

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR BOARD MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, SEPTEMBER 24, 2013 AT 7:00 PM IN THE  
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy 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
Director B. Veenhof	Electoral Area H
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Harrison	Director of Corporate Services
W. Idema	Director of Finance
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
G. Garbutt	Gen. Mgr. Strategic & Community Development
R. Alexander	Gen. Mgr. Regional & Community Services
J. Hill	Mgr. Administrative Services
C. Golding	Recording Secretary

## **CALL TO ORDER**

The Chairperson called the meeting to order.

## **DELEGATIONS**

### **Jim Russell, Food Protection Branch, Ministry of Agriculture, re Marine Plant Production and Seaweed Harvesting.**

Jim Russell provided a visual presentation to accompany his overview of Mazzaella Japonica harvesting, and ministry licensing of harvest operations.

### **Michael Davies, Kinder Morgan Canada Inc., re Proposed expansion to the Kinder Morgan Trans Mountain Pipeline.**

Michael Davies provided a visual presentation in addition to his overview of the proposed pipeline expansion project.

### **Peter Roosen, re 3560 Allsop Road – Electoral Area ‘C’.**

Peter Roosen provided a visual presentation to update the Board on his efforts to remedy concerns related to Building and Zoning Bylaw contraventions at 3560 Allsop Road, Electoral Area ‘C’.

## **LATE DELEGATIONS**

13-614 MOVED Director Young, SECONDED Director Veenhof, that late delegations be permitted to address the Board and for Dr. Gilles Wendling to be added as a delegation.

CARRIED

### **Dianne Eddy, re RGS and OCP Amendment Application PL2011-060 – Baynes Sound Investments Ltd.**

Dianne Eddy provided a visual presentation to outline the results of the third party review of the Hydrological Report related to the application.

### **Richard Nolan and Jacinthe Eastick, Gabriola Recycling Organization, re Request Authority to Enter into Agreement Regarding Transfer of Gas Tax Funding.**

Richard Nolan provided a visual presentation with a summary of the GIRO organization and their challenges to supplement the request before the Board for capital funding for the organization.

### **Ole Lind, re 3560 Allsop Road, - Electoral Area ‘C’ – Building and Zoning Bylaw Contraventions.**

Ole Lind raised his concerns with alterations to the property and ongoing activities related to the 3560 Allsop Road Building and Zoning Bylaw Contravention.

### **Bernice Lind, re 3560 Allsop Road, - Electoral Area ‘C’ – Building and Zoning Bylaw Contraventions.**

Bernice Lind raise her concerns with alterations to the property and ongoing activities related to the 3560 Allsop Road Building and Zoning Bylaw Contravention.

### **Dr. Gilles Wendling, re 3560 Allsop Road, - Electoral Area ‘C’ – Building and Zoning Bylaw Contraventions.**

Dr. Gilles Wendling raised his concerns with alterations to the property and ongoing activities related to the Building and Zoning Bylaw Contravention.

**Minutes of the Regular Board meeting held Tuesday, August 27, 2013.**

**BOARD MINUTES**

- 13-615 MOVED Director Veenhof, SECONDED Director Holme, that the minutes of the Regular Board meeting held Tuesday, August 27, 2013, be adopted.

CARRIED

**COMMUNICATION/CORRESPONDENCE**

**Todd Stone, Minister of Transportation and Infrastructure, re Appointment as Minister, and confirmation of Ministry responsibility for sidewalks within the Fairwinds community.**

- 13-616 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence received from Todd Stone, Minister of Transportation and Infrastructure, regarding appointment as Minister and confirmation of Ministry responsibility for sidewalks within the Fairwinds community, be received.

CARRIED

**Greta Taylor, re Articles in Oceanside Star regarding RGS & OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’.**

- 13-617 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Greta Taylor, re Articles in Oceanside Star regarding Regional Growth Strategy & Official Community Plan Application No. 2011-060 – Baynes Sound Investments – Electoral Area ‘H’, be received.

CARRIED

**Residents of Crome Point Road, Electoral Area ‘H’, re Concerns regarding the safety of living on Crome Point Road.**

- 13-618 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from residents of Crome Point Road, Electoral Area ‘H’, regarding concerns regarding the safety of living on Crome Point Road, be received.

CARRIED

**Johann Kirschner and Jane Lindstrom, re Development Variance Permit Application No. PL2013-084 084 – Bernard Thomson – 2938 Hillview Road, Electoral Area ‘E’.**

- 13-619 MOVED Director Brennan, SECONDED Director Holme, that the correspondence from Johann Kirschner and Jane Lindstrom, regarding Development Variance Permit Application No. PL2013-084, be received.

CARRIED

**Residents of Hillview Road, re Development Variance Permit Application No PL2013-084 – Bernard Thomson – 2938 Hillview Road, Electoral Area ‘E’.**

- 13-620 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from the Residents of Hillview Road, regarding Development Variance Permit Application No PL2013-084 – Bernard Thomson – 2938 Hillview Road, Electoral Area ‘E’, be received.

CARRIED

**Peter Roosen, re 3560 Allsop Road, - Electoral Area 'C' – Building and Zoning Bylaw Contraventions.**

- 13-621 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Peter Roosen, regarding 3560 Allsop Road, Electoral Area 'C' – Building and Zoning Bylaw Contraventions, be received.

CARRIED

**Eileen Becker, re Preserving the diversity of sea life on beaches of Qualicum Beach, French Creek and Parksville.**

- 13-622 MOVED Director McPherson, SECONDED Director Brennan, that the correspondence from Eileen Becker, regarding preserving the diversity of sea life on beaches of Qualicum Beach, French Creek and Parksville, be received.

CARRIED

**STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES & RECOMMENDATIONS  
ELECTORAL AREA PLANNING STANDING COMMITTEE**

**Minutes of the Electoral Area Planning Committee meeting held Tuesday, September 10, 2013.**

- 13-623 MOVED Director Veenhof, SECONDED Director Holme, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, September 10, 2013, be received for information.

CARRIED

***DEVELOPMENT PERMIT APPLICATIONS***

**Development Permit Application No. PL2013-067 – Smith & Annand – Electoral Area 'G'.**

- 13-624 MOVED Director Veenhof, SECONDED Director Holme, that Development Permit Application No. PL2013-067 to address the prior placement of fill on the subject property be approved subject to the Terms and Conditions outlined in Attachment 2.

CARRIED

**Development Permit Application No. PL2013-090 and Request for Frontage Relaxation in Conjunction with Subdivision Application No. PL2013-050 – Linda and George Addison – 2610 Myles Lake Road, Electoral Area 'C'.**

- 13-625 MOVED Director Young, SECONDED Director Veenhof, that Development Permit Application No. PL2013-090 in conjunction with a proposed four lot subdivision be approved subject to the conditions outlined in Attachment 3.

CARRIED

- 13-626 MOVED Director Young, SECONDED Director Veenhof, that the request to relax the minimum 10% perimeter frontage requirement for proposed lots B, C, and D in conjunction with Subdivision Application No. PL2013-050 be approved.

CARRIED

***DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS***

**Development Permit with Variance Application No. PL2013-092 – Chevron Canada Ltd. – 1660 Island Highway East, Electoral Area ‘E’.**

- 13-627 MOVED Director Holme, SECONDED Director Veenhof, that Development Permit with Variance Application No. PL2013-092 to permit additional signage on the subject property is approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

**Development Permit with Variance Application No. PL2013-085 – Fern Road Consulting – 90 Lambert Lane, Electoral Area ‘H’.**

- 13-628 MOVED Director Veenhof, SECONDED Director Young, that Development Permit with Variance Application No. PL2013-085 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Attachments 2 to 4.

CARRIED

**Development Permit with Variance Application No. PL2013-066 – Eliza Point – Fielding Road, Electoral Area ‘A’.**

- 13-629 MOVED Director McPherson, SECONDED Director Fell, that Development Permit with Variance Application No. PL2013-066 be approved subject to the conditions outlined in Attachments 2 to 7.

CARRIED

***DEVELOPMENT VARIANCE PERMIT APPLICATIONS***

**Development Variance Permit Application No. PL2013-084 – Bernard Thomson – 2938 Hillview Road, Electoral Area ‘E’.**

- 13-630 MOVED Director Holme, SECONDED Director Fell, that Development Variance Permit Application No. PL2013-084 to reduce the minimum setback from the interior side lot line to the east from 2.0 m to 0.16 m and from the interior side lot line to the west from 2.0 metres to 0.86 metres for the existing deck and stairs be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

***OTHER***

**Zoning Amendment Application No. PL2013-038 – Bylaw 500.386 – Magnolia Enterprises Ltd. – 6996 Island Highway West, Electoral Area ‘H’.**

- 13-631 MOVED Director Veenhof, SECONDED Director McPherson, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013", be introduced and read two times.

CARRIED

- 13-632 MOVED Director Veenhof, SECONDED Director McPherson, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013", be chaired by Director Veenhof or his alternate.

CARRIED

- 13-633 MOVED Director Veenhof, SECONDED Director McPherson, that the conditions set out in Attachment 2 of the staff report be completed prior to Bylaw No. 500.386, 2013 being considered for final adoption.

CARRIED

**Regulatory Amendments to Address Marihuana for Medical Purposes Regulations – Bylaws No. 500.387, 2013 and 1285.18, 2013.**

- 13-634 MOVED Director Fell, SECONDED Director Young, that the regulatory amendments to address Marihuana for Medical Purposes Regulations – Bylaw No. 500.387, 2013 and Bylaw No. 1285.18, 2013 be referred back to staff, and that staff be directed to organize a seminar discussion for the Board on the topic.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

**Minutes of the Committee of the Whole meeting held Tuesday, September 10, 2013.**

- 13-635 MOVED Director Holme, SECONDED Director Brennan, that the minutes of the Committee of the Whole meeting held Tuesday, September 10, 2013, be received for information.

CARRIED

**FINANCIAL SERVICES**

**Proposed Schedule to approve the 2014 to 2018 Financial Plan.**

- 13-636 MOVED Director Johnstone, SECONDED Director Lefebvre, that the following schedule for the review and adoption of the 2014 to 2018 Financial Plan be approved:

November 19, 2013	Information seminar to Board for 2014 preliminary budget
November 26, 2013	Presentation of 2014 preliminary budget at Board Meeting
January 30, 2014	Presentation of 2014 to 2018 financial plan at Special Committee of the Whole Meeting
February 11, 2014	Presentation of financial plan at Committee of the Whole Meeting
February 17, 2014	Publication of budget edition of Regional Perspectives
March 11, 2014	Introduce bylaw to adopt the 2014 to 2018 Financial Plan
March 25, 2014	Adopt financial plan bylaw.

CARRIED

**Dashwood Volunteer Fire Department – Rescue Truck Purchase Approval request.**

- 13-637 MOVED Director Veenhof, SECONDED Director Kipp, that the Dashwood Volunteer Fire Department be authorized to enter into negotiations with Brindlee Mountain Fire Apparatus LLC for the purchase of a 2008 KME/International Commercial Heavy Rescue truck to a maximum cost of \$210,000.

CARRIED

- 13-638 MOVED Director Veenhof, SECONDED Director Fell, that staff be authorized to transfer up to \$210,000 from the Dashwood Fire Service Area Reserve Fund for the purchase of a replacement rescue apparatus vehicle.

CARRIED

**STRATEGIC AND COMMUNITY DEVELOPMENT**

**BUILDING, BYLAW, AND EMERGENCY PLANNING**

**3560 Allsop Road – Electoral Area ‘C’ – Building and Zoning Bylaw Contraventions.**

- 13-639 MOVED Director Young, SECONDED Director Bestwick, that an extension of time be granted to January 2014, and to bring back the Staff report for re-consideration of the Board before a notice of Bylaw contravention is registered on title pursuant to Section 57 of the *Community Charter* on the title of Lot 4, Section 17, Range 3, Plan 26264, Mountain District (3560 Allsop Road).

CARRIED

**3272 Roper Road – Electoral Area ‘A’ – Building and Zoning Bylaw Contraventions.**

- 13-640 MOVED Director McPherson, SECONDED Director Young, that the file in respect of Building and Zoning Bylaw contraventions at 3272 Roper Road, Electoral Area ‘A’ be tabled until the October 2013 Committee of the Whole meeting so as to provide the property owner sufficient time to discuss the matter with Regional District of Nanaimo staff.

CARRIED

**351 Oakdowne Road – Electoral Area ‘H’ – Unightly Premises.**

- 13-641 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board, pursuant to Unightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 3, District Lot 89, Newcastle District, Plan VIP58594 (351 Oakdowne), to remove the accumulation of discarded automotive parts, derelict vehicles and boats, scrap metal and disused material from the property within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo or its agents at the owner's cost.

CARRIED

**REGIONAL AND COMMUNITY UTILITIES**

**WASTEWATER SERVICES**

**Reduction of Sewer Development Cost Charges for the proposed Pacifica Housing Development at 6025 Uplands Drive, Nanaimo.**

- 13-642 MOVED Director Johnstone, SECONDED Director Brennan, that the Board approves the 50% rate reduction for the proposed Pacifica Housing development at 6025 Uplands Drive, Nanaimo.

CARRIED

**Bylaw 975.60 – Pump and Haul Local Service Establishment Amendment to Exclude Lot 43, Section 8, Plan 24916, Wellington Land District.**

- 13-643 MOVED Director Holme, SECONDED Director Veenhof, that the boundaries of the "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995" be amended to exclude Lot 43, Section 8, Plan 24916, Wellington Land District.

CARRIED

- 13-644 MOVED Director Holme, SECONDED Director Anderson, that "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.60, 2013" be introduced and read three times.

CARRIED

**Greater Nanaimo Pollution Control Centre - Control Building HVAC Replacement Construction Award.**

- 13-645 MOVED Director Johnstone, SECONDED Director Ruttan, that the Board award the construction contract for the HVAC Upgrade project at the Greater Nanaimo Pollution Control Centre to Archie Johnstone Plumbing and Heating for a value of \$188,600.

CARRIED

***BUSINESS ARISING FROM DELEGATIONS OR CORRESPONDENCE***

**Community Policing Funding.**

- 13-646 MOVED Director Veenhof, SECONDED Director Houle, that Community Policing funding be referred to the 2014 budget discussions.

CARRIED

**Gabriola Historical and Museum Society Funding.**

- 13-647 MOVED Director Houle, SECONDED Director Veenhof, that Gabriola Historical and Museum Society funding be referred to the 2014 budget discussions.

CARRIED

**SCHEDULED ADVISORY AND SELECT COMMITTEES**

**EMERGENCY MANAGEMENT SELECT COMMITTEE**

**Minutes of the Emergency Management Select Committee meeting held Tuesday August 27, 2013.**

- 13-648 MOVED Director Young, SECONDED Director Lefebvre, that the minutes of the Emergency Management Select Committee meeting held Tuesday, August 27, 2013, be received for information.

CARRIED

**Regional Community Recovery Planning.**

- 13-649 MOVED Director Young, SECONDED Director Lefebvre, that the Regional Community Recovery Planning report be received for information.

CARRIED

**Emergency Livestock Evacuation Plan and Livestock Shelter License of Use Agreements.**

- 13-650 MOVED Director Young, SECONDED Director Johnstone, that the Emergency Livestock Evacuation Plan and Licence of Use Agreements between the Regional District of Nanaimo and Culverden Holdings Ltd. for a five year term commencing October 1, 2013 and ending December 31, 2018, be approved.

CARRIED

- 13-651 MOVED Director Young, SECONDED Director Holme, that the Emergency Livestock Evacuation Plan and Licence of Use Agreements between the Regional District of Nanaimo and the City of Nanaimo for a five year term commencing October 1, 2013 and ending December 31, 2018, be approved.

CARRIED



13-652 MOVED Director Young, SECONDED Director Lefebvre, that the Emergency Livestock Evacuation Plan and Licence of Use Agreements between the Regional District of Nanaimo and the Arrowsmith Agricultural Association for a five year term commencing October 1, 2013 and ending December 31, 2018, be approved.

CARRIED

13-653 MOVED Director Young, SECONDED Director Lefebvre, that the Emergency Livestock Evacuation Plan and Licence of Use Agreements between the Regional District of Nanaimo and Coombs Hilliers Community Organization for a five year term commencing October 1, 2013 and ending December 31, 2018, be approved.

CARRIED

13-654 MOVED Director Young, SECONDED Director Johnstone, that the Emergency Livestock Evacuation Plan be referred to the Agricultural Advisory Committee for review and comment prior to final Board approval.

CARRIED

**Neighborhood Emergency Preparedness Program Update.**

13-655 MOVED Director Young, SECONDED Director Lefebvre, that the Update on Neighborhood Emergency Preparedness Program report be received for information.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Bylaw No. 1620.01 to Amend Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011 to Include the Cedar Main Street Village Plan.**

13-656 MOVED Director McPherson, SECONDED Director Young, that "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.01, 2013", be adopted.

CARRIED

**Oceanside Place Lighting Upgrade – 2013.**

13-657 MOVED Director Veenhof, SECONDED Director Lefebvre, that the Oceanside Place Lighting Upgrade-2013 Project be awarded to Pacific Audio Works/CNJ Lighting Solutions for the tendered price of \$251,748.87 excluding tax.

CARRIED

**Request Authority to enter into Agreement Regarding Transfer of Gas Tax Funding.**

13-658 MOVED Director Houle, SECONDED Director Veenhof, that staff be directed to complete an agreement with the Gabriola Island Recycling Organization to transfer \$75,000 in Regionally Significant Project funding under the Gas Tax Transfer Program to fund capital work to improve recycling facilities for Electoral Area 'B' residents.

CARRIED

## **NEW BUSINESS**

Director Greves left the meeting at 8:46pm citing a possible conflict of interest with the next agenda item.

### **Notice of Motion – Island Corridor Foundation – Safety Requirements for Rail Transportation.**

Director Lefebvre noted that the following motions will be brought forward to the October 8, 2013, Committee of the Whole Agenda:

That the City of Parksville requests that the Regional District of Nanaimo ask the Island Corridor Foundation to provide confirmation that all rail lines currently under active use meet all BC and Federal safety requirements for rail transportation; and further, that in the event such confirmation cannot be provided, the Island Corridor Foundation suspend all rail transportation activities within the City of Parksville boundaries until such safety requirements are met.

### **E & N Regional Trail Construction.**

- 13-659 MOVED Director Anderson, SECONDED Director Young, that staff be directed to investigate and report back to the Board on options for consideration in the 2014 budget discussion for the funding of trail projects on the E & N Rail Corridor in the Regional District of Nanaimo.

CARRIED

Director Greves returned to the meeting at 8:50pm.

## **BOARD INFORMATION**

- 13-660 MOVED Director Veenhof, SECONDED Director Anderson, that staff write a letter to Fire Chief Nick Acciavatti regarding the recommendations from the Fire Chiefs' Association of BC.

CARRIED

## **IN CAMERA**

- 13-661 MOVED Director Anderson, SECONDED Director Holme, that pursuant to Section 90 (1) (f) and (i) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to law enforcement and solicitor-client privilege.

CARRIED

**RISE AND REPORT**

**Island Corridor Foundation.**

13-662 MOVED Director Lefebvre, SECONDED Director Veenhof, that staff prepare, for the signature of the Chair, a letter to the Island Corridor Foundation Board requesting responses to the following questions:

1. What is Island Corridor Foundation's specific business plan for securing future new business opportunities on the rail line from Victoria to Courtenay and how will the rail (and any other infrastructure) upgrades required to support these new business lines be determined and funded?
2. Following on recent events and significant accidents on rail lines in Canada, how will what appears to be likely increases in rail safety and liability standards affect the proposed return of passenger rail to Vancouver Island? Similarly, what are the potential impacts to the current business plans of the Island Corridor Foundation (and its rail operations partner) and for future new business efforts (of both the Island Corridor Foundation and its operator)?
3. What is the current amount of liability insurance carried by the Island Corridor Foundation and its rail operator?

CARRIED

**ADJOURNMENT**

MOVED Director Lefebvre, SECONDED Director Brennan, that this meeting terminate.

CARRIED

TIME: 10:05PM

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CHAIRPERSON

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CORPORATE OFFICER