
Heritage Miners Community Park (EA 'C') (EM/JL)	Design Phase II works including path and bridge for implementation
Meadow Drive Community Park – Park Development Phase II (EA 'C') (EM)	Complete the playground
Fairwinds Dev. – Community and Regional Parks additions (EA 'E') (LF/EM/WM)	Work with Development Services on park dedications as part of the next stage of the Fairwinds Development
Access agreement for Schooner Ridge path (EA 'E') (EM)	Work with strata for access agreement
Errington Community Park Licence of Occupation (EA 'F') (EM)	Develop lease or licence of occupation with the local farmers market
Community Trail Plan (EA 'F') (JM/EM)	Develop and implement the Community Trail Plan
Romain Road Park – park development plan (EA 'F') (LF/JL)	Development of multi use trail
Lee Road Trails (EA 'G') (JL)	Develop trail system
Henry Morgan Park (EA 'H') (EM)	Design of park for implementation in 2011
Review POSAC structure (WM)	Review effectiveness of POSAC
Trails Standards (LF/EM)	Develop trail development standards for use in subdivision process

REGIONAL PARKS & TRAILS	ACTION
Mt. Arrowsmith Massif – Regional Park Management Plan (LF/WM)	Complete Park Management Plan in partnership with Hupacasath First Nation and Mountaineering clubs
Coats Marsh Regional Park Management Plan (LF/WM)	Development of Park Management Plan in partnership with The Natures Trust of BC
Little Qualicum River Regional Park Management Plan (WM/LF)	Develop terms of reference for management plan. Report to RPTAC
Top Bridge to Englishman River - Regional Park Trail (MD)	Design & construction regional trail
Regional Park DCC's (TO/WM/NA)	Finalize DCC costs and bylaw for public review and Board adoption
Nash/Ridgewil Bridges (JM/MD)	Complete Bridge Crossings and Trail Project
Top Bridge Trail Access Agreements (JM)	Renew access agreement with City of Parksville and private landowner
Horne Lake Regional Park (JM/LF/MD)	<ul style="list-style-type: none"> • Development & Operational Plans in partnership with BC Parks • New generator building & recycling stations
Little Qualicum River Estuary Regional Conservation Area (JM)	Execute lease with Ducks Unlimited for Management of area
Descanso Bay Regional Park Shelter (LF/MD)	Removal of house & design/construction of shelter
E and N Rail Trail (CM/TO/WM)	Finalize License of Occupation with Island Corridor Foundation
Nanaimo River Morden Colliery Trail Bridge Site (JM)	Confirm crossing site and commence planning for bridge
Mount Benson - trails agreement (JM)	Trail access agreement with MSTA/VIU
TCT Southern Trail head development (JM/LF)	Work with CVRD on parking and trail development
Agreement with City of Nanaimo for bridge and park use Mount Benson (WM)	Work with the City on an agreement
San Pareil boardwalk	Work with partners on design and install

RECREATION SERVICES	ACTION
Review Area 'A' Recreation and Culture Bylaw (TO)	Review bylaw to see if able to fund improvements to society owned facilities
Cedar Heritage Centre Lease (DB/DP)	Review lease of Centre with Cedar Community Enhancement Society
Agreement for Field Bookings with Parksville, Qualicum Beach and SD 69.	Develop Agreement with Agencies
Implement Healthy Food and Beverage Strategy (DB/SP/DP)	Implement plan at recreation facilities and programs

RECREATION SERVICES (con't)	ACTION
Kraatz Arena 4 Week Shutdown (MC)	For preventative maintenance
Ravensong Project and deficiency items (DB/MC)	Conclude project
Gabriola Recreation Society Service Agreement (DB/DP)	Review service agreement for possible renewal in 2011
District 69 Recreation Youth Services Plan (SP/DB)	Implement Youth Services Strategy
Arrowsmith Community Enhancement Society (DB/SP)	Review service agreement for possible renewal in 2011

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER SERVICES	ACTION
GNPCC Expansion & Secondary Treatment Upgrade (SD)	Preliminary design (pending Harmac decision)
FCPCC Capacity Expansion (SD)	Preliminary design
Liquid Waste Management Plan (LD/SD)	Submission of plan to MOE
GNPCC 3rd Digester (BS/SD)	Construction project
FCPCC Seacrest Place Forcemain Replacement (HH)	Construction project
FCPCC Upgrades: reversal of TF air flow, header replacement & roof repairs (HH)	Construction project
Pump and Haul (LD)	Bylaw review & update
GNPCC Sedimentation Tank Expansion (MB)	Construction project (pending Harmac decision)
Septic Maintenance Program (LD)	Develop strategy
Biosolids Management (LD/EH)	Develop management plan
Departure Bay Forcemain Assessment (MB)	Video inspection & condition assessment
GNPCC outfall protection (MB)	Install corrosion protection
Departure Bay Trunk sewer manholes (MB)	Construction project - manhole repairs
Qualicum Beach Interceptor manholes (HH)	Construction project - manhole repairs
Lab data management system (EH)	Develop new system for wastewater facilities
Harmac Treatment Option (SD)	Feasibility analysis
Departure Bay Pump Station Capacity Upgrade (BS)	Construction project (pending Harmac decision)
Chase River Pump Station Odor Control (MB)	Install odor control equipment

WASTEWATER SERVICES (con't)	ACTION
GNPCC HVAC System Operations Building Replacement (MB)	Construction project
GNPCC Odor Control Strategy (SD)	Review & update odor strategy
FCPCC Discharge receiving environment assessment (SD)	Data review and assessment
Bay Ave Pump Station Odor Control (HH)	Install odor control equipment

WATER SERVICES	ACTION
NPBWSA Treatment Plant (MD/WM)	Construction project
NBPWSA DCC & Capital Charge Review (MD/WM)	Develop draft bylaws
NBPWSA Claudet Well (MD/WM)	Connection of well to system
NBPWSA Dolphin Reservoir (MD/WM)	Altitude valve installation
French Creek WSA Treatment (MD/WM)	Options review
San Pareil System Upgrades (MD)	Complete public assent process
Whiskey Creek Water System (MD)	Complete acquisition process
Fairwinds Sidewalks Service Area (MD)	Establish service

<i>Drinking Water/Watershed Protection:</i>	
Watershed Water Balance Models (MD/CM)	Develop models
Aquifer Characterization (MD/CM)	Characterize priority aquifers

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE SERVICES	ACTION
<i>Zero Waste Programs</i>	
Solid Waste Management Plan (CM)	Review, update and amend
Multi-Family Diversion Program (SH)	Communicate, collaborate, enforce
Commercial Food Waste Ban Expansion (SH)	Communicate, collaborate, enforce
North Nanaimo Yard Waste Drop-Off Site (SH)	Develop options and prepare report
WSML License Application Process (SH)	Review and approve (7 sites including NRE)
WSML License Compliance (MM)	Monthly Inspections (20 sites)
Illegal Dumping Enforcement Program (MM)	Respond to public inquiries/complaints
Region-Wide Zero Waste Newsletters (SH)	Prepare and distribute (2)

<i>Curbside Collection Program</i>	
Bylaw 1591 – Curbside Collection Bylaw (JA)	Review, revise and update
Policies & Procedures Review(JA)	Review, revise and update
Consolidated Service Address Data Base (JA)	Develop and implement
Operations Manual (JA)	Develop and implement
Program Newsletters (JA)	Prepare and distribute three
Grocery store compostable bag program (JA)	Develop, collaborate, communicate

<i>Disposal Facilities</i>	
Bylaw 1531 – Material types and rates (MW)	Review and amend
Facility Emergency Plans (MW)	Prepare and implement (5)
CRTS Hauling contract extension (MW)	Negotiate and award
CRTS SafeWork Procedures (MW)	Review and update
Leachate Management Plan (HB)	Review and update
New Landfill Operations Building (HB)	Pre-Design
Cell Two North Berm Construction (HB)	Pre-Design
Update & redevelopment of self haul area (HB)	Pre-Design
Relocation of maintenance shop (HB)	Pre-Design
LFG collection expansion (HB)	Construction project management
Cell One Stage 1 fill area closure (HB)	Tender award & construction management
Cell One Nature Park Phase 1(HB)	Detailed Design
Cell One Nature Park Phase 1 Stage 1(HB)	Tender award & construction management
Cedar Road Bioenergy Phase 2 (CM)	Amend Development & Operating Agreements
FCM/GMC LFG Collection System Audit (CM)	Prepare technical and financial documentation

TRANSPORTATION SERVICES	ACTION
Upgrade Payroll system (DM)	Design
Work/Order Inventory System (DM)	Design
12 mini bus stops (JP)	Design and installation
Six remote shelters (Cedar, Nanoose Bay, French Creek) (JP)	Fabricate and installation
Transit social media (DP)	Design and implementation
Bus stop inventory (DP)	Design
Upgrade 50 bus stops (DP)	Design and implementation
Fuel island (JP)	Design and construction
Body bay (JP)	Design and construction
Double decker bay (JP)	Design and construction
Bus pullouts at Woodgrove (DP)	Design
Strategen software upgrade (DP)	Design and installation
Concern complaint database (DP)	Design
Respite area at Woodgrove (DP)	Design
On-time performance monitoring (DP)	Design
Nanaimo Transit re-branding (DP)	Design, report and implement
Nextbus (DP)	Design and implementation
Bus shelters (JP)	Fabricate and install shelters for Transit exchanges
Google trip planner (DP)	Design and implementation
Radio recording unit (DM)	Implementation
Exchange video camera's (DM)	Design and install
Rebrand handyDART vehicles (DP)	Design and implementation
Transit exchange studies (DP)	Design



RDN REPORT		
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MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: January 31, 2011

FROM: Nancy Avery
General Manager, Finance & Information Services

FILE:

SUBJECT: 2011 Community Works Funds Program

PURPOSE

To obtain Board approval for the use of Community Works funds in 2011.

BACKGROUND

Under the Agreement on the Transfer of Federal Gas Tax revenues, local governments are receiving annual sums which may be used for local priorities to improve public infrastructure and the organization's/community's capacity to implement measures which will reduce greenhouse gas emissions and result in cleaner air and cleaner water. Funds available to the Regional District of Nanaimo are intended to undertake eligible projects for the Electoral Areas – each municipality within the Regional District receives funds separately for the same purposes.

Over the course of the commitment period to 2013/2014 an estimated total of \$6.7 million dollars will be received. Approximately \$3.6 million dollars has been received to date and \$600,000 has been spent on a number of plans including the Bowser Village Plan, Rainwater (stormwater) Management Review, Liquid Waste Management Plan, Area A OCP servicing study and most recently a series of studies examining incentives and barriers to green buildings, rural area emissions inventories, rural area greenhouse gas emission reduction strategies and a green building speaker series.

Community Works Funds are distributed to the Regional District on the basis of the population in each Electoral Area, plus a base amount of \$50,000. At the end of 2010 the balances available are:

Electoral Area A	\$585,585
Electoral Area B	\$343,285
Electoral Area C	\$224,935
Electoral Area E	\$492,475
Electoral Area F	\$586,935
Electoral Area G	\$639,480
Electoral Area H	\$127,405
Total Unexpended	\$3,000,100

Each year at this time, staff prepare a list of eligible projects for the coming year and report on the outcomes of work done in the prior year.

For 2011 staff have identified initiatives totaling \$878,400 as shown on Schedule A to this report. The projects recommended for 2011 include furthering data collection and analyzing options for greenhouse gas emissions reductions policies, sustainable rural development policies, a second phase of community outreach on green buildings and use of the funds for the first major infrastructure project in an Electoral Area (water treatment of four wells in Nanoose Bay). The proposed water treatment plant will be a pilot for the Regional District on applying a modular approach to water treatment. The projects meet the intent of the Community Works Fund agreement to improve infrastructure and/or implementation of long term plans which will reduce greenhouse gas emissions and result in cleaner air and cleaner water.

In 2010 the Board approved projects totaling \$583,510. A list of the projects and amounts which were expended are provided on Schedule B. Each year's program is ambitious and as occurred in 2010, some items were deferred to 2011 to build on the outcomes of projects which were identified as being best completed before undertaking further work.

ALTERNATIVES:

1. Endorse the 2011 Community Works Funds program as presented.
2. Recommend changes to the proposed projects and endorse an amended plan.

FINANCIAL IMPLICATIONS:

Alternative 1

A list and description of the 2011 recommended projects is attached as Schedule A to this report. In staff's opinion all are eligible for funding by the Community Works program. Under this alternative an estimated \$853,900 would be targeted for new projects and \$236,625 would be carried forward from 2010 to complete previously approved projects, for total projected expenditures of \$1,090,525. Few if any of these projects could be completed without increasing property taxes for Electoral Area taxpayers.

The use of Community Works funds is not strictly tied to the annual budget approval. Should the Board identify further projects during 2011 it can authorize those to proceed at a later date.

SUMMARY/CONCLUSIONS:

The Regional District's Electoral Areas receive funds annually under the Federal Gas Tax Revenue Transfer program, in the form of Community Works Funds. The funds are targeted for local priorities which improve public infrastructure and the knowledge base and will lead to actions to reduce greenhouse gas emissions and result in cleaner air and cleaner water.

To date approximately \$600,000 has been used for projects including the Bowser Village Plan, Rainwater (stormwater) Management Review, Liquid Waste Management Plan, Area A OCP servicing study and most recently a series of studies examining incentives and barriers to green buildings, rural area emissions inventories and rural area greenhouse gas emission reduction strategies and a green building speaker series.

Schedule A attached to this report lists the recommended projects for 2011. New projects are estimated at \$853,900 and \$236,625 will be carried forward from 2010 to complete projects underway – for a 2011 budget of \$1,090,525. The use of Community Works funds is not strictly tied to the annual budget approval. Should the Board identify further projects during 2011 it can authorize those to proceed at a later date.

Schedule B attached to this report lists the 2010 projects and their status at the end of 2010. In 2010 the total budget approval was \$583,510. Of that amount \$179,135 was spent by the end of 2010, with approximately \$236,625 committed to projects now underway and carried forward for completion in 2011.

RECOMMENDATION:

1. That the 2011 Community Works Funds program attached as Schedule A be approved and that staff be authorized to commence work immediately.
2. That the report on the use of Community Works Funds in 2010 be received for information.



Report Writer



CAO Concurrency

SCHEDULE A

2011 COMMUNITY WORKS PROJECTS

Development Services

Electoral Area A Village Plan	\$60,000	
Rural village study	\$30,000	In depth examination of elements for successful village centers
Sustainable rural development review	\$50,000	Consideration of policy initiatives to encourage alternative development patterns
Emissions reduction targets for Electoral Areas	\$40,000	Use results of emissions inventories to establish specific targets for community plans
Agricultural Plan	\$20,000	50% of \$40,000 study – partially funded by Electoral Area Planning
Emissions reduction target for Electoral Areas	\$40,000	Use results of emissions inventories to establish specific targets for community plans
Total for Development Services	\$200,000	

Energy and Sustainability

Community Energy and Emissions Plan		
Rural areas carbon reserve	\$30,000	Follow up 2010 study on rural removals, reservoirs & sinks to find verifiable carbon sequestration projects
Renewable energy capacity analysis	\$28,000	Assessment of solar, wind, biomass and geothermal energy – integrate with RDN GIS system
Community transportation emission reduction program	\$35,000	Renewable fuel distribution pilot – determine best locations, identify infrastructure costs, outline risks Assessment of infrastructure for electric vehicle charging stations
Green Building Action Plan		
Staff education	\$10,000	Staff training on alternative building systems and other green building action plan policies
Community outreach and speaker series	\$17,500	Green Building information sessions in each Electoral Area – covers speakers and hall rentals
Improving energy efficiency in existing housing stock	\$29,400	Research practical opportunities to assist homeowners improve energy performance in existing homes
Alternative solutions for green building	\$21,000	Develop compendium of alternative solutions to BC Building Code – emphasis is on energy & water systems and building materials
Corporate sustainability & Carbon Neutral Operations		
Regional infrastructure optimization program	\$10,500	Review of capital plans to identify optimize opportunities for energy use and emissions reductions. Provides rationale for use of CARIP rebates. (50% shared with General Admin re: BC Hydro Energy Manager Program requirement)
Corporate sustainability performance monitoring	\$12,500	Development & deployment of web-based corporate sustainability monitoring system (50% cost shared with General Admin)
Total for Energy & Sustainability	193,900	

Regional and Community Utilities

Nanoose Peninsula Water Service	\$450,000	Contribution to water treatment plant
Electoral Area sewer servicing study	\$10,000	
Total for Regional & Community Utilities	\$460,000	
Total New Projects for 2011	\$853,900	

2010 Projects – carry forward for completion in 2011

Community Viz software implementation	\$52,465
Rural areas emissions inventories	\$1,850
Rural reservoirs, removals and carbon sinks	\$40,000
Targeted action plan for emissions reductions	\$7,810
IDP manual/staff training	\$4,500
Transportation studies for Electoral Areas C and F	\$10,000
Installation of bus shelters in Electoral Areas A, E and G	\$120,000
Total to complete prior year projects	\$236,625
Total budget for 2011	\$1,090,525

SCHEDULE B

2010 USE OF COMMUNITY WORKS FUNDS

Development Services

	Budget	Purpose	Expended in 2010
Regional Growth Strategy			\$2,760
Electoral Area A	\$60,000	Professional fees for Village Plan background studies	\$8,400
Community Viz	\$52,510	Temporary GIS technician to implement software which can be used by RDN's mapping program to evaluate the costs and benefits of different forms of development in an easy to understand visual form.	\$43,505 (\$52,465 to complete in 2011)
Home Based Business Review	\$35,000	Research complete – report on outcomes in 2011	\$28,360
Sustainable Rural Development Review	\$50,000	Approach reconsidered for study – scheduled for 2011 completion	Nil
Greenhouse Gas Emission Reduction Targets for OCP's	\$40,000	To provide background information for GHG emission reduction targets as required by Provincial legislation.	Deferred pending Energy & Sustainability emissions inventories report
Total for Development Services	\$237,510		\$83,025

Energy & Sustainability Management

	Budget	Purpose	Expended in 2010
Community Energy and Emissions Plan			
Emissions Inventories & Projections for Electoral Areas	\$20,000	Divide existing RDN wide inventory into individual Electoral Area inventories & establish emissions projections to 2020	\$18,085 (\$1,850 to complete in 2011)
Targeted Action Plan for emissions reductions	\$40,000	Quantify emissions reductions associated with measures applicable to RDN	\$32,755 (\$7,810 to complete in 2011)
Rural Reductions, Reservoirs and Removals	\$40,000	Identify measures appropriate for each electoral area, examine the carbon reservoir and removal potential through forest management, agricultural soil sequestration etc.	Commenced late in 2010 - no expenditures as at Dec 31,2010
Green Building Policy Implementation			
Green Buildings Awareness/Barriers and Incentives for Green Buildings	\$18,000	Some aspects combined with staff training	\$25,030
Green Building/Climate Change education for staff	\$19,000		\$2,030
Integrated Design Process Manual/Certify staff for Integrated Design Process facilitation (LEED)	\$5,000	Total \$10,000, 50% from Energy & Sustainability re: staff training for IDP/LEED facilitation and certification	\$4,070 (\$4,500 to complete in 2011)

Energy & Sustainability

	Budget	Purpose	Expended in 2010
Green Building Action Plan			
Community Outreach and Speaker Series	\$14,000	Green Building information sessions in each Electoral Area	\$10,740 (completed initial series)
Total for Energy & Sustainability	\$156,000		\$92,710

Transportation Services

	Budget	Purpose	Expended in 2010
Electoral Area A	\$60,000	Locate bus shelters	\$1,130 Underway
Electoral Area E	\$60,000	Locate bus shelters	\$1,130 Underway
Electoral Area G	\$60,000	Locate bus shelters	\$1,130 Underway
All Electoral Areas	\$70,000	Studies being prepared through BC Transit for Areas A, B and H – will be cost shared through Annual Operating Agreement RDN will do independent studies for Area C and F in 2011	
Total for Transportation Services	\$190,000		\$3,390
All projects	\$583,510		\$179,125



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MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: January 31, 2011

FROM: Nancy Avery
General Manager, Finance & Information Services

File:

SUBJECT: Recent Changes to Community Works Funding Agreement

PURPOSE:

To report on recent amendments to the Community Works Fund Agreement.

BACKGROUND:

The original Community Works Fund Agreement between the Union of BC Municipalities (UBCM) and the Regional District of Nanaimo was signed in December 2005. Since then several minor text amendments have been made clarifying reporting periods (matching BC local government fiscal year of Jan – Dec 31) and updating the schedule of payments under the agreement. In mid-December UBCM forwarded notice of further amendments. Under the agreement if the local government does not object to the changes then they become effective 30 days from the date of notice. As a result of the Christmas break and year end work, staff were unable to present this information before the end of January. With one small exception the amendments are minor and have no impact on the overall agreement structure.

The amendments cover the following items:

<i>Amount of funds to be received</i>	<i>Updated to reflect Federal commitment to 2014, although amounts are subject to change</i>
<i>Repayment of funds</i>	<i>Updated to include rolling stock which does not affect the RDN</i>
<i>Schedule A – eligible projects</i>	<i>Project examples updated to include Local Roads, Bridges and Tunnels (not applicable to RDN) and Active Transportation Infrastructure such as bike lanes, walking paths and sidewalks</i> <i>Limitations to project categories – Tier 2 recipients (includes RDN) cannot use funds for fleet vehicle conversions</i>

While the last point – no use of funds for fleet vehicle conversions is disappointing, it is consistent with the intent of the funds to be used to improve physical infrastructure which will improve energy efficiency and result in cleaner air and water. This restriction is not of great significance for Regional District operations.

ALTERNATIVES:

This report is presented for information only.

FINANCIAL IMPLICATIONS:

There are no unforeseen financial implications arising from the amendments.

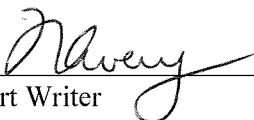
SUMMARY/CONCLUSIONS:

As provided under the Community Works Fund Agreement, amendments may be made to the agreement at the discretion of the Government of Canada and the UBCM. The UBCM has provided notice of recent amendments in accordance with the agreement. The agreement now indicates that the Regional District Electoral Areas will receive \$3,115,572 between 2011 and 2014 when the agreement ends. The funds can now be applied to two new project categories, Local Roads, Bridges & Tunnels and Active Transportation infrastructure such as bike lanes, walking paths and sidewalks. While there are no current recommendations regarding Active Transportation Infrastructure there may be opportunities as Official Community Plan goals are implemented. Also included in the amendments is a restriction on the use of funds for fleet vehicle conversions. This item is not of great significance for Regional District operations.

