

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, APRIL 24, 2012 AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

Director D. Brennan	Acting Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Alternate	
Director L. Derkach	Electoral Area G
Director W. Veenhof	Electoral Area H
Alternate	
Director C. Burger	City of Parksville
Director D. Willie	Town of Qualicum Beach
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director T. Greves	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo

Regrets: Director J. Stanhope Electoral Area G
Director G. Anderson City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr., Corporate Administration
N. Avery	Gen. Mgr., Finance & Information Services
P. Thorkelsson	Gen. Mgr., Development Services
J. Finnie	Gen. Mgr., Regional & Community Utilities
C. McIver	A/Gen. Mgr., Transportation & Solid Waste Services
D. Banman	A/Gen. Mgr., Recreation & Parks Services
L. Burgoyne	Recording Secretary

CALL TO ORDER

BOARD MINUTES

MOVED Director Veenhof, SECONDED Director Dempsey, that the minutes of the regular Board meeting held March 27, 2012 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Luke Sales, Town of Qualicum Beach, re Funding Request.

MOVED Director Willie, SECONDED Director Johnstone, that the funding request from the Town of Qualicum Beach be received.

CARRIED

MOVED Director Burger, SECONDED Director Johnstone, that the Regional District supports the application by the Town of Qualicum Beach to the FCM Green Municipal Fund for grant funding for a water heating feasibility study for the proposed Jones Street District Energy system to provide a heating source to the Qualicum Beach Civic Centre and the Ravensong Aquatic Centre by funding 50% of the cash contribution to a maximum of \$6,025 from the regional sustainability reserve fund.

CARRIED

BYLAWS

THIRD READING

Report of the Public Hearing and 3rd Reading of Bylaw 500.377, 2012 – Deas Lot A, District Lot 19, Newcastle District, Plan 8196, Except Parts in Plans VIP65473 and VIP7554 – 2900 Leon Road, Area 'H'.

MOVED Director Veenhof, SECONDED Director Holme, that the report of the Public Hearing held on April 11, 2012, on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.377, 2012" be received.

CARRIED

MOVED Director Veenhof, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.377, 2012" be given 3rd reading and referred to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

CARRIED

MOVED Director Veenhof, SECONDED Director Holme, that the conditions as outlined in Schedule 1, as amended, be secured and/or completed by the applicant to the satisfaction of the Regional District of Nanaimo prior to consideration of adoption of Bylaw No. 500.377, 2012.

CARRIED

Bylaws 1318.01, 1319.02, 1320.02, 1448.02 and 1449.01 – Bylaws to Amend the Port Theatre Contribution Service Requisition Limits.

MOVED Director Greves, SECONDED Director McPherson, that "Electoral Area 'A' Port Theatre Contribution Service Amendment Bylaw No. 1318.01, 2012" be adopted.

CARRIED

MOVED Director Greves, SECONDED Director McPherson, that "Electoral Area 'B' Cultural Centre Contribution Service Amendment Bylaw No. 1319.02, 2012" be adopted.

CARRIED

MOVED Director Greves, SECONDED Director McPherson, that "Electoral Area 'C' (defined C) Port Theatre Contribution Service Amendment Bylaw No. 1320.02, 2012" be adopted.

CARRIED

MOVED Director Greves, SECONDED Director McPherson, that "Electoral Area 'C' (defined D) Port Theatre Contribution Service Amendment Bylaw No. 1448.02, 2012" be adopted.

CARRIED

MOVED Director Greves, SECONDED Director McPherson, that "Electoral Area 'E' Port Theatre Contribution Service Amendment Bylaw No. 1449.01, 2012" be adopted.

CARRIED

ADOPTION

Bylaws 867.06 and 1049.07 – Inclusion of 2020 Seahaven Road into the Nanoose Bay Peninsula Water Service Area.

MOVED Director Holme, SECONDED Director Veenhof, that "Nanoose Bay Peninsula Water Service Area Amendment Bylaw No. 867.06, 2012" be adopted.

CARRIED

MOVED Director Holme, SECONDED Director Burger, that "Nanoose Bay Bulk Water Supply Local Service Area Amendment Bylaw No. 1049.07, 2012" be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Holme, SECONDED Director Willie, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, April 10, 2012 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Residents of Pylades Drive and Decourcey Drive, Area 'A', re Development Permit with Variance Application No. PL2011-174.

MOVED Director McPherson, SECONDED Director Derkach, that the correspondence from the residents of Pylades Drive and Decourcey Drive be received.

CARRIED

PLANNING

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

Development Permit with Variance Application No. PL2011-163 – Gary Passey and Patricia Broster – Lot 11, District Lot 28, Newcastle District, Plan 22249 – Seaview Drive, Area 'H'.

MOVED Director Veenhof, SECONDED Director Holme, that Development Permit with Variance Application No. PL2011-163 to permit the construction of a dwelling unit subject to the conditions outlined in Schedules 1 to 4, be approved.

CARRIED

Development Permit with Variance Application No. PL2011-174 – C.A. Design – 2550 Pylades Drive, Area 'A'.

MOVED Director McPherson, SECONDED Director Ruttan, that staff be directed to obtain from the Professional Engineer who prepared the April 5th, 2011 report either a revised report or a confirmation letter detailing the postal address and/or the legal description of the property covered by the report.

CARRIED

MOVED Director McPherson, SECONDED Director Ruttan, that Development Permit with Variance Application No. PL2011-174 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Schedules 1 to 3 and that these schedules be amended to include both a requirement for re-use of the existing foundation located within the setback from the top of slope and receipt of a written report detailing the potential for mould to develop on the existing foundation and become a matter for concern in the future.

CARRIED

OTHER

Building Strata Conversion Application No. PL2011-053 – Bennett – 70 & 76 Colwell Road Area 'C'.

MOVED Director Young, SECONDED Director McPherson, that the request from Gary and Pamela Bennett for the Building Strata Conversion (Application No. PL2011-053) as shown on the proposed strata plan of Lot 3, Section 7, Range 4, Cranberry District, Plan VIP67928, be approved subject to the conditions being met as set out in Schedules 1 and 2.

CARRIED

Subdivision Application No. 3320 30 27850 – Request to Accept Park Land Dedication – Fern Road Consulting Ltd. – 711 Mariner Way, Area 'G'.

MOVED Director Derkach, SECONDED Director Holme, that the request to accept the dedication of park land, as outlined in Schedule 1, be accepted.

CARRIED

MOVED Director Derkach, SECONDED Director Holme, that the summary of the Public Information Meeting held on December 14, 2011, be received.

CARRIED

Amendment Bylaw No. 500.375, 2012 – Zoning Amendment Application No. PL2011-089 – Kitching – 3519 Hallberg Road, Area 'A'.

MOVED Director McPherson, SECONDED Director Holme, that the summary of the Public Information meeting held on February 27, 2012, be received.

CARRIED

MOVED Director McPherson, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.375, 2012", be introduced and read two times.

CARRIED

MOVED Director McPherson, SECONDED Director Holme, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.375, 2012", be delegated to Director McPherson or another Area Director.

CARRIED

MOVED Director McPherson, SECONDED Director Holme, that the conditions set out in Schedule 1 of the staff report be completed prior to Amendment Bylaw No. 500.375 being considered for adoption.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Bestwick, SECONDED Director Johnstone, that the minutes of the Committee of the Whole meeting held April 10, 2012 be received for information.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Twyla Graff, District of Lantzville, re RDN Drinking Water & Watershed Protection Program.

MOVED Director Dempsey, SECONDED Director Fell, that the correspondence from the District of Lantzville be received.

CARRIED

Jane Peverett, BC Ferry Authority, re Appointments to the BC Ferry Authority Board of Directors.

MOVED Director Greves, SECONDED Director Young, that the correspondence from the BC Ferry Authority be received.

CARRIED

Diego Marchese, Heart and Stroke Foundation; Scott McDonald, BC Lung Association, re Smoke Free Outdoor Public Places Bylaw.

MOVED Director Ruttan, SECONDED Director Derkach, that the correspondence from the Heart and Stroke Foundation & BC Lung Association be received.

CARRIED

DEVELOPMENT SERVICES

BYLAW SERVICES

4153 Eld Road, Electoral Area 'F' – Unsafe Building.

MOVED Director Fell, SECONDED Director Burger, that the Board declares that the building at 4153 Eld Road, Lot 4, District Lot 11, Plan 33338, Cameron District, creates an unsafe condition pursuant to Section 73(1)(a) of the Community Charter.

CARRIED

MOVED Director Fell, SECONDED Director Burger, that the Board directs the Owner of the property, pursuant to Section 72(2)(b) of the Community Charter, to undertake remediation of the building on the subject property within thirty (30) days of service of the attached Resolution or the work will be undertaken by the Regional District of Nanaimo's agents at the Owner's cost.

CARRIED

MOVED Director Fell, SECONDED Director Burger, that staff be directed to register a Notice of Bylaw Contravention on the title of the subject property legally described as Lot 4, District Lot 11, Plan 33338, Cameron District, pursuant to Section 57 of the Community Charter.