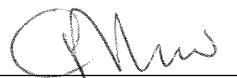
There is no practical alternative to accepting the amendments and therefore this report is for information only.

RECOMMENDATION:

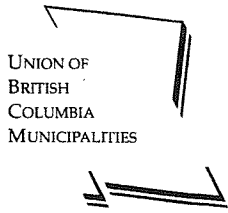
That this report on amendments to the Community Works Fund Agreement be received for information.



Report Writer



CAO Concurrence



UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Administration provided
By UBCM

Funding provided by:
Government of Canada



In partnership with:
The Province of BC



BRITISH
COLUMBIA

The Best Place on Earth

Gas Tax/Public Transit
Management Services
Secretariat

Local Government House
525 Government St
Victoria BC V8V 0A8

Phone: 250 356-2947
Fax: 250 356-5119

Website:

www.ubcm.ca
under
Programs & Services

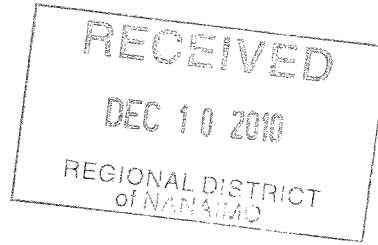
Federal Gas Tax and Public
Transit Agreements

Gas Tax/Public Transit Management Services

...delivering the federal gas tax and public transit agreement funding in British Columbia

December 3, 2010

Maureen Pearse
Corporate Officer
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2



Dear Maureen Pearse:

RE: Notice of Amendments to your Community Works Fund Agreement

Please be advised that the Canada – BC – UBCM Gas Tax Agreement was amended in March and April 2008 and September 2010, and that these amendments are now being reflected in your Community Works Fund Agreement. Enclosed is a copy to be attached to your Community Works Fund Agreement. For convenience, a complete list of these amendments can also be found on our website at www.ubcm.ca.

Section 6.3 of the Community Works Agreement provides a mechanism to amend the CWF Agreements to reflect amendments to the Canada – BC – UBCM Gas Tax Agreement and states:

Where the UBCM requires this CWF Agreement to be so amended, it will provide to the Local Government notice in writing of the amendments it requires. Such amendments shall form part of this CWF Agreement and be binding on the Local Government and the UBCM thirty (30) days after such notice, unless before then the Local Government elects in writing to give written notice of termination of this CWF Agreement to the UBCM.

Attached are amendments to the CWF Agreement which will be binding according to section 6.3, unless you provide written notice to us prior to that date that you wish to terminate your agreement.

For further information, please contact Brant Felker, Gas Tax Program Officer, by email at bfelker@ubcm.ca or by phone at 250-356-0893.

Yours truly,

Brenda Gibson
General Manager

Enclosures (3)

Addendum # 1 amended as follows:

Local Government Estimated Future Community Works Fund Allocations

Nanaimo RD

The following anticipated Community Works Fund allocation amounts are provided for planning purposes only and are subject to change (see note 1):

Year	Base amount	Per-Capita Amount	Community Works Fund Allocation
2010/2011	\$50,000	26.88	\$1,038,639.24
2011/2012	\$50,000	26.87	\$1,038,524.08
2012/2013	\$50,000	26.87	\$1,038,524.08
2013/2014	\$50,000	26.87	\$1,038,524.08

Note 1: Boundary changes, incorporations of new municipalities, etc., will also vary the available funding in subsequent fiscal years. In addition, the amount of funding provided under individual Community Works Fund Agreements may be varied to reflect the scope of services provided by the Local Government as they relate to the scope of Eligible Projects, but such a variation will occur only in accordance with formulas established or criteria prescribed by the Partnership Committee following consultation with any affected Local Governments.

In Schedule C, section 4 (Ownership), replace the existing table with the following table:

Where Eligible Project asset is sold, leased, encumbered or disposed of:	Repayment of contribution (in current dollars)
Within 2 Years after Eligible Project completion	100%
Between 2 and 5 Years after Eligible Project completion	55%
Between 5 and 10 Years after Eligible Project completion	10%
Rolling stock up to 10 years old	At book value depreciated according to GAAP

Schedule A is removed and replaced with:

SCHEDULE A - Eligible Project Categories and Project Examples

Project Categories	Project Examples
Public Transit	Develop or improve public transit system (rapid transit, buses, bus ways, sea-buses, commuter rail, ferries, street cars, cycling and pedestrian infrastructure, etc.)
	Implement innovative technologies that support environmental sustainability
Local Roads, Bridges and Tunnels	Local roads, bridges and tunnels that enhance sustainability outcomes
	Rehabilitation of roads, bridges and tunnels that enhance sustainability outcomes
	Implement innovative technologies that support environmental sustainability
Active Transportation Infrastructure	Bike lanes
	Walking paths and sidewalks
Community Energy Systems	Improving energy systems through the use of water systems to generate hydro
	Community energy systems (wind, solar, thermal, geothermal, etc.)
	Alternative energy systems
	Alternative energy systems that serve local government infrastructure
	Retrofit local government buildings and infrastructure (e.g. water pumps, street lights, etc.)
	Reduce the GHG impact of solid waste (e.g. biogas recovery and conversion of biomass to bio-oil)
	Fleet vehicle conversion
	Implement innovative technologies that support environmental sustainability

new

new

Water and Wastewater	Developing or upgrading drinking water systems to improve water quality and reduce water use, increase energy efficiency, and secure water supply in the face of drought
	Developing or upgrading wastewater and storm water systems to improve water quality and improve aquatic habitat
	Implement innovative technologies that support environmental sustainability
	Investments in the enhancement and/or protection of community green space such as streams and natural corridors including habitat protection systems to improve water quality and improve aquatic habitat
Solid Waste Management	Develop or improve solid waste collection, treatment and disposal in ways that reduce resource use, or encourage recycling and re-use
	Support full cost recovery from users through improved application of user charges
	Reduce the environmental impact of solid waste (e.g. composting, bio gas recovery)
	Implement innovative technologies that support environmental sustainability
Capacity Building	Increase local government capacity to undertake integrated sustainability planning including:
	Regional growth strategies
	Community development plans
	Community plans
	Community Energy Planning
	Transportation plans
	Infrastructure development plans
	Liquid waste management plans
	Solid waste management plans
	Long-term cross-modal transportation plans
	Water conservation/demand management plans
	Drought management contingency plans
	Air quality plans
	Greenhouse gas reduction plans
Energy conservation plans	
Implementing/planning innovative environmental technologies that support sustainability	

Limitations to Eligible Project Categories:

For Tier 2 recipients, fleet vehicle conversions are not applicable.

For Tier 3 recipients, the following project categories are not applicable:

- Local roads, bridges and tunnels
- Active transportation infrastructure
- Solid waste management

For Tier 3 recipients, the community energy systems project category does not include retrofit local government buildings and infrastructure or fleet vehicle conversion

The Greater Vancouver Regional District and the City of Vancouver are limited to expenditures in two categories, in addition to capacity building.



CAO APPROVAL		<i>[Signature]</i>
EAP		
COW	✓	Feb 8 '11
RHD		
BOARD		

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: January 30, 2011

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

SUBJECT: Bylaw No. 1611, 2011 - 911 Call Answer Levy - A bylaw to recover the costs of providing 911 services by means of a call answer levy

PURPOSE:

To introduce for approval a bylaw to establish a revised call answer levy to recover the costs of providing 911 services in School District 68.

BACKGROUND:

The Regional District established the “D68 E911 Service” to participate in a 911 system for Electoral Areas A, B, C and the District of Lantzville which includes the City of Nanaimo and Cowichan Valley Regional District (CVRD). Each jurisdiction adopted separate bylaws for this purpose. Subsequently, the three jurisdictions entered into an agreement to operate a 911 call answering service known as the Central Island 911 Service (CI911). Cost sharing was established on the basis of telephone lines in each jurisdiction with the City of Nanaimo having 50%, the Cowichan Valley having 43% and the Regional District of Nanaimo having 7% of the telephone lines at that time.

The recovery of costs in School District 68 is done in two ways. A fee of \$0.47 per month is collected by certain telephone service providers who operate a landline or equivalent digital service. This levy is collected under CRTC approved agreements which require the revenues to be applied to the costs of the initial call taking portion of the 911 service. This part of the 911 system is known as the Primary Safety Answering Point (PSAP). The levy is collected by the telephone provider and remitted to the City of Nanaimo who manages the service on behalf of the three jurisdictions. 911 systems also operate and maintain Secondary Safety Answering Points (SSAP), which dispatch local government fire departments for emergencies requiring fire and rescue services. The costs of SSAP services are recovered through property taxation.

The Central Island 911 members were among the first in the Province of BC to take advantage of recovering at least a portion of the 911 costs (PSAP) through a user fee. The telecommunications environment has changed considerably since that time and now includes digital and wireless services. These newer technologies are not regulated by the CRTC and the CRTC has advised 911 service providers that there will be no regulation requiring wireless or digital service providers to offer a similar user fee billing and collection service.

Commencing in 2004 the City of Nanaimo (supported by the RDN and the CVRD) proposed resolutions through UBCM, calling on the Province to establish a provincial 911 call answer levy. The Province has taken no action to date, indicating that it prefers local governments to come to agreements with the

industry as a whole. To date the telephone industry in the Province of BC has resisted individual jurisdiction initiatives. The industry points to other provinces in Canada which provide a provincial 911 service paid for with a single province wide call answer levy. The development of 911 services in the Province of BC has been solely a local government initiative and as a result there is a completely different delivery environment than elsewhere in Canada, where provincial governments took a lead role in establishing 911 services.

For some years now, the CI911 service has attempted to negotiate a billing and collection service with wireless providers in this area in order to establish a level field for the billing and collection of a call answer levy, without success. In consultation with legal counsel, it has been determined that local governments have the authority to require telecommunications providers who wish to provide access to the local government 911 call answering service, to collect a call answer levy on our behalf.

To date, the City of Nanaimo and the Cowichan Valley Regional District have adopted bylaws which address both cost recovery goals outlined above. The bylaws require that all telecommunications providers bill and collect a call answer levy for the purposes of 911 call answering operating costs. It is up to the local government to determine the budget for 911 – the call answer revenues are simply a cost recovery mechanism.

In September 2010, the Regional District considered but did not introduce a similar bylaw (Bylaw No. 1611). The importance of having all three partners adopt the billing and collection bylaws is to address some of the technological challenges regarding a user levy on wireless customers. The assignment of a wireless phone number is less easily associated with a specific address and in the Regional District of Nanaimo there may be some customers (for example Lantzville / E.Wellington) who might be inadvertently charged the levy under the City of Nanaimo bylaw.

ALTERNATIVES:

1. Approve the bylaw as presented.
3. Do not approve the bylaw and provide alternative direction.

FINANCIAL IMPLICATIONS:

Alternative 1

The call answer levy is currently assessed on approximately 108,000 telephone subscribers monthly. Staff estimates there may be 75,000 subscribers in the wireless and digital service sectors.

The call answer levy rate is \$0.47 cents per month per landline telephone number or \$5.65 per year. The telephone service provider (at this time Telus, Shaw, Bell and to a limited extent Rogers) retain \$0.07 per line for billing and collection costs. Regional District of Nanaimo property owners also pay a property tax levy of about \$2.00 per \$100,000.

Presently the call answer levy revenues provide about a breakeven recovery for the Primary Safety Answering Point (PSAP) costs (2011 budget requirement is \$536,000). The total cost of providing 911 call answering and fire dispatch services for the three members is estimated at \$1.5 million. Staff estimates that a monthly call answer levy rate of between \$0.65 to \$0.68 applied to all types of telephone service subscribers would generate \$1.5 million and cover all of the direct operating costs of the Central Island 911 service.

The proposed bylaw establishes a call answer rate of \$0.75 per month per subscriber, from which the provider retains a fee of \$0.07 per month to cover the providers' costs of billing and collection. The revised annual cost would be \$9.00 per year per telephone number and a reduction in the Regional District property tax levy to approximately \$.50 per \$100,000.

A property tax levy will still be required for some costs borne solely by the Regional District. These include locating radio equipment on a tower on Gabriola Island, radio frequency licenses, equipment replacement reserve fund contributions and inter departmental charges for providing addressing and mapping information to the City of Nanaimo's fire dispatch center.

Alternative 2

As existing landline customers move to digital telephone services or go completely wireless, call answer user fee revenues will predictably decline. This will require that the current call answer rate be increased or additional taxation assessed to make up the difference. Unless the user base is expanded, some "users" of the 911 service will pay more for 911 services and others will continue to pay little or nothing.

As noted above, attempts have been made by the CI911 as well as other local governments, to implement a provincial call answer levy but to date this option has not been successfully implemented. The only alternative which meets the objectives of the members of the CI911 service is a local government bylaw which applies to all telecommunications providers. Bylaw No. 1611 broadens the billing and collection of the call answer levy and increases the rate so that all costs of the 911 service are paid for by a "user fee".

SUMMARY/CONCLUSIONS:

The Central Island 911 members have since the early days of establishing the service, taken advantage of all opportunities to recover 911 costs through a user based levy. Presently a call answer levy is assessed to wire line phone subscribers and is restricted by agreement to fund only a portion of the overall 911 call answering costs. Wireless providers, despite numerous attempts, do not collect the call answer levy.

In consultation with our legal counsel it has been determined that local governments have the authority to require telecommunications providers who wish to access our 911 call answering service, to collect the call answer levy on our behalf. To date the City of Nanaimo and the Cowichan Valley Regional District, two of the three cooperating jurisdictions in the Central Island 911 service have adopted bylaws which will apply to all telecommunications services and establishes a full cost recovery user rate of \$0.75 cents per month per telephone number. Bylaw No. 1611 for the Regional District was considered but not introduced in the fall of 2010. Following the exchange of further information on the call answer levy staff are re-introducing the bylaw for approval.

The CI911 service is a partnership between three local governments. The City of Nanaimo and the Cowichan Valley Regional District have both supported the implementation of an expanded call answer levy to the wireless sector. The Regional District of Nanaimo is the remaining participant considering these changes. In order to be universally implemented by all telephone service providers across the Central Island region, the Regional District of Nanaimo needs to adopt a bylaw with the same authorities as those in the City of Nanaimo and the CVRD. If the Board does not adopt this bylaw it will result in an inconsistent application of fees to 911 users across the region with the likelihood of charges to some wireless subscribers who reside in the RDN but who have City of Nanaimo area phone exchange numbers. An inconsistent legislative approach across the region will weaken the CI911 partnership in


influencing the telephone service providers and the Province to consider a province wide user fee collection service. Staff recommend that the Board support Alternative 1.

RECOMMENDATIONS:

1. That "911 Call Answer Levy Bylaw No. 1611, 2010" be introduced and read three times.
2. That "911 Call Answer Levy Bylaw No. 1611, 2010" be held for adoption in coordination with the City of Nanaimo and the Cowichan Valley Regional District.



Report Writer



CAO concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1611

**A BYLAW TO PROVIDE FOR THE RECOVERY OF COSTS OF PROVIDING
911 SERVICE IN THE REGIONAL DISTRICT OF NANAIMO
BY MEANS OF A CALL ANSWER LEVY**

WHEREAS the Regional District of Nanaimo established the District 68 E-911 Call Service pursuant to Bylaw No. 887, cited as “Regional District of Nanaimo District #68 E-911 Extended Service Area Establishment Bylaw No. 887, 1993”;

AND WHEREAS the Regional District of Nanaimo delivers the District 68 E-911 Call Service by way of an agreement, known as the Central Island 911 Service Agreement, with the Cowichan Valley Regional District and the City of Nanaimo;

AND WHEREAS pursuant to Section 363 of the *Local Government Act* a regional district may, by bylaw, impose a fee payable in respect of all or part of a service of the regional district;

AND WHEREAS it is deemed necessary to recover the costs of providing the Call Answer Centre service in the Regional District of Nanaimo by means of a call answer levy;

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

1. Interpretation

In this Bylaw:

"911 Network" means that telephone system operating on a province-wide network platform with enhanced features, including but not limited to automatic location identification, automatic number identification, and selective routing and transfer, to facilitate appropriate emergency response;

"911 Emergency Calling Service Agreement" means an agreement, substantially in the form attached to this Bylaw as Schedule "B", under which a Participating Telecommunications Operator agrees to provide access to the Call Answer Centre to its customers, and to provide billing and collection services in relation to the Call Answer Levy.

"Billing and Collection Fee" means the portion of the Call Answer Levy that a Telecommunications Operator may retain as compensation for the services provided to the Regional District pursuant to this Bylaw, including the collection of the Call Answer Levy from Connected Customers, remittance of the required amount to the Regional District, remittance of applicable taxes to the appropriate agencies, and providing the required monthly reports to the Regional District;

"Bylaw"	means this bylaw, including its schedules
"Call Answer Centre"	means the 911 call answering and emergency response dispatch functions, within the 911 Network, provided in the Emergency Service Zone by the Regional District through Central Island 911;
"Call Answer Levy"	means the monthly fee to be paid by each Connected Customer, prescribed in Schedule "A" attached to this Bylaw;
"Central Island 911"	means, the Call Answer Centre service provided by the City of Nanaimo, Cowichan Valley Regional District, and Regional District of Nanaimo.
"Regional District"	means the Regional District of Nanaimo;
"Connected Customer" means:	
	(i) a customer of a Participating Telecommunications Operator who is assigned a telephone number for which the central office code (NXX) is associated with the Emergency Service Zone;
	(ii) where the service referred to in subparagraph (i) is billed as a centrex service, each working telephone number; or
	(iii) with respect to each and every telephone number obtained, a Reseller who obtains the services mentioned in subparagraph (i), or (ii);
"Emergency Service Zone"	means the area within the boundaries of the Regional District of Nanaimo within School District 68, excluding the area within the boundaries of the Regional District of Nanaimo;
"Local Exchange Carrier"	means a provider of Local Telephone Services that is recognized as an incumbent local exchange carrier or a competitive local exchange carrier by the Canadian Radio-television and Telecommunications Commission pursuant to the <i>Telecommunications Act (Canada)</i> ;
"Local Telephone Service"	means a telecommunications service that provides voice access to the public switched telephone network for the purpose of making and receiving telephone calls and that is capable of being used to dial 911;

"Participating Local Exchange Carrier"	means a Local Exchange Carrier that provides access to the Call Answer Centre through a 911 Emergency Calling Service Agreement;
"Participating Telecommunications Operator"	means a Participating Local Exchange Carrier or Participating Wireless Service Provider;
"Participating Wireless Service Provider"	means a Wireless Service Provider that provides access to the Call Answer Centre through a 911 Emergency Calling Service Agreement;
"Reseller"	means a person who rents telecommunications services or circuits from a Local Exchange Carrier or a Wireless Service Provider and resells them to individual users;
"Single Call Fee"	means the fee per 911 emergency call, prescribed in Schedule "A" attached to this Bylaw, to be paid by a Telecommunications Operator that has not entered into a 911 Emergency Calling Service Agreement;
"Telecommunications Operator"	means a Local Exchange Carrier or a Wireless Service Provider;
"Wireless Service Provider"	means a telecommunications carrier licensed to provide wireless communications services pursuant to the <i>Radiocommunication Act</i> (Canada);

2. 911 Emergency Calling Service Agreement

- (1) Every Telecommunications Operator that provides its customers with access to the Call Answer Centre must:
 - (a) enter into a 911 Emergency Calling Service Agreement; or
 - (b) pay for access on a fee-per-call basis in accordance with Section 4.
- (2) Where a Telecommunications Operator, as of the effective date of this Bylaw, provides access to the Call Answer Centre to its customers, and provides billing and collection services in relation to the Call Answer Levy through an existing agreement with Central Island 911, Section 2(1) shall not apply to that Telecommunications Operator so long as such existing agreement remains valid and in force.

3. Call Answer Levy

- (1) The Call Answer Levy is hereby established to recover the Regional District's costs in connection with the provision of services in relation to the Call Answer Centre.
- (2) Subject to Subsection (5), every Connected Customer is required to pay the Call Answer Levy.
- (3) Every Participating Telecommunications Operator is required to charge its Connected Customers the Call Answer Levy.
- (4) Every Participating Telecommunications Operator must within thirty (30) days after the end of each month for which services are provided to Connected Customers:
 - (a) remit to the Regional District all Call Answer Levy amounts required to be charged pursuant to Subsection (3) for the month whether or not the amounts were collected, less the Billing and Collection Fees; and
 - (b) provide to the Regional District a statement of the number of the Participating Telecommunications Operator's working lines and telephone numbers for which a Call Answer Levy was payable for the month.
- (5) The Call Answer Levy payable by a Connected Customer for service of less than a full month shall be prorated based on a thirty (30) day month, and the Billing and Collection Fee shall be prorated in the same proportion.
- (6) All amounts remaining unpaid by a Participating Telecommunications Operator after the thirty (30) day period referred to in Subsection (4) are subject to interest at the rate of 1% per month, compounded monthly.

4. Fee-Per-Call Access

- (1) Where a Telecommunications Operator wishes to provide access to the Call Answer Centre to its customers but declines to enter into a 911 Emergency Calling Service Agreement, the Telecommunications Operator must:
 - (a) pay to the Regional District the Single Call Fee for every 911 emergency call placed in the Emergency Service Zone by a customer of the Telecommunications Operator;
 - (b) remit to the Regional District payment for every Single Call Fee incurred under Subsection 4(1)(a) within thirty (30) days of invoicing by the Regional District.
- (2) Every Single Call Fee incurred under Subsection 4(1)(a) shall constitute a debt due to the Regional District. Single Call Fees remaining unpaid after the thirty (30) day period referred to in Subsection 4(1)(b) are subject to interest at the rate of 1% per month, compounded monthly.

5. Commencement

This bylaw shall be effective as of December 1, 2010.

6. Repeal

Regional District of Nanaimo District #68 E-911 Extended Service Fees and Charges Bylaw No. 1159, 1999 is repealed effective December 1, 2010.

7. Citation

This bylaw may be cited for all purposes as the "911 Call Answer Levy Bylaw No. 1611, 2011".

Introduced and read three times this 22nd day of February, 2011

Adopted this 22nd day of February, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Schedule 'A' to accompany "911 Call Answer
Levy Bylaw No. 1611, 2011".

Chairperson

Sr. Mgr., Corporate Administration

Call Answer Levy

1. The Call Answer Levy is \$0.75 per Connected Customer per month.
2. The Billing and Collection Fee portion of the Call Answer Levy is \$0.07 per Connected Customer per month.
3. The Single Call Fee is \$30.00 per 911 emergency call.

Schedule 'B' to accompany "911 Call Answer
Levy Bylaw No. 1611, 2011".

Chairperson

Sr. Mgr., Corporate Administration

911 EMERGENCY CALLING SERVICE AGREEMENT

THIS AGREEMENT made this day of , 20__.

BETWEEN:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Rd.
Nanaimo, B.C. V9T 6N2

(the "**Regional District**")

OF THE FIRST PART

AND:

*

(the "**Telecommunications Operator**")

OF THE SECOND PART

WHEREAS:

- A. The Regional District provides the service of a Call Answer Centre to enable its citizens to access emergency services through the 911 Network;
- B. The Telecommunications Operator wishes to provide its customers with access to the Call Answer Centre;
- C. The Regional District, by bylaw, requires that if the Telecommunications Operator wishes to provide its customers with access to the Call Answer Centre, the Telecommunications Operator may enter into an agreement with the Regional District establishing the terms and conditions of service, including the billing and collection of the Call Answer Levy;

NOW THIS AGREEMENT WITNESSES that in consideration of the premises, the terms and conditions hereinafter contained, the sufficiency and receipt of which are hereby acknowledged, the parties covenant and agree each with the other as follows:

1.0 DEFINITIONS AND INTERPRETATION

1.1 Definitions

For the purpose of this Agreement:

“Accounts Receivable” means the amounts that are owed to the Regional District by Connected Customers through the imposition of the Call Answer Levy;

“Agreement” means this agreement, including its recitals;

“Automatic Location Identification” or **“ALI”** means the 911 Network’s capability to automatically identify the location of the telephone being used by the caller and to provide a display of the location at the Call Answer Centre, and in the case of wireless telephone service, means the 911 Network’s capability to automatically identify the location of the Cell Site/Sector that captured a 911 call and to provide a display of the location at the Call Answer Centre;

“Automatic Number Identification” or **“ANI”** means the 911 Network’s capability to automatically identify the 10-digit calling telephone number and to provide a display of that number at the Call Answer Centre;

“911 Network” means that telephone system operating on a province-wide network platform with enhanced features, including but not limited to automatic location identification, automatic number identification, and selective routing and transfer, to facilitate appropriate emergency response;

“911 Network Database” means the database operated by the 911 Network Service Provider that contains street names, addresses, routing codes and other data required for the management of Selective Routing and Transfer, ALI and ANI;

“911 Network Street Address Database” means the database operated by the Telecommunications Operator that contains street names, address ranges, routing codes and other data required for the management of ALI and ANI;

“911 Network Service Provider” means the ILEC that provides Emergency Calling Service to the Call Answer Centre pursuant to a tariff or agreement through which access to the Emergency Calling Service is made available;

“Billing and Collection Fee” means the portion of the Call Answer Levy, as prescribed in the Bylaw, that the Telecommunications Operator may retain as compensation for the services provided to the Regional District pursuant to the Bylaw and this Agreement, including the collection of the Call Answer Levy from Connected Customers, remittance of the required amount to the Regional District, remittance of applicable taxes to the appropriate agencies, and providing the required monthly reports to the Regional District;

“Bylaw” means the Regional District of Nanaimo’s “911 Call Answer Levy Bylaw No. 1611, 2011”, and any amendments thereto;

“Call Answer Centre” means the 911 call answering and emergency response dispatch functions, within the 911 Network, provided in the Emergency Service Zone by the Regional District through Central Island 911;

“Call Answer Levy” means the monthly fee to be paid by each Connected Customer, as prescribed in the Bylaw;

“Cell Site/Sector” means an element of wireless network infrastructure at which wireless telecommunications signals are received and transmitted, most often associated with a tower structure. At any given tower structure (or equivalent infrastructure location), a single network element may be installed to operate omni-directionally, in which case one refers to a Cell Site, or multiple network elements may be installed to each operate in a particular cardinal direction, in which case one refers to multiple Cell Sectors;

“Central Island 911” means, the Call Answer Centre service provided by the City of Nanaimo, Cowichan Valley Regional District and Regional District of Nanaimo;

“Commission” or **“CRTC”** means the Canadian Radio-television and Telecommunications Commission and its successors;

“Connected Customer” means:

- (i) a customer of the Telecommunications Operator who is assigned a telephone number for which the central office code (NXX) is associated with the Emergency Service Zone;
- (ii) where the service referred to in subparagraph (i) is billed as a centrex service, each working telephone number; or
- (iii) with respect to each and every telephone number obtained, a Reseller who obtains the services mentioned in subparagraph (i), or (ii);

“Emergency Calling Service” or **“ECS”** means the 911 Network emergency calling service or system that provides each end user subscriber with three digit dial access (911) to Emergency Response Agencies through the Call Answer Centre;

“Emergency Response Agency” or **“ERA”** means a communication centre to which emergency calls are transferred from the Call Answer Centre, and which is responsible for dispatching one of the three types of emergency personnel and apparatus (emergency medical, fire or law enforcement);

“Emergency Service Routing Digits” or **“ESRD”** means a network-based 10-digit routable, non-dialable telephone number used to uniquely identify a Cell Site/Sector. The ESRD is used by the 911 Network to route the call to the appropriate Call Answer Centre. The ESRD must be unique and must not be a telephone number assigned to an end user subscriber;

“Emergency Service Zone” means the area within the boundaries of School District 68 of the Regional District of Nanaimo, excluding the city of Nanaimo;

“Exchange Service” means any local telecommunications service offered directly or indirectly by the Telecommunications Operator to its end user subscribers that is capable of outward dialing;

"Force Majeure" means any event or circumstance excluding lack of funds not within the reasonable control of the party claiming the Force Majeure which prevents or delays that party from meeting an obligation hereunder and including:

- (a) acts of God, including wind, ice and other storms, lightning, floods, earthquakes, volcanic eruptions and landslides;
- (b) strikes, lockouts and other industrial disturbances;
- (c) epidemics, war (whether or not declared), blockades, acts of public enemies, acts of sabotage or terrorism, civil insurrections, riots and civil disobedience;
- (d) acts or omissions of federal, provincial or local governments (other than the Regional District of Nanaimo) or any of their boards or agencies (other than boards or agencies of the Regional District of Nanaimo), including delays of regulatory process and orders of a regulatory authority or Court of competent jurisdiction; and
- (e) explosion, fires or mechanical breakdowns.

"Incumbent Local Exchange Carrier" or **"ILEC"** means the company that operates the 911 Network platform or switching station which connects to the Call Answer Centre, being Telus Communications Inc., its successors or assigns;

"Interconnection Agreement" means an agreement between the Telecommunications Operator and the ILEC that enables the Emergency Calling Service to connect to the Call Answer Centre;

"Reseller" means a person who rents telecommunications services or circuits from the Telecommunications Operator and resells them to individual users;

"Selective Routing and Transfer" means a feature that automatically routes a 911 call to the appropriate Call Answer Centre and facilitates the transfer of the 911 call to the appropriate ERA based upon the ALI of the caller;

1.2 Gender, Number and Other Terms

In this Agreement, unless the context otherwise requires, words importing the singular include the plural and vice versa and words importing a corporate entity include individuals and vice versa.

1.3 Reference to Enactments

Unless otherwise stated, any reference to an enactment includes and is a reference to such enactment including amendments thereto and in force from time to time, and to any enactment that may be passed which supplements or supersedes such enactment.

1.4 No Contra Proferentum

The language in all parts of this Agreement shall in all cases be construed as a whole and neither strictly for nor strictly against either of the parties to this Agreement.

1.5 Currency

Except where otherwise expressly provided, all monetary amounts in this Agreement are stated and shall be paid in Canadian currency.

1.6 Governing Law and Attornment

This Agreement shall be governed by and construed in accordance with the law of British Columbia and the law of Canada applicable therein and all disputes and claims whether for damages, specific performance, injunction, declaration or otherwise, both at law and equity, arising out of, or in anyway connected with this Agreement will be referred to the Courts of British Columbia and each of the parties hereby attorns to the jurisdiction of the Courts of British Columbia.

1.7 Cross-References

Unless otherwise stated, a reference in this Agreement to a designated article, Section, subsection, paragraph or other subdivision or to a schedule is to the designated article, Section, subsection, paragraph or other subdivision of, or schedule to this Agreement.

1.8 Approval

A requirement in this Agreement that a party provide approval or consent means that approval is not to be unreasonably withheld or delayed unless the paragraph specifies that the approval is to be in the sole discretion of a party, in which case approval is to be in the exclusive, complete and unfettered discretion of the party.

2.0 SERVICE DESCRIPTION

2.1 The Telecommunications Operator shall supply an ECS that provides each Connected Customer with the well-recognized three-digit (911) telephone access to emergency services through the Call Answer Centre. The Telecommunications Operator shall provide each Connected Customer access to the 911 code from each of its central offices.

2.2 The ECS supplied under Section 2.1 must be provided to each Connected Customer connected to the Telecommunications Operator's network through any of the Telecommunications Operator's Exchange Services.

3.0 OBJECT OF SERVICE

3.1 In accordance with paragraph 286 of Telecom Decision CRTC 97-8, or any amendments thereto or superceding decisions of the Commission, as well as all legislation and regulations that may be applicable from time to time, the Regional District and the Telecommunications Operator wish to provide appropriate terms and conditions in order to make ECS available to each Connected Customer of the Telecommunications Operator in the Emergency Service Zone.

4.0 CONDITIONS OF SERVICE

4.1 The Telecommunications Operator agrees to:

- (a) Make ECS accessible to all Connected Customers in the Emergency Service Zone;

- (b) Provide ECS in accordance with the requirements of Section 5 through the network of the 911 Network Service Provider to the Call Answer Centre;
- (c) Provide ALI and ANI data, routing and other data by way of the 911 Network Service Provider to the Regional District at the Call Answer Centre and such Emergency Response Agencies as are deemed appropriate by the Regional District and the Telecommunications Operator;
- (d) Provide to the Regional District at the Call Answer Centre a telephone number that is accessible on a 24 hour-per-day, 365 day-per-year basis, for purposes of reporting trouble with the ECS;
- (e) Provide to the Regional District a facsimile number or alternative address such as email, or both, for purposes of dealing with problems with information as to Connected Customers and the 911 Network Street Address Database, and updating such information as required;
- (f) Operate, maintain and update a 911 Network Street Address Database in respect of its Connected Customers; and
- (g) Be responsible for any other requirements that are not specifically identified in this Agreement that are necessary to fulfil the requirement set out in Section 4.1(a).

4.2 The Regional District agrees to:

- (a) Provide and operate the Call Answer Centre on a 24 hour-per-day, 365 day-per-year basis. Answering and handling of emergency calls, along with any emergency response, are the responsibility of the Regional District and beyond the scope of the services to be provided by the Telecommunications Operator;
- (b) Provide, operate and manage the personnel and the equipment, including terminal equipment, required to receive and process all emergency calls directed to the Call Answer Centre;
- (c) Coordinate participation of all Emergency Response Agencies in the Emergency Service Zone with respect to ECS, including:
 - (i) Ensuring the involvement of the Emergency Response Agencies;
 - (ii) Providing and validating, as reasonably required by the Telecommunications Operator, all geographical data, including street names and addresses, associated with the Emergency Service Zone;
 - (iii) Informing the Telecommunications Operator as soon as reasonably possible of all changes that may occur in the geographical data referred to in Subsection 4.2(c)(ii);

- (d) Provide and maintain access to fire, law enforcement and emergency medical services within the Regional District, and provide the address, contact, telephone and facsimile numbers of these services to the Telecommunications Operator. Subject to Section 4.2(e) of this Agreement, the Regional District will inform the Telecommunications Operator of any changes to this information by notice in writing;
- (e) Provide the Telecommunications Operator with a minimum of ninety (90) days written notice of an intended change in the location of the Call Answer Centre or the boundaries of the Emergency Service Zone;
- (f) Be responsible for any other requirements that are not specifically identified in this Agreement that are necessary to fulfil the requirement set out in Section 4.2(a).

4.3 The Regional District may contract with a third party for the management and operation of the Call Answer Centre but in such event, the Regional District shall remain responsible for all aspects of the operation of the Call Answer Centre and shall not be relieved of any of its obligations under this Agreement.

5.0 EMERGENCY CALLING SERVICE FEATURES

5.1 The ECS provided by the Telecommunications Operator shall, subject to Section 5.2, permit the utilization of typical 911 features including, without limitation, ANI, ALI and Selective Routing and Transfer.

5.2 It is understood and agreed by the parties that the availability and reliability of ECS features depend on:

- (a) The terminal systems and the operating mode selected for the Call Answer Centre and Emergency Response Agencies;
- (b) The type of Exchange Service and the equipment or telephone systems from which 911 calls originate;
- (c) The accuracy of the geographical data, which itself is dependent upon the information provided by various sources (for example, the Telecommunications Operator, the Regional District, the 911 Network Service Provider, other telecommunications carriers, and Connected Customers); and
- (d) The characteristics and reliability of the service provided by the 911 Network Service Provider, to the extent that the Telecommunications Operator's participation in providing ECS is dependent upon the 911 Network Service Provider.

6.0 CONFIDENTIALITY

6.1 The Telecommunications Operator will provide information to the 911 Network Service Provider, on a call-by-call basis, including such information as the name, telephone number, class of service and location shown on the Telecommunications Operator's records as the address for the Exchange Service from which the 911 call is placed. The information, if confidential, shall be provided to the 911 Network Service Provider, on a confidential basis, for the sole purpose of responding to 911 emergency calls.

- 6.2 The information consisting of names, addresses and telephone numbers of any Connected Customers whose listings are not published in directories or listed in the 911 Network Service Provider's directory assistance records is confidential. The Telecommunications Operator acknowledges and agrees on its own behalf and on behalf of its Connected Customers that any individual placing a 911 emergency call waives the right to confidentiality to the extent that the name, telephone number, class of service and physical service location associated with the originating telephone are furnished to the parties involved in providing or responding to ECS.
- 6.3 Any information including any and all written documentation provided by the Telecommunications Operator to the Regional District, its employees, servants, agents, assigns or contractors pertaining to the design, development, implementation, or operation and maintenance of ECS is confidential, and will be provided by the parties only to such persons who have a need to know for the purposes of this Agreement. The Regional District will not permit any of its employees, servants, agents, assigns or contractors to use, disclose, duplicate or otherwise copy any such confidential information for any purpose whatsoever, except as may be required by any such employees, servants, agents, assigns or contractors with a need to do so for the purposes of providing ECS or enabling an ERA to respond to a 911 emergency call, or as required by law.
- 6.4 Confidential information regarding ANI and ALI and associated information of the Telecommunications Operator's Connected Customers will be provided to the Call Answer Centre and ERAs as directed by the Regional District solely for the purpose of enabling the Call Answer Centre and ERAs to verify the location from which the 911 emergency call is placed and for the purpose of associating a 911 emergency call with a physical address. The Regional District, the Call Answer Centre and the ERAs shall not use, disclose or duplicate such information for any other purpose whatsoever, except as required by law.
- 6.5 The Regional District will retain the information regarding ANI and ALI and associated confidential information in confidence and will treat such confidential information with the greater of (i) the same degree of care that it employs for the protection of its own confidential information or (ii) a reasonable degree of care, and will not permit disclosure of such confidential information except to employees, servants, agents, assigns or contractors, including the Call Answer Centre and ERAs, where there is a need to know for purposes of providing ECS or responding to a 911 emergency call, or as required by law.
- 6.6 Confidential information shall not include, and neither party shall be under any obligation to maintain in confidence, any information disclosed to it by the other party to the extent that such information:
- (a) is in the public domain at the time of disclosure;
 - (b) following disclosure becomes generally known or available through no action or omission on the part of the receiving party;
 - (c) is furnished to others by the disclosing party without restriction on disclosure;
 - (d) is known, or becomes known, to the receiving party from a source other than the disclosing party provided that disclosure by such source is not in breach of a confidentiality agreement with the disclosing party; or
 - (e) is independently developed by the receiving party without violating any of its obligations under this Agreement.

6.7 The Telecommunications Operator and the Regional District shall abide by all applicable federal and provincial legislation with respect to the protection of privacy in effect from time to time.

7.0 QUALITY OF ECS SERVICE

7.1 The Telecommunications Operator agrees to install and operate an Emergency Calling Service in a manner that meets or exceeds the quality standards generally accepted in North America for such services.

7.2 The Telecommunications Operator shall use reasonable efforts to restore service as quickly as possible on a priority basis should there be any interruption, delay, mistake or defect in transmission or in its facilities.

8.0 QUALITY OF CALL ANSWER CENTRE SERVICE

8.1 The Regional District shall implement and ensure the operation of the Call Answer Centre in a manner that meets or exceeds the quality standards generally accepted in North America for such services.

9.0 IMPLEMENTATION SCHEDULE

9.1 The Telecommunications Operator and the Regional District agree that the implementation of ECS within the Emergency Service Zone will be carried out pursuant to an implementation schedule to be mutually agreed to by the Telecommunications Operator, the Regional District and the 911 Network Service Provider in writing and which may be changed from time to time by agreement of the parties.

10.0 BILLING AND COLLECTION AUTHORIZATION

10.1 The Regional District represents and warrants to the Telecommunications Operator that it has the authority to designate the Telecommunications Operator as an agent of the Regional District to perform the billing and collection functions described in this Agreement on behalf of the Regional District.

10.2 The Regional District hereby expressly authorizes the Telecommunications Operator to act as the Regional District's agent to perform the billing and collection functions described in this Agreement and to refer orally or in writing to the Regional District's name to explain the nature of the Call Answer Levy billed and collected by the Telecommunications Operator as agent for the Regional District.

11.0 CALL ANSWER LEVY BILLING PROCEDURES

11.1 Each month, the Telecommunications Operator may bill its Connected Customers, in the monthly bill for telecommunications products and services provided by the Telecommunications Operator, the amount of the Call Answer Levy or some portion thereof in respect of that month. The monthly bill may identify the amount of the Call Answer Levy or portion thereof so billed as a separate charge and the bill may also indicate that the Telecommunications Operator is billing the Call Answer Levy or portion thereof as an agent for the Regional District.

11.2 Notwithstanding any decision by the Telecommunications Operator only to bill part of the Call Answer Levy to its Connected Customers or any subset thereof, or not to bill any part of the Call

- 11.3 Answer Levy to those customers or any subset thereof in any given month, the Telecommunications Operator shall be deemed to have billed the full amount of the Call Answer Levy to its Connected Customers every month and the Telecommunications Operator shall owe and be responsible for remitting to the Regional District the amounts described in Section 12.1 in the manner and according to the timing described therein.
- 11.4 If the Telecommunications Operator commits any errors in the establishment of the monthly bill, its responsibility to correct said error is limited to bringing the necessary correction to the next bill or summary and remitting amounts due to the Regional District as set out in Section 12.1.

12.0 CALL ANSWER LEVY REMITTANCE

- 12.1 The Telecommunications Operator agrees to remit to the Regional District or its assignee, within 30 days after the end of the month for which the Call Answer Levy was billed by the Telecommunications Operator:
- (a) the Call-Answer Levy multiplied by the number of Exchange Services serviced by the Telecommunications Operator, for Connected Customers within the Emergency Service Zone, at the time of billing; less
 - (b) the Billing and Collection Fee multiplied by the number of Exchange Services serviced by the Telecommunications Operator, for Connected Customers within the Emergency Service Zone, at the time of billing.
- 12.2 The Regional District may assign its rights to the amounts described in Section 12.1 to the Call Answer Centre or other appropriate entity, provided that the Regional District gives to the Telecommunications Operator at least sixty (60) days written notice of its intention to assign the rights to the Call Answer Centre or other appropriate entity. Upon the expiration of the notice period, the Telecommunications Operator will remit the amounts indicated in Section 12.1 to the Call Answer Centre or other appropriate entity until otherwise indicated in writing by the Regional District.
- 12.3 The Regional District represents and warrants that it has the authority to sell, assign, transfer and set over unto the Telecommunications Operator all rights, title and interests in any Accounts Receivable with respect to the Call Answer Levy owed by Connected Customers each month, and subject to the Telecommunications Operator's obligations set out in Section 12.1 hereby sells, assigns, transfers and sets over all such rights, title and interests in the Accounts Receivable to the Telecommunications Operator.
- 12.4 All amounts remaining unpaid by the Telecommunications Operator to the Regional District or its assignee by the date set out in Section 12.1 will carry interest at the rate prescribed in the Bylaw.

13.0 TELECOMMUNICATIONS OPERATOR RIGHTS AND OBLIGATIONS

- 13.1 The Telecommunications Operator has the right to do all lawful acts necessary to protect and maintain the value of its interests relative to the Call Answer Levy identified in this Agreement.

14.0 TAXES

- 14.1 The Regional District is responsible for informing the Telecommunications Operator of all applicable taxes and the rates in respect thereof which must be applied to the Call Answer Levy. The Telecommunications Operator shall bill the taxes to its Connected Customers and shall remit such taxes to the appropriate authorities. The Regional District agrees to save the Telecommunications Operator harmless from any claims arising in connection with the remittance of such taxes, subject to exceptions as described in Section 16.2.

15.0 REPORTING

- 15.1 At the same time that the Telecommunications Operator remits the amount required under Section 12.1, the Telecommunications Operator will remit to the Regional District or its assignee a report indicating the amount billed with respect to the Call Answer Levy for the Regional District and the Billing and Collection Fee charged to the Regional District. Taxes, levies or duties or similar charges, where applicable, will be itemized separately.
- 15.2 Reports submitted by the Telecommunications Operator under Section 15.1 will be considered accurate, unless the Regional District advises the Telecommunications Operator of errors within ninety (90) days of the end of the fiscal year in which the reports were submitted. The Regional District may have these reports verified by auditors of its choice at the Regional District's expense. The Regional District acknowledges that the information upon which the reports are based changes constantly and cannot be retained by the Telecommunications Operator.
- 15.3 If the parties identify an error in a payment made under Section 12.1, they will establish the correct amount and render compensation if due. The party who is owed, if there is one, will be reimbursed by making adjustments to the amount of the next remittance, whether the amounts are due to the Regional District or to the Telecommunications Operator.

16.0 LIABILITY AND INSURANCE

- 16.1 The Telecommunications Operator's liability to its Connected Customers for the performance of its obligations pursuant to this Agreement shall be subject to and governed by the Telecommunications Operator's general terms of service.
- 16.2 The Regional District agrees to indemnify and save harmless the Telecommunications Operator from and against any and all losses, claims, demands, actions, costs and damages including reasonable legal fees and disbursements (hereinafter collectively referred to as "**Claims**") arising directly or indirectly from any act or omission of the Regional District, or the reasonable acts or omissions of the Telecommunications Operator as the Regional District's billing and collection agent in connection with the provision of services or facilities to be provided on behalf of the Regional District pursuant to this Agreement, and undertakes to defend any legal action arising from such Claims at its own cost. Notwithstanding the foregoing, the Regional District shall not be responsible to the extent that any Claims were caused or contributed to by the negligence, gross negligence, or willful misconduct by or on behalf of the Telecommunications Operator, and the Telecommunications Operator shall be responsible for, and indemnify the Regional District from and against the consequences of the negligence, gross negligence, or willful misconduct by or on behalf of the Telecommunications Operator.

16.3 During the term of this Agreement, each of the Regional District and the Telecommunications Operator shall maintain sufficient insurance to cover its respective obligations under this Agreement and shall provide evidence of the same to the other party hereto upon request.

17.0 TERM AND RENEWAL

17.1 This Agreement shall be effective as of the date shown on page one of this Agreement and continue for a term of five (5) years.

17.2 The term of this Agreement shall be automatically renewed and extended and remain effective for successive further periods of one (1) year each unless one party gives to the other at least six (6) months written notice of the termination prior to the end of the initial term or any renewal period.

17.3 If either party materially breaches this Agreement, the party not in breach may give to the other party written notice specifying the breach and, if within a period of seven (7) days the breach is not remedied, or, in the case of a breach which cannot reasonably be remedied within such period, the party not in breach has not accepted a schedule for remedying the breach, the party not in breach may, by a further written notice, terminate this Agreement immediately without penalty.

17.4 Notwithstanding Sections 17.1 and 17.2, if the 911 Network Service Provider ceases or gives notice of its intention to cease to provide 911 Network service to the Regional District, or in the event of the Telecommunications Operator ceasing, or giving notice of its intention to cease, to obtain access to the Regional District at the Call Answer Centre through or by way of the 911 Network Service Provider, the parties shall take all reasonable steps to ensure that the object of this Agreement as provided in Section 3 is achieved.

18.0 FORCE MAJEURE

18.1 Neither the Telecommunications Operator nor the Regional District will be held responsible for any damages or delays as a result of Force Majeure.

18.2 In the event of Force Majeure, the Telecommunications Operator and the Regional District will cooperate and make all reasonable efforts to provide temporary replacement service until permanent service is completely restored.

18.3 The costs incurred in providing temporary replacement service under Section 18.2 will be borne in accordance with the sharing of obligations between the Telecommunications Operator and the Regional District, as set out in Section 4.

19.0 DISPUTE RESOLUTION

19.1 Except with respect to any matter within the jurisdiction of the Commission, any dispute or disagreement that may occur pursuant to this Agreement is to be dealt with by the two parties attempting to reach a fair and equitable resolution by using, in good faith, one or more of the following means until such dispute or disagreement is resolved. The means to be used are:

- (a) Negotiation;
- (b) Mediation; and
- (c) Arbitration.

19.2 Except for purposes of preserving a limitation period or obtaining an interim order or remedy where reasonably necessary, the parties agree that legal proceedings shall be avoided until the procedures in this Section have been tried and used in good faith in the order listed, as the parties recognize that among other aspects of legal proceedings, they are public. Any arbitration shall be settled by a single arbitrator under the Rules of the British Columbia Arbitration and Mediation Institute, and shall be held in British Columbia.

20.0 NOTICES

20.1 Each notice sent pursuant to 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 (the "**Contact Information**"). Each such Notice may be sent by registered mail, by commercial courier, by facsimile transmission, or by electronic mail.

20.2 The Contact Information for each of the parties is:

Regional District of Nanaimo	[P2]
6300 Hammond Bay Rd, Nanaimo, B.C. V9T 6N2	
Attention: General Manager, Finance & Information Services	
corpsrv@rdn.bc.ca	<i>[incl. email address – ensure long-standing address for contracts of long duration]</i>

20.3 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) or sent by facsimile transmission.

20.4 Subject to Sections 20.5 through 20.8 each Notice shall be deemed to have been given or made at the following times:

- (a) if delivered to the address (including by commercial courier), on the day the Notice is delivered;
- (b) if sent by registered mail, seven (7) days following the date of such mailing by sender;
- (c) if sent by facsimile transmission, on the date the Notice is sent by facsimile transmission;
or

- (d) if sent by electronic mail, on the date the E-Mail Notice is sent electronically by e-mail by the sender.
- 20.5 If a Notice is delivered, sent by facsimile transmission or 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 a Saturday, Sunday or holiday as defined in the *Interpretation Act* (British Columbia) then the Notice shall be deemed to have been given or made on the next business day following.
- 20.6 Notice given by facsimile transmission will be deemed to be received by the recipient only if the sender's facsimile machine generates written confirmation indicating that the facsimile transmission was sent.
- 20.7 If normal mail service, facsimile 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.
- 20.8 Each party shall provide Notice to the other party of any change of address, facsimile number, or e-mail address of such party within a reasonable time of such change.

21.0 TIME

- 21.1 Time is of the essence in this Agreement.

22.0 BINDING EFFECT

- 22.1 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

23.0 WAIVER

- 23.1 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.

24.0 HEADINGS

- 24.1 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

25.0 LANGUAGE

- 25.1 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

26.0 CUMULATIVE REMEDIES

- 26.1 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.

27.0 LAW APPLICABLE

27.1 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

28.0 RELATIONSHIP OF PARTIES

28.1 No provision of this Agreement shall be construed to create a partnership or joint venture relationship, an employer-employee relationship, a landlord-tenant, or a principal-agent relationship.

29.0 AMENDMENT

29.1 This Agreement may not be modified or amended except by the written agreement of the parties.

30.0 INTEGRATION

30.1 This Agreement contains the entire agreement and understanding of the parties with respect to the matters contemplated by this Agreement and supersedes all prior and contemporaneous agreements between them with respect to such matters.

31.0 SURVIVAL

31.1 All representations and warranties set forth in this Agreement and all provisions of this Agreement, the full performance of which is not required prior to a termination of this Agreement, shall survive any such termination and be fully enforceable thereafter.

32.0 NOTICE OF VIOLATIONS

32.1 Each party shall promptly notify the other party of any matter which is likely to continue or give rise to a violation of its obligations under this Agreement.

33.0 ENTIRE AGREEMENT

33.1 The whole agreement between the parties is set forth in this document and no representations, warranties or conditions, express or implied, have been made other than those expressed.

34.0 SEVERABILITY

34.1 Each article of this Agreement shall be severable. If any provision of this Agreement is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this Agreement.

35.0 COUNTERPART

35.1 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.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first
above written.

For the Regional District of Nanaimo)

_____)
Chairperson)

_____)
Sr.Mgr., Corporate Administration)

For the)

_____)
Name:)

_____)
Name:)

SIGNED, SEALED AND DELIVERED)
in the presence of:)

_____)
Witness)

_____)
Address)

_____)
Occupation)



RUN REPORT		CAO APPROVAL
EAP		
COW	✓	Feb 8 '11
RHD		
BOARD		

MEMORANDUM

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

DATE: January 28, 2011

FROM: W. Idema
Manager, Financial Reporting

FILE:

SUBJECT: Bylaw No. 1625 – Nanoose Bay Bulk Water – use of Development Cost Charge Funds

PURPOSE:

To adopt a bylaw authorizing expenditures from the Nanoose Bay Bulk Water Local Service Area Development Cost Charge (DCC) Reserve Fund.

BACKGROUND:

At its meeting held January 25, 2011 staff introduced two bylaws authorizing the amount of Development Cost charges used for projects which had been approved earlier in 2010. During the final review of year end accounts, a further project requiring an expenditure bylaw has been identified. Bylaw No.1625 completes the statutory approval of 2010 expenditures from the Nanoose Bay Bulk Water Service DCC reserve fund.

Date of Approval	Project	Budget Estimate	Expended to Date
March 24, 2009	Wall Brook Pump Station	\$608,000	\$54,560

ALTERNATIVES:

1. Adopt Bylaw 1625 as presented.
2. Do not adopt the bylaw.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative amounts expended over the course of 2009 and 2010 for design services will be funded from Development Cost Charges . Bylaw No. 1625 will comply with the statutory requirements to approve the use of DCC's by bylaw.

Alternative 2


If the bylaw is not approved, accounting adjustments would be required to charge these costs through the regular operating budget. At this time there are not sufficient funds to absorb these costs without incurring a deficit. The costs are related to an eligible DCC project and staff recommends that the bylaw be approved as presented.

SUMMARY/CONCLUSIONS:

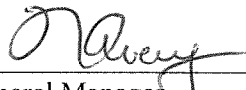
Section 935(5) of the *Local Government Act* requires that expenditures from Development Cost Charge Reserves be authorized by bylaw. Design and engineering costs with respect to the Wall Brook Pump Station project within the Nanoose Bay Bulk Water Service, amounted to \$54,560 over 2009/2010. The pump station is an eligible DCC project and Bylaw No. 1625 completes the statutory requirements for these expenditures. Staff recommends approving Bylaw No. 1625 as presented.

RECOMMENDATIONS:


1. That “Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1625, 2011” be introduced and read three times.
2. That “Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1625, 2011” be adopted.



Report Writer



General Manager



C.A.O. Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1625

**A BYLAW TO AUTHORIZE AN EXPENDITURE FROM THE
NANOOSE BAY BULK WATER LOCAL SERVICE AREA
DEVELOPMENT COST CHARGE RESERVE FUND**

WHEREAS the Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund was established under Bylaw No. 1088, 1998;

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

AND WHEREAS the Board has approved the use of development cost charge funds for the Nanoose Bay Bulk Water Pump Station, and the project is an eligible development cost charge project;

AND WHEREAS the amount expended in 2010 is \$54,560;

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

1. The sum of Fifty Four Thousand, Five Hundred and Sixty dollars (\$54,560) is hereby appropriated for the purpose of design and engineering of the Wall Brook Pump Station for the Nanoose Bay Bulk Water Service Area.
2. This bylaw may be cited as the “Nanoose Bay Bulk Water Local Service Area Development Cost Charge Reserve Fund Expenditure Bylaw No. 1625, 2011”.

Introduced and read three times this 22nd day of February, 2011.

Adopted this 22nd day of February, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RDN REPORT	
CAO APPROVAL <i>[Signature]</i>	
EAP	
COW	✓ Feb 8 '11
RHD	
BOARD	

MEMORANDUM

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

DATE: January 20, 2011

FROM: T. Moore
Manager, Accounting Services

FILE:

SUBJECT: Contributions to Third Party Events

PURPOSE:

To provide guidance to departments with respect to providing cash contributions, prizes and/or promotional items to support third party events.

BACKGROUND:

A request received by the Building Inspection Department for a cash voucher redeemable against a building permit prompted staff to review departmental practices regarding the use of cash prizes and similar promotional initiatives.

The Building Inspection request was the second in several years and was directly associated with the hosting in Nanaimo of the Building Officials of BC annual conference. Nanaimo is host to the conference about every 8 to 10 years. The Recreation Department as a corporate member in the BC Parks & Recreation Association has also provided promotional products to that association's annual conference.

These practices have been limited in scope and are associated with the department's operating mandate. In order to provide specific guidance with respect to future requests, Policy A2.18 – Contributions to Third Party Events has been drafted for the Board's consideration. An annual cumulative limit of \$500 is proposed with prior approval by the General Manager of the service area.

ALTERNATIVES:

1. That Policy A2.18 - Contributions to Third Party Events be approved as presented.
2. That Policy A2.18 - Contributions to Third Party Events be amended and approved as amended.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative, the cumulative value of cash contributions, prize vouchers and /or promotional items provided by a single department would be limited to \$500 annually. Departments have provided information indicating that this is a reasonable and manageable limit.

Alternative 2

Staff have no further observations at this time and recommend approving the policy as presented.

SUMMARY/CONCLUSIONS:

The Contributions to Third Party Events Policy provides clarity on maximum amounts, payees and authorization level (General Manager) for contributions to third party events. Third party events are defined as ones held by organizations in which the Regional District maintains membership or which have a close connection to the work of the Regional District.


Staff recommends approving the policy as presented.

RECOMMENDATIONS:

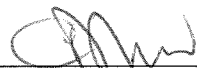
1. That the Board approve Policy A2.18 - Contribution to Third Party Events Policy.



Report Writer



General Manager Concurrence



C.A.O Concurrence

REGIONAL DISTRICT OF NANAIMO

P O L I C Y

SUBJECT:	<i>Contributions to Third Party Events</i>	POLICY NO: A2.18
		CROSS REF.:
EFFECTIVE DATE: January 25, 2011		APPROVED BY: Board
REVISION DATE:		PAGE: 1 OF 1

PURPOSE

To provide guidance to departments with respect to providing cash contributions, prizes and/or promotional items to support third party events.

DEFINITIONS

Third party events, for the purposes of this policy, are defined as those involving organizations which carry out advocacy activities reaching audiences extending beyond the boundaries of the Regional District of Nanaimo and which have a close connection to the work of the Regional District of Nanaimo. Examples include, but are not limited to, the BC Recreation and Parks Association, Local Government Management and Government Finance Officers Associations, Building Officials Association of BC and similar professional associations.

POLICY

1. Departments are authorized to provide cash sponsorships, gifts and/or prizes that may be redeemed for Regional District goods and/or services to third party events as defined in this policy in order to assist with the overall success of a conference or similar event.
2. Cash sponsorships shall be payable only to the conference organizing committee. Departments shall not pay for any direct costs of an event.
3. Departments may offer a reasonable amount of in-kind services in the form of administrative support to assist with the overall success of the conference.
4. The total value of cash, prizes and/or promotional items provided under this policy shall not exceed \$500 cumulative, annually.
5. The General Manager of the service area must authorize all direct paid cash sponsorships.



CAO APPROVAL		CM
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COV	✓	Feb 8 '11
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: January 25, 2011

FROM: Paul Thorkelsson
General Manager, Development Services

FILE: 1835 03 VIHA

SUBJECT: VIHA Grant for Capacity Building - Ending Homelessness

PURPOSE

To provide options and a recommendation for allocating the funds provided to the Regional District of Nanaimo (RDN) by Vancouver Island Health Authority (VIHA) to build capacity to end homelessness.

BACKGROUND

The RDN received a grant of \$100,000 from the VIHA with the stipulation that it go “to support capacity building for homelessness”. The Board directed staff to “prepare a report to consider the financial breakdown of the grant from VIHA”.

Regional Homelessness Initiatives

Currently, the RDN is not involved in any projects related to homelessness nor is a project related to building capacity to end homelessness a part of any RDN department work plans. The RDN Affordable Housing Study, which included a housing needs assessment, reported that the vast majority of homeless were concentrated in Nanaimo with few homeless in other parts of the region. The study concluded that the main issues to be addressed in the electoral areas were lack of affordable housing across the spectrum of income levels, lack of a range of housing types to meet different individual and family needs, lack of suitable rental housing, and people living in substandard housing. There is additional work to be done on affordable housing in the RDN. The 2011 Work Plan includes opportunity for the Board to consider actions based on the Affordable Housing Study. At the present time, it does not appear that homelessness is to be a focus of RDN initiatives in the near term.

Municipal Homelessness Initiatives

The City of Nanaimo is very active in addressing homelessness and is involved in a variety of initiatives. The City has chosen to focus on the provision of housing for the homeless and is less involved in providing programs and services leaving that to non-profit organizations, provincial and federal agencies. The City has adopted the “Housing First” approach as outlined in their Five Year Action Plan. This approach focuses on getting homeless people off the street into safe secure housing. Once a person has a place to live they can then start to get help and get their lives back on track. Through a partnership with BC Housing and the Canadian Mental Health Association, the City has committed to building 160 new units of supportive housing for Nanaimo’s homeless population.

Nanaimo is also one of 61 communities across Canada that receives funding from the Federal Government through the Homelessness Partnership Initiative (HPI). This community-based federal program is aimed at preventing and reducing homelessness across the country. To help plan, implement and determine priorities for the Federal HPI funding, the Nanaimo Working Group on Homelessness (NWGH) was established. The NWGH is a broadly based community committee representing key sectors

involved in addressing homelessness in Nanaimo, including members of the public. Since 2000, the NWGH's primary role has been to identify community priorities and make recommendations for federal homelessness through public calls for proposals. The NWGH has developed a Nanaimo Homelessness Partnering Strategy Action Plan which is used to provide guidance on the allocation of funds from the HPI.

The City of Parksville has established a Mayor's Task Force on Homelessness. The purpose of the Task Force is to address homelessness and issues related to homelessness in the School District 69 area. The Task Force will be taking a two pronged approach to addressing the issue. The first is to establish and maintain a strong network of those who are currently working with the homeless or who have the potential to do so. The second is to encourage coordination and sharing of resources amongst organizations participating in this initiative to meet the objectives of the Parksville Homelessness Action Plan. The Task Force does have representation from the Town of Qualicum Beach and has requested a representative from the RDN.

DISCUSSION

As outlined the municipalities of the RDN are actively involved in addressing the issue of homelessness and have adopted action plans aimed towards ending homelessness. In terms allocating the funds received from VIHA in the Nanaimo area the Nanaimo Working Group on Homelessness is currently tasked with allocating funding from the Federal Government's HPI program. Many of the community organizations already involved in providing services to the homeless benefit from NWGH support and would similarly benefit from additional funding. Similarly, Parksville is also directly involved in addressing homelessness in the District 69 area. The Task Force established by Parksville has identified several projects related to ending homelessness that would benefit from the additional funding from VIHA. The Task Force has already requested funding in the amount of \$8,000 from the RDN to assist with its work. Given that there are two organized groups working on homelessness initiatives in the Region; that both groups have established action plans that include a range of projects aimed at addressing homelessness in their respective areas; and that both initiatives would benefit from additional funding one approach would be to divide up the funding provided by VIHA based on population in the Region's school districts.

Another approach to allocating the VIHA funding would be to apply the monies to specific projects related to homelessness that have already been identified. For example, The Nanaimo Working Group on Homelessness has identified a need to conduct a needs assessment combined with a gap analysis of current service delivery. It is staff's understanding that the needs analysis would determine if the needs of the homeless are being met by the services that are currently available and also attempt to identify where there are areas of service overlap so that duplication of efforts can be eliminated and resources allocated most appropriately. Similarly, the specific request for funding from Parksville discussed previously would also fall into this category. It is not likely that this study, nor the funding request from Parksville, would require the full amount provided by VIHA so this approach would have to be paired with another to allocate all of the available funding.

A final approach to the allocation of the VIHA funding would be to establish the monies as an ongoing reserve fund from which specific projects could obtain funding support at the discretion of the RDN Board.

ALTERNATIVES

1. Allocate all of the VIHA funds to the municipalities of Parksville and Nanaimo, distributed on the basis of population in District 68 and District 69, to support their specific homelessness projects underway that meet the VIHA criteria;

2. Administer all of the VIHA funding through the Regional District through the development of specific homelessness initiatives to meet the VIHA criteria;
3. Allocate a portion of funds to the municipalities of Parksville and Nanaimo, distributed on the basis of population for each municipality, to support their specific homelessness projects and retain the remaining portion to pursue new initiatives and/or provide funding towards other programs that meet the VIHA criteria.

FINANCIAL IMPLICATIONS

Alternative 1

VIHA has provided the Regional District with \$100,000 to “support capacity building for homelessness”. This amount represents the following distribution when apportioned by population and jurisdiction:

Jurisdiction	Population	Funding Allocation
Nanaimo	78,692	\$56,764
Parksville	10,993	\$7,930
Qualicum Beach	8,502	\$6,133
Lantzville	3,661	\$2,641
	101,848	\$73,468
Electoral Area ‘A’	7,030	\$5,071
Electoral Area ‘B’	4,050	\$2,921
Electoral Area ‘C’	2,787	\$2,010
Electoral Area ‘E’	5,653	\$4,078
Electoral Area ‘F’	6,680	\$4,819
Electoral Area ‘G’	7,023	\$5,066
Electoral Area ‘H’	3,560	\$2,567
	36,783	\$26,532
Total VIHA Funding:	138,631	\$100,000

Currently, only the City of Parksville and the City of Nanaimo have active homelessness initiatives in place to address homeless issues. The City of Parksville is working on an initiative specifically for the northern community that has established a Task Force which includes representation from the Town of Qualicum Beach and the RDN. In addition to a speaker’s series and other activities, the Task Force is exploring a survey to obtain better data on the status of homelessness in District 69. They expect that the survey will cost approximately \$20,000 to undertake. The City is hopeful of obtaining some costs from the VIHA to offset the cost of this program.

The City of Nanaimo also has an active program working on activities to address homelessness within the southern region. Additional funding would be beneficial to the City to assist in their Nanaimo Homelessness Partnering Strategy Action Plan.

If the Board supports Alternative one, \$66,000 of the VIHA grant would be allocated to the City of Nanaimo’s Working Group on Homelessness with the expectation that this program will have both a local and regional benefit on addressing homeless issues in our southern communities. The remaining \$34,000 would be allocated to the City of Parksville’s Homelessness Task Force with the same expectation that this program benefits the broader homeless community of District 69. There would be no direct financial implications to the RDN or a requirement of additional staff resources to support these initiatives.

Alternative 2

If the Board selects Alternative 2, staff will be required to prepare a 2011 work plan to develop specific homelessness initiatives that meet the VIHA criteria. Other than the projects previously identified in the RDN Housing Action Plan, no further resources have been allocated to pursue any new projects on homelessness; therefore, selecting this alternative will have an impact on existing work plans and staff resources at the Regional District. In addition, Parksville has anticipated that a portion of the VIHA funding would be made available to their municipality to assist in the Task Force program – the program has been designed with consideration to review homelessness throughout the District 69 area.

Alternative 3

The final alternative provides the Board with a choice of providing some funding to the municipalities of Parksville and Nanaimo to assist in their programs, and retaining some funds for distribution to other projects that meet VIHA criteria. For example, the Board could initially distribute \$56,764 to the City of Nanaimo and \$7,930 to the City of Parksville for their programs and retain the remaining funds to either develop new programs or to consider additional requests from all four municipalities at a later date.

The challenge with this approach is twofold. First, the Regional District is acting, in part, as a ‘flow through’ agency in distributing VIHA funds for capacity building and therefore, must ensure that money distributed is being used to support capacity building for homelessness. As noted, Regional District staff do not have any activities included in the 2011 work plan that fit within the VIHA funding guidelines and any new initiatives on homelessness will have an impact on existing priorities and resources. Second, VIHA had hoped that the Regional District would distribute the funding to coincide with their fiscal year which ends on March 31, 2011.

Staff are not aware of any projects other than those highlighted in this report that could specifically meet the VIHA criteria and would be eligible for funding within this timeframe. The District 69 the program has been designed to work as a partnership between the City of Parksville, Town of Qualicum Beach and RDN and appears to be a good fit for the funding. The City of Nanaimo program is part of the Federal Government program on Homelessness and is also aligned with the objectives of the VIHA funding of capacity building.

SUSTAINABILITY IMPLICATIONS

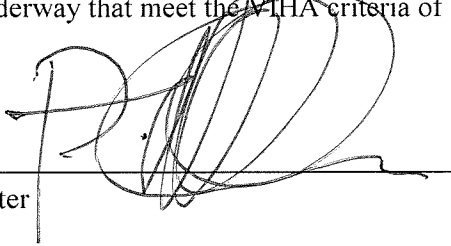
A safe, comfortable and affordable place to live for everyone is a vital part of a sustainable region. The State of Sustainability Report identified two particular social sustainability characteristics of particular relevance to homelessness - poverty is minimized and residents can meet their basic needs; and, housing is affordable with availability of different types and sizes of housing. Of concern is that the indicators for these two characteristics show the region is well below average compared to other areas and the trends are worsening. Additional efforts to end homelessness are needed to improve the region’s social sustainability.

CONCLUSIONS

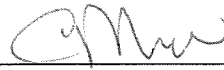
The Vancouver Island Health Authority has provided a \$100,000 grant to the RDN to fund capacity building initiatives in the Region to end homelessness. The municipalities in District 68 and District 69 are underway with organized initiatives on this important issue. Within these established initiatives there are a number of groups and actions that could benefit from the available grant funding. This report outlines a number of options for dispersing the VIHA grant monies. Based on the current actions underway in District 68 and 69; the potential for those actions to benefit from additional funding; and the limited requirement for additional RDN resources, staff recommend Alternative 1 as the best approach to fair, equitable and impactful allocation of the available funding.

RECOMMENDATION

That the RDN Board allocate all of the VIHA funds to the municipalities of Parksville and Nanaimo, distributed on the basis of population in District 68 and District 69, to support their specific homelessness projects underway that meet the VIHA criteria of supporting capacity building for homelessness.

A large, stylized handwritten signature in black ink, appearing to start with a large 'D' and followed by several loops and a long horizontal stroke.

Report Writer

A smaller, more legible handwritten signature in black ink, possibly reading 'C. M. W.' or similar.

CAO Concurrence



RDN REPORT		
CAO APPROVAL		<i>[Signature]</i>
EAP		
COW	✓	Feb 8 '11
RHD		
BOARD		

MEMORANDUM

TO: Paul Thorkelsson
General Manager of Development Services

DATE: January 27, 2011

FROM: Dale Lindsay
Manager of Community Planning

FILE: 0360 20 AAC

SUBJECT: Attendance of Agricultural Advisory Committee Member to the Agricultural Advisory Committee Workshop

PURPOSE

To obtain direction with respect to the attendance of a Committee member at the Ministry of Agriculture’s Agricultural Advisory Committee Workshop.

BACKGROUND

The Ministry of Agriculture is hosting a one day Agricultural Advisory Committee (AAC) Workshop in Richmond on February 24th. AACs from across the Province will be attending this year’s workshop which is intended to focus on Agricultural Area Plan development and implementation. The Ministry has extended an invitation for three members to attend this free workshop. The invitation letter and the workshop agenda is attached as Schedule A.

The Chairman of the Agricultural Advisory Committee, Director Burnett, and one member of staff will be attending the workshop. In addition Agricultural Advisory Committee member, Joanne McLeod, has also indicated that she has interest in the workshop and is prepared to attend on behalf of the AAC. In order to cover the associated cost with having a community member attend the workshop approval of the Board is required.

ALTERNATIVES

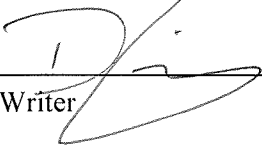
1. To authorize AAC member, Joanne McLeod, to attend the Ministry of Agriculture, Agricultural Advisory Committee Workshop on February 24th.
2. To not authorize AAC member, Joanne McLeod, to attend the Ministry of Agriculture, Agricultural Advisory Committee Workshop on February 24th.

FINANCIAL IMPLICATIONS

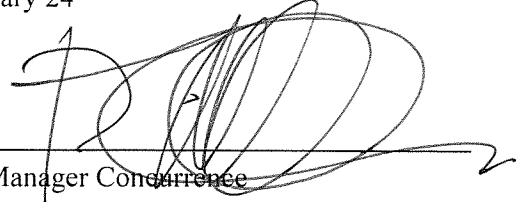
The one day workshop is free and includes lunch. Staff estimate the cost to have the Community Member attend including meals, hotel, and travel to be approximately \$200.00.

RECOMMENDATION

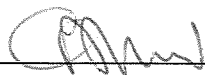
That the Board authorize Community AAC member, Joanne McLeod, to attend the Ministry of Agriculture, Agricultural Advisory Committee Workshop on February 24th.



Report Writer



General Manager Concurrence



CAO Concurrence

Schedule A



Joe Burnett, Chair
 Agricultural Advisory Committee
 Regional District of Nanaimo
 6300 Hammond Bay Road
 Nanaimo BC V9T 6N2

January 10, 2011

Dear Joe Burnett,

The Ministry of Agriculture would like to invite your Agricultural Advisory Committee (AAC) members to the fifth biennial AAC Workshop on Thursday, February 24, 2011 from 9:30am to 5:00pm. This year, there will be one province-wide event and it will be held at the Vancouver Airport Radisson Hotel in Richmond. Registration is required, but there is no fee and lunch will be provided.

The workshop will bring AAC members together from across BC to meet each other and discuss agricultural issues of importance. Since the 2009 workshop, 12 new AACs have been formed and there are now 43 AACs successfully operating in BC! Information about AACs and AAPs can be found on the Strengthening Farming website at <http://www.al.gov.bc.ca/resmgmt/sf/planag/index.htm>. Information about previous AAC workshops is at <http://www.al.gov.bc.ca/resmgmt/sf/aac/wrkshps.htm>.

Given the number of AACs that have been involved in creating Agricultural Area Plans or Agricultural Strategies, we've chosen Agricultural Area Plan (AAP) development and implementation as a theme. Please see attached for the draft agenda. We are confident that these sessions will likely be useful to all communities, even those who do not yet have an AAC and are only considering beginning an AAP process. If your community has already started or completed an AAP process, **please discuss the successes and challenges of AAP development and implementation with your AAC members prior to the workshop and come prepared to discuss them.** Please also bring your draft or completed AAP or strategy with you to the workshop.

To assist with workshop arrangements, please have your AAC complete the enclosed form and return it to Hannah Cavendish-Palmer by email at Hannah.cavendishpalmer@gov.bc.ca or fax at 604-556-3030 by Friday, January 21st, 2011. Please note that supporting elected officials and staff are also welcome to attend.

CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GMR&PS	
GMOS	<input checked="" type="checkbox"/>	GMT&SWS	
GMF&S		GMR&CS	
JAN 17 2011			
SMCA		BOARD	
CHAIR			
		J. Burnett	
		D. Lindsay	

Ministry of Agriculture

Sustainable Agriculture
 Management Branch

Mailing Address:
 1767 Angus Campbell Road
 Abbotsford BC V3G 2M3

Phone: (604) 556-3100
 Facsimile: (604) 556-3030

Strengthening Farming Online
<http://www.al.gov.bc.ca/assumms/index.htm>

File: General Invitation 2011.docx

2011 Agricultural Advisory Committee Workshop

February 24, 2011 – from 9:30 AM to 5:00 PM

Radisson Hotel Vancouver Airport

8181 Cambie Road, Richmond, BC V6X 3X9

DRAFT Agenda

- 9:30am **Welcome**
- Ministry staff will introduce themselves and explain the agenda.
 - Ministry staff will give a quick presentation on the origin and intent of Agricultural Area Plans (AAP).
- 10:00am **Investment Agriculture Foundation's Funding Programs**
- Investment Agriculture Foundation (IAF) staff will explain the scope of the IAF funding available for AAP creation and other AAP-related projects.
- 10:30am *Coffee Break*
- 10:45am **IAF's Research on Agricultural Area Plans**
- Dave Connell of University of Northern BC will present his findings.
- 11:15am **Discussion Session I**
- A. Local government staff and Agriculture Advisory Committee members
- A facilitated session during which attendees will be divided into groups based on their role (or potential role) in the AAP process to discuss successes and challenges in AAP development and implementation.
- B. AAP Consultants
- A facilitated session including presentations on Ministry resources and a discussion on successes and challenges in AAP development and implementation.
- 12:30pm *Lunch*
- 1:30pm **Reporting Back**
- Representatives from groups A and B will give a quick summary of their conclusions.
- 2:00pm **Discussion Session II**
- A facilitated session during which attendees will meet with others from their community or region to discuss how to move forward on their AAP.
 - Attendees that are not part of an AAP process and consultants can join any community they choose.
- 3:00pm *Coffee break*
- 3:15pm **Reporting Back**
- Representatives from each group will give a quick summary of their conclusions.
- 4:45pm **Wrap-up**



RON REPORT	
CAO APPROVAL	
EAP	
COW	✓ Feb. 8/11
R-D	
BOARD	

MEMORANDUM

TO: Paul Thorkelsson
General Manager of Development Services

DATE: January 31, 2011

FROM: Dale Lindsay
Manager of Current Planning

FILE:

SUBJECT: Land Use Regulations and Covenant Registration at Little Qualicum River Village

PURPOSE

To provide information with respect to the properties zoned Recreation 3.1 (RC-3.1) within the Little Qualicum River Village building strata development.

BACKGROUND

The subject lands are part of a building strata development that was registered with Land Titles in 1998 (*see Schedule A*). Due to the requirements of the *Strata Property Act* in place at the time, no approvals or reviews from the Provincial Ministries, Federal Agencies, The Provincial Approving Officer, nor the Regional District of Nanaimo were undertaken or required. Given the nature of this development and its location, there were immediate concerns with respect to building construction, compliance with zoning requirements, vegetation removal, geotechnical concerns and construction within the floodplain. The building strata was registered prior to the adoption of the Electoral Area F Official Community Plan (1999), and the Area F Zoning Bylaw (2002).

The Building Strata includes 288 lots which range in size from large rural to small recreational properties. Approximately 40 parcels along the Little Qualicum River were of specific concern due to potential for environmental impact, their ability to accommodate onsite septic disposal, and the potential for flooding.

Based partially on these concerns and the confirmation at the time from the Vancouver Island Health Authority (VIHA) that a number of these lots were unable to accommodate onsite septic disposal, a covenant between the developer and the Region was prepared and executed in July of 2002. The covenant intended to restrict the use of the 40 parcels (*see Schedule B*) to tents and recreational vehicles only, with a continuous occupancy to not exceed six months. The covenant also prohibited the placement of recreational vehicles within the floodplain from October 31st to March 1st, and required construction to have a minimum floor elevation of 3m above the natural boundary of the Little Qualicum River. In 2005 it came to the attention of the Regional District that the covenant executed in 2002 was never registered on the title of the lands by the developer. Staff have review a number of approaches to registering the covenant (or an amended covenant) after the fact. In discussion with the RDN solicitor, these approaches have been determined to be likely ineffective in regulating development as intended.

ALTERNATIVES

1. To receive this report for information.
2. To provide further direction to staff.

LAND USE IMPLICATIONS

The regulatory landscape has changed substantially since the time that this building strata was registered and the covenant was proposed. As noted above in 2002 there were concerns regarding primarily the 40 lots along the river due to potential for environmental impact, their ability to accommodate onsite septic disposal, and potential flooding. In addition to zoning which was adopted in 2002, the Provincial Riparian Areas Regulations came effective in 2005, which resulted in a newly established Fish Protection Development Permit Area within the EA F OCP in 2007. Changes were also made with respect to the approval of onsite septic systems. Most recently the Board expanded building inspection to the entire Region which results in the Floodplain Bylaw now applying to all lands.

Zoning Implications

The majority of the original 40 lots were zoned Recreation 3.1 (RC-3.1) with the adoption of the first zoning bylaw in this electoral area “Electoral Area ‘F’ Zoning and Subdivision Bylaw No.1285,2002.” The zoning limits the use of the RC-3.1 properties to *Tourist Accommodation Use* only with the maximum density of one tourist accommodation unit per lot. Tourist accommodation is defined in the zoning bylaw as ‘...the rental of a lodging unit in a hotel, motel, cabin camping space and recreational vehicle space for the temporary accommodation of the traveling public with continuous occupancy not exceeding six months and specifically excludes a manufactured home.’ As such each of the parcels was zoned in 2002 in order to permit essentially one cabin, camping space or RV per lot with a maximum continuous occupancy of six months.

Riparian Areas Regulations Implications

The Provincial Riparian Areas Regulations (RAR) came into effect in March of 2005. As a result of these new regulations all of the Electoral Area Official Community Plans were amended to include new or amended Development Permit Areas. In January of 2007 a Fish Habitat Protection Development Permit Area was adopted as part of “Electoral Area ‘F’ Official Community Plan No. 1152, 1999”. As such prior to development, including land alteration or construction, of lands within 30m of the natural boundary of Little Qualicum River a Development Permit is required. As required by the RARs prior to development within 30m of the river a Riparian Areas Assessment (RAA) must be completed by a Qualified Environmental Professional. The report which must identify the appropriate setback (Streamside Protection and Enhancement Area) and any measures necessary to protect this area. The Regional District must be notified that a RAA was completed and submitted to the Ministry of Environment prior to allowing a development to proceed.

Onsite Septic Disposal Implications

The Vancouver Island Health Authority (VIHA) is responsible for monitoring onsite septic disposal. In 2002 VIHA was of the opinion that the subject properties could not accommodate onsite septic disposal. In 2005 changes were made to the Sewage System Regulations. As a result of these changes onsite septic systems are now designed and constructed by qualified professionals with ‘filings’ submitted to VIHA. Staff have confirmed with VIHA that at present a portion of the subject lands do have individual filings for onsite systems. At present five of the original 40 lots are within the Regional District’s Pump and Haul Service Area. Recently four of the five property owners have applied to be excluded from pump and haul as they have constructed onsite systems. How many of the original lots identified in 2002 as not having potential for onsite septic disposal by VIHA are now capable of proceeding under the revised filing system is unknown, however it is expected that similar systems could be possible on a significant portion of the remaining lands. If a property was found not to have potential for onsite disposal under the current filing system the owner could install an onsite holding tank in accordance with the Sewage

System Regulations and apply to the Region to be included within the pump and haul service area. Applications for inclusion would ultimately be vetted by the Board.

Building Inspection Implications

The expansion of building inspection to these lands on November 1st, 2010 results in two separate implications.

First, as the existing Floodplain Bylaw applies to all lands within building inspection areas it now applies to the subject lands. As such, the underside of any floor system or the top of slab must be three (3) meters above the natural boundary of the Little Qualicum River and 1.5 metres above the natural boundary of any tributary. In addition, no landfill or structural support required to support a floor system or pad above the floodplain is permitted within 30 metres of the natural boundary of the Little Qualicum River or 15 metres of the natural boundary of a tributary. It is important to note that the regulations now in place through the floodplain bylaw are similar to those proposed in the unregistered covenant.

Secondly, and potentially the most significant is the expansion of inspection and the associated permitting process. As all construction on these parcels now requires a building permit there is greater potential to review applications in order to ensure compliance with zoning, developments permits, the floodplain bylaw and site servicing.

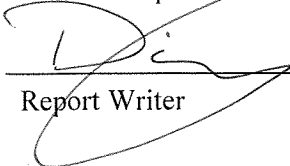
SUMMARY

Due to potential for environmental impact, their ability to accommodate onsite septic disposal, and the potential for flooding, 40 of the parcels within the Little Qualicum River Village building strata (registered 1998) were intended to have restrictive covenants limiting the use of the lands registered on title in 2002. Although the covenant was executed it was never registered on the title of the properties.

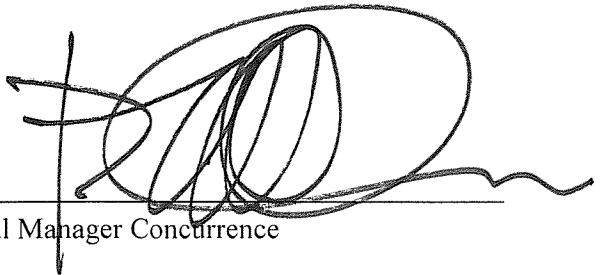
Due to substantial regulatory amendments since 2002 including; Provincial Riparian Areas Regulations (2005), changes to the Sewerage System Regulation (2005), the expansion of building inspection service and the associated Floodplain Bylaw (2010) many of the items of concern identified in 2002 are now no longer relevant or have regulatory mechanisms in place to address the areas of concern. Arguably the most significant change from 2002 to present is the expansion of building inspection. Building inspection and the associated review process better ensures that all development addresses the relevant bylaws and regulations. Given the substantive change to the regulations and bylaws staff are of the opinion that no further action is required with respect to the executed, but unregistered, covenant.

RECOMMENDATION

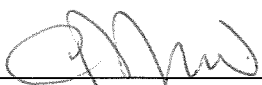
That this report be received for information.



Report Writer

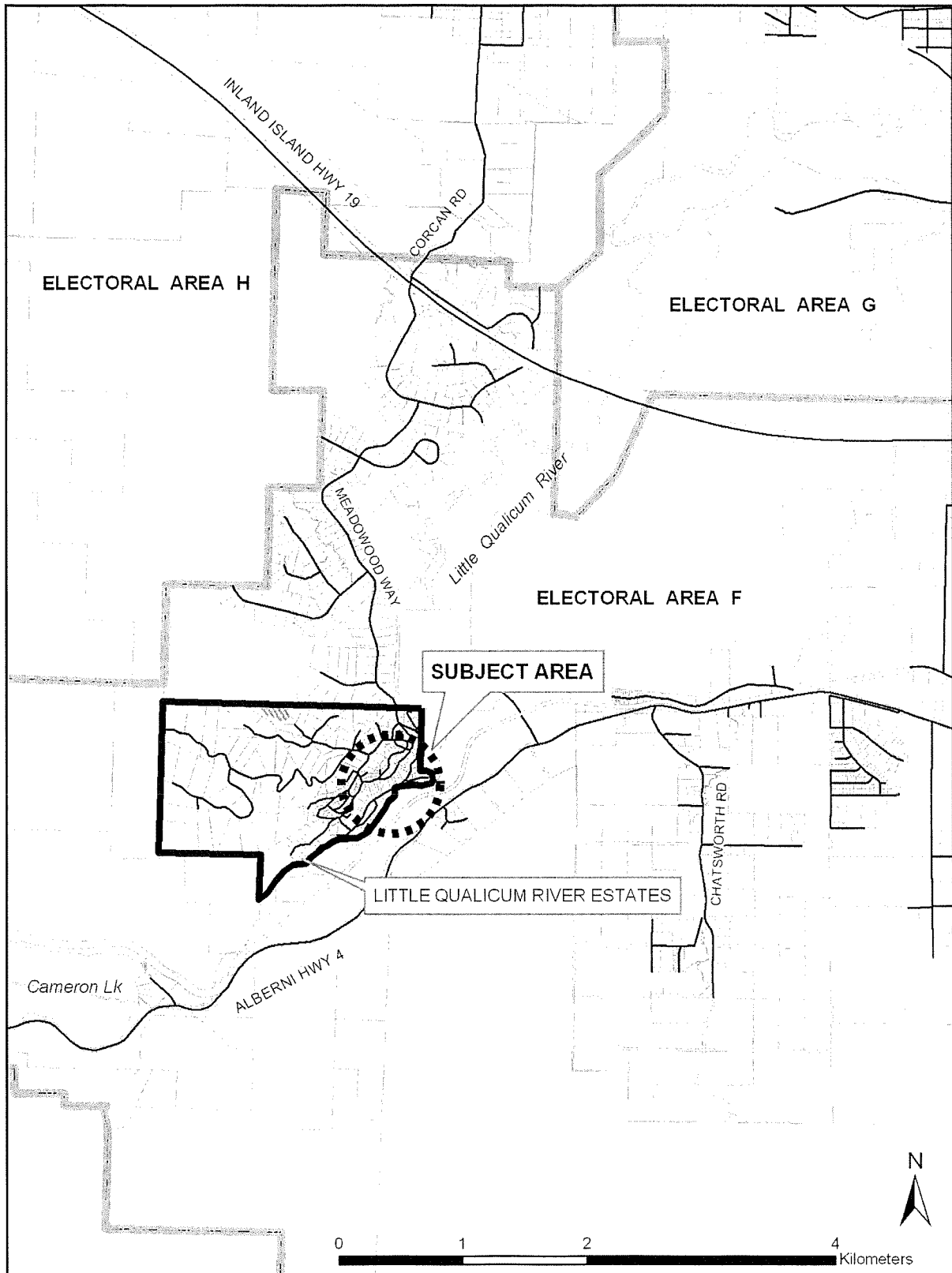


General Manager Concurrence

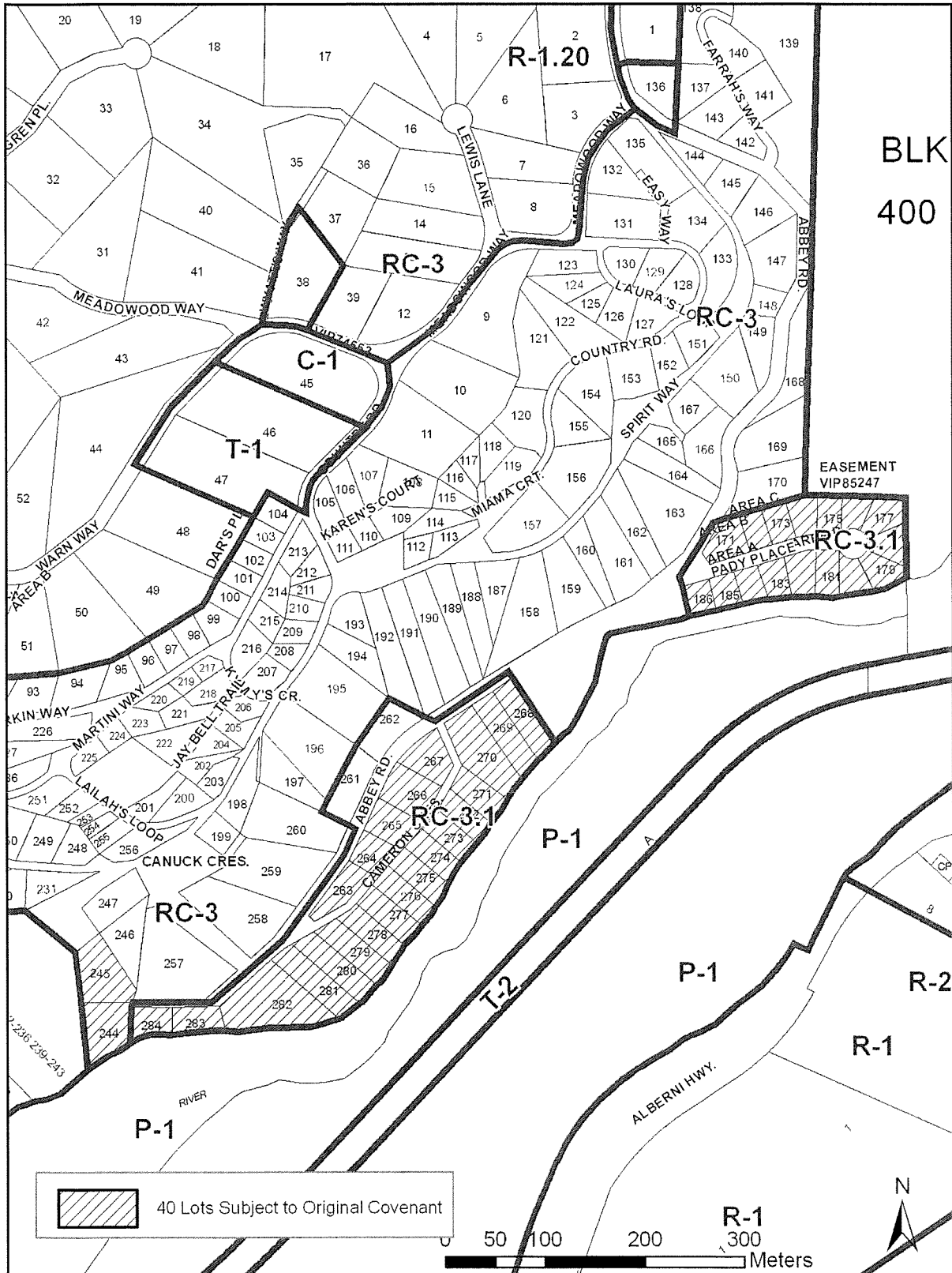


CAO Concurrence

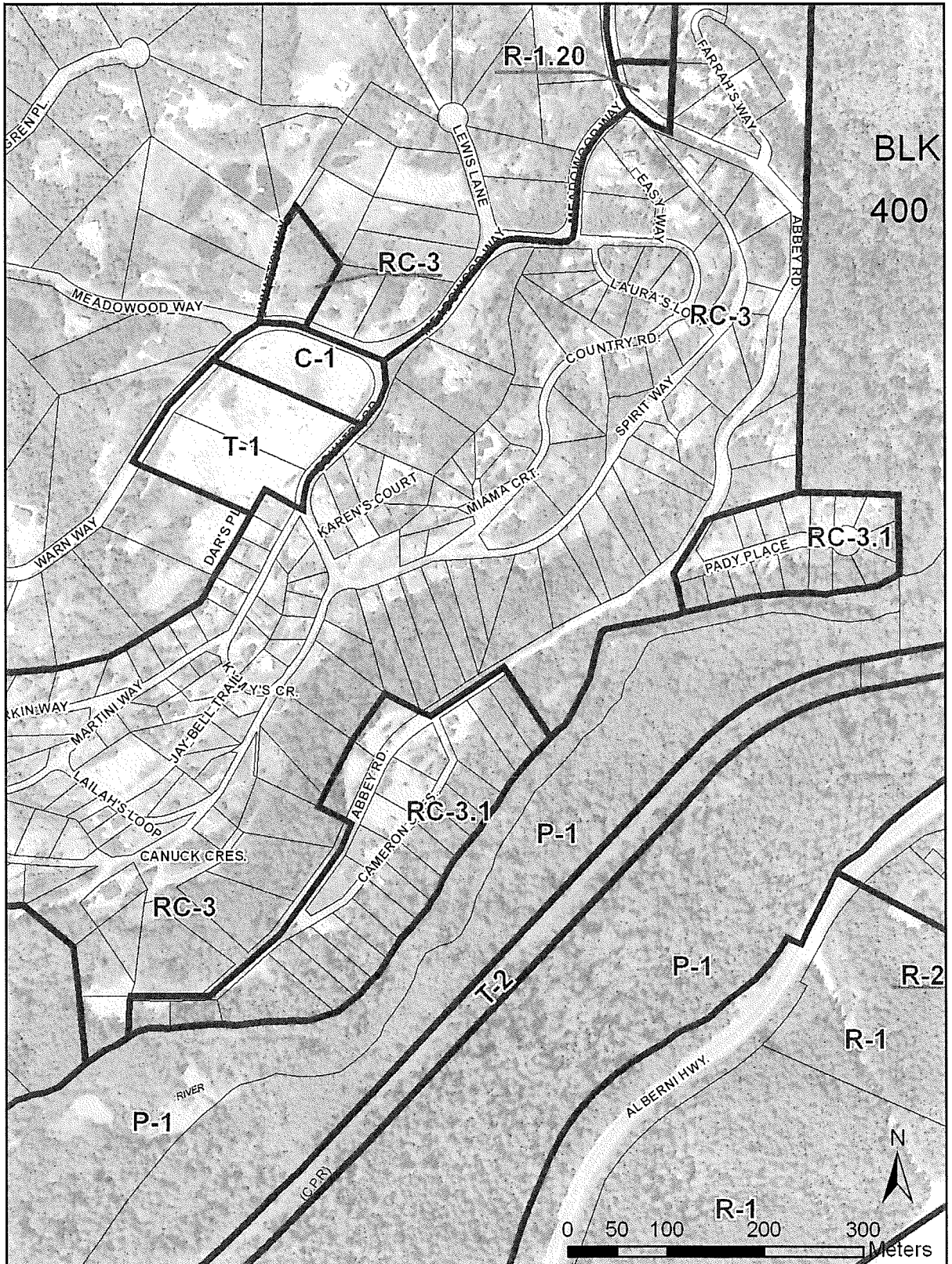
Schedule A



Schedule B



Schedule C





RDN REPORT		
CAO APPROVAL <i>[Signature]</i>		
EAP		
COV	✓	Feb. 8/11
RHD		
BOARD		

MEMORANDUM

TO: Paul Thorkelsson, GM Development Services
John Finnie, GM Regional & Community Utilities

DATE: January 24, 2011

FROM: Dale Lindsay
Manager of Community Planning

FILE: 3360 00 Policy

SUBJECT: **Groundwater - Application requirements for rezoning of un-serviced lands**

PURPOSE

To standardize the information required at the rezoning stage to confirm that the potable water needs of proposed un-serviced development can be met.

BACKGROUND

As noted in the Board Strategic Plan, concern over the protection of the Region’s water supply resources has increased in the past decade, particularly regarding the protection of the Region’s groundwater resource. This concern has resulted in specific policies, in the Regional Growth Strategy (RGS) and in each of the Electoral Areas Official Community Plans (OCP), to identify and protect groundwater. While each OCP varies in the approach and in the specific policies around groundwater, they all contain similar policies regarding new un-serviced development and the need to confirm an adequate and sustainable supply while protecting the quantity and quality of groundwater. In addition to OCP policy, the Board has recently received the Drinking Water & Watershed Protection – Watershed Snapshot Report 2010. The report further identifies concerns regarding the state of water resources in the region and contains a set of recommended actions to address the identified concerns. The region-wide priority action items outlined in the report include a recommendation to “refine requirements for aquifer and surface water assessments for subdivision and development proposals, to include in-depth information on long term and cumulative impacts and capacity”.

In order to confirm adequate supply of groundwater as required by OCP policy, staff have attempted to develop a standardized approach to the rezoning of lands that are intended to be serviced by groundwater, and the information and testing required in order to verify a sustainable supply. The purpose of this report is to outline the developed approach and seek the Board’s direction with respect to formalizing this approach as policy.

PROPOSED POLICY

The Electoral Area OCPs contain policy that requires verification, prior to rezoning, that potable water needs for each proposed parcel can be met on each proposed lot. While absolute verification can only be achieved through well drilling and testing, such a requirement could be considered onerous at rezoning application stage. In addition such a requirement may also be undesirable as there is no guarantee that the

Board will approve the rezoning or that the Provincial Approving Officer will permit the associated subdivision. However, if the issue is not addressed through the rezoning process it may not be addressed at the subdivision stage, as the Regional District of Nanaimo (RDN) does not have the ability to require drilling or testing through the subdivision process and the Provincial Approving Officer may or may not require this be done as a condition of final approval.

In recognition of the above staff have developed the following approach with respect to the review of rezoning applications for un-serviced lands:

1. Where a lot is the subject of a rezoning application to reduce the minimum lot size in order to facilitate subdivision, a preliminary hydrogeological assessment completed by a qualified professional (P.Eng or P.Geo registered in BC) must be completed and submitted as part of the rezoning application.

The report must confirm that in the opinion of the qualified professional:

- a) A minimum year-round potable water supply of 3.5m³ (3500 l) per day can be provided for each parcel being proposed; and
- b) The proposed well(s) will have no adverse impacts on surrounding wells, groundwater resources, and receiving waters.

The report must be received and reviewed prior to proceeding to the Board for introduction of the associated amendment bylaw.

Prior to final adoption of the amendment bylaw a covenant must be registered on title which will require that the wells be constructed and tested and a report submitted to the RDN prior to final approval of subdivision. The report must comply with the requirements as outlined in the attached Schedule A.

If the application involves the rezoning of lands to permit subdivision of lands that are currently occupied by dwellings, each with their own well, and the rezoning will not result in additional residential density, a preliminary hydrogeological assessment is not required provided the applicant proceeds with the well testing and associated report to the satisfaction of the Regional District.

2. Where a lot is the subject of a rezoning application to permit multiple units, commercial, institutional or industrial use, a preliminary hydrogeological assessment completed by a qualified professional (P.Eng or P.Geo registered in BC) must be completed and submitted as part of the rezoning application.

The report must confirm that in the opinion of the qualified professional:

- a) A minimum year-round potable water supply to support the proposed use can be provided on the parcel; and
- b) The proposed well(s) will have no adverse impacts on surrounding wells, groundwater resources and receiving waters.

The report must be received and reviewed prior to proceeding to the Board for introduction of the associated amendment bylaw.

Prior to final adoption of the amendment the applicant must receive source approval from the Vancouver Island Health Authority.

In order to establish standard requirements for rezoning of un-serviced lands staff are recommending that the outlined approach be adopted as Policy as outlined in Schedule A.

ALTERNATIVES

1. Adopt the groundwater related application requirements for rezoning of un-serviced lands as Board Policy.
2. Not adopt the proposed policy, and provide further direction to staff.

FINANCIAL IMPLICATIONS

There are no significant financial implications to the cost of processing rezoning applications as a result of this policy. By clearly established application requirements, staff time spent reviewing deficient reports/submissions should be reduced. As well, the establishment of these requirements in policy will provide greater certainty for applicants.


CONCLUSIONS

As recognized in the Board’s Strategic Plan, The Regional Growth Strategy, Official Community Plans and most recently through the work on Drinking Water & Watershed Protection, the protection of groundwater and the need to confirm adequate and sustainable supplies is a priority.

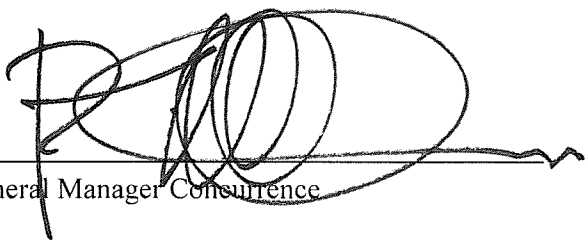
In response to this work and specific OCP policy requiring confirmation of an adequate and sustainable groundwater supply prior to the rezoning of un-serviced lands, staff have developed requirements and procedures for amendment applications. Staff are recommending, alternative one, that the established procedure be endorsed by the Board and adopted as Board Policy.

RECOMMENDATION


That the “Groundwater - Application requirements for rezoning of un-serviced lands” policy be approved.



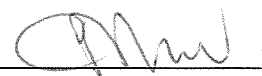
Report Writer



General Manager Concurrence



General Manager Concurrence



CAO Concurrence

Schedule A

REGIONAL DISTRICT OF NANAIMO
P O L I C Y

SUBJECT:	<i>Groundwater -Application requirements for rezoning of un-serviced lands</i> (Current Planning)	POLICY NO:	CROSS REF.:
EFFECTIVE DATE:	February 23, 2011	APPROVED BY:	
REVISION DATE:		PAGE:	1 of 2

PURPOSE

To standardize the information required at the rezoning stage to confirm that the potable water needs of proposed lots or use can be met.

POLICY

Based on the Policies and Objectives of the OCP and given the existing limitations to ensure standards are being satisfied through the subdivision process and in recognition that well drilling and testing on proposed lots may be onerous and undesirable at the rezoning stage, the following approach will be taken when considering un-serviced lands (with respect to community water) for rezoning:

1. Where a lot is the subject of a rezoning application to reduce the minimum lot size in order to facilitate subdivision a preliminary hydrogeological assessment completed by a qualified professional (P.Eng or P.Geo registered in BC) must be completed and submitted as part of a the rezoning application.

The report must confirm that in the opinion of the qualified professional:

- a) A minimum year-round potable water supply of 3.5m³ (3500 l) per day can be provided for each parcel being proposed, and that,
- b) The proposed well(s) will have no adverse impacts on surrounding wells, groundwater resources, and receiving waters.

The report must be received and reviewed prior to proceeding to the Board for introduction of the associated amendment bylaw.

Prior to final adoption of the amendment bylaw a covenant must be registered on title which will require that the wells be constructed and tested and a report submitted to the RDN prior to final approval of subdivision. The report must comply with the requirements as outlined below.

If the application involves the rezoning of lands to permit subdivision of lands that are currently occupied by dwellings, each with their own well, and the rezoning will not result in additional residential density a preliminary hydrogeological assessment is not required provided the applicant proceeds with the well testing and associated report to the satisfaction of the Regional District

2. Where a lot is the subject of a rezoning application to permit multiple units, commercial, institutional or industrial use a preliminary hydrogeological assessment completed by a qualified professional (P.Eng or P.Geo registered in BC) must be completed and submitted as part of the rezoning application.

The report must confirm that in the opinion of the registered professional:

- a) A minimum year-round potable water supply to support the proposed use can be provided on the parcel, and that,
- b) The proposed well(s) will have no adverse impacts on surrounding wells, groundwater resources and receiving waters.

The report must be received and reviewed prior to proceeding to the Board for introduction of the associated amendment bylaw.

Prior to final adoption of the amendment the applicant must receive source approval from the Vancouver Island Health Authority.

Well Report requirements:

The intent of the well report is to confirm that the well can adequately service the proposed lot and that it meets current well regulations. The report must be completed, dated and signed by a qualified professional and include/confirm the following:

- Date when well was drilled along with a copy of the driller's log (if available)
- The Well ID number as indicated on the plate secured to the well
- Photographs of the well id tag, 'stick up', and general location of the well.
- That the water meets the Canadian Drinking Water Standards. The report should include the test results of the well water to have been completed within 6 months of the date of the report. The report must also identify where the parameters may have exceeded the Drinking Water Guidelines
- That pump testing has been completed and witnessed by a qualified professional. The pump testing is required to have been run for the greater of 12 hours or until the water level stabilizes at the pumping rate of at least 2.5 litres/minute with a well recovery period monitored for the greater of 6 hours or until the water level recovers to a minimum of 90% of its pre-pumping water level. This pump test should be conducted only during the months of July through November (lowest water table)

Confirmation that the well:

- meets the minimum well standards as outlined in the BC Ground Water Protection Regulations as enacted on November 1, 2005 and as amended from time to time which includes the following:
- is at minimum 30m from potential sources of contamination, including but not limited to: agricultural buildings, septic fields, animal pens/runs, refuse and compost piles, areas of fertilizer/herbicide use or storage, above or below ground storage tanks, and parking areas
- is outside of a floodplain, or if within a floodplain measures taken/required to protect the well
- is accessible for maintenance

- has a secure and watertight cap, and that
- the well head is at minimum 300mm above the adjacent finished grade, and the ground around the well head is sloped away from the well casing



CAO APPROVAL	
EAP	
COW	✓ Feb 8 '11
JAN 26 2011	
RHD	
BOARD	

MEMORANDUM

TO: Mike Donnelly
Manager of Water Services

DATE: January 26, 2011

FROM: Deb Churko, ASCT
Engineering Technologist

FILE: 5500-20-FC-01

SUBJECT: **Bylaws No. 813, 47, 869.08, and 889.59 - Inclusion of Property into the French Creek and Northern Community Sewer Service Areas, and the Morningstar Streetlighting Service Area, Electoral Area 'G'**

PURPOSE

To consider a request to include the Northeast Part of Lot 4, District Lot 81, Nanoose Land District, Plan 1799 into the French Creek and Northern Community Sewer Service Areas, and into the Morningstar Streetlighting Service Area for the purposes of sanitary sewer connection and community streetlighting service (see location plan in Figure 1).

BACKGROUND

The subject property is a 5.5 acre lot located at the corner of Lowry’s Road and Wembley Road, just west of Parksville, BC. The property is currently forested and undeveloped. The owner of the subject property (Windward Developments 2002 Ltd.) wishes to include the property in the French Creek Sewer Service in order to achieve re-zoning and maximize the development potential of this lot. The owner has petitioned the RDN to be included in the French Creek and Northern Community Sewer Local Service Areas for the purpose of sewer connection. The owner has also petitioned the RDN to be included in the Morningstar Streetlighting Local Service Area in order to have the proposed subdivision serviced with streetlights similar to the adjacent subdivision on Osprey Way.

The long-term strategy for the French Creek Plan Area is to have all urban areas fully serviced by community sewer. The subject property is located within the engineered sewer catchment area for the French Creek Pollution Control Centre, and the French Creek Official Community Plan (OCP) recognizes that sewer system expansions may be required in order to avoid potential future problem areas from on-site sewage disposal systems. The French Creek Sewer Local Service Area boundary is located immediately adjacent to the property, and a sewer stub is present on Osprey Way thereby making a connection to the community sewer system possible. The Morningstar Streetlighting Local Service Area boundary is also located immediately adjacent to the subject property.

Two Capital Charges are payable when being brought into the sewer service areas. A Capital Charge of \$684 (per lot) is payable pursuant to *French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330* (for sewage collection), and a Capital Charge of \$1,961 (per lot) is payable pursuant to *Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331* (for sewage treatment).

The owner’s development representative has applied to re-zone the subject property from Rural to Residential zoning, and then intends to subdivide. Capital Charges are normally payable on the full development potential of the lot at the time a property joins the local service area. However, since a higher density zoning is being applied for, Capital Charges can be paid at this time on the parent lot only, and a

covenant registered on the property indicating that the remaining Capital Charges are payable at the time of subdivision for single-family residential zoning.

French Creek Sewer Local Service Area Bylaw No. 813 (1990), Northern Community Sewer Service Area Bylaw No. 889 (1993), and Morningstar Streetlighting Local Service Area Bylaw No. 869 (1992) require amendment in order to include this property in the sewer and streetlighting service areas. All three bylaw amendments are addressed in this report.

ALTERNATIVES

1. Accept the application and include the property in the French Creek and Northern Community Sewer Local Service Areas, and the Morningstar Streetlighting Local Service Area.
2. Do not accept the application. The owner can explore options for on-site sewage treatment and disposal, and privately-owned streetlights.

FINANCIAL IMPLICATIONS

Under Option 1, if the application for Lot 4, Plan 1799 is approved for inclusion into the French Creek and Northern Community Sewer Local Service Areas, there are no financial implications to the RDN. All costs associated with connection to the community sewer system would be at the expense of the applicant. The owner has paid Capital Charges on the parent lot in the amount of \$2,645. A signed covenant has been received and registered on the Land Title to ensure payment of the remaining Capital Charges on the full development potential of the land. There are no financial implications to expand the streetlight local service area. The streetlights would be purchased and installed by the developer, and the cost to operate the streetlights would be paid for annually by property owners within the amended streetlight service area.

Under Option 2, if the application is not approved, there are no financial implications to the RDN. The owner would need to explore options for on-site sewage treatment and disposal, and privately-owned streetlights.

SUSTAINABILITY IMPLICATIONS

By including this property in the French Creek and Northern Community Sewer Service Areas, domestic sewage would be collected by the community sewer system and treated at the French Creek Pollution Control Centre. Municipal sewage collection at this property would likely allow a higher density of development than what would be possible with on-site treatment and ground disposal. However, staff suggest that connecting this property to the community sewer system would be a more sustainable option than designing an on-site treatment and disposal system in an urban setting.

Including the subject property into the Morningstar Streetlighting Service Area and adding more streetlights will utilize more energy to light streetlights in this area. A policy is currently being developed by staff to formally address community streetlighting. However, at this time, staff will require that energy efficient, dark sky fixtures be installed at this site. The proximate location to Wembley Mall would make pedestrian and vehicle traffic safer with streetlights.

DEVELOPMENT IMPLICATIONS

The subject property is located within a "Neighbourhood Residential" land use designation pursuant to the *Electoral Area 'G' Official Community Plan (OCP) Bylaw No. 1540, 2008*. The long-term strategy for the

French Creek Plan Area is to have all urban areas fully serviced by community sewer. The Electoral Area 'G' OCP recognizes that sewer system boundary extensions may be required in order to avoid potential future problem areas from on-site sewage disposal systems.


The subject property is located within the Urban Containment Boundary as described in the *Regional Growth Strategy Bylaw No. 1309 (2003)*, and is located within the engineered sewer catchment area for the French Creek Pollution Control Centre. The property is zoned Rural RU1-F pursuant to *Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*. The "F" subdivision district provides a minimum parcel size of 1 hectare (10,000 m²) when the property is serviced with community sewer. The subject property is approximately 2.2 hectares (22,300 m², 5.5 acres) in size, therefore subdivision of the property into two lots is possible under the current zoning. As mentioned previously however, the owner has applied to re-zone the subject property from Rural to Residential zoning, and then intends to subdivide. Sewer servicing is one of the conditions of re-zoning.

SUMMARY/CONCLUSIONS

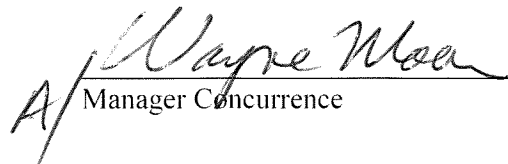
Petitions have been received from the owner of Lot 4, Plan 1799 to amend the boundaries of the French Creek and Northern Community Sewer Service Areas, and the Morningstar Streetlighting Service Area for the purposes of sanitary sewer connection and community streetlighting service. The subject property is located within the Urban Containment Boundary, and within the engineered sewer catchment area for the French Creek Pollution Control Centre. The Electoral Area 'G' OCP supports the connection of urban properties to community sewer. All costs associated with the connection of Lot 4, Plan 1799 would be at the expense of the applicant. The owner has paid Capital Charges on the parent lot in the amount of \$2,568. A signed covenant has been registered on the Land Title to ensure payment of the remaining Capital Charges at the time of development.

RECOMMENDATIONS


1. That "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.47, 2011" be introduced and read three times.
2. That "Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.08, 2011" be introduced and read three times.
3. That "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.59, 2011" be introduced and read three times.



Report Writer



A/ Manager Concurrence

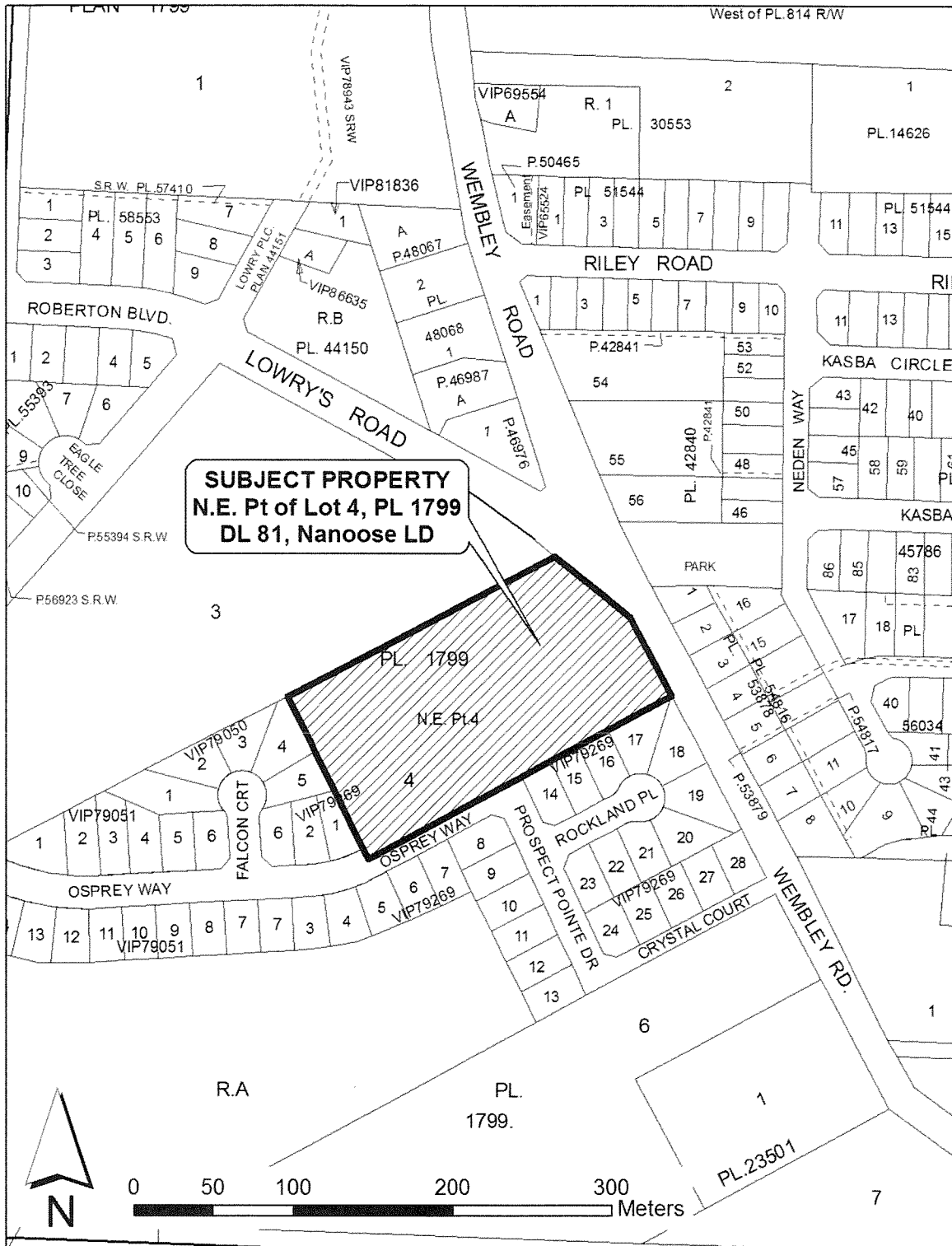


General Manager Concurrence



CAO Concurrence

Figure 1 - Site Location Plan



BCGS Map Sheet 92F.039.1.3

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 813.47

**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 owner to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot 4 District Lot 81, Nanoose District, Plan 1799 Except That Part Lying to the south west of a boundary bearing south thirty degrees east from a point on the north westerly boundary of said lot distant 624.43 feet from the north westerly corner of said lot.

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

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

1. Amendment

“French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990” is amended as follows:

By deleting Schedule ‘A’ of Bylaw No. 813 and replacing it with the Schedule ‘A’ attached to this bylaw.

2. Citation

This bylaw may be cited for all purposes as “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.47, 2011”.

Introduced and read three times this 22nd day of February, 2011.

Adopted this ____ day of _____, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

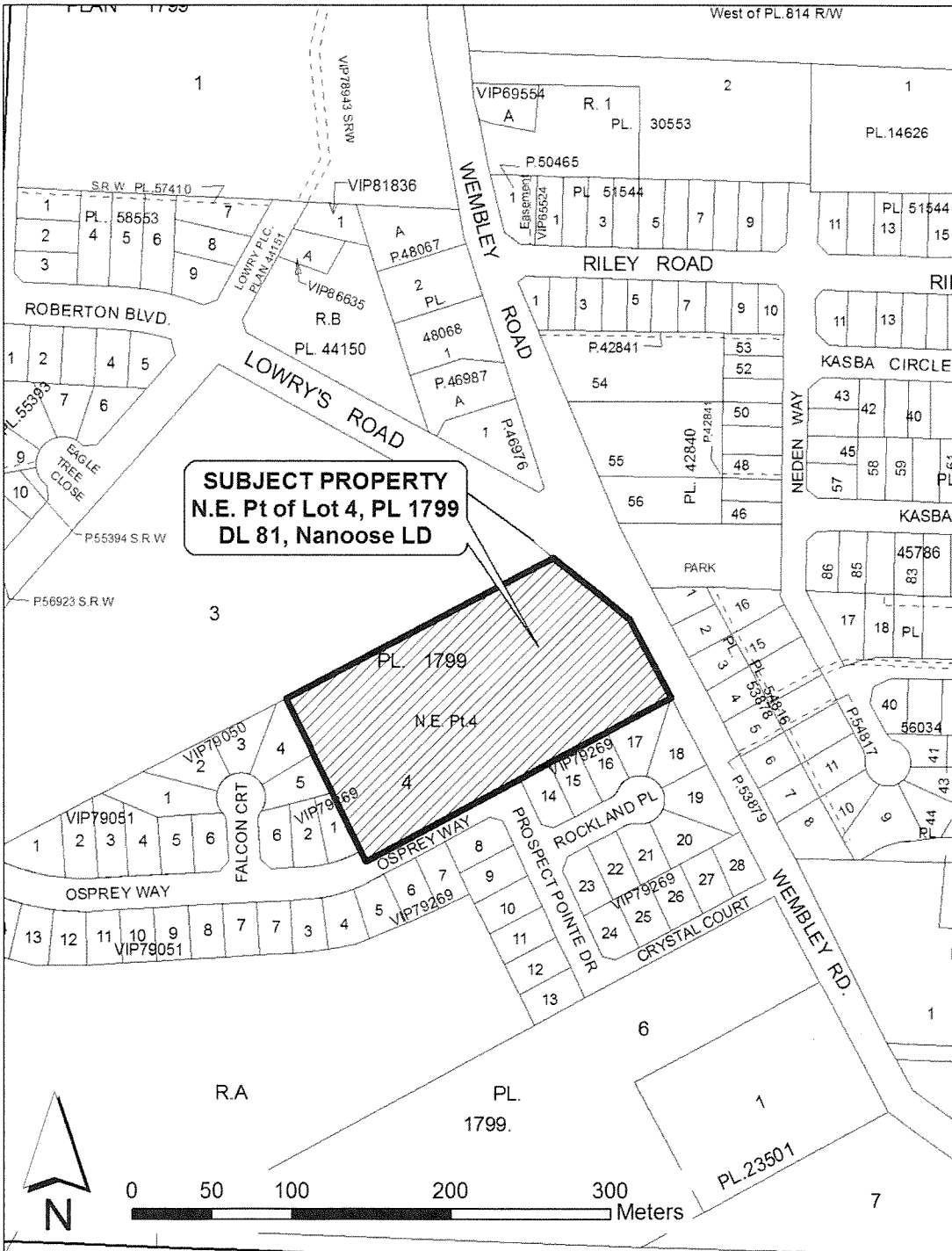
Schedule 'A' to accompany "French Creek Sewerage
Facilities Local Service Area Boundary Amendment
Bylaw No. 813.47. 2011"

Chairperson

Sr. Mgr., Corporate Administration

Chairperson

Sr. Mgr., Corporate Administration



BCGS Map Sheet 92F.039.1.3

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 869.08

**A BYLAW TO AMEND THE BOUNDARIES OF THE
MORNINGSTAR STREETLIGHTING SERVICE**

WHEREAS the Regional District of Nanaimo established the Morningstar Streetlighting Service pursuant to Bylaw No. 869, cited as “Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owner to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot 4 District Lot 81, Nanoose District, Plan 1799 Except That Part Lying to the south west of a boundary bearing south thirty degrees east from a point on the north westerly boundary of said lot distant 624.43 feet from the north westerly corner of said lot.

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

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

1. Amendment

“Morningstar Streetlighting Local Service Area Establishment Bylaw No. 869, 1992” is amended as follows:

By deleting Schedule ‘A’ of Bylaw No. 869 and replacing it with the Schedule ‘A’ attached to this bylaw.

2. Citation

This bylaw may be cited as “Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.08, 2011”.

Introduced and read three times this 22nd day of February, 2011.

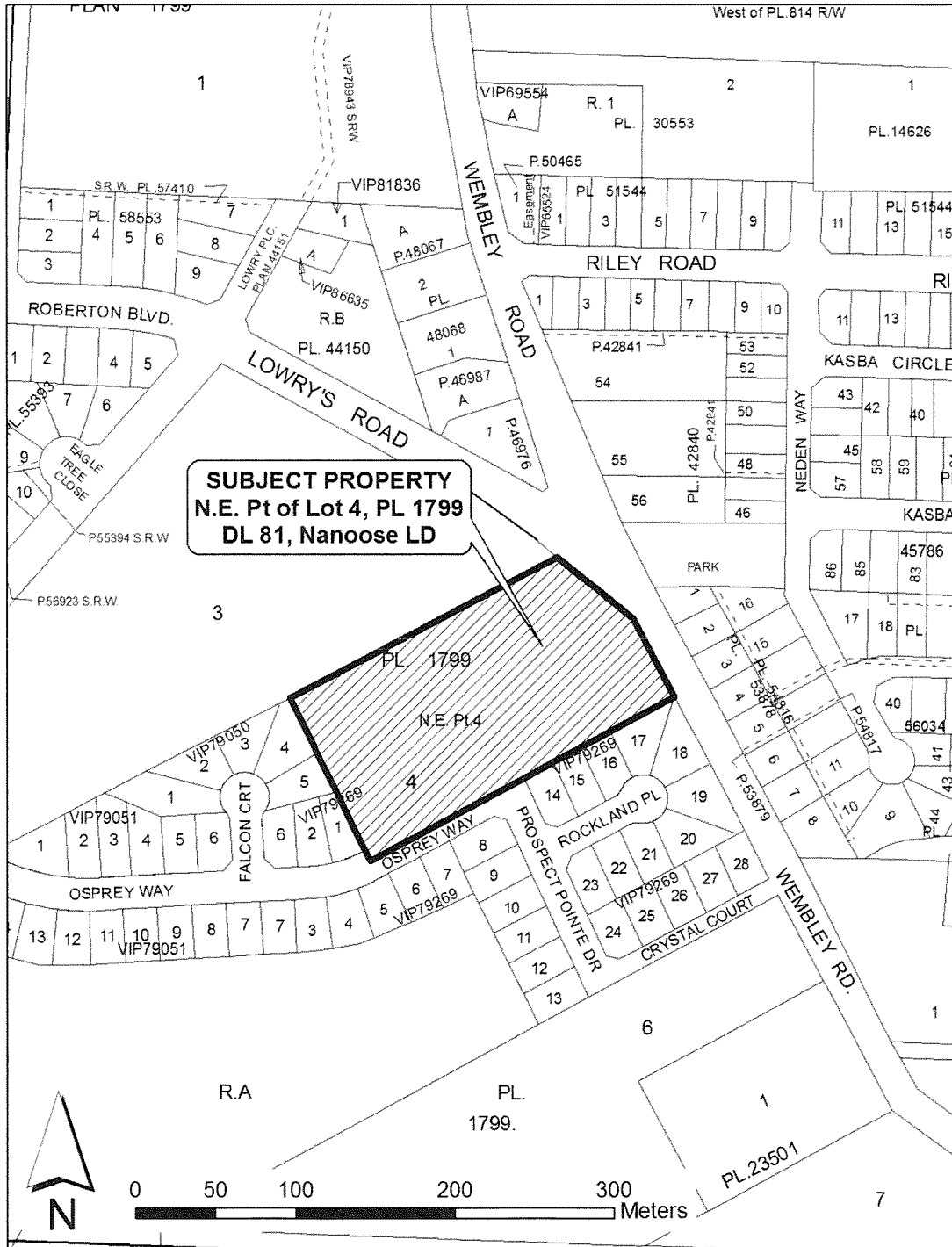
Adopted this ____ day of _____, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.59

**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 owner (s) to extend the boundaries of the service area to include the land (s) shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot 4 District Lot 81, Nanoose District, Plan 1799 Except That Part Lying to the south west of a boundary bearing south thirty degrees east from a point on the north westerly boundary of said lot distant 624.43 feet from the north westerly corner of said lot.

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

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

1. Amendment

“Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993” is amended as follows:

By deleting Schedules ‘C’ and ‘E’ of Bylaw No. 889 and replacing them with the Schedules ‘C’ and ‘E’ attached to this bylaw.

2. Citation

This bylaw may be cited as “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.59, 2011”.

Introduced and read three times this 22nd day of February, 2011.

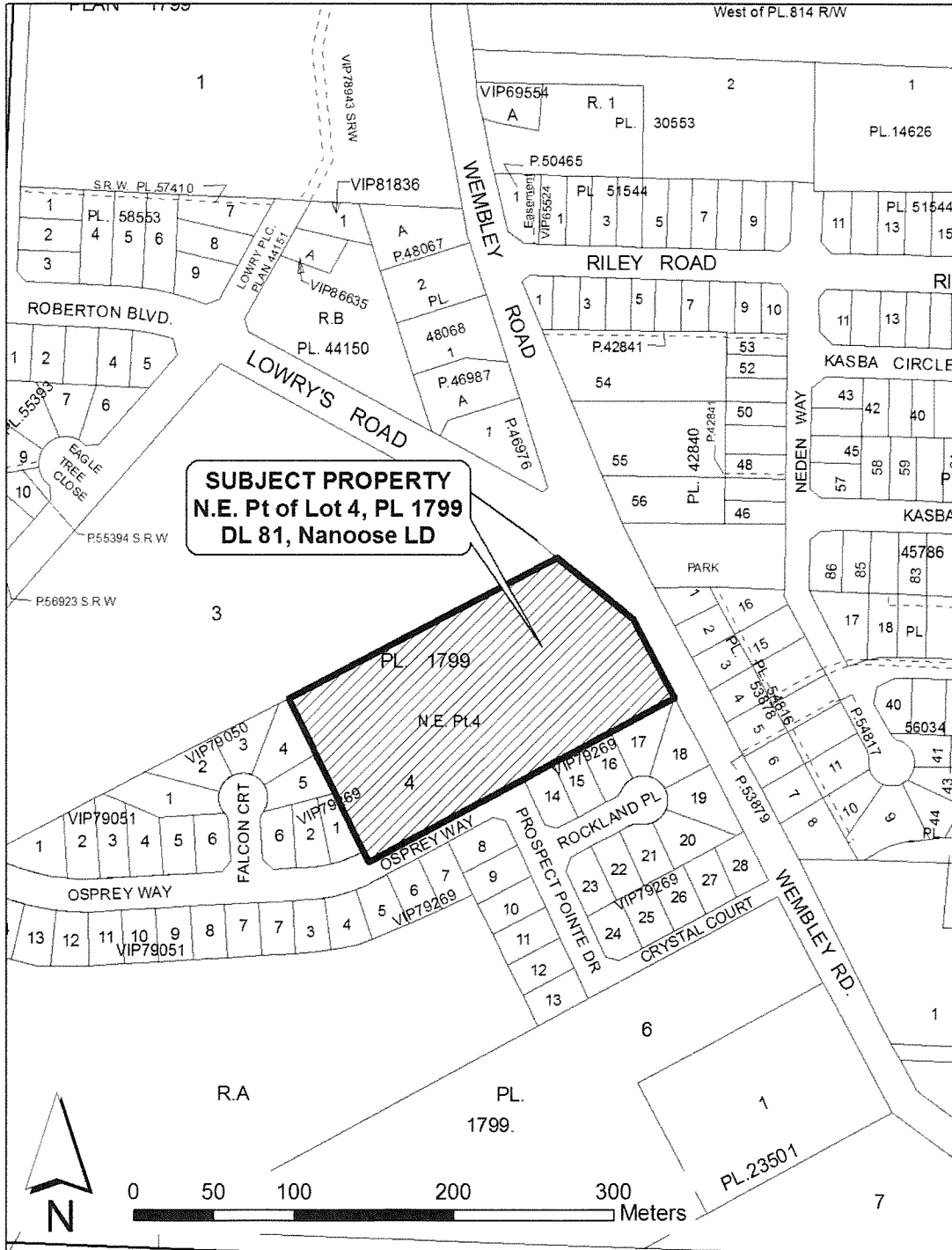
Adopted this ____ day of _____, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration





RDN REPORT	
CAO APPROVAL <i>AW</i>	
EAP	
COY	✓ Feb 8 '11
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BOARD	

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

DATE: January 17, 2011

FROM: Jeff Ainge
Zero Waste Coordinator

FILE: 5370-00

SUBJECT: Regional Residential Food Waste Collection Program Update

PURPOSE

To provide the Board with an update on the implementation of the regional residential food waste collection program (Beyond Composting), and on changes to the garbage and recycling collection.

BACKGROUND

The RDN Zero Waste Plan identifies organics diversion as the primary means to reach the goal of 75% diversion of solid waste from the landfill. Commercial and residential food waste diversion programs are essential to achieving this target.

In April 2005, the Board approved a ban on the disposal of commercial food waste at solid waste facilities. In 2007, to assess the practicalities of a residential program, a residential field test was implemented on three collection routes – an urban route in the City of Nanaimo, a suburban route in Qualicum Beach (Chartwell) and a rural route in the Regional District (Cedar).

As a result of the successful field test the Board directed staff to include the collection of food waste in the next RDN residential curbside collection contract. The City of Nanaimo council also approved City staff proceeding with food waste collection for their residents. The new contract for servicing the RDN collection program was awarded to Waste Services CA Inc. (now BFI Canada) in February 2010. A separate contract for organics processing was also awarded in February 2010, and significant upgrades to the Church Road Transfer Station were undertaken over the course of 2010 to enable the efficient transfer of food waste to the processing facility.

In May 2010 the Board awarded ORBIS Canada Ltd. a contract to supply and distribute food waste containers prior to the launch of the new region-wide residential curbside collection program.

Of the 52,000 single family homes in the region serviced with curbside collection, 27,000 are located in the Regional District electoral areas and partnering municipalities of Lantzville, Parksville and Qualicum Beach. Distribution to these homes is complete and the program has been launched. The City of Nanaimo has chosen to take a phased-in approach to accommodate the need for new collection vehicles, and at this time one third of their program customers (8,000 of the 25,000 single family homes serviced under their program) have received containers and commenced food waste collection.

Key project components, accomplishments and operational details are contained herein.

1. Collaborative Planning Team

A collaborative planning team was assembled with representatives from the four municipalities and Regional District, along with collection and processing contractors, as well as communications advisors. Regular meetings were held which contributed to ensuring the planning and implementation proceeded smoothly and efficiently. The work of rebranding the Zero Waste program to become Zero Waste - Beyond Composting was part of this group's accomplishments and the end result has been widely hailed locally and across the Province.

2. Program Planning Logistics

Project planning software was utilized to identify and monitor over 220 individual tasks required to move the project forward. Work items ranged from sourcing 52,000 free samples of compostable liner bags, to hosting open houses, to coordinating meetings and overseeing the container distribution.

3. Communications Strategy

Communications was key to implementing this new program. A multi-faceted communications strategy was developed in consultation with the planning team. Components included a new web presence, launching the Beyond Composting logo and tag line ("Beans to Bones in the Bin"), ads on buses, media ads, attendance at community events through the summer, and culminating in hosting 15 open houses in a four week period immediately prior to the collection launch.

Over the course of the summer, staff had a presence at 12 community events ranging from farmers' markets to the Vancouver Island Exhibition. This provided several thousand people with the opportunity to learn about the green bin and speak with staff. In addition, over 600 people attended the various open houses hosted throughout the region.

Integral to the start of the new program was developing an information package to accompany the containers during their house-to-house distribution. Two new collection guides were developed; one specific for City of Nanaimo customers, and one for the Regional District. While different in look and scope of content, the messaging regarding food waste collection was consistent. Other inserts in the package included adhesive decals for the containers, new route-specific collection schedules, sample compostable bags, and for the Regional District customers a fridge magnet and new yellow recycling bag for household papers.

In response to the elimination of household glass from the Regional District recycling blue box, a fact sheet was produced. The displays at the community events and open houses highlighted this information. Five drop-off locations were also arranged (three at no charge). Once the reasons for the change were explained, there tended to be a general acceptance of the move. Collection drivers have been diligent in removing glass from recycling and leaving it at the curb with a non-compliance tag explaining the reason.

4. Distribution of containers & startup information

Prior to commencing container distribution, the Regional District and municipal partners provided service address information plus address maps to the distribution contractor. This information was in turn used by the contractor to produce the distribution plan.

The various components of the information startup package were received at the City of Nanaimo public works depot where work space was set aside for the packages to be assembled by the contractor's staff.

The containers (both green bin and kitchen catchers) were manufactured in Ontario and delivered by intermodal transport trailer units to two staging areas; one in Parksville and one in Nanaimo. From these locations the containers were transferred to smaller trucks or onto pickup trucks and large utility trailers for ease of residential street deliveries. The preassembled information packages for each collection route were included with the deliveries for each day. At the height of the distribution process four separate crews were delivering containers and information packages in the region on any given day. Tallies ranged from several hundred to as many as 2,300 individual deliveries in a day.

5. Call Centre

In anticipation of phone calls regarding the program changes, a temporary call centre was established. It was activated the first day of container distribution (September 7th) and remained active until November 19th. The call volume increased as the mid-October start date of food waste collection grew closer. Over a 10-week period, the call centre logged in excess of 3,300 calls, with the highest daily volume exceeding 180 calls.

The vast majority of calls received (78%) were from residents wanting to know when their containers would be delivered or why they had not received anything by a certain date. The volume of the calls highlighted the effectiveness of the communications strategy by showing us that residents were aware of the impending collection program changes and that they acted upon media messaging telling them to contact the RDN if they had not received containers and information by certain dates.

A graph and chart showing the call volume and caller topics are included in Appendix A.

6. Implementation of new collection regimen

Despite the advance planning and preparation, 5% of homes (approximately 1,500) on the RDN program had not received the new containers and new collection information by the time the mid-October collection change came into effect. In all likelihood if these homes had received everything prior to the collection change the call volume would have been less, and the calls focused less on that topic. This is contrasted by a much smoother distribution to residents in the City of Nanaimo where a single database of customer addresses meant very few delays were encountered and minimal incomplete information kits delivered.

The changes to service includes weekly collection of food waste (in the green bin), and alternating bi-weekly collection of garbage and recycling. As anticipated, it took some residents a few weeks to come to grips with the changes, particularly the move to bi-weekly garbage collection. On the whole however the changeover was accomplished reasonably seamlessly.

7. Diversion Results

In absolute value, 825 tonnes of residential food waste has been collected for processing at the composting facility in the first 12 weeks since October 18, 2010. If every home with a green bin set it out at the curb each of those 12 weeks, that equates to 2 kilograms of food waste per household per week.

The amount of household waste diverted from the landfill by those residents whose garbage is collected as part of the RDN program shows there is a 45% reduction of curbside garbage disposed compared with the same period the previous year.

Staff expects that over the course of a full year, both the 2 kilogram per week set out rate and 45% diversion rate will increase to come in line with the weights shown on the earlier field test routes.

8. Applying the Lessons Learnt to the 2011 Work Plan

Stemming from the work accomplished by the collaborative project planning group, a new working group has been formed to review the Regional District's curbside collection program in general. It includes representatives from the three participating municipalities, Regional District and the collection contractor.

One of the main frustrations during container distribution was that the address lists were not standardized for each of the municipalities and electoral areas. While this is not a critical item during day to day collection by a local contractor familiar with the locale, it became a major frustration for the distribution contractor. Examples include how addresses are formatted, such as Island Highway West, or West Island Highway. This can cause problems when these addresses are entered into a database alphabetically then used to prepare a distribution plan. In addition, there are instances of spelling differences for the same street when viewed on different local government maps, plus strata developments where the road names are not recorded on municipal garbage service records. A more accurate service address database also results in a more efficient process of mailing out collection schedules.

Over the course of the coming year the group intends to review the administrative details of the program, touching on such things as how service address details are captured and collated, discussing means to identify at the street level which addresses pay for multiple service accounts due to additional dwelling units on the property, consolidating the collection start up procedures for new homes in each of the jurisdictional areas, and reconciling the service anomalies for customers who receive partial service.

9. Pilot Project

There was great value in the food waste field test project undertaken in 2007-2008 on the three test routes in Cedar, Nanaimo and Qualicum Beach. It provided a level of knowledge and experience, plus hard facts and data applicable for all those involved with the planning and implementation of the region-wide program.

10. Bear Awareness

As part of the food waste field test, staff worked with the Ministry of Environment Conservation Officer service to monitor bear interactions with garbage and green bins on the three food waste collection pilot project routes. No increases in bear sightings or bear-human interactions were reported to staff by the Conservation Officer Service. Following the region-wide launch of the new Beyond Composting program staff again contacted the Ministry and was told that there had been a province wide spike in bear conflicts over the course of 2010. The Ministry specialist speculated this was due in part to an abundance of natural food sources in 2009 followed by a much poorer natural food year in 2010.

As a result of recent media articles regarding the unfortunate destruction of bears in the Town of Qualicum Beach, Regional District and Town of Qualicum Beach staff have met with the Bear Smart program and Conservation Officer Service staff. Together this group will work to increase bear awareness and to promote bear smart behaviours. Not only is household waste a concern, but bird feeders, un-harvested fruit trees and domestic pet food left outdoors are all attractants. It is hoped that through this process, municipal and Regional District staff will be able to better educate and effect changes, and to review current practices and bylaws.

The Regional District solid waste collection program has included bear smart information in recent newsletters and provides it on the website. Staff has requested the collection contractor to report bear sightings and incidences of bear-mauled garbage in an effort to identify areas with recurring problems.

ALTERNATIVES

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

FINANCIAL IMPLICATIONS

The 2010 residential collection program budget included \$190,000 for advertising, communications and education materials. The program launch was accomplished by spending \$150,000; 21% under budget.

Procurement and distribution of the food waste containers is being funded from Solid Waste Reserve Funds. At this time 66% of the \$1,367,000 budget has been expended, with the remainder slated to be spent when the City of Nanaimo completes distribution to the remaining 17,000+ households.

INTERGOVERNMENTAL IMPLICATIONS

The collaborative planning process included representatives from each of the four partnering municipalities. The 2011 administrative review of the Regional District's collection program will also involve municipal staff.

CITIZENS/PUBLIC RELATIONS IMPLICATIONS

Over 34,000 residences region-wide have received green bins and associated information materials to initiate participation in the new collection program. It is anticipated that the remaining 17,000+ homes on the City of Nanaimo collection program will be receiving the containers and information within the year, subject to the receipt of new collection vehicles.

SUSTAINABILITY IMPLICATIONS

The implementation of region-wide residential curbside food waste collection is strongly supported by many residents and it will reduce landfill greenhouse gas emissions as well as support local industries. The curbside program contributes to the region's sustainability by encouraging residents to reduce the amount of waste they send to the landfill thereby saving expensive landfill capacity as well as reducing greenhouse gas emissions.

SUMMARY/CONCLUSIONS

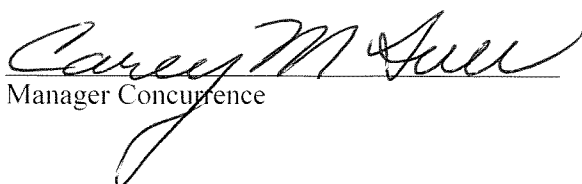
The implementation of the new curbside collection program for 34,000 of the region's 52,000 serviced single family homes has been accomplished on budget and within the timeframes established by the Board. The coming year will see the food waste collection program closely monitored and the overall collection administration reviewed to ensure it remains an efficient and effective contributor to achieving the region's diversion goals.

RECOMMENDATION

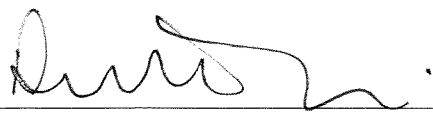
That the Board receive the Curbside Collection Program Update Report for information.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

Appendix A: Green Bin Program Launch Call Centre Statistics

Table 1: Call Centre – Call Volume

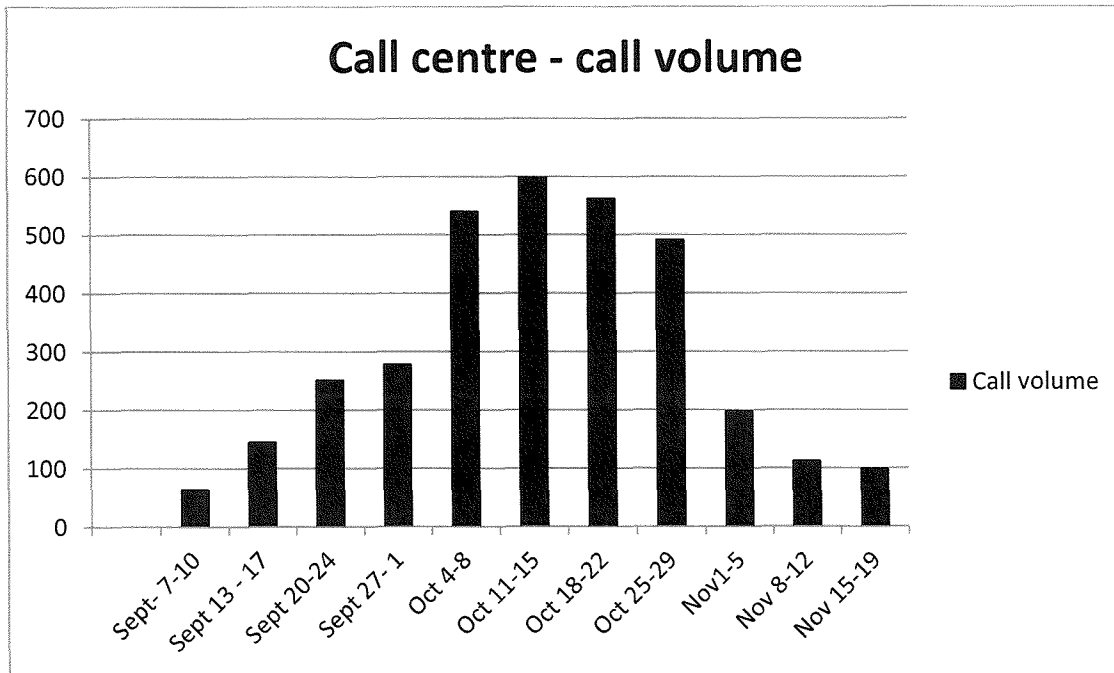
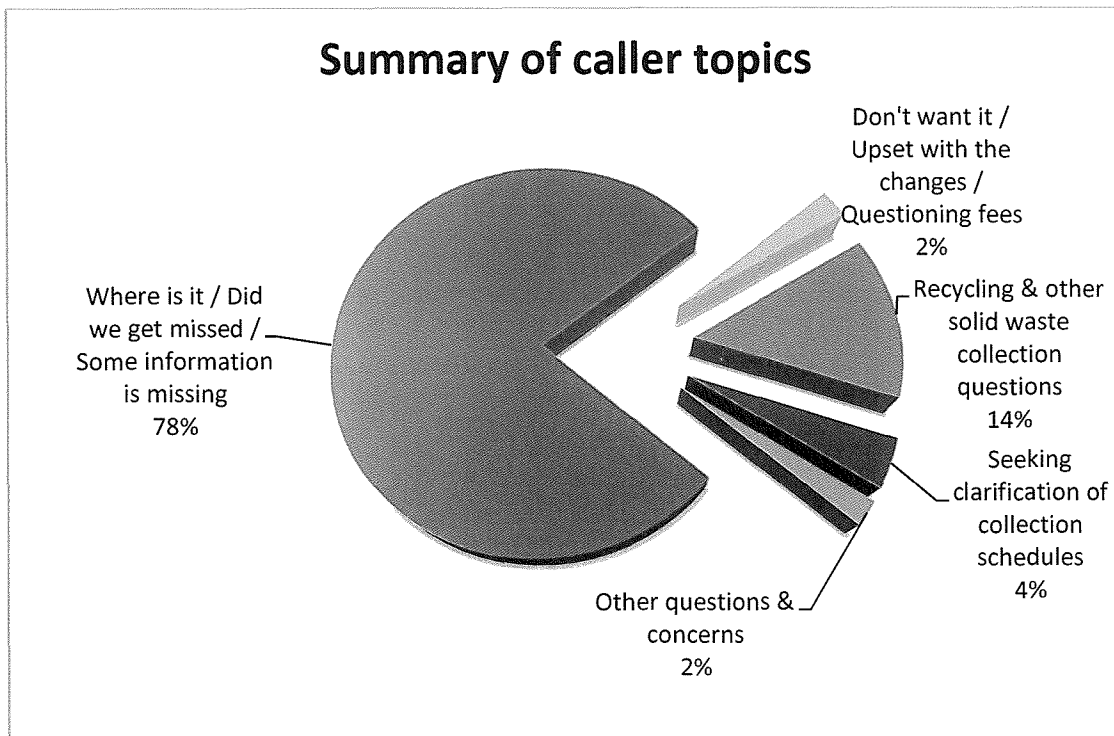


Table 2: Summary of Caller Topics



REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE ELECTORAL AREA 'A'
PARKS, RECREATION AND CULTURE COMMISSION
REGULAR MEETING HELD WEDNESDAY, JANUARY 19, 2011
AT CEDAR HERITAGE CENTRE, 7:00PM

Attendance: Joe Burnett, Director, RDN Board
Dawn Burnett
Marlies Newton
Chris Pagan
Kerri-Lynne Wilson
Shannon Wilson

Staff: Dan Porteous, Superintendent of Arenas and Southern Recreation Services
Elaine McCulloch, Parks Planner
Marilynn Newsted, Recording Secretary

CALL TO ORDER

Mr. Porteous called the meeting to order at 7:00pm.

ELECTION OF OFFICERS

Mr. Porteous called for nominations for the position of Chair.

MOVED Commissioner Newton, SECONDED Commissioner K. Wilson, that Mr. Joe Burnett be nominated for the position of Chair.

CARRIED

Mr. Porteous called for nominations for the position of Deputy Chair. As past Deputy Chair S. Wilson would be arriving late, the Commission suggested nominations for Deputy Chair be delayed until her arrival.

Mr. Porteous passed the chair to Chair J. Burnett.

MINUTES

Commissioner's noted the incorrect spelling of Commissioner K. Wilson's name in the meeting attendance list and that the third line of the paragraph under the heading *Committee Information* should read*Seggie and K. Wilson*.....

MOVED Commissioner K. Wilson, SECONDED Commissioner Newton, that the Minutes of the regular Electoral Area 'A' Parks, Recreation and Culture Commission meeting held November 17, 2010, be approved, as amended.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Commissioner K. Wilson, SECONDED Commissioner Pagan, that the following Correspondence be received:

- D. Banman, RDN, to School District #68 Nanaimo/Ladysmith, Re Support Neighbourhood Learning Centres.
- D. Routley, MLA Nanaimo-North Cowichan, Re: Support Cedar Skatepark.
- M. Pearse, RDN, to R. Rangno, Re: Thank You Commission Service.
- K. St. Cyr and B. Stupich, Cedar Family of Community Schools, Re: Grant Final Report.
- Dos Santos, Cedar Community Hall Association, Re: Grant Final Complete Report.

CARRIED

REPORTS

PARKS

Monthly Update of Community Parks and Regional Parks and Trails Projects September to November 2010.

Ms. McCulloch briefly reviewed the Community Parks and Regional Parks and Trails Projects in Electoral Area 'A'.

Ms. McCulloch advised the Towns for Tomorrow Grant application for the Cedar Skate Park was submitted prior to the January 14 deadline. Notification regarding the results should be received by March 15, 2011.

Project Development Schedule

Ms. McCulloch handed out the 2011 to 2015 Development Schedule approved by the Commission in November, noting the inclusion of a cost estimate field.

Ms. McCulloch pointed out the \$55,000 cost estimate for the Morden Colliery project is more than the \$36,500 to be provided by Cedar Estates Developments Ltd., noting once quotes for the project are received, a decision on how the cost difference will be covered will be made, possibly a portion may be covered by the Regional Parks budget.

Commissioner D. Burnett requested should the Cedar Skate Park project proceed, a clear timeline or project development schedule be prepared and shared with the Cedar Skate Park Association to clarify their possible involvement or role in the project.

Ms. McCulloch stated she would be in contact with the Cedar Skate Park Association during the design construction/drawing stage, however, she would consider the skate park a Regional District project and would evaluate contributions of volunteer labour or in kind services and/or supplies closer to the initiation of the project.

2011 Annual Community Park Budget Review

Ms. McCulloch reviewed the Electoral Area 'A' Community Parks 2011 Budget.

MOVED Commissioner D. Burnett, SECONDED Commissioner Newton, that the Electoral Area 'A' Parks, Recreation and Culture Commission supports the 2011 Annual Budget for Electoral Area 'A' Community Parks, as presented.

CARRIED

Proposed Park Land Dedication In Conjunction With Proposed Subdivision of Lot 4, Block 3, Plan 2041 (1965 Walsh Road)

Ms. McCulloch reviewed the proposed Park Land dedication at 1965 Walsh Road. Ms. McCulloch noted both the current and the draft OCP, as well as, the 2002 Electoral Area 'A' Community Trail Study support the approval of the parkland.

MOVED Commissioner K. Wilson, SECONDED Commissioner Pagan, that the Electoral Area 'A' Parks, Recreation and Culture Commission approves the park land dedication as part of the proposed subdivisions of Lot 4, Block 3, Section 16, Range 8, Cranberry District, Plan 2041, as part of a subdivision application.

CARRIED

Morden Colliery Trail Volunteer Group

Ms. McCulloch inquired if Commissioners were interested in reinstating the Morden Colliery Trail Volunteer group. She stated the group would be a stand alone function, overseen by the Regional District Park staff.

Ms. McCulloch noted the developer is required to keep the plantings alive for the first two years after the official completion of the trail project; however, the Regional District would be responsible for weeding and maintaining the plantings. As the Park staff have a limited amount of time to designate to this work, Community volunteers would be required to assist in maintaining the entrance and trail.

Commissioners suggested a request for Morden Colliery Trail volunteers be placed in the Take 5 Magazine, as an advertisement or letter to the editor and Chair J. Burnett stated he would include a request for volunteers in his regular Take 5 column.

Commissioners K. Wilson and Newton reported a couple trees have come down on the Morden Colliery Trail.

RECREATION

Monthly Update Recreation and Cultural Services November and December 2010

Mr. Porteous provided a brief review of the Recreation and Cultural Services November and December Report. He noted the success for the first year of services, particularly the programming, which included the development of the Leaders-In-Training Program and the popularity and growth of programs such as the Tot Soccer.

Commissioner S. Wilson joined the meeting at 8:00pm.

Mr. Porteous stated the external posting for a Recreation Programmer to cover Ms. Fryer's maternity leave closed January 19. Plans are to have somebody hired by mid February to allow for some training prior to Ms. Fryer's departure.

Commissioner D. Burnett stated concerns regarding the priority roles and responsibilities regarding the Recreation Programmer position, and how best the Commission can measure the accomplishments to date to ensure they are on track. Other Commissioners expressed their views regarding the services to date and are supportive of and satisfied with the programming level of service. However, there were further concerns expressed regarding other levels of service that may be required or other programming areas that need to be explored, such as seniors' programming and marketing initiatives.

Mr. Porteous noted the concerns raised by the Commissioners were identified during the annual planning process recently completed, and these areas will be further followed up as the year progresses. However, the Commission may need to explore further their priorities in relation to the current and future resources required for enhanced services when the next planning meeting takes place.

Chair J. Burnett noted the focus needs to be on the Master Plan and the Commission should continue to review and consider current and future priorities based on this document. He also added community needs assessments need to be considered.

2011 Annual Recreation and Cultural Services Budget Review

Mr. Porteous presented the 2011 Annual Recreation and Cultural Service Budget to the Commission.

Commissioner D. Burnett inquired if it was possible for revenue to be generated, in the future, by booking the Cedar Heritage Centre if time allotments are available and unable to be used by the Cedar Community School and Enhancement Society. Mr. Porteous noted this will be considered as part of the negotiations still underway.

Chair J. Burnett noted the Commission will need to consider the long term budget implications. Past and current operations have relied on annual surplus to maintain service. This will not be sustainable over the long term and needs to be reviewed and addressed as the 2012 budget process that begins later in the fall of 2011.

MOVED Commissioner D. Burnett, SECONDED Commissioner Newton, that the Electoral Area 'A' Parks, Recreation and Culture Commission supports the 2011 Annual Budget for Electoral Area 'A' Recreation and Culture Services, as presented.

CARRIED

Electoral Area 'A' Parks, Recreation and Culture Commission Annual Planning Meeting Review

Mr. Porteous noted staff will begin the work outlined in the notes from the November 3, 2010, Planning Meeting, specifically targeting the items highlighted in the 2011 Priority Focus Area. He added staff have set up meetings in February with School District 68 staff, to explore the implementation of some of these items.

Commission Appointments to Grant-In-Aid Sub Committee

Chair J. Burnett called for three volunteers to sit on the Electoral Area 'A' Parks, Recreation and Culture Commission Grant-In-Aid Sub Committee.

Commissioners Pagan and Newton volunteered to sit on the Grant-In Aid Committee. Commissioner S. Wilson volunteered to sit as the third member until more members are appointed to the Recreation Commission.

Grant-In-Aid Final Report Requirement – Receipts

Mr. Porteous addressed the issue regarding whether or not original receipts should be required for Grant-In-Aid final reports. He noted that a number of organizations have provided receipts in their reports and these receipts do provide greater accountability of public funds. In light of this information and with the Commission's endorsement, staff will revise the Grant-In-Aid documents to require grant recipients to include original receipts when completing final reports.

MOVED Commissioner S. Wilson, SECONDED Commissioner K. Wilson, that the Reports be received.

CARRIED

BUSINESS ARISING FROM COMMUNICATIONS/CORRESPONDENCE

Commissioners requested staff prepare Thank You letters, to be co-signed by both the Electoral Area 'A' Director and the Superintendent of Arenas and Southern Recreation Services, that will be forwarded to Commissioners, who resign from or do not reapply to the Commission, to acknowledge their contribution to the Community.

Election of Officers – Nomination of Deputy Chair

Chair J. Burnett called for nominations for the position of Deputy Chair.

MOVED Commissioner Newton, SECONDED Commissioner D. Burnett, that Ms. Shannon Wilson be nominated for the position of Deputy Chair.

CARRIED

NEW BUSINESS

Chair J. Burnett stated he has contacted Ms. Seggie to inquire about any possible SWACA members who may be interested in participating in the Commission as representation from the South Wellington area and he will also put a notice in the Take 5 publication requesting applications for the three vacant positions on the Commission.

COMMITTEE ROUND TABLE

Commissioner Pagan noted February 6, the Vancouver Island Running Association will host the Cedar 12km Run through Cedar. The run, which is open to runners and walkers, will begin at 11:00am at the intermediate school.

COMMITTEE INFORMATION

The next meeting will be held Wednesday, March 9, 2011, at 7:00pm.

ADJOURNMENT

MOVED Commissioner K. Wilson, that the meeting be adjourned, at 9:50pm.

Chair