CARRIED

1532 Marine Circle, Electoral Area 'G' – Unsightly Premises.

MOVED Director Derkach, SECONDED Director McPherson, that the Board directs the owner of the property, to remove from the premises those items as set out in the attached Resolution within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the Owner's cost.

CARRIED

RECREATION AND PARKS SERVICES

Gabriola Island Recreation Services Agreement.

MOVED Director Houle, SECONDED Director Holme, that the Recreation Services Agreement between the Regional District and the Gabriola Recreation Society be approved for the term commencing January 1, 2012 and ending December 31, 2014.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

Vancouver Island University Woodlot Groundwater Study.

MOVED Director Young, SECONDED Director Johnstone, that the Board approve the release of funds from the Southern Community, Northern Community, Nanoose Bay and Duke Point Local Sewer Service Area reserve funds to complete the Vancouver Island University Woodlot Groundwater Study in 2012.

CARRIED

Conditional Management Plan for French Creek Pollution Control Centre's Pump Stations.

MOVED Director Bestwick, SECONDED Director Burger, that the Board approve a Conditional Management Plan that will allow shellfish harvesting within Conditionally Approved areas adjacent to the Bay Avenue and Hall Road Pump Stations bypasses, effective May 1, 2012 to December 31, 2015.

CARRIED

Contract Award for the Preliminary and Detailed Design for the Replacement of the Land Section of the Greater Nanaimo Pollution Control Centre Marine Outfall.

MOVED Director Bestwick, SECONDED Director Ruttan, that the Board award the contract for preliminary and detailed design services for the replacement of the land section of the Greater Nanaimo Pollution Control Centre Marine Outfall to AECOM for \$150,156.00.

CARRIED

MOVED Director Ruttan, SECONDED Director Pattje, that the Board approve that funds from the Southern Community Development Cost Charge Reserve Fund be used for the replacement of the land section of the Greater Nanaimo Pollution Control Centre Marine Outfall.

CARRIED

ENGINEERING

Hall Road Pump Station Upgrade - Detailed Design and Tendering Services.

MOVED Director Burger, SECONDED Director Veenhof, that the Board award the detailed design and tendering services for the Hall Road Pump Station Upgrade to Koers & Associates Engineering for the upset price of \$71,800.

CARRIED

MOVED Director Holme, SECONDED Director Veenhof, that funds from the Northern Community Development Cost Charge Reserve Fund and the French Creek Operations Reserve Fund be used for this project.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEES

MOVED Director Kipp, SECONDED Director Dempsey, that the minutes of the Sustainability Select Committee meeting held Wednesday, April 18, 2012 be received for information.

CARRIED

MOVED Director Kipp, SECONDED Director Houle, that the proposed 2012 Green Building Incentive Program be approved, with flexibility for staff to distribute funds as necessary across the different incentives, and to report back to the Committee quarterly with program updates.

CARRIED

ADMINISTRATOR'S REPORTS

Cruise Ship Shuttle Service – 2012.

MOVED Director Johnstone, SECONDED Director Ruttan, that the application made by the Nanaimo Port Authority for the Regional District of Nanaimo to provide bus service for cruise ships arriving in Nanaimo on May 5, 2012, September 15, 2012 and September 30, 2012, at the cost of the Nanaimo Port Authority, be approved.

CARRIED

Lantzville Inclusion in the Drinking Water Protection Funding - Bylaw 1556.02.

MOVED Director Dempsey, SECONDED Director Pattje, that "Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.02, 2012" be introduced for three readings and be forwarded to the Inspector of Municipalities for approval.

CARRIED

Cedar Community Policing Office Contribution Service Establishment Bylaw No. 1653 – Alternative Approval Results.

MOVED Director McPherson, SECONDED Director Young, that "Cedar Community Policing Office Contribution Service Establishment Bylaw No. 1653, 2012" be adopted.

CARRIED

NEW BUSINESS

Distribution of Agendas.

The Board had a discussion on the RDN policy regarding the distribution of full agendas.

Staff advised that they will be bringing back a report later in the year exploring options for moving towards the use of Ipads and paperless agendas.

Staff also advised that they will confirm with each Director on their preference of receiving full or outline agendas and whether they wish to receive them by courier or electronically.

ADJOURNMENT

MOVED Director Holme, SECONDED Director Fell, that pursuant to Section 90(1)(i) of the Community Charter the Board proceed to an In Camera meeting to consider legal issues.

CARRIED

TIME: 7:54 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION