

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING  
TUESDAY, SEPTEMBER 30, 2014  
7:00 PM**

***(RDN Board Chambers)***

**A G E N D A**

**PAGES**

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
  - 11 **Diane Cornish, Gabriola Historical and Museum Society**, re Society Activities and Use of Funds.
  - 12 **Jillian Kim**, re Request for Bylaw 500 Amendment to Permit Chickens on Smaller Parcels.
  - 13 **Clinton Murray**, re 1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises.
  - 14 **Lori Spoor**, re 1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises.
  - 15 **Allen Lauriente**, re 1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises.
  - 16 **Scott Morrison, Zero Waste Canada**, re Zero Waste Alliance Conference, October 2 – 4, 2014.
- 3. BOARD MINUTES**
  - 17-22 Minutes of the Regular Board meeting held Tuesday, August 26, 2014 (All Directors – One Vote).
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**

(All Directors – One Vote)

  - 23-39 **Barbara Hetherington, Zero Waste Canada**, re Zero Waste Alliance Conference, October 2 – 4, 2014.
  - 40-41 **Manjit Sidhu, Ministry of Health**, re Funding Support for the Englishman River Water Service Project.

- 42-66            **Bert van Dalfsen, Ministry of Agriculture**, re Draft Minister’s Bylaw Standard on Medical Marihuana Production Facilities.
- 67-75            **Concerned Citizens of Deep Bay**, re Seaweed Harvest.
- 76                **Phyllis Horne**, re Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area ‘E’.
- 77-78            **Diana Morton**, re 1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises.

**6. UNFINISHED BUSINESS**

**BYLAW ADOPTION**

**Bylaws No. 813.52, 889.68, 1707, 1708, 1709, and 1710 – Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw and Loan Authorization Bylaw.**

(All Directors – One Vote)

- 79-80            1. *That Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw No. 1707, 2014", be adopted.*

(All Directors – Weighted Vote)

- 81-82            2. *That Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Loan Authorization Bylaw No. 1708, 2014", be adopted.*

(All Directors – One Vote)

- 83-84            3. *That Regional District of Nanaimo "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.52, 2014, be adopted.*

- 85-86            4. *That "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.68, 2014", be adopted.*

- 87-89            5. *That Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Service Security Issuing Bylaw No. 1709, 2014", be adopted.*

- 90                6. *That Regional District of Nanaimo "Reid Road Sanitary Sewer Capital Financing Service Interim Financing Bylaw No. 1710, 2014", be adopted.*

**7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

**7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**

91-93

Minutes of the Electoral Area Planning Committee meeting held Tuesday, September 9, 2014 (for information) (All Directors – One Vote).

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. PL2014-084 – Shepherd – 853 Miller Road, Electoral Area ‘G’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

*That Development Permit No. PL2014-084 to permit a subdivision and future residential construction on proposed Lots A and B in the Hazard Lands and Environmentally Sensitive Features (Aquifer Protection) DPA's be approved subject to the conditions outlined in Attachments 2 and 3.*

**Development Permit Application No. PL2014-075 – 0873123 BC Ltd. – Forgotten Drive, Electoral Area ‘G’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

*That Development Permit No. PL2014-075 to permit the construction of a dwelling unit within the Hazard Lands Development Permit Area be approved subject to the conditions outlined in Attachments 2 and 3.*

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area ‘E’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

**Delegations wishing to speak to Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area ‘E’.**

*That Development Variance Permit No. PL2014-091 to permit the construction of a dwelling unit on an existing foundation be approved subject to the conditions outlined in Attachments 2 to 5.*

**Development Variance Permit Application No. PL2014-024 – Ball – Lot 7, Block 359, Newcastle District, Plan VIP64696 – Electoral Area ‘F’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

**Delegations wishing to speak to Development Variance Permit Application No. PL2014-024 – Ball – Lot 7, Block 359, Newcastle District, Plan VIP64696 – Electoral Area ‘F’.**

*That Development Variance Permit No. PL2014-024 to reduce the required lot frontage from 40.0 metres to 20.0 metres for the proposed subdivision be approved subject to the conditions outlined in Attachments 2 and 3.*

**OTHER**

**Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement – Subdivision Application No. PL2014-053 – Sylvia and Terry Birkholz – 2881 Ashcraft Road, Electoral Area ‘E’ (Electoral Area Directors, Except EA ‘B’ – One Vote).**

*That the request to relax the minimum 10% perimeter frontage requirement for the remainder lot be approved.*

**7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE**

94-100 Minutes of the Committee of the Whole meeting held Tuesday, September 9, 2014 (for information) (All Directors – One Vote).

**COMMUNICATION/CORRESPONDENCE**

(All Directors – One Vote)

**Denis Lebel, Minister of Infrastructure, Government of Canada, re Request for funding for a new water treatment facility.**

*That the correspondence received from Denis Lebel, Minister of Infrastructure, Government of Canada, regarding the request for funding for a new water treatment facility be received.*

**Malcolm Brodie, Metro Vancouver, re Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280.**

*That the correspondence received from Malcolm Brodie, Metro Vancouver, regarding Metro Vancouver waste flow management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280 be received.*

**Taryn O’Flanagan, re \$5,000 Grant to Restorative Justice.**

*That the correspondence received from Taryn O’Flanagan regarding the \$5,000 grant to Restorative Justice be received.*

**Selina Robinson, MLA, re Official Opposition Hosted Breakfast and Meetings at 2014 UBCM.**

*That the correspondence received from Selina Robinson, MLA, regarding the official opposition hosted breakfast and meetings at the 2014 Union of BC Municipalities Convention be received.*



**David Brown, re Proposed Medical Marihuana Facility in Yellowpoint.**

*That the correspondence received from David Brown regarding the proposed medical marihuana facility in Yellowpoint be received.*

**CAO**

**Regional District of Nanaimo – Operational and Efficiency Review, 2014 Community Survey** (All Directors – One Vote).

*That the Board receive the Final Report on the results of 2014 Community Survey and direct staff to release and distribute the information through the Regional District of Nanaimo website, local media and any other appropriate communication channels.*

**Board Remuneration - Bylaw No. 1078.08 and Bylaw No. 1317.04** (All Directors – One Vote / 2/3 Majority).

- 101-104
1. *That "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" be introduced and read three times.*
  2. *That "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" be adopted.*
- 105-107
3. *That "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.04, 2014" be introduced and read three times.*
  4. *That "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.04, 2014" be adopted.*
  5. *That the Board Remuneration Review Committee be dissolved.*
  6. *That prior to the next municipal elections in 2018 that Regional District of Nanaimo staff be directed to engage an independent, qualified consultant to review and report on the Regional District of Nanaimo's Director Remuneration and how it compares to the remuneration paid to Directors in other comparable regional districts.*

**CORPORATE SERVICES**

**ADMINISTRATION**

108-109 **Amendment to Officers Appointment and Delegation Bylaw No. 1661** (All Directors – One Vote / 2/3 Majority).

1. *That "Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No. 1661.01, 2014" be introduced and read three times.*
2. *That "Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No. 1661.01, 2014" be adopted.*

**FINANCE**

**Operating Results for the Period Ending June 30, 2014** (All Directors – One Vote).

*That the summary report of financial results from operations to June 30, 2014 be received for information.*

**RECREATION AND PARKS SERVICES**

**Request for Acceptance of Park Land Dedication – 1965 Walsh Road, Electoral Area 'A'** (All Directors – One Vote).

That the proposed park dedication in the proximity of York Lake be accepted in conjunction with a proposed subdivision as shown on Attachment 2.

**REGIONAL AND COMMUNITY UTILITIES**

**WATER AND UTILITY**

**Bylaws No. 1004.07, 1445.05, and 1521.02 – Cedar and Duke Point Sewer Boundary Amendment – 1965 Walsh Road and 1812 Cedar Road, Electoral Area 'A'** (All Directors – One Vote).

110-113 1. *That "Duke Point Sewer Service Amendment Bylaw No. 1004.07, 2014" be introduced and read three times.*

114-117 2. *That "Cedar Sewer Service Amendment Bylaw No. 1445.05, 2014" be introduced and read three times.*

118-120 3. *That "Cedar Sewer Small Residential Properties Capital Financing Service Amendment Bylaw No. 1521.02, 2014" be introduced and read three times.*

**STRATEGIC AND COMMUNITY DEVELOPMENT**

**BUILDING, BYLAW, AND EMERGENCY PLANNING SERVICES**

**1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises** (All Directors – One Vote).

**Property owners wishing to speak to 1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises**

*That the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 2, Section 16, Range 8, Cranberry District, Plan 11970, (1673 Gerrand Road), to remove the accumulation of disused, discarded materials and refuse, unlicensed derelict vehicles, boats, recreational vehicles, scrap metal, automotive parts, scrap wood and refuse 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.*

**1016 Harrison Way – Electoral Area ‘B’ – Unsightly Premises** (All Directors – One Vote).

**Property owners wishing to speak to 1016 Harrison Way – Electoral Area ‘B’ – Unsightly Premises.**

*That the Board, pursuant to Unsightly Premises Regulatory Bylaw No. 1073, 1996, directs the owner of Lot 35, Section 12, Gabriola Island, Nanaimo District, Plan 23619, (1016 Harrison Way), to remove the accumulation of discarded and disused wood waste, miscellaneous debris, scrap metal, old bikes, building materials, plastic and several structures from the property within sixty (60) days, or the work will be undertaken by the Regional District of Nanaimo or its agents at the owner's cost.*

**EXTERNAL BOARDS**

**Englishman River Water Service.**

**Minutes of the Englishman River Water Service Management Board meeting held Tuesday, June 24, 2014** (All Directors – One Vote).

*That the minutes of the Englishman River Water Service Management Board meeting held Tuesday, June 24, 2014 be received for information.*

**BUSINESS ARISING FROM DELEGATIONS AND COMMUNICATIONS**

**Marihuana for Medical Purposes in River's Edge** (All Directors – One Vote).

*That correspondence be sent to Health Canada by the Regional District of Nanaimo opposing the issuance of a permit for the production of medical marihuana at 1085 Paradise Place due to negative impacts on adjacent residential areas, lack of water and sewer infrastructure, traffic and security concerns.*

**Metro Vancouver Solid Waste Bylaw 280** (All Directors – One Vote).

*That staff be directed to prepare correspondence from the Regional District of Nanaimo Board Chair to the appropriate Provincial Ministries reaffirming the Board's support for Metro Vancouver's Bylaw 280, encouraging the Minister to approve the Bylaw; and that staff be directed to forward copies of the correspondence to all Association of Vancouver Island and Coastal Communities members encouraging those jurisdictions to send similar indications of support for the Bylaw to the Province.*

**7.5 SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES**

**Electoral Area 'F' Parks and Open Space Advisory Committee**

121-123 **Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee Meeting held Wednesday, July 9, 2014** (For Information) (All Directors – One Vote).

**Sustainability Select Committee**

124-126 **Minutes of the Sustainability Select Committee Meeting held Tuesday, September 16, 2014** (For Information) (All Directors – One Vote).

127-130 **Release of Corporate Climate Action Reserve Funds – September 2014** (All Directors – Weighted Vote).

- 1. That the Board approve the release of up to \$30,000 from the Corporate Climate Action Reserve Fund for investment in a variable frequency drive pump speed controller for the Departure Bay Pump Station.*
- 2. That the Board approve the release of up to \$4,500 from the Corporate Climate Action Reserve Fund for the regional purchase of SMARTTool.*

- 131-135                    **2014 Regional Emission Reduction Targets** (All Directors – Weighted Vote).
- That staff proceed with developing a request for proposals from qualified professionals to evaluate potential legal instruments and develop the legal language necessary to protect private forest land in perpetuity for the purpose of implementing regional emission reduction targets.*

**Transit Select Committee**

- 136-138                    **Minutes of the Transit Select Committee Meeting held Thursday, September 18, 2014** (For Information) (All Directors – One Vote).

- 139-144                    **BC Transit 3 Year Expansion – Memorandum of Understanding** (All Directors – Weighted Vote)

*That the 3 year Expansion Memorandum of Understanding between BC Transit and the Regional District of Nanaimo be approved.*

**Transit Service from Comox Valley Regional District to Electoral Area ‘H’** (All Directors – One Vote).

*That staff be directed to send a letter to the Comox Valley Regional District and BC Transit to request consideration of their transit service being extended into Electoral Area ‘H’, and, if the response indicates it is feasible, that a service agreement be prepared for consideration of the RDN Board.*

**Removal of Route 15A VIU** (Nanaimo, Lantzville, Electoral Areas ‘A’ and ‘C’ – Weighted Vote).

*That staff be directed to bring a report to the Board on options to remove Conventional Transit from Electoral Area ‘C’ while retaining Custom Transit.*

**8. ADMINISTRATOR’S REPORTS**

- 145-151                    **Zoning Amendment Application No. PL2014-028 – Bylaw 500.393, 2014 – Third Reading – Steve Atkinson – 3119 Jameson Road, Electoral Area ‘C’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

- 152-155                    **Zoning Amendment Application No. PL2013-089 – Bylaw 500.390 – Adoption – Robert and Gigi Obradovic – 3389 Jingle Pot Road, Electoral Area ‘C’** (Electoral Area Directors, Except EA ‘B’ – One Vote).

- 156-160                    **Proposed Schedule to Approve the 2015-2019 Financial Plan** (All Directors – One Vote).

- 161-188                    **2014 Gas Tax Transfer and Community Works Fund Program Update** (All Directors – One Vote).

- 9.       **ADDENDUM**
  
- 10.      **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**
  
- 11.      **NEW BUSINESS**
  
- 13.      **IN CAMERA**

*That pursuant to Section 90 (1)(a) of the Community Charter the Board proceed to an In Camera meeting for discussions related to Board appointments.*

- 14.      **ADJOURNMENT**

**Re: Society Activities and Use of Funds**

From: Diane Cornish

Sent: Tuesday, September 02, 2014 11:59 PM

Subject: Gabriola Museum

Under the Agreement between the Gabriola Museum and the RDN, we need to report on our activities. Can you tell me when the next meeting is?

Thanks,

Diane Cornish

**Re: Request for Bylaw 500 Amendment to Permit Chickens on Smaller Parcels**

**From:** Jill Jacobs

**Sent:** Monday, September 08, 2014 4:38 PM

**Subject:** Request for board presentation

To follow up my phone call to you this morning, I would like to request an appearance as a delegation in front of the board of directors for the RDN. My presentation is concerning the request for a bylaw amendment to the current bylaw: RDN Land Use & Subdivision Bylaw No. 500, 1987. This bylaw currently does not permit the keeping of chickens on a parcel of less than 1000 sq. meters. I live in Area G of the RDN on a parcel of land which according to RDN records is 769 sq. meters. My presentation would request the consideration of either a relaxation of the bylaw concerning my property, or an amendment of the bylaw to allow poultry on smaller plots of land in residential areas (currently allowed in the city of Nanaimo, as well as many other major cities and municipalities). I would appreciate any information and direction as to how I may present this request. Please feel free to contact me if more information is needed.

Sincerely,

Jillian Kim

Home: (250) 594-3199

Cell: (250) 937-0294

E-mail: [jillleighbean@hotmail.com](mailto:jillleighbean@hotmail.com)



**Re: 1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises**

From: clinton murray

Sent: Monday, September 15, 2014 2:02 PM

Subject: In regards to 1673 Gerrand Rd Cedar

Nice talking to you Matt, as mentioned both Debbie Lannon and myself Clint Murray ( 1681 Gerrand Rd ) will be attending the meeting on September 30th in regards to the Danny Moore at 1673 Gerrand Rd. and would both like to voice our concerns and view points in this matter, Thanks Clint Murray

**Re: 1673 Gerrard Road – Electoral Area ‘A’ – Unsightly Premises.**

**From:** Lori Spoor

**Sent:** Thursday, September 18, 2014 1:32 PM

**Subject:** 1673 Gerrard

Yes I would like to come to the meeting on September 30 and express my concerns regarding this property. Can you please confirm you received this email.

**Lori Spoor**

**Sutton Group**

**Real Estate**

**250-739-8900**

**Re: 1673 Gerrand Road – Electoral Area 'A' – Unsightly Premises.**

**From:** Allan Lauriente

**Sent:** Monday, September 22, 2014 10:48 AM

**Subject:** re: Property @1673 Gerran Rd.

I would like to come to the meeting set for Sept 30 regarding this property and express my concerns.

My name is Allen Lauriente, I am a neighbour and my address is 1669 Cedar Road, Nanaimo, B.C. V9X 1L4

Thanks,

Allen Lauriente

**Re: Zero Waste Alliance Conference, October 2 – 4, 2014.**

From: "[barb@gibsonsrecycling.ca](mailto:barb@gibsonsrecycling.ca)"

Subject: Re: Zero Waste canada Conference request

Thank you the opportunity for Zero Waste Canada to request sponsorship of Nanaimo Zero waste Conference.

I have noted that the board meeting on Sept 30 is at 7pm, unfortunately our board members will not be able to attend this meeting as many of us will be travelling. Our executive director, Scott Morrison could make a skype presentation to the board to outline our program, give details about conference budget and expenses and answer any questions that the board may have. Would a skype presentation be allowed or possible?

Regards

Barbara Hetherington

Zero Waste Canada

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR BOARD MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, AUGUST 26, 2014 AT 7:12 PM IN THE  
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Alternate	
Director F. Van Eynde	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director J. de Jong	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
Alternate	
Director B. McKay	City of Nanaimo
Alternate	
Director F. Pattje	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Regrets:

Director G. Holme	Electoral Area E
Director D. Brennan	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo

Also in Attendance:

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

## CALL TO ORDER

The Chairperson called the meeting to order and welcomed Alternate Directors' McKay, Pattje, and Van Eynde to the meeting.

## BOARD MINUTES

### Minutes of the Regular Board meeting held Tuesday, July 22, 2014.

- 14-596 MOVED Director Lefebvre, SECONDED Director Anderson, that the minutes of the Regular Board meeting held Tuesday, July 22, 2014, be adopted.

CARRIED

## COMMUNICATION/CORRESPONDENCE

### Coralee Oakes, Minister of Community, Sport, and Cultural Development, re Request to Reconsider Changes to the Classification of Land as a Farm Regulation.

- 14-597 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Coralee Oakes, Minister of Community, Sport, and Cultural Development, regarding the request to reconsider changes to the classification of land as a Farm Regulation be received.

CARRIED

### Jay Schlosar, Province of British Columbia, Gary MacIsaac, UBCM, re Successful Efforts to Measure and Reduce your Corporate Greenhouse Gas Emissions for the 2013 Reporting Year.

- 14-598 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Jay Schlosar, Province of British Columbia, and Gary MacIsaac, Union of BC Municipalities, regarding successful efforts to measure and reduce your Corporate Greenhouse Gas Emissions for the 2013 reporting year be received.

CARRIED

### Wendy Pratt, Nanaimo Community Hospice, re Expand the Heart of Hospice Capital Campaign.

- 14-599 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Wendy Pratt, Nanaimo Community Hospice, regarding the Expand the Heart of Hospice Capital Campaign be received.

CARRIED

### Guillermo Ferrero, City of Nanaimo, re City of Nanaimo Application for Additional Hotel Room Tax.

- 14-600 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Guillermo Ferrero, City of Nanaimo, regarding the City of Nanaimo Application for Additional Hotel Room Tax be received.

CARRIED

### Ross Peterson, re Englishman River Water Service – Implications for Nanoose Bay.

- 14-601 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Ross Peterson regarding the Englishman River Water Service – Implications for Nanoose Bay be received.

CARRIED

**Art Kaehn, Chair, Regional District of Fraser-Fort George, re Call for Changes to the Provincial Recycling Regulation.**

- 14-602 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Art Kaehn, Chair, Regional District of Fraser-Fort George, regarding a call for changes to the Provincial Recycling Regulation be received.

CARRIED

**Bill Miller, Chair, Regional District of Bulkley-Nechako, re Transit of Hazardous Materials Through our Communities.**

- 14-603 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Bill Miller, Chair, Regional District of Bulkley-Nechako, regarding transit of hazardous materials through our communities be received.

CARRIED

**Bill Woollam, re Environmental Impacts of Fracking.**

- 14-604 MOVED Director Van Eynde, SECONDED Director Fell, that the correspondence from Bill Woollam, regarding the environmental impacts of fracking be received.

CARRIED

**UNFINISHED BUSINESS**

**BYLAW ADOPTION**

**Bylaw 975.62 – Pump and Haul Local Service Establishment Amendment to Exclude – 7187 Lantzville Road, Lantzville, BC.**

- 14-605 MOVED Director de Jong, SECONDED Director Young, that "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.62, 2014" be adopted.

CARRIED

**SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES**

**Electoral Area 'E' Parks and Open Space Advisory Committee.**

**Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee Meeting held Monday, June 2, 2014.**

- 14-606 MOVED Director Van Eynde, SECONDED Director Fell, that the minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee meeting held Monday, June 2, 2014, be received for information.

CARRIED

**Electoral Area 'B' Parks and Open Space Advisory Committee.**

- 14-607 MOVED Director Houle, SECONDED Director Young, that the minutes of the Electoral Area 'B' Parks and Open Space Advisory Committee meeting held Tuesday, June 3, 2014, be received for information.

CARRIED

**Proposal for New Trail in Cox Community Park.**

- 14-608 MOVED Director Houle, SECONDED Director Young, that staff investigate the siting and development of the proposed additional trail in Cox Community Park.

CARRIED

**Electoral Area 'A' Parks, Recreation, and Culture Commission.**

**Minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission Meeting held Wednesday, June 18, 2014.**

- 14-609 MOVED Director McPherson, SECONDED Director Young, that the minutes of the Electoral Area 'A' Parks, Recreation, and Culture Commission meeting held Wednesday, June 18, 2014, be received for information.

CARRIED

**ADMINISTRATOR'S REPORTS**

**Contract Award – Regional Landfill Sanitary Line Relocation.**

- 14-610 MOVED Director Anderson, SECONDED Director Fell, that the Board direct staff to proceed with tender award to Windley Contracting Ltd for relocation of the Regional Landfill sanitary sewer line in the amount of \$412,028.

CARRIED

**Wastewater Services – Centrifuge Rotating Assembly Purchase.**

- 14-611 MOVED Director Lefebvre, SECONDED Director Anderson, that the Board approve the purchase of an Alfa Laval centrifuge rotating assembly for a purchase price of \$169,000.

CARRIED

**Extension School Building Assessment – Community Works Funds.**

- 14-612 MOVED Director Young, SECONDED Director Veenhof, that the building assessment for Extension School be funded by Electoral Area 'C' Community Works Funds in the amount of \$13,800.

CARRIED

**Proposed Legislative Changes and Implementation of a Uniform BC Building Code.**

- 14-613 MOVED Director Veenhof, SECONDED Director Lefebvre, that the report be received for information and that staff be directed to prepare a letter to the Union of BC Municipalities and the Province indicating concerns that the proposal further erodes Regional District authority, and that the Board is concerned that this approach risks innovation in construction.

CARRIED

**Board Remuneration Review Committee Recommendations.**

- 14-614 MOVED Director McPherson, SECONDED Director Young, that Board Remuneration be referred to staff to revise Bylaw No. 1078.08, 2014 with the addition of additional meeting compensation for Directors.

CARRIED



- 14-615 MOVED Director Anderson, SECONDED Director Lefebvre, that the minutes of the Board Remuneration Review Committee meetings held May 20, 2014, June 17, 2014, and July 21, 2014, be received for information.

CARRIED

**OCP/Zoning Amendment Application No. PL2014-022 – Bylaw 500.392 – Third Reading – Keith Brown – Electoral ‘A’.**

- 14-616 MOVED Director McPherson, SECONDED Director Young, that the report of the Public Hearing held on August 21, 2014 for "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.392, 2014" be received.

CARRIED

- 14-617 MOVED Director McPherson, SECONDED Director Young, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.392, 2014" be read a third time.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR CORRESPONDENCE**

**Guillermo Ferrero, City of Nanaimo, re City of Nanaimo Application for Additional Hotel Room Tax.**

- 14-618 MOVED Director Anderson, SECONDED Director Pattje, that the Regional District of Nanaimo Board add a letter of support for the City of Nanaimo's proposed application for the implementation of an additional hotel room tax.

CARRIED

**Ross Peterson, re Englishman River Water Service – Implication for Nanoose Bay.**

- 14-619 MOVED Director Lefebvre, SECONDED Director Willie, that Regional District of Nanaimo staff and Parksville staff work together to respond to Mr. Peterson.

CARRIED

**NEW BUSINESS**

**Appointment to the Board of Variance.**

- 14-620 MOVED Director Van Eynde, SECONDED Director McPherson, that David Wiwchar be appointed to the Board of Variance for a term ending December 31, 2017.

CARRIED

**Appointments to the Regional Solid Waste Advisory Committee.**

- 14-621 MOVED Director Van Eynde, SECONDED Director McKay, that Kevin Arnold, Brian Dietrich, Craig Evans, John Finnie, Michele Greene, Gerald Johnson, Rod Mayo, Ellen Ross, and Amanda Ticknor be appointed to the Regional Solid Waste Advisory Committee for terms ending upon completion of the Solid Waste Management Plan Review.

CARRIED

**Meadowood Community Park Temporary Community Hall.**

- 14-622 MOVED Director Fell, SECONDED Director Young, that staff be directed to investigate the opportunity to acquire a surplus modular classroom from School District 69 to be sited at the Meadowood Community Park for the purposes of a "temporary" Community Hall, and report back to the Board on the options, costs, funding sources and potential schedule for the work necessary.

CARRIED

**On-going Funding Support to the Arrowsmith Search and Rescue SD 69.**

- 14-623 MOVED Director Fell, SECONDED Director Lefebvre, that staff be directed to investigate the opportunities, costs and funding options to provide on-going funding support to the Arrowsmith Search and Rescue in School District 69 and report back to the Board in time for consideration of funding through the 2015 Regional District of Nanaimo Budget process.

CARRIED

**2014 Provincial Wood Stove Exchange Funding.**

- 14-624 MOVED Director Veenhof, SECONDED Director Young, that the Regional District of Nanaimo Board of Directors acknowledges the community benefits provided through the Provincial Wood Stove Exchange Program, strongly supports the funding and educational opportunities offered through the Program, and directs staff to submit a proposal for consideration.

CARRIED

**IN CAMERA**

- 14-625 MOVED Director Lefebvre, SECONDED Director Houle, that pursuant to Section 90 (1)(e) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to the acquisition of land.

CARRIED

TIME: 8:15 PM

**ADJOURNMENT**

- MOVED Director Anderson, SECONDED Director Willie, that this meeting terminate.

CARRIED

TIME: 8:24 PM

---

CHAIRPERSON

---

CORPORATE OFFICER

**From:** Barb Hetherington [<mailto:barb.hetherington@zerowastecanada.ca>]  
**Sent:** Thursday, September 11, 2014 7:59 AM  
**To:** Trudeau, Dennis  
**Subject:** Nanaimo Zero Waste Conference

Good Morning Dennis;

It was suggested to me that you would be the person to contact regarding the possibility of the Nanaimo Regional District becoming a sponsor for the upcoming Zero Waste conference , Alternatives to Incinerators& Landfills; Zero Waste International Alliance Conference and Dialogue Oct 2-4.

We have not contacted the Regional District until this late date as we noted that summer months many key figures were on holiday, plus our local organizing team including Jan Hastings of NRE had wanted to be the first point of contact promoting the Nanaimo Regional District involvement in this conference.

I am a director with Zero Waste Canada , the national affiliate for Zero Waste International Alliance. Zero Waste Canada is a registered non-profit. We are a volunteer organization and it is a volunteer team that is organizing this conference.

This is the 9<sup>th</sup> annual Zero Waste International Alliance Conference, it is the first time a Canadian city has been chosen as the host city. Previous conferences have been hosted in Brazil, California, and Italy.

We are very excited about bringing this conference to Nanaimo. The reasons for the selection Nanaimo included: Nanaimo has facilities for an international conference including venue and transportation, Nanaimo has been in new with the issue of Metro Vancouver incinerator quest, the region is currently reviewing the solid waste plan, the Nanaimo area is a leader in Zero Waste actions and there is a engaged community.

The conference has attendees registering from around the globe, there are over 28 speakers presenting at the conference. You may see the conference programming at <http://www.zwia14.com/>

As you know most conferences including RCBC Recycling Conference, the Economic Summit rely on sponsorship to help cover the costs and to keep the price affordable for attendees. Like all of these conferences we also have sponsors that help us to cover venue costs, speaker travel expenses, food and promotion. As I stated it is a volunteer team organizing the conference and all funds are going toward conference expenses.

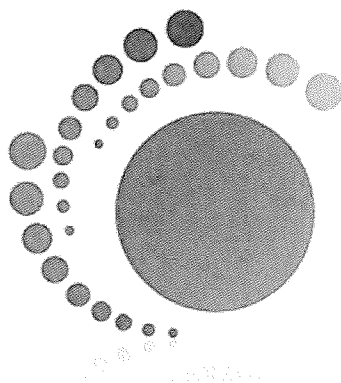
You may see other sponsors by looking at our sponsors page on our website <http://www.zwia14.com/p/sponsors.html> Zero Waste Canada has a sponsorship prospectus that I have attached to this email for your reference. We are creating win/win benefits for our sponsors that include social media promotion, logo placement on ads, poster and promotional materials.

I believe the Nanaimo Regional District will benefit from this conference and we certainly want to promote all the advances that Nanaimo has made.

Please. If you have any questions feel free to contact me.  
Thank for your consideration.

Cheers  
Barbara Hetherington  
Zero Waste Canada

# Sponsorship & Showcase Prospectus



## **ALTERNATIVES TO INCINERATORS AND LANDFILLS**

**Zero Waste International Alliance  
Conference & Dialogue 2014**

**Nanaimo Oct 2-4**

The Zero Waste International Alliance (ZWIA) Conference and Dialogue is the largest annual gathering for the Zero Waste community in the world. #ZWIA14 draws a diverse international delegation for which we are dedicated to providing an enjoyable experience to everyone.

With previous Conferences held in Brazil, Malaysia, Switzerland, Italy, Philippines and the USA, the Canadian National Affiliate for ZWIA, Zero Waste Canada Ltd., is honored to host this gathering in the City of Nanaimo British Columbia, a town that has recently voted against a proposed garbage incinerator.

**Sponsorship** enables your company to capitalize on the Zero Waste Canada's and the Zero Waste International Alliance's organizational strengths, respected brand, international reach and independence, while enabling you to focus on your communications and marketing objectives for the event.

**Showcase** (trade show element) participation gives your company a clear advantage over your competition, you are participating in the conversation about solutions and your product is the one being referred to by everyone. Could it get any better?

## Contents

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## Conference Profile

With over 300 innovators and influencers attending, #ZWIA14 promises to be the source for authentic Zero Waste alternatives. 100% of attendees will see your logo, walk past your showcase and/or hear of your support during opening and closing of each days events.

- **Conference Schedule:**
  - Full Conference and Local Zero Waste Fair: October 2-4
  - Two Day Conference, Dialogue and Showcase: October 2-3
  - One Day Local Fair: October 4
- **Come Learn About:** Zero Waste internals, beginner and advanced management practices and technologies. Case studies delivered by the innovators themselves sharing the skills necessary to achieve authentic Zero Waste and speeding up your Zero Waste transition.

## Audience Profile

Marketers, Brand Experts and Media are coming to learn how to communicate authentically around Zero Waste issues.	Sustainability, Material and Resource Consultants are coming to network and broaden their diversion knowledge base.
Businesses who want to learn of waste and material collection, sorting, management and market options.	Elected Officials and Policy Developers are coming to learn what others are doing around the world.
Companies searching for innovative new business structures to help maintain access to materials and customers.	Not-For-Profit, Government and Non-Government Organizations will be informing delegates of their programs and outreaching for support.

## Benefits of Sponsorship

Your conference sponsorship represents incredible value, because it capitalizes on the Zero Waste Canada's and the Zero Waste International Alliance's organizational strengths, respected brand, international reach and independence, while enabling you to focus on your communications and marketing objectives for the event.

### Direct Benefits of Sponsorship

A six-month multimedia marketing campaign designed to drive traffic to your website and reach your audience.	Responsive Zero Waste Canada Staff and Volunteers on hand at the conference to assist with your needs.
Logo displayed on looped slideshow on main presentation screen during breaks and between sessions and within Mobile Guide.	Participation in a respected forum for ideas and issues that affect your business and your customers.

### An Opportunity to Showcase, Discuss and Demonstrate.

Reinforce your commitment to the environment, local economy and positive societal change.	Raise brand awareness and positioning within a sustainability context.
Drive sales to products and services that help consumers, citizens or customers achieve authentic Zero Waste.	Programing that carefully explores the theory and best practices and expert opinions relevant to each conference topic and your business.

Your sponsorship helps keep #ZWIA14 affordable and accessible to the widest possible audience. #ZWIA14 is organized by volunteers from the Zero Waste community and underwritten by Zero Waste Canada Ltd., a registered Not-for-Profit Corporation set up to manage the growth and development of Zero Waste nationwide.



## Sponsor Packages

The #ZWIA14 Sponsorship Packages are designed for impact:

- Not only does **every attendee see your logo** on the big screen at #ZWIA14, on the conference webpage and in the Mobile Guide, but your logo will remain on the site for **6 months with a link to your website** and your description will be SEO and keyword optimized.
- Every delegate will **hear of your company's support each day** in the Opening or Closing Ceremonies.
- Prior to and proceeding #ZWIA14 our **Social Networking sites** will mention your participation to all of our followers (an audience of **over 7000!** as of July 2014) and **Press Releases outlining your support** will be optimized to provide you recognition in your market space.

### Principal Sponsorship — \$10,000 CAD

- 300 word description in #ZWIA14 Mobile Guide
- Principal sponsor link on Zero Waste Canada's #ZWIA14 webpage for 1 year
- Joint press releases highlighting the sponsor
- Blog posts highlighting the sponsor.
- Opportunity to reserve a Registration Area booth/table for October 2-3.
- 6 free sponsor registrations

### Major Sponsorship — \$7,500 CAD *Huge Value!*

- 200 word description in #ZWIA14 Mobile Guide
- Major sponsor link on Zero Waste Canada's #ZWIA14 website for 1 year
- Joint press releases highlighting the sponsor
- Blog posts highlighting the sponsor.
- Opportunity to reserve a Registration Area booth/table for October 2-3.
- 5 free sponsor registrations

### Presenting Sponsorship — \$5,000 CAD *Get Noticed!*

- 150 word description in #ZWIA14 Mobile Guide
- Presenting sponsor link on #ZWIA14 website
- Name included in press release
- 4 free sponsor registrations

### Supporting Sponsorship — \$2,500 CAD

- 100 word description in #ZWIA14 Mobile Guide
- Supporting sponsor link on #ZWIA14 website
- Name included in press release
- 3 free sponsor registrations

### **Recognition Sponsorship — \$1,000 CAD**

- 50 word description in #ZWIA14 Mobile Guide
- Recognition sponsor link on #ZWIA14 website
- Name included in press release
- 2 free sponsor registrations

### **#ZWIA14 Patron — \$500 CAD**

- For individuals and start-up businesses
- Listing in #ZWIA14 program guide
- Patron link on Sponsors page
- 1 free sponsor registration

### **Friends — \$100 CAD**

Every drop in the bucket will help Zero Waste Canada provide the best conference possible for Nanaimo. Your "Friends" donations will be awarded with "Citizen Membership" for 1 year with Zero Waste Canada.

### **In-Kind Sponsorship**

In-Kind items, services and volunteer hours can be exchanged for recognition and limited number of event tickets. Your In-Kind support will be awarded with "Citizen Membership" for 1 year with Zero Waste Canada.

*For Media Sponsorships and to learn more of our "Friends & Founders" program for alternative pledges, please contact Scott J Morrison for all details:  
[on@zerowastecanada.ca](mailto:son@zerowastecanada.ca)*

## À la carte Options

The break table option can be added to other packages. **Conference Day 1 or 2 Coffee Break Sponsorship** includes:

- Provides coffee and tea for the attendees for up to 4 hours during the conference.
- Banner in Coffee Break area (provided by sponsor).
- Reference in days announcements.
- \$600 CAD per day.

In providing lunch for our delegates your company will be the talk of the event, during the lunch break anyway. **Conference Day 1 or 2 Lunch Sponsorship** includes:

- Provides buffet style Sandwiches, snacks and beverages.
- Banner and Promotional Materials will be placed in serving area (provided by sponsor).
- Reference in days announcements.
- \$4000 CAD per day.

## Sponsorship Registration Form

Industry/Company/Organization: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province/Territory: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Main Contact (person who will be on site at #ZWIA14):

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

First/Last Name of second person to work at booth:

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

To assist in general Assembly planning, please indicate which hotel you will be staying at while in Nanaimo (optional):

Hotel Name: \_\_\_\_\_

Check In Date: \_\_\_\_\_ Check Out Date: \_\_\_\_\_

Sponsorship Package (please check):

\_\_\_\_\_ Principal Sponsorship — \$10,000 CAD

\_\_\_\_\_ Major Sponsorship — \$7,500 CAD

\_\_\_\_\_ Presenting Sponsorship — \$5,000 CAD

\_\_\_\_\_ Supporting Sponsorship — \$2,500 CAD

\_\_\_\_\_ Recognition Sponsorship — \$1,000 CAD

\_\_\_\_\_ #ZWIA14 Patron — \$500 CAD

\_\_\_\_\_ À la carte Options - Coffee Break - \$500 CAD/Day

\_\_\_\_\_ À la carte Options - Lunch Break - \$4000 CAD/Day

If additional passes are required, exhibitors must complete the #ZWIA14 registration form (<http://goo.gl/6iguhz>) and provide payment as an observer to #ZWIA14.

### Method of Payment

Method of Payment (please select one)

Company/Organization    Money Order    Visa    MasterCard    Amex

Cheque Certified (Enclosed)    Cheque (Enclosed)

If paying by credit card please complete the following:

Card Number: Exp (MM/YY): /

Card Holder's Signature:

Print name:

**Payment Information:**

Please submit this form with payment to the address below.

If paying by cheque, please make it payable to: Zero Waste Canada Ltd.

Attn: Buddy Boyd

PO Box 1639

Gibsons Landing, British Columbia, V0N 1V0 Canada

Phone: 1-604-740-1425

Facsimile 1-604-886-3352

A confirmation of the receipt of your registration form will be provided within one week of the #ZWIA14's receipt of the form.

If you do not hear back in regards to your request, please contact Buddy Boyd directly at 1-604-740-1425 or by email: [info@zerowastecanada.ca](mailto:info@zerowastecanada.ca).

## Showcase (Tradeshow)

### Direct Benefits of Showcase Participation

Networking, engagement, lead generation and contact tracking system integrated into delegate name tags and passes with QR Codes.	Responsive Zero Waste Canada Staff and Volunteers on hand at the conference to assist with your needs.
Participation in a respected forum for ideas, issues and solutions that affect your business and your customers.	Amplification of your message in a setting of dialogue and heightened receptiveness.

The format of our Showcase program gives participants the ability to capture the audience and leads in an engaged environment. Imagine having 300+ delegates in your booth, welcome to #ZWIA14!

### Audience Profile

Procurement and Purchasing Directors who must meet their companies sustainability goals through improve performance.	Sustainability, Material and Resource Consultants are coming to network and broaden their diversion knowledge base.
Businesses who want to learn of waste and material collection, sorting, management and market options.	Companies searching for innovative new products and services to help them achieve their Zero Waste goals.

Want to see the buzz around #ZWIA14?

Visit our social media sites and see what people are saying already.



<http://goo.gl/x124Mf>



<https://twitter.com/zerowastecanada>



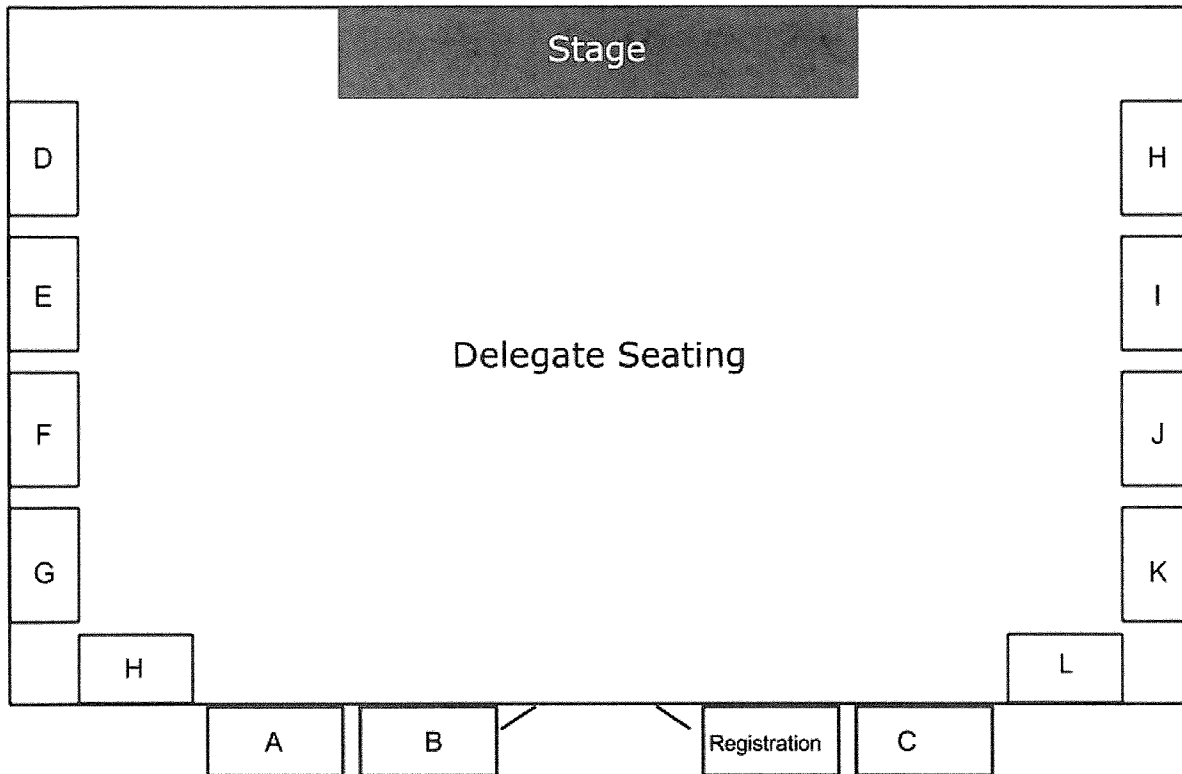
<https://www.facebook.com/ZeroWasteCanada>

Attending the #ZWIA14 Showcase gives your company a clear advantage over your competition, you are participating in the conversation about solutions and your product is the one being referred to by everyone. Could it get any better?

The **#ZWIA14 Showcase** is a hybrid of expo, tradeshow and conference all rolled into one very attractive package. There is no better way of engaging your potential customers than demonstrating your advantages in context.

There are 13 quality tables/booth spaces available, that also include 1 All-Inclusive Pass for the Dialogue, they include:

- A - C (3) 8 ft tables in Main Hall Foyer ~~\$1,600 ea.~~ \$1,400 ea!
- D - L (10) 6 ft tables in Main Hall ~~\$900 ea.~~ \$800 ea!



Due to limited space we ask that you email Scott J Morrison to enquire about availability of tables prior to sending in your Showcase Application Form, [on@zerowastecanada.ca](mailto:on@zerowastecanada.ca)

Please note that this event will be held at the Coast Bastion Hotel, 11 Bastion St, Nanaimo B.C.

All move-in procedures and schedule will be sent to applicants once submissions have been approved.

## Showcase Application Form

Industry/Company/Organization: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province/Territory: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Main Contact (person who will be on site at #ZWIA14):

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

First/Last Name of second person to work at booth:

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

To assist in general Assembly planning, please indicate which hotel you will be staying at while in Nanaimo (optional):

Hotel Name: \_\_\_\_\_

Check In Date: \_\_\_\_\_ Check Out Date: \_\_\_\_\_

Exhibitor Space (please check):

\_\_\_\_\_ Premium Booth Space @\$1400 Includes: a prime location in Main Hall Foyer, beside Registration; one

\_\_\_\_\_ Premium Booth Space @\$800 Includes: a prime location within the Exhibit Hall; one

Please indicate your preferred table by referring to the image on the previous page and use the letter according to your 1st-3rd choice:

1st Choice: \_\_\_\_\_ 2nd Choice: \_\_\_\_\_ 3rd Choice: \_\_\_\_\_

(1) table; up to two (2) chairs; (A-C) 10' x 6' or (D-L) 6' x 6' booth space; drapery; and booth signage with company name; company/organization description and logo within the Showcase guide; and, two (2) exhibitor passes with access to the Showcase area and the Conference and Dialogue.

All other services related to the trade show booth are the responsibility of each exhibitor. This includes but is not limited to costs such as: electricity, water, telephone/fax, internet, shipping, storage and handling. Once an exhibitor is registered and has provided payment, an exhibitor package of information will be provided with details and instructions on ordering and payment for additional services.

If additional passes are required, exhibitors must complete the #ZWIA14 registration form (<http://goo.gl/6jquhz>) and provide payment as an observer to #ZWIA14.



## Method of Payment

Method of Payment (please select one)

Company/Organization    Money Order    Visa    MasterCard    Amex

Cheque Certified (Enclosed)    Cheque (Enclosed)

If paying by credit card please complete the following:

Card Number: Exp (MM/YY): /

Card Holder's Signature:

Print name:

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Attn: Buddy Boyd

PO Box 1639

Gibsons Landing, British Columbia, V0N 1V0 Canada

Phone: 1-604-740-1425

Facsimile 1-604-886-3352

A confirmation of the receipt of your registration form will be provided within one week of the #ZWIA14's receipt of the form.

If you do not hear back in regards to your request, please contact Buddy Boyd directly at 1-604-740-1425 or by email: [info@zerowastecanada.ca](mailto:info@zerowastecanada.ca).

Exhibitors must submit this registration form with payment prior to September 1st, 2014. Refunds for cancellation of booth space are fully refundable up to September 1st, 2014. Payments are non-refundable after September 1st, 2014. Receipts for payment will be provided at set up/registration on site at #ZWIA14.

Exhibitor Guide/Space Assignment:

The Showcase booth exhibitor company name, as written on the Showcase Registration Form, and submitted by September 1st, 2011, will be included in the #ZWIA14 Mobile Guide. #ZWIA14 reserves the right to assign all booth numbers and location.

### #ZWIA14 Office Use Only:

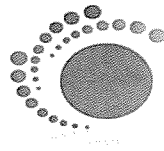
Booth #: \_\_\_\_\_

Date Received: \_\_\_\_\_

For Immediate Release

September 2 2014

Zero Waste Canada



## **ALTERNATIVES**

**TO INCINERATORS AND LANDFILLS**

Zero Waste International Alliance Conference  
& Dialogue 2014, Nanaimo Oct 2-4

Contact: Barbara Hetherington

[barb.hetherington@zerowastecanada.ca](mailto:barb.hetherington@zerowastecanada.ca)

Zero Waste Canada hosts alternative Zero Waste Conference in  
Nanaimo B.C.

[Conference event](#)

[Sponsors](#)

[Zero Waste Canada](#)

[ZWIA](#)

### **Alternatives to Incinerators & Landfills; Zero Waste International Alliance Conference and Dialogue**

Oct 2-4 Nanaimo BC

This is a conference that unites international and local communities to share Zero Waste solutions. International experts, representatives of the public and private sector, environmental organizations, and community leaders will discuss and present Zero Waste success stories.

---

**ZERO WASTE CANADA INVITES YOU TO BE PART OF THE SOLUTION.**

**Join us in Nanaimo BC Oct 2-4**

The conference's diverse program will feature practical solutions and actions for conserving resources, eliminating waste and pollution, engaging and educating community, creating jobs and economic opportunities, promoting sustainability and self-reliance.

\*connect and network with international Zero Waste leaders and change-makers

\*discover how the grassroots organizations are working with the business community to achieve sustainable outcomes

\*learn about innovations and new technologies

\*learn about genuine Zero Waste

---

## KEYNOTE SPEAKERS

**Paul Connett:** Author of *The Zero Waste Solution*, Zero Waste activist

**Dan Phillips:** Founder of Phoenix Commotion, builder and designer

---

On the forefront of the world's transition to a circular economy, Zero Waste Canada is proud to host the 9th annual Zero Waste International Alliance Conference and Dialogue in Nanaimo BC. This multi-day and multi-location solutions-based conference and dialogue will make the connection between product design, procurement, lifecycle, public policy and true economic, cultural and environmental sustainability of our communities.

---

## Featuring over 28 speakers from around the globe including:

**Flore Berlagen:** OuiShare, Co-founder of Zero Waste France

**David Katz:** Founder and CEO of The Plastic Bank

**Stephanie Barger:** Founder and Director of US Zero Waste Business Council

**Lluís Amengual:** Environmental journalist, Waste Specialist

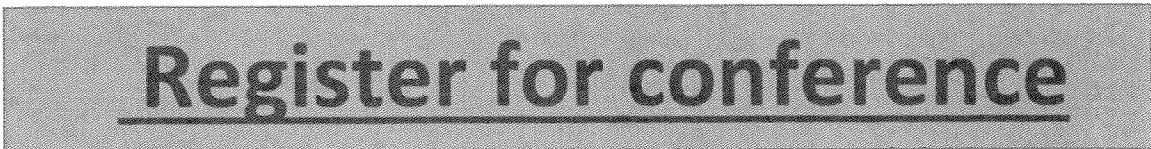
**Jutta Gutberle:** Participatory Sustainable Waste Management

**Taiwo Adewole:** Chairman & Managing Director Taiwo Adewole and Associates Nigeria

**Gary Liss:** ZWIA Certifications Chair, Gary Liss and Associates

---

Click to



**Register for conference**



RDN CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GM R&P	
GMS&CD		GM T&SW	
GM R&CU		DF	
SEP 15 2014			
DCS		BOARD	<input checked="" type="checkbox"/>
CHAIR	<input checked="" type="checkbox"/>		

1013727

September 3, 2014

Mr. Joe Stanhope, Chair  
Regional District of Nanaimo  
6300 Hammond Bay Rd  
Nanaimo BC V9T 6N2

Dear Mr. Stanhope:

The Honourable Terry Lake, Minister of Health, has asked me to respond to your letter of July 15, 2014, regarding grant funding support for the Englishman River Water Service project. I apologize for the delay in responding.

As indicated in the Minister's previous response of August 14, 2014, to His Worship Mayor Chris Burger, City of Parksville, the province's regional health authorities administer the *Drinking Water Act and Drinking Water Regulation*, which outline the requirements and provisions for potable water supply in British Columbia. It is my understanding from Ministry of Health staff that the Vancouver Island Health Authority has been in discussions with the Regional District of Nanaimo and the City of Parksville to ensure that the long term water supply in your community continues to achieve the outcomes set by legislation and regulation.

While communities may be required to invest in water systems to meet legislative and regulatory requirements, the Ministry of Health only provides capital funding to support investments for the delivery of direct health care services, which includes hospital replacement, hospital expansions or renovations, infrastructure for specialized medical services and medical equipment.

The Ministry of Community, Sport and Cultural Development (CSCD) is responsible for coordinating municipal infrastructure funding through a variety of grant programs. There may also be funding opportunities available through the Union of British Columbia Municipalities (UBCM). I encourage you to contact CSCD and UBCM as potential funding partners for this project and to continue discussions with the Vancouver Island Health Authority to see how best to further your project.

I appreciate the opportunity to respond.

Yours truly,

Manjit Sidhu, CA  
Assistant Deputy Minister  
Finance and Corporate Services

Ministry of Health

Office of the Assistant Deputy Minister  
Finance and Corporate Services

4-4 1515 Blanshard Street  
Victoria BC V8W 3C8

Facsimile: 250 952-1573

pc: Honourable Christy Clark, Premier  
Honourable Terry Lake, Minister of Health  
Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development  
Honourable Todd Stone, Minister of Transportation and Infrastructure  
Ms. Michelle Stilwell, MLA Parksville-Qualicum



September 16, 2014

File:

Dear Stakeholder:

**Re: Draft Minister's Bylaw Standard on Medical Marihuana Production Facilities**

Attached is discussion paper prepared by the BC Ministry of Agriculture. This paper contains a draft set of criteria for developing local government bylaws regarding medical marihuana production in the Agricultural Land Reserve (ALR). The criteria describe what is considered a permitted use in the ALR by the Ministry.

The discussion paper describes the issue, provides the framework for developing the bylaw standard, and proposes criteria for developing local government bylaws. We are most interested in input on the criteria (Part 4) but we welcome feedback on all sections of the paper. Please provide us with comments directed specifically at the content of the paper so that your feedback can be effectively incorporated into the final document. We would like to receive all comments by October 26, 2014 (via mail, fax or email). Once stakeholder input has been received and incorporated into the discussion paper, the criteria will be sent to the Ministry executive and Minister for final approval. Once approval has been received, the information will be distributed to local governments and incorporated into the Ministry's "Guide for Bylaw Development in Farming Areas".

You may send your feedback by email, Canada Post, or fax.

**Email: [AgriBylaw@gov.bc.ca](mailto:AgriBylaw@gov.bc.ca)**

**Mail:**

**Medical Marihuana Production Facilities in the ALR Consultation**

**Ministry of Agriculture**

**PO Box 9120 Stn Prov Govt**

**Victoria, BC V8W 9B4**

**Fax: 250 356-0358**

---

Ministry of Agriculture

Innovation and Adaptation  
Services Branch

**Mailing Address:**

1767 Angus Campbell Rd  
Abbotsford, BC V3G 2M3

**Telephone:** 604 556-3109  
**Facsimile:** 604 556-3099

**Web address:** <http://www.gov.bc.ca/agri/>

Please direct your questions or comments to:

Gregory Bartle – ph 250 387-9687, fax 250 356-0358, [Gregory.Bartle@gov.bc.ca](mailto:Gregory.Bartle@gov.bc.ca); or  
Bert van Daltsen – ph 604 556-3109, [Bert.vanDaltsen@gov.bc.ca](mailto:Bert.vanDaltsen@gov.bc.ca) ; or  
Toll-free for South Coast and Vancouver Island: 1-888-221-7141  
Toll-free for Interior and Northern BC: 1-800-334-3011

Yours truly,



Bert van Daltsen, PEng.  
Manager, Strengthening Farming Program  
Innovation and Adaptation Services Branch



Ministry of  
Agriculture

**Regulating  
MEDICAL MARIHUANA PRODUCTION FACILITIES  
in the ALR**

**DISCUSSION PAPER AND PROPOSED MINISTER'S BYLAW STANDARDS**

**September 15, 2014**

**Prepared by:  
Strengthening Farming Program  
Innovation and Adaptation Services Branch**



## Executive Summary

Canadian courts have determined that individuals who have demonstrated a medical need for marihuana must have reasonable access to a legal source of marihuana for medical purposes. In-line with this, the Federal Government has introduced the “Marihuana for Medical Purposes Regulations” (MMPR) in June 2013, to update the system in which patients access medical marihuana and how medical marihuana is produced to address issues with the previous system.

The province has considered medical marihuana and decided that it is a farm use and should not be prohibited by local governments in the Agricultural Land Reserve (ALR). This discussion paper was prepared by the BC Ministry of Agriculture (AGRI) to seek input on the establishment of a Minister’s Bylaw Standard to guide local government bylaw development regarding medical marihuana production facilities in the ALR.

The discussion paper describes the process to develop the bylaw criteria, background information, current policies and regulation, and proposed set of criteria. The draft criteria are in Part 4.3. The consultation period closes on October 26, 2014. The feedback will be compiled and analyzed and the discussion paper and criteria will be updated. The Minister of Agriculture may consider establishing the updated criteria as a Bylaw Standard and incorporating the criteria into the Ministry’s “Guide for Bylaw Development in Farming Areas”.

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## **Introduction**

This discussion paper outlines a set of criteria for regulating Medical Marihuana Production Facilities (MMPFs) in the Agricultural Land Reserve (ALR) and serves as a basis for further discussion with local governments and the agricultural industry to ensure the criteria effectively deal with the issue of MMPFs from a land use regulation perspective. The criteria that have been developed reflect analysis undertaken by Ministry of Agriculture (AGRI) staff as well as current approaches being used by local governments to accommodate MMPFs. The criteria can also be modified by local governments to be made less restrictive to meet local agricultural needs.

## 1.0 Part one – The Criteria Development Process

The intent of this process is to develop criteria that can be used by local governments to establish land use policy or regulations to address MMPFs in the ALR. Following consultation with stakeholders, these criteria, if approved by the Minister of Agriculture, may become standards and be incorporated into the “Guide for Bylaw Development in Farming Areas” (Bylaw Guide).<sup>1</sup>

### *Purpose and Goals*

The purpose of establishing the criteria is to address local government concerns regarding MMPFs while recognizing that MMPFs are considered a permitted use within the ALR. These criteria will:

1. Meet the needs of the agriculture industry;
2. Minimize the impact of MMPFs in the agricultural area; and
3. Minimize the risk of MMPFs being used for non-farm purposes

### *Scope*

The land use regulation criteria considered in this Discussion Paper were developed by considering MMPFs as being similar to other types of agricultural buildings in the ALR and by identifying other potential issues pertaining to MMPFs that should also be addressed. While consideration of the health, safety and welfare of the general public are acknowledged, the proposed set of criteria is not intended to replicate Health Canada regulations, policing authority, and the BC Building Code.

### *Stakeholders*

It is anticipated that the medical marijuana stakeholders involved in developing these bylaw standards will include:

- a) Local governments and their Agricultural Advisory Committees;
- b) The BC Agriculture Council;
- c) Agricultural Land Commission staff;
- d) The Canadian National Medical Marijuana Association;
- e) The Canadian Medical Cannabis Industry Association;
- f) Health Canada;
- g) Community, Sport and Cultural Development Ministry staff; and
- h) Ministry of Health

### *Objectives of the Process*

The objectives of the development process are to:

1. Create a set of criteria for review by stakeholders;
2. Consult with stakeholders; and
3. Develop standards that local governments can adapt and apply as policy or regulation.

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<sup>1</sup> Under the *Local Government Act* (Part 26, Division 8, Section 916), the Minister responsible for the *Farm Practices Protection (Right to Farm) Act* can develop bylaw standards to guide the development of zoning and farm bylaws. Development of provincial standards is intended to promote consistency in the regulation of, and planning for, farming. However, provision has been made under Section 916(3) to allow the standards to differ, if necessary, to respond to BC’s diverse farming industry and land base.

### *Key Steps*

There are five key steps in creating the Minister's bylaw standards. AGRI staff will:

1. develop draft criteria;
2. consult with internal and external stakeholders and receive feedback on the draft criteria;
3. revise criteria for consideration by the Minister;
4. seek Minister's approval ; and
5. encourage local governments to adopt and apply criteria.

### *Process to Date*

AGRI staff reviewed the Health Canada regulations, BC policy and regulations applying to the ALR and BC local government land use bylaws relating to MMPFs. The literature was also reviewed on the regulation of medical marijuana production in other Canadian jurisdictions and the American States of Colorado and Washington. The existing criteria in the Bylaw Guide were assessed as to how they could apply to MMPFs. A committee of AGRI staff prepared a draft set of criteria for review by AGRI, Agricultural Land Commission and BC Farm Industry Review Board staff.

The Discussion Paper is now ready for public consultation.

### *Context*

AGRI has taken the initiative to establish bylaw standards for two significant agricultural topics in recent years. Both have been approved by the Minister and staff encourage local governments to adopt them. The two subjects are "Combined Heat and Power Generation at Greenhouses in the ALR" (2013) and "Residential Uses in the ALR" (2011). Both can be found in the Ministry's Bylaw Guide with additional information at <http://www.al.gov.bc.ca/resmgmt/sf/index.htm>

## 2.0 Part two – Background information

### *Context*

Canadian courts have determined that individuals who have demonstrated a medical need for marijuana must have reasonable access to a legal source of marijuana for medical purposes. In-line with this, the Federal Government in 2001 introduced the “Marijuana Medical Access Regulations” (MMAR), authorized under the Controlled Drugs and Substances Act, establishing a framework to implement access to this product. Due to subsequent court challenges and a number of other concerns, a second set of regulations, “Marijuana for Medical Purposes Regulations” (MMPR), were created which came into force on June 7, 2013 and ran concurrently with the MMAR until it was repealed on March 31, 2014. These new regulations changed the manner in which patients could access medical marijuana and how medical marijuana can be produced.

As a result of ongoing litigation and uncertainty arising from court decisions, Health Canada will treat the Authorizations to Possess, Personal-Use Production Licences, and Designated-Person Production Licences issued under MMAR as extending beyond March 31, 2014 until a decision is made. There are certain criteria to be met for these extensions.

*“Dried marijuana is not an approved drug or medicine in Canada. The Government of Canada does not endorse the use of marijuana, but the courts have required reasonable access to a legal source of marijuana when authorized by a physician.” – Health Canada*

### *Medical Marijuana Production Regulations*

The MMPR change the parameters for medical marijuana production in Canada from a system of home-based or other location production licenses for personal use, which have been associated with various law enforcement and public safety concerns, to a system of more tightly regulated, commercial scale production licenses supplying authorized medical marijuana patients. MMPR require applicants for a commercial license to notify the local government, fire and police officials of the location of their facilities, and to comply with all federal, provincial and local government laws and bylaws, including zoning bylaws. As of April 22, 2014, five licenses have been issued in BC; in Saanich, Maple Ridge, Whistler, Nanaimo, and the Okanagan. Thirteen licenses have been issued in Canada. As of September 1, 2014 there have been no revisions since April.

The MMPR define a site as follows:

*“Site” means (a) a building or a place in a building used by a licensed producer; or (b) an area occupied exclusively by buildings used by a licensed producer. - MMPR*

For clarity and ease of use, this Discussion Paper will also refer to “Medical Marijuana Production Facilities” (MMPF) as the de facto meaning of “site”.

The MMPR construction requirements for MMPFs focus almost exclusively on security for both production and storage. The technical details on how to comply are outlined in Health Canada’s “Guidance Document: Building and Production Security Requirements for Marijuana for Medical

Purposes”. This document provides assistance to producers but is not a one-size fits all prescription. Producers submit a security proposal to Health Canada as part of their licensing application.

- The production, packaging, labeling and storage of the product can only occur indoors at the site with restricted access to areas within the site. MMPFs must provide both site perimeter security and security for areas where marihuana is present. A physical barrier, like a fence, is expected to be part of the site security. The site perimeter must also be visually monitored by recording devices at all times. The Guidance Document also provides guidance on specific wall, roof, and glass construction details, back-up mechanisms and power supply.
- Areas where marihuana is present also require a system that filters the air to prevent the escape of odours and pollen. The Guidance Document cites a high efficiency particle air filter such as a H13 HEPA filter as an example.
- MMPFs appear to fall into a range of different licensee categories depending on their production level. Associated with this are related security levels for product storage, with specific minimum electrical detection requirements, safe requirements, ventilation security, secure environs construction specifications, and door specifications.

Security requirements for the storage of dried marihuana are established in Health Canada’s “Directive on Physical Security Requirements for Controlled Substances”. Minimum security standards for the storage of a variety of controlled substances, including marihuana, are included. These standards are intended to allow for flexibility as technology and materials change over time.

Other elements of MMPPR that may be of note include provisions to import and export medical marihuana with other countries where appropriate agreements are in place. Sales of medical marihuana must be handled through bonded couriers and not directly to the consumers at the production facility. The MMPPR also requires testing of the product to verify that it meets the specifications of the product and product quality. These requirements may distinguish medical marihuana from some other agricultural crops.

### *Medical Marihuana Production*

Scientific information on medical marihuana production is limited. Indoor marihuana production can be assumed to use energy, water and nutrients intensively. According to one research paper, energy use includes lighting, dehumidification, ventilation, air conditioning, heating, irrigation and generation of CO<sub>2</sub>. From another, nearly one-third of medical marihuana production costs can be energy costs. This crop, just like any other commercially produced indoor crop, is susceptible to plant pests such as insects or diseases.

Indoor production of medical marihuana is generally similar to greenhouse production of plants. In both cases the growing environment can be highly controlled. Production concerns regarding irrigation water, waste water and pesticide use for medical marihuana will also be similar to greenhouse production of other plants. Water and nutrients are generally conserved through recirculation. Also, there are very few pesticides registered for use with medical marihuana in Canada. Pesticides are considered registered for use on medical marihuana when medical marihuana is clearly listed on each pesticide label which always has a registration number on the main panel as well as pests controlled and how to use the product. Pesticide labels are considered legal documents.

From a production area perspective, the production of medical marihuana takes place on a relatively small acreage when compared to other agricultural crops produced indoors (e.g. greenhouse vegetables, nursery stock, landscaping plants) in Canada or in British Columbia. Currently a very small portion of the Canadian population (0.166%) consumes medical marihuana. The average consumption is estimated at 2 grams per day. Assuming that 75 grams of marihuana is produced per square foot of building space (excluding storage and distribution), then the combined production area required for medical marihuana in British Columbia is estimated at 0.7 ha (1.7 acres) and for Canada is 5.2 ha (12.9 acres). Even if the consumption of medical marihuana were to increase ten-fold, the production area requirements are small for this very high value crop relative to greenhouse agricultural crops.

### *The Regulations in BC*

Many local and regional governments in BC are responding to Canada's MMPR by introducing bylaw amendments to regulate medical marihuana production in their communities. Many local governments sought direction from the province regarding whether medical marihuana production would receive "farm class" status under the *Assessment Act* and whether it could be prohibited in the ALR.

On June 24 2014, the Provincial Government issued a media release<sup>2</sup> providing further clarity on its position with regards to federally licensed medical marihuana production. The statement supports the ALC's position that medical marihuana production that is in compliance with Health Canada's MMPR is an allowable farm use within the ALR. In addition, the Province states that this production "...should not be prohibited by local government bylaws".

*Local governments looking to propose a bylaw prohibiting medical marijuana [sic] may wish to seek legal counsel as enacting such a bylaw may give rise to a constitutional challenge as frustrating a lawful initiative of the federal government. – BC Government*

The BC Government's June 24, 2014 statement also clarifies that amendments to the *BC Assessment Act*<sup>3</sup> which regulates which farm uses qualify for farm classification, will exclude medical marihuana production as a farm use for property tax purposes. These changes are expected to be in effect for 2015 property taxes.

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<sup>2</sup> <http://www.newsroom.gov.bc.ca/2014/06/bc-preserves-local-governments-tax-revenues-from-medical-marijuana-growers.html>

<sup>3</sup> The BC Assessment Authority has a factsheet webpage with more information on medical marihuana production and farm class here: <http://www.bcassessment.ca/public/Fact%20Sheets/Medical%20Marihuana%20Property%20Class.aspx>



### 3.0 Part three – Current policies and regulations

This section reviews current medical marihuana production policies and regulations and how they relate specifically to agricultural land. This review includes: Health Canada’s MMPR; local and regional government bylaws from across the Province; and relevant Ministry of Agriculture’s local government Bylaw Standards already approved from its Bylaw Guide. Policies and regulations from other jurisdictions are included to provide further context for discussion.

#### 3.1 Marihuana for Medical Purposes Regulations

Health Canada’s MMPR are the primary source for current Canadian policy on medical marihuana. The most recent amendments to the regulations came into force on June 7, 2013 and ran concurrently with the MMAR until March 31, 2014 when the MMAR were rescinded. Court challenges have resulted in an extension of some of the licenses under MMAR.

The MMPR are intended to address the entire process for commercial production of medical marihuana. This discussion paper focuses on how these provisions could affect local government land use authority as provided in the *Local Government Act*, how they will interrelate with provisions found in the *Agricultural Land Commission Act* and provisions in the *Farm Practices Protection (Right to Farm) Act*. Specific MMPR requirements of interest include:

- Medical marihuana can only be produced indoors in commercial facilities by licensed operators with no residential accommodation;
- Facilities will mail the product, not dispense it from the site; and
- Notification by the licensed operator to local governments, fire and police authorities before submitting an application to Health Canada is required.

#### *Applicable provisions in the MMPR*

Provision	Local Government Bylaw significance
<b>Interpretation</b>	
“site” means (a) a building or place in a building used by a licensed producer; or (b) an area occupied exclusively by buildings used by a licensed producer.	This allows for more than one building on the property. Some local governments restrict the number of buildings allowed to one (1).
<b>PART 1.Division 1</b>	
12. (1) Subject to subsections (2) to (7) and to the other provisions of these Regulations, a licensed producer may <ul style="list-style-type: none"> <li>• possess, produce, sell, provide, ship, deliver, transport and destroy marihuana;</li> <li>• (b) possess and produce cannabis, other than marihuana, solely for the purpose of conducting in vitro testing that is necessary to determine the percentages of cannabinoids in dried marihuana; and</li> <li>• (c) sell, provide, ship, deliver, transport and destroy cannabis, other than marihuana, that was obtained or produced solely for the purpose of conducting the in vitro testing referred to in paragraph (b). (p.9-10)</li> </ul>	This requires in vitro testing as part of the production process. The producer must be growing the plant in order for the in vitro testing to be an accessory farm use. If it is strictly a lab, it is a non-farm use and can take place outside the ALR or apply to the ALC for non-farm use in the ALR.
12. (6) A licensed producer may import marihuana if they do so in accordance with an import permit issued under section 75. (p.11)	This provides for importing of marihuana into Canada by licensed producers. The ALC USP Regulations limits the amount of selling non-farm products to 50%.
13. A licensed producer must not conduct any activity referred to in section 12 at a dwelling place. (p.11)	MMPFs are not allowed in a dwelling place.
14. A licensed producer must produce, package or label marihuana only indoors and	MMPFs must be indoors. Can they

at the producer's site. (p.11)	process crop from another producer? The ALC USP Regulations have a provision that limits the percentage of selling non-farm products to 50%.
<b>PART 1. Division 2</b>	
23 (4) An application for a producer's license must be accompanied by... (h) a document signed and dated by the a quality assurance person referred to in section 60 that includes (ii) a report establishing that the buildings, equipment and a sanitation program to be used in conducting the proposed activities referred to in Division 4 comply with the requirement of that Division; and (f) floor plans for the proposed site.	MMPF floor plans are required.
<b>PART 1. Division 3</b>	
43(1). The perimeter of the licensed producer's site must be visually monitored at all times by visual recording devices to detect any attempted or actual unauthorized access. (p.33-34)	This might affect local government provisions on vegetative buffering.
44. The perimeter of the licensed producers' site must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in the site or tampering with the system. (p.34)	
50. Those areas [where cannabis is present] must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen. (p.35)	MMPFs are required to have odour control.
<b>PART 1. Division 4</b>	
54. Marihuana must not be treated — before, during or after the drying process — with a pest control product unless the product is registered for use on marihuana under the Pest Control Products Act or is otherwise authorized for use under that Act. (p. 35)	

### 3.2 BC Agricultural Land Commission Act (ALCA)

Legislation guiding the activities that can take place on agricultural land in BC includes the *Agricultural Land Commission Act (ALC Act)* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. The Agricultural Land Reserve (ALR) and its associated Agricultural Land Commission (ALC) are established by this legislative authority with regulations defining the types of uses and activities allowed within the Reserve. The mandate of the Commission is to preserve BC's limited agricultural land resource and encourage farm use on those lands.

In January 2014, the ALC provided a bulletin in response to questions concerning medical marihuana production in the ALR. The ALC notes that while the regulation is silent on this land use, the production of licensed medical marihuana is consistent with the definition of "farm use" in the ALCA. Uses that do not involve the growing of the plant however, may require an application to the ALC for non-farm use.

*"farm use" means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulations, and includes a farm operation as defined in the Farm Practices Protection (Right to Farm) Act – ALC Act*

### 3.3 BC Farm Practices Protection (Right to Farm) Act

Under BC's *Farm Practices Protection (Right to Farm) Act (FPPA)*, farmers are provided certain legal protections related to nuisance providing they meet the following criteria:

- engaging in a farm operation conducted as part of a farm business as defined by the *FPPA*, AND

- using a “normal farm practice” as defined by the *FPPA*, AND
- operating on protected land (Agricultural Land Reserve, or land on which the local government allows farm use, or Crown land designated as a farming area), AND
- the farm practice is not in contravention of the *Health Act*, *Integrated Pest Management Act*, or *Environmental Management Act* or their regulations, AND
- is not in contravention of any land use regulation.

Under the *FPPA*, the BC Farm Industry Review Board (BCFIRB) hears nuisance complaints to determine “normal farm practice”. The complaint must relate to a farm operation conducted as part of a farm business that is in the ALR or on land on which farm use is allowed by a local government. The growing of marihuana could be considered a farm operation (growing of plants) and in some situations under the new federal regulations could be considered a farm business. BCFIRB has not received a farm practice complaint related to a medical marihuana production facility to date. Whether a complaint falls under the *FPPA* is situation dependent and would be determined by BCFIRB when a complaint is received. Even if BCFIRB determined a complaint related to a particular marihuana business did fall under the *FPPA* and subsequently determined that the farm business’s operations were following “normal farm practice”, the business must still meet all the *FPPA* criteria to be protected.

### 3.4 BC Ministry of Agriculture (AGRI)

While the AGRI is currently soliciting input for specific standards on medical marihuana production through this Discussion Paper, the Bylaw Guide addresses the following elements that are relevant to medical marihuana production in BC. Part 2 of the Bylaw Guide presents Minister’s Bylaw Standards that are already approved and which local governments are encouraged to adopt. Part 3 of the Bylaw Guide presents existing ‘Farm Bylaw’ standards for local governments that have had the ‘Right to Farm Regulation’ under the *Local Government Act* applied (they are ‘regulated’).

Many of the standards that already exist in the Bylaw Guide can be applied to MMPFs. The following table presents a list of bylaw standards and addresses their relevance to MMPFs.

#### *Applicable provisions in the Ministry’s “Guide for Bylaw Development in Farming Area”*

Section	Comment
<b>Part 2 – Minister’s Bylaw Standards</b>	
2.4.2 Permitted Uses	The Province’s policy is that medical marihuana production should not be prohibited in the ALR.
2.4.3 Off-Street Loading and Parking	MMPR requires that medical marihuana be distributed to patients only by mail. Section 2.4.3 applies for direct farm marketing sales only.
2.4.4.2 Minimum Lot Size for Specific Commodity Use	Minimum lot size requirements for specific commodities (such as medical marihuana) are discouraged. Nuisance concerns can be addressed through minimum lot line setbacks, maximum lot coverage, and normal farm practices.
2.4.5 Lot Coverage	The Bylaw Guide states that ‘Bylaws should not restrict the area of a lot which may be covered by <i>buildings</i> and <i>structures</i> for farm use, to an area less than 35% or less than 75% for greenhouses.
2.4.5.2 Stormwater and Agricultural Liquid Waste management Plans	A plan is required if the total impervious area of farm buildings and structures exceed 3700 m <sup>2</sup> or covers more than 10% of lot a required plan.
2.4.7 Height Limitations	A 15 metre maximum building height for most agricultural buildings.
2.4.8 Setbacks	“Appropriate setback distances can help prevent nuisance conflicts, protect natural resources, and safeguard human health. On the other hand, excessive setbacks can present serious challenges to farming operations.” (p. 18) The Bylaw Guide restricts minimum lot line setbacks to a maximum of 15 to 30 metres for buildings with significant

	nuisance potential such as livestock barns.
2.4.8.4 Setbacks from Watercourses	The Bylaw Guide provides for setbacks from watercourses that vary depending on the type of building. The maximum setback requirement is 30 m for Category 1 type buildings or facilities.
<b>Part 3 – Farm Bylaw Standards and Bylaw Approval for Regulated Local Governments</b>	
‘Right to Farm’ regulated Local Governments	Part 3 of the Bylaw Guide is available only to local governments where the “Right to Farm Regulation” under the Local Government Act has been applied.
3.5.2 Mushroom Farms and On-Farm Composting	Odour is addressed in the MMPR. This Farm Bylaw Standard addresses odour from on-farm mushroom composting. A similar standard could be developed for medical marihuana if required.
3.5.3 Farm-side Edge Planning	This Farm Bylaw Standard provides for setbacks to urban/ALR boundaries of up to 100m when urban-side edge planning is also employed.

### 3.5 BC’s Local Governments

In an effort to provide bylaw requirements by April 1, 2014 when the MMPR came into effect, many local governments began drafting or adopted, zoning bylaw amendments to direct land use decisions concerning MMPFs in their communities. A wide range of provisions have now been enacted across the province, many of which are inconsistent with the Province’s position. The following table summarizes existing local governments’ regulations.

#### *Existing MMPF provisions in Local Government bylaws*

Provision	Example (either adopted or in draft)
Minimum parcel size	<ul style="list-style-type: none"> <li>• A range including 2 to 40 hectare (ha) minimum parcel sizes</li> <li>• 1ha minimum parcel size in a smallholding zone in the ALR and 2ha minimum parcel size in a country residential zone in the ALR</li> <li>• 259ha (640 acres) minimum parcel size for a MMPF in the ALR</li> </ul>
Minimum MMPF building setbacks from property lines	<ul style="list-style-type: none"> <li>• A range including 40, 50, or 100 metre (m) setbacks to any lot line</li> <li>• 60m setback to exterior lot line</li> <li>• 90m setback to front lot line, 30 m to other lot lines</li> </ul>
Minimum MMPF building setbacks from other land uses	<ul style="list-style-type: none"> <li>• 60m setback from residential zones</li> <li>• 300m setback from residential or mixed use zones</li> <li>• 100, 200m setback from schools</li> <li>• 150m setback from a residential zone, daycare, playground, or school</li> </ul>
Minimum MMPF building setbacks from other MMPF	<ul style="list-style-type: none"> <li>• 1000m setback from nearest medical marihuana facility</li> </ul>
Minimum MMPF building setbacks from watercourses	<ul style="list-style-type: none"> <li>• 50m setback from all watercourses</li> </ul>
Maximum building heights	<ul style="list-style-type: none"> <li>• 10m maximum building height</li> </ul>
Maximum building size	<ul style="list-style-type: none"> <li>• 2000m<sup>2</sup> in industrial and resource management zones &amp; 1000m<sup>2</sup> in agricultural zones</li> </ul>
Number of buildings per parcel	<ul style="list-style-type: none"> <li>• Some local governments have provisions limiting the production facility to one (1) building</li> </ul>
Odour control	<ul style="list-style-type: none"> <li>• A ventilation plan must be filed with the City and must include how the system prevents any offensive odour from leaving the building;</li> </ul>
Vegetative buffers for screening	Development Permit Area: Medical Marihuana Operation. “Landscaping and Buffering: a) Buffering of medical marihuana operations is important in order to ensure that these uses are not at odds with adjacent uses. b) Any federally required metal fencing shall be buffered with native planting. c) Top soil deep enough to allow for well-rooted planting and reduce irrigation requirements should be utilized. d) Use native species of trees or shrubs and utilize the planting of conifers to block winter winds and deciduous trees to create shade in the summer. e) Utilize cisterns to store water and provide irrigation.”
Form and character guidelines for buildings	Development Permit Area: Medical Marihuana Operation. “This Development Permit Area controls the construction on all property in the Upper Bridge River Valley for the purposes of ensuring that medical marihuana operations are developed in a way that is in keeping with the form and character of the Upper Bridge River Valley. See policies 1.4 to 1.12 in the

	Community Growth and Character section for specific guidelines.”
Light emission controls	Development Permit Area: Medical Marihuana Operation. “Lighting and Signage: a) Minimize the amount of lighting on signs. Installation of video, reader board, and neon or LED signs is discouraged. Signs should be non-illuminated from within. b) Exterior lighting, including within a parking area, should be low intensity and not cause excessive night-time glow or glare. c) Use energy efficient exterior lighting systems with timers and sensors to provide light only when required. Ambient lighting should be minimized. d) Signage should be pedestrian oriented in scale. Large vehicular-based signage should be avoided. Appropriate forms of signage include: i) Signs mounted flush with building facades; ii) Wood carved and/or hand painted hanging signs above pathways.”
Waste water controls	<ul style="list-style-type: none"> <li>• MMPFs are required to provide a description of all discharges to air, sanitary sewer, storm sewer, streams, or groundwater</li> </ul>
Waste management controls	<ul style="list-style-type: none"> <li>• The practice of diverting building-generated CO2 gas or otherwise provided CO2 gas to feed plants is prohibited.</li> </ul>
Permitted zoning	<ul style="list-style-type: none"> <li>• Permitted only in the ALR or in some rural use zones.</li> <li>• Permitted in some industrial zones, only in industrial zones, light industrial zones, heavy industrial zones, light and heavy industrial zones, general and heavy industrial zones, a special industrial zone or specific industrial zones.</li> <li>• Permitted through spot zoning, spot zoning only in ALR, spot zoning only in industrial zones, or spot zoning only in ALR and industrial zones.</li> <li>• Prohibited everywhere, everywhere except 1 parcel, or everywhere except 1 parcel that is City owned.</li> </ul>
Health and welfare	<ul style="list-style-type: none"> <li>• MMPFs will not be detrimental to the health or general welfare of the people living or working in the surrounding area or negatively affect other properties or potential development in the surrounding area.</li> </ul>
Building Permits	<ul style="list-style-type: none"> <li>• MMPFs will require a Building Permit, pursuant to a Building Bylaw.</li> </ul>
Outdoor storage	<ul style="list-style-type: none"> <li>• No outdoor storage.</li> </ul>

### Examples

Three existing Local Government zoning bylaws are provided below as examples for review. They include the City of Kamloops, District of Maple Ridge and the City of Armstrong.

#### City of Kamloops Zoning Bylaw (Bylaw No. 5-2001 Section 311A)

- Medical Marihuana Grow Operations (MMGOs) will not be detrimental to the health or general welfare of the people living or working in the surrounding area or negatively affect other properties or potential development in the surrounding area;
- MMGOs shall be permitted in I-2 (General Industrial) and I-3 (Heavy Industrial) zones subject to the following regulations:
- MMGOs are required to provide a description of all discharges to air, sanitary sewer, storm sewer, streams, or groundwater;
- MMGOs will require a Building Permit, pursuant to City of Kamloops Building Bylaw, as amended;
- MMGOs will meet all other applicable municipal, provincial, and federal regulations;
- A ventilation plan must be filed with the City and must include how the system prevents any offensive odour from leaving the building;
- MMGOs shall be permitted in stand-alone buildings only;
- No ancillary uses shall be permitted in a building containing a MMGO.
- MMGOs shall be located no closer than 150 m from any residential zone, daycare facility, playground, community centre, school, public park, or any use catering to individuals under the age of 18;
- The practice of diverting building-generated CO2 gas or otherwise provided CO2 gas to feed plants is prohibited.
- Licensed MMGOs shall be decommissioned if inactive for more than one year and the structure/site remediated in accordance with City of Kamloops Controlled Substances Property Remediation Bylaw, as amended.
- Formerly-licensed MMGOs under the Marihuana Medical Access Program (MMAP) shall be decommissioned by the current property owner and the structure/site remediated in accordance with City of Kamloops Controlled Substances Property Remediation Bylaw, as amended.
- MMGOs will require a municipal Business Licence before operation may begin.

### District of Maple Ridge Zoning Bylaw (No. 3510-1985)

- MMPF are only permitted in Agricultural, Intensive Greenhouse District, Residential, and Agriculture-Only Zones
- Buildings and structures for Medical Marihuana, Commercial Production as authorized under Federal legislation shall be sited not less than:
  - 60 metres from front and exterior side lot lines;
  - 30 metres from rear and interior side lot lines;
  - 30 metres from all wells and streams;
  - 30 metres from all buildings used for one family residential use, accessory employee residential use or temporary residential use.
- Shall be located not less than 200 metres from an elementary or secondary school, measured from the nearest point of the lot line of the Medical Marihuana, Commercial Production use to the nearest point of the lot line of the elementary or secondary school.
- Shall be located not less than 1000 metres from the nearest point of any lot on which another Medical Marihuana, Commercial Production use is occurring, or on which such a use has been authorized under Federal legislation.

### City of Armstrong Zoning Bylaw (No. 1268)

- Medical Marihuana Production Facilities shall be located only on properties with a minimum parcel size of one (1) hectare, within the Agricultural Land Reserve.
- Buildings used for the production of Medical Marihuana shall be sited not less than:
  - 60 metres from lot lines abutting a residential zone;
  - 30 metres from lot lines abutting a zone other than residential;
  - 15 metres from all wells and streams;
- All activities associated with Medical Marihuana Production Facilities shall be housed completely within an enclosed building and there shall be no outdoor storage or display.
- Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare, nor shall anything be done which creates or causes a health, fire, or explosion hazard, electrical interference or undue traffic congestion.
- The height of buildings and structures shall not exceed the lesser of 12 metres (39.37 feet) or three (3) storeys for Medical Marihuana Production Facilities.
- Lot coverage shall be not greater than thirty five percent (35%) for all other uses including Medical Marihuana Production Facilities.

## 3.6 Regulations in other jurisdictions

BC is different from many other Canadian provinces in its regulatory landscape for farmland due to its ALR. Other Provinces and their local governments however are also experiencing medical marihuana regulatory adjustments as a result of Health Canada's new MMPR framework. The Province of Ontario appears to hold the majority of licensed operators; however regulatory changes in Manitoba, Saskatchewan, Alberta and New Brunswick have initiated regulatory changes. In the United States, Colorado and Washington are also involved in recent medical marihuana regulatory changes. The following provides a summary to provide context for BC and assist in the discussion.

### *Canada*

Currently there are eight licensed MMPFs in the rest of Canada outside of BC. They include five in Ontario, one each in Saskatchewan, Manitoba, and New Brunswick. Local governments in other Provinces have also introduced regulations. Most bylaw amendments adopted or discussed are related to distance setbacks for the production facilities from residential areas, schools, parks and/or restrict operations to industrial zones. The following provides several local government examples for review. Details from the City of Toronto and Alberta are provided.

#### The City of Toronto, Ontario

Requirements for medical marihuana operations include that they:

- take place within an enclosed building;
- require a 70m setback from residential, commercial, institutional and open space zones; and
- require a 70m setback as well as from schools, day nurseries, and places of worship.

#### Willow Creek Municipal District, Alberta

- Medical Marihuana Production Facilities are a discretionary use within Rural Commercial Zones.
- Development Permit conditions for MM facilities are:
  - ... The development...must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material
  - The development shall not operate in conjunction with another approved use
  - The development shall not include an outdoor area for storage of goods, materials or supplies
  - The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system
  - The development must not be within 246 feet (75.0 m) of a residential or a public institutional district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district
- The Municipal Planning Commission may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional, that includes detail on:
  - the incineration of waste products and airborne emissions, including smell;
  - the quantity and characteristics of liquid and waste material discharged by the facility; and
  - the method and location of collection and disposal of liquid and waste material.
- The minimum number of motor vehicle parking stalls shall be based on the parking requirements found in Schedule 9.

#### *Washington State*

U.S. Federal and State medical marihuana laws differ significantly from Canada, but can provide context. Under the U.S. Controlled Substances Act (CSA), with certain exceptions, manufacturing, distributing, dispensing or possessing a 'controlled substance' including marihuana is unlawful. Among other things, the Act establishes penalties for distributing or manufacturing controlled substances within 1,000 feet of areas where there are young people.

In 2013, Washington State passed a law called Initiative 502 (I-502) which directs responsibility to the Washington State Liquor Control Board (WSLCB) for the licensure and regulation of producing, distributing and possessing medical and recreational marihuana. The law removes certain criminal and civil penalties and incorporates the CSA 1,000 foot setback distance.

*Marijuana production must take place within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof, and doors. Outdoor production may take place in nonrigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight obscure wall or fence at least eight feet high. – Washington State Legislature*

For local governments in Washington, the regulatory landscape for medical marihuana production can be described as evolving. Options for communities appear to include: ignoring the activity; allowing it under their existing bylaws; attempting to delay it; adopting temporary amendments; and, adopting amendments to permit it or prohibit it.

### *Colorado State*

In 2000, Colorado State passed a law allowing people access to small amounts of medical marijuana. In 2010, the Colorado Medical Marijuana Code was passed to direct the State Licensing Authority and the State's Department of Revenue to regulate Medical Marijuana production. Medical marijuana production requires both State and local government approval.

The State Licensing Authority references local licensing authority regulations for medical marijuana production. A number of local governments have initiated regulations including both the County and City of Boulder.

### City of Boulder

Requirements for medical marijuana operations include that the business:

- is permitted only in a specific zone
- operate inside of an enclosed building
- not be located in a building with residences or in a residential zone
- have a lighting plan
- have a plan for ventilation
- have a statement on the anticipated electric load and certification from the landlord and utility provider
- have a zoning confirmation form from the city regarding the proximity of the property to any school or state licensed child care centers, to any other medical marijuana business, or to any residential zone district within a radius of one-quarter mile
- A description of all toxic, flammable, or other materials regulated by a federal, state, or local government that would have authority over the business if it was not a marijuana business
- not have retail sales in cultivation facilities or manufacturing of medical marijuana-infused products



## 4.0 Part four – Proposed Set of Criteria

This section of the discussion paper introduces a number of topics for consideration regarding local government bylaw standards for medical marihuana production in the ALR, provides a rationale for why certain provisions should be introduced as criteria, and summarizes a proposed list of criteria and definitions.

### 4.1 Discussion

The following questions are intended to provoke further discussion:

- Should additional bylaw criteria that do not already exist in the Bylaw Guide be required?
- Would a local government want to enforce elements of MMPR themselves? What are the risks and benefits? Which ones should they consider including in their bylaws?
- More specifically, what are the risks and benefits of proposing bylaw standards that reflect the security and construction expectations that are within Federal jurisdiction? Should the set of criteria refer to specific Federal documentation or particular regulations within the MMPR? What are the consequences of repeating Federal information verbatim and potentially interpreting it incorrectly? Could this potentially generate confusion among producers and possibly incur liability?
- If a licensed operator follows the MMPR, there should be no odour or dust escaping from the MMPF. This may be the first farm use in BC where no level of odour is acceptable. Should the proposed set of criteria include provisions to require minimal odour or dust escape as well? This is a Federal requirement, not a Provincial one.
- What are the risks and benefits of proposing criteria for vegetative buffers around an MMPF? What consequences would arise in this subsequent interaction with the required Federal security regulations?
- Some local governments have specified setback distances from particular land uses, such as schools, or places of worship, or other MMPFs. What are the risks and benefits of proposing criteria that include these types of setbacks?

### 4.2 Rationale for Bylaw Guide criteria

#### *Existing Bylaw Standard criteria*

There are five criteria identified in the Ministry's current Bylaw Guide that align with medical marihuana production. These include minimum lot size, lot coverage, stormwater and agricultural liquid waste management plans, height limitations, and setbacks. Applying these five criteria to medical marihuana production will assist in bringing this type of farm use into a well established framework of existing standards.

Minimum Lot Size – Bylaw Guide *Section 2.4.4.2 Minimum Lot Size for Specific Commodity Use* emphasizes that a minimum lot size should not be required as concerns regarding specific commodities as they "...can be addressed by the existing lot size and by meeting criteria such as adequate setbacks,

maximum lot coverage, and adherence to normal farm practices and environmental standards established through legislation such as the Environmental Management Act, Integrated Pest Management Act, and Public Health Act.” As a specific commodity use, minimum lot sizes should not be applied to medical marijuana production.

Lot Coverage and Stormwater and Agricultural Liquid Waste Management Plans – similar to Minimum Lot Size, Bylaw Guide *Section 2.4.5 Lot Coverage* provides existing guidance that aligns in accordance with medical marijuana production. Providing a maximum 35% lot coverage for buildings involved in medical marijuana production positions this use with already existing farm uses. Furthermore, including the related criteria found in *Section 2.4.5.2* requiring Stormwater and Agricultural Liquid Waste Management Plans can also address important environmental and public infrastructure concerns.

Height Limitations and Setbacks – Bylaw Guide *Section 2.4.7 Height Limitations* recommends a maximum height of 15 metres for all agricultural buildings other than grain bins, silos, combination silo and grain storages and principal livestock buildings. Adding medical marijuana production facilities to this list will help provide consistency and standardization for local government integrating this new farm use with other agricultural activities. Similarly, maximum building setbacks from property lines and minimum watercourse setbacks (*Section 2.4.8*) can do the same.

#### *New Bylaw Standard criteria*

Local government business licenses – Municipalities have historically not required business licences for traditional farming operations in BC. As agricultural activity on ALR land continues to develop, with on-farm processing, product preparation, and cidery and winery operations becoming more prominent, local government involvement through authority provided under the Community Charter<sup>4</sup> can be expected. Given the relatively atypical history and hesitancy by many communities to embrace this sector, establishing a municipal business license requirement bylaw standard for medical marijuana production could assist in easing these concerns and provide greater confidence for local governments in accepting them into their communities.

#### *Existing Farm Bylaw Standard criteria*

Farm-Side Edge Planning – BC’s Local Government Act provides the ability for local governments to make special bylaws, or Farm Bylaws, in relation to farming areas with the Minister of Agriculture’s approval. The Act also allows for the Minister to establish Farm Bylaw standards for the guidance of local governments. One of these Farm Bylaws standards can be found in the publication “Guide to Edge Planning” and recommends setback distances for buildings on the farm-side of the ALR/urban boundary. Farm uses currently identified in the 100 metre setback distance with comparable nuisance concerns to medical marijuana production include manure storage, incinerators, and composting storage. Adding medical marijuana production facility to this list makes available another option for communities looking to implement greater restrictive authority regarding this use.

### **4.3 Proposed provisions and definitions**

Local government zoning bylaws should permit medical marijuana production facilities in the ALR. The proposed provisions and definitions listed below include nine provisions already found in the Ministry’s Bylaw Guide and one new one. These provisions form the basis for further discussion, and as the process

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<sup>4</sup> Part 2 Division 1 Section 8(6)

continues, they will potentially become, with Minister's approval, the bylaw standard provisions and be integrated into the Bylaw Guide. Initially, the proposed criteria could include:

*Proposed provisions for MMPFs on ALR land*

Subject	Proposed provision
<b>Local Government Bylaw Standard</b>	
Minimum Lot Size	No minimum lot size
Lot Coverage	35% lot coverage maximum
Stormwater and Agricultural Liquid Waste management Plans	If the total impervious area of farm buildings and structures exceed 3700 m <sup>2</sup> (appr. 40,000 ft <sup>2</sup> ) or covers more than 10% of lot a plan is required
Height Limitations	15 metre maximum building height
Building Setbacks	15 to 30 metre maximum building setbacks from property lot lines for MMPFs
Setbacks from Watercourses	30 metre setback from any watercourse
Business license	Required to operate
<b>'Farm Bylaw' Standard</b>	
Farm-side 'Edge Planning'	100 metre maximum building setback from urban/ALR boundary

*Proposed definitions*

Subject	Proposed definition
Marihuana for Medical Purposes Regulations	Means the same as found in the MMPR.
Medical Marihuana Production Facilities	Means "Site" as defined in the MMPR.

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**From:** Marci  
**Sent:** Wednesday, September 17, 2014 10:27 PM  
**Subject:** Deep Bay Seaweed Harvest

Greetings.

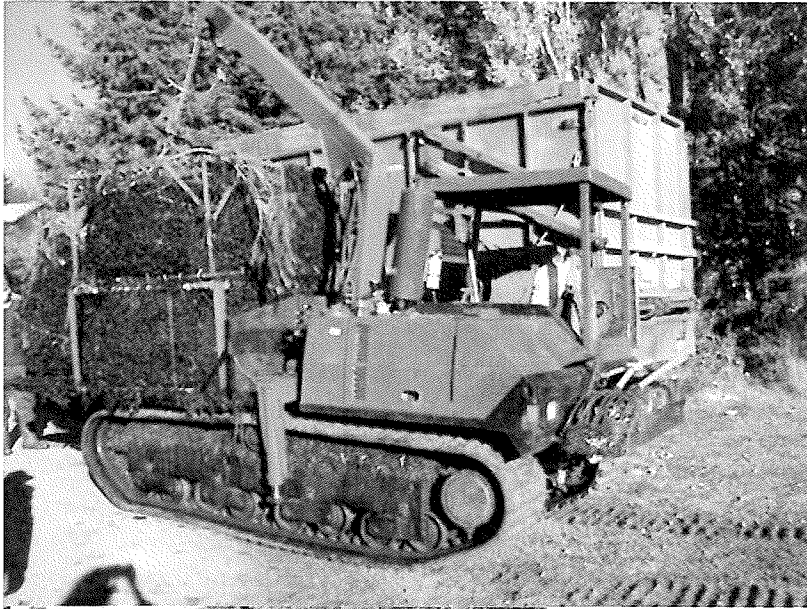
Attached is a copy of a letter written by the Concerned Citizens of Deep Bay to the Honourable Norm Letnick, Minister of Agriculture for BC, protesting the removal seaweed from Deep Bay beaches by harvesters licensed by his Office.

Also attached are a few photographs taken on our beaches showing the scale of this industrial machinery and the extensive damage it causes.

We send this to inform as many people as possible about the issues we are facing here in Deep Bay. We know many communities all over this Island are fighting similar battles. Please forward as you see fit.

Sincerely,  
Concerned Citizens of Deep Bay.













"Rotting seaweed is a much better food for marine animals than fresh seaweed"  
...University of Washington: College of the Environment.

The Honourable Norm Letnick  
Minister of Agriculture  
PO Box 9043, STN PROV GOVT  
Victoria BC, V8W 9E2.

CCDB  
c/o 5058 Longview Drive  
Bowser, BC, V0R 1G0

September 15, 2014.

re: Seaweed removal from Deep Bay recreational beaches, FILE 180352

Dear Sir,

We are residents of Deep Bay, Vancouver Island concerned about the seaweed harvest on our shores. We have read Gary Caine's letter of September 5th to Len Walker. While we agree that the precautionary measures he mentions are important, the lack of oversight, inspection and enforcement raise doubt that these measures are being taken seriously. Also, it is clear that basic scientific research on this issue has been completely ignored.

We have previously called to your attention a study titled "Seaweed Harvesting on the East Coast of Vancouver Island BC - a Biological Review" which you have not yet addressed. To quote from that study:

- there is a scientific basis for concern about the implementation of a potential new industry that would harvest seaweed along the coast of Vancouver Island
- the seaweed industry should be subjected to DFO regulations for a new fishery
- a scientific and ecological review of the fishery is required
- a thorough evaluation of the effects of seaweed harvesting should be undertaken. This is a prerequisite so that appropriate,

sensible and sound decisions may be made based on pertinent factual information.

- restrictions should be specified to protect certain ecologically valuable areas from any future harvesting
- a moratorium on seaweed harvesting and licensing should be imposed until the ecological impacts of the fishery have been identified and assessed

Nor have you commented on the report by the University of Victoria's Environmental Law Centre, "Seaweed Harvesting on Vancouver Island: A New Industry that Requires Better Regulation". The science on this issue clearly indicates that provisions of the Federal Fisheries Act have been violated by the seaweed harvesters, warranting a moratorium on the harvest until the requisite assessment is done.

We rely on these sources for information; they form the foundation of our opposition to the seaweed harvest on our shores. Your assertion that seaweed harvesting is not damaging the ecosystem is inconsistent with these reports.

For example, you contend that the harvest quota is much less than the total amount of available biomass. But according to the Biological Review, all stages of the attached and detached seaweed have critical functions in the marine, avian and foreshore ecosystems. Continuing to take from those ecosystems invites total collapse.

You cite dated DFO approval of the vehicles used in the harvest, but without speaking to more current research on how critical the forage fish eggs crushed by these vehicles are as a food source for juvenile salmon and other species.

Government Ministers exist to represent the people of BC, and must provide adequate regulation of business excesses threatening the public interest. Our beaches, foreshore and ocean floor as well as the tide lines are now deemed at risk. Also at risk now are irreplaceable archaeological ponds and canoe landing sites along the shore and tideline.

We understand that there are regulations in place. However there have never been inspectors on the ground here during the harvest to ensure

existing regulations are being obeyed. It is not helpful to respond to scientific and citizen concerns about damage caused by this industry with a list of unenforced and outdated regulations.

We cannot allow the continued destruction of First Nations artifacts, the disturbance of our peace and tranquility, and the destruction of our ocean life, all threatened by the seaweed harvest. Until such time as there has been a true, multi-agency and community initiative to identify existing and potential future impacts of this seaweed harvest, we remain unmoved in our opposition to this industry and insist on an immediate end to its activities.

The Minister of Agriculture did not meet with the residents of Deep Bay prior to introducing this harvest to our beaches. He should know that Deep Bay is a formidable and united community, determined to preserve our heritage, our rights and our way of life.

Sincerely,

Concerned Citizens of Deep Bay:

Dianne Eddy, Nelson Eddy  
Jerry Flynn, Clare Diane Flynn  
Bill Friesen  
Marci Katz  
Leonard Walker

cc list:

Gary Caine, Senior Biologist, Food Protection Branch, Ministry of Agriculture  
Chief Michael Recalma, Qualicum First Nations  
Scott Fraser, MLA  
James Lunney, MP Nanaimo-Alberni  
Mary Polak, MLA, Ministry of Environment  
Steve Thompson, MLA, FLNR Minister  
Scott Northrup, Habitat Biologist, DFO  
Dave Davies, Community Advisor, DFO

Kirsten White, Sr. Environmental Protection Officer, Environmental  
Protection Division, Ministry of Environment, Coast Region  
Bill Veenhof, Director, RDN Area H  
Joe Stanhope, Chairman, Regional District of Nanaimo  
Matt O'Halloran, Legislative Coordinator, Regional District of Nanaimo  
Ian Birtwell, DFO (Retired)  
Ross Peterson, DFO (Retired)  
Jeanette Ageson, west coast environmental law  
Deborah Curran, Hakai, Professor in Environmental Law and  
Sustainability, & Program Director, Environmental Law Centre,  
University of Victoria Faculty of Law  
Ramona de Graff  
Dianne Sanford  
Andy Sinats  
Nikki Wright, SeaChange Marine Conservation Society  
Christiane Wilhelmson, Georgia Strait Alliance  
Tim Clermont, Nature Trust of BC  
Calvin Sandborn, UVic Environmental Law Centre  
Faye Smith, Qualicum Beach Streamkeepers  
Dianne Eddy, Mapleguard Ratepayers Association  
Bob Hurst, Parksville Residents Association  
Qualicum Beach Residents Association  
Rick Sullivan, Oceanside Coalition for Strong Communities  
Michael Jessen, Arrowsmith Parks and Land Use Council  
and Arrowsmith Watersheds Coalition Society  
Jim Lettic, Nanoose Ratepayers  
Brian Sangster-Kelly, Organized Rural Community Association  
Paul Christiansen, Spider Lake Community Association  
Delores Broten, editor, Watershed Sentinel  
John Harding, editor, PQB News  
Brian Wilford, editor, Oceanside Star  
Christa Grace-Warrick, editor, Island Tides.  
Andrea Rondeau, editor, Cowichan Valley Citizen  
Gord Kurbis, CTV  
D. Martin, Comox Valley Echo  
Editor, Comox Valley Record  
Editor, the Island Word  
Residents of Deep Bay/Area H: Greg Boulton, Norma Boulton, Nelson Eddy  
Vi Chungranes, Maggie Little, Greta Taylor, Jerry Flynn, Clare D Flynn  
Len Walker, Marci Katz

From: Phyllis Horne  
Sent: Monday, September 22, 2014 9:22 PM  
To: Planning Email  
Subject: PL2014-019 Development Variance Permit

To Whom It May Concern,

I would agree on the variance if it only extends 4 feet from the original house as shown in the diagram.

This diagram is difficult to read - would be easier if the diagrams were on the same page.

I would not agree if this house was built 15 feet closer to the water or more forward on the property!  
My view would definitely be obstructed.

Sincerely,

Phyllis Horne

3035 Park Place



Re: Property Located at 1673 Gerrand Road, Ladysmith, BC (the "Property")

I am submitting this letter in support of the neighbours of the Property to request that the RDN order a clean up of the premises.

The Property is for sale pursuant to an order of foreclosure. The power and water have been cut off from the Property for an extended period. The former owner now uses a generator for his electrical supply and his lifestyle is certainly more nocturnal than most. When I get up in the morning between 4 and 5 am, the generator is still operating, however, it will very soon be shut down until the next evening. Recently, there has been an issue of the former owner of the Property stealing water from the district, but I believe that matter has now been resolved. I also understand there is an issue with the Property's septic system which has caused noxious flooding onto the riverside neighbour's driveway.

A rat infestation is also an issue for the Property and is affecting some of the neighbours. Rats have been observed running from and around the Property. Any disturbance to the Property, including the requested clean-up, will cause the rat population to scatter, which will of course affect all of the properties in the surrounding area.

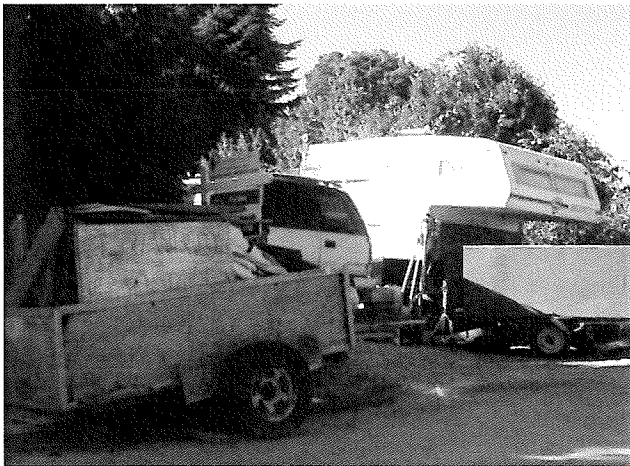
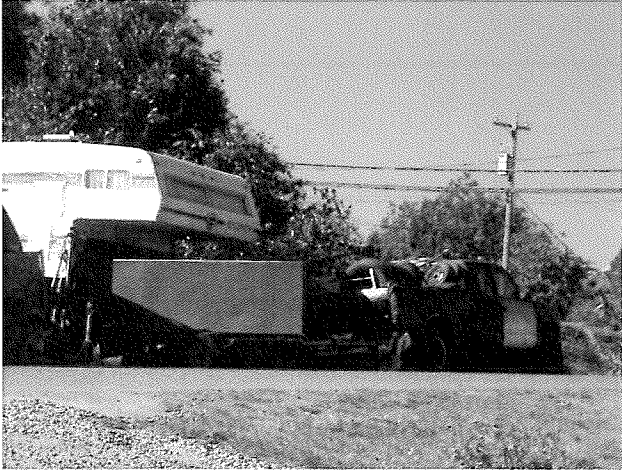
The junk that accumulates on the Property is constantly evolving. It is rumoured that the former owner and others living on the Property are involved in criminal activity, including obtaining and possessing stolen goods for re-sale. Rumour, however, is not fact, but what I do know is that the junk stored on the Property is steadily increasing. I am attaching some pictures of the Property when it was first listed for sale (which I believe was in the Spring or possibly early Summer) along with pictures that I took last week. The pictures do not constitute the entire unsightly mess located on the Property, but I wanted to ensure my own safety in taking them from a distance.

A one time clean up of the Property will not solve the problem but it will be a significant first step. I am assuming that costs for clean up are normally borne by the property owner and, in this case, would be the mortgageholder that commenced the foreclosure proceedings, namely CIBC. I am aware that numerous neighbours have tried contacting CIBC to request the bank evict the former owner and others living on the Property, but CIBC has so far been unresponsive. Perhaps a request by the RDN to CIBC for costs of clean up would be in order?

I will be at the board meeting on Wednesday at which my neighbours will be speaking on this matter. I trust my letter and pictures speak for me.

I thank you for talking to me on the telephone to explain the procedure involved to make my submission and also for taking the time to read my letter. I am hopeful for a satisfactory resolution.

Diana Morton  
1688 Gerrand Road



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1707, 2014**

**A BYLAW TO ESTABLISH THE REID ROAD SANITARY SEWER  
CAPITAL FINANCING SERVICE**

WHEREAS pursuant to section 796 and 800 of the *Local Government Act* ("Act") a regional district may, by bylaw, establish and operate any service the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Regional District of Nanaimo ("Regional District") wishes to establish a service for the purpose of financing, constructing, owning, operating, and maintaining a system for the collection, conveyance, and disposal of sanitary sewage in a portion of Electoral Area 'G';

AND WHEREAS the owners of parcels in a portion of Electoral Area 'G' have petitioned the Regional District pursuant to Section 797.4 of the *Act* to establish a service for the purposes of financing, constructing, operating, and maintaining a sewer collection system;

AND WHEREAS the petitions have been deemed sufficient pursuant to Section 797.4(3) of the *Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801(1)(a) of the *Act*;

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

**1. Citation**

This bylaw may be cited for all purposes as the "Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw No. 1707, 2014".

**2. Service**

A service to finance, construct, operate and maintain a system for the collection, conveyance and disposal of sanitary sewage is hereby established (the "Service").

**3. Boundaries**

The boundaries of the service area is that part of Electoral Area 'G' shown in heavy outline on the plan attached as Schedule 'A', attached to and forming part of this bylaw.

**4. Participating Area**

Electoral Area 'G' is the sole participating area for the Service.

**5. Cost Recovery**

As provided in section 803 of the *Local Government Act*, the annual cost of providing the Service may be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- (c) fees and charges imposed under section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

**6. Maximum Requisition**

In accordance with section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:

- (a) Eight Thousand Two Hundred (\$8,200) Dollars; or
- (b) the amount equal to the amount that could be raised by a property value tax rate of \$3.75 per \$1,000 applied to the net taxable value of land and improvements in the service area.

Introduced and read three times this 22nd day of July, 2014.

Approved by the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_, 2014.

Adopted this \_\_\_\_ day of \_\_\_\_, 2014.

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1708**

**A BYLAW TO AUTHORIZE THE BORROWING OF  
NINETY EIGHT THOUSAND DOLLARS (\$98,000)  
FOR THE REID ROAD SANITARY SEWER CAPITAL FINANCING SERVICE**

WHEREAS the Board of the Regional District of Nanaimo (the "Regional District") established the Reid Road Sanitary Sewer Capital Financing Service pursuant to Bylaw No. 1707, cited as "Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw No. 1707, 2014" for the purpose of financing, constructing, owning, operating, and maintaining a system for the collection, conveyance, and disposal of sanitary sewer in a portion of Electoral Area 'G';

AND WHEREAS the Board wishes to design and install a system of sanitary sewer mains and services (the "Works") on the southern portion of Reid Road;

AND WHEREAS the estimated cost of the Works, including expenses incidental thereto, is the sum of Ninety Eight Thousand Dollars (\$98,000);

AND WHEREAS that the financing is to be undertaken by the Municipal Finance Authority of British Columbia pursuant to proposed agreements between the Authority and the Regional District;

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

1. This bylaw may be cited for all purposes as the "Reid Road Sanitary Sewer Capital Financing Loan Authorization Bylaw No. 1708, 2014".
2. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the design, tender, and construction of a system of sanitary sewer mains and services, and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - (a) to borrow upon the credit of the Regional District a sum not exceeding Ninety Eight Thousand Dollars (\$98,000).
3. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.
4. The borrowing authorized relates to the Reid Road Sanitary Sewer Capital Financing Service established pursuant to Bylaw No. 1707, cited as "Reid Road Sanitary Sewer Capital Financing Service Establishing Bylaw No. 1707, 2014".

Introduced and read three times this 22nd day of July, 2014.

Approved by the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_, 2014.

Adopted this \_\_\_\_ day of \_\_\_\_, 2014.

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CHAIRPERSON

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 813.52**

**A BYLAW TO AMEND THE BOUNDARIES OF THE  
FRENCH CREEK SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the French Creek Sewer Service pursuant to Bylaw No. 813, cited as "French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990";

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

- Lots 12-14 (inclusive), Lot 22 and Lot 25, District Lot 29, Nanoose District, Plan 13406;

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 amending Schedule 'A' of Bylaw No. 813 to add the lands shown outlined in black on Schedule 'B' of this bylaw.

**2. Citation**

This bylaw may be cited for all purposes as "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.52, 2014".

Introduced and read three times this 22nd day of July, 2014.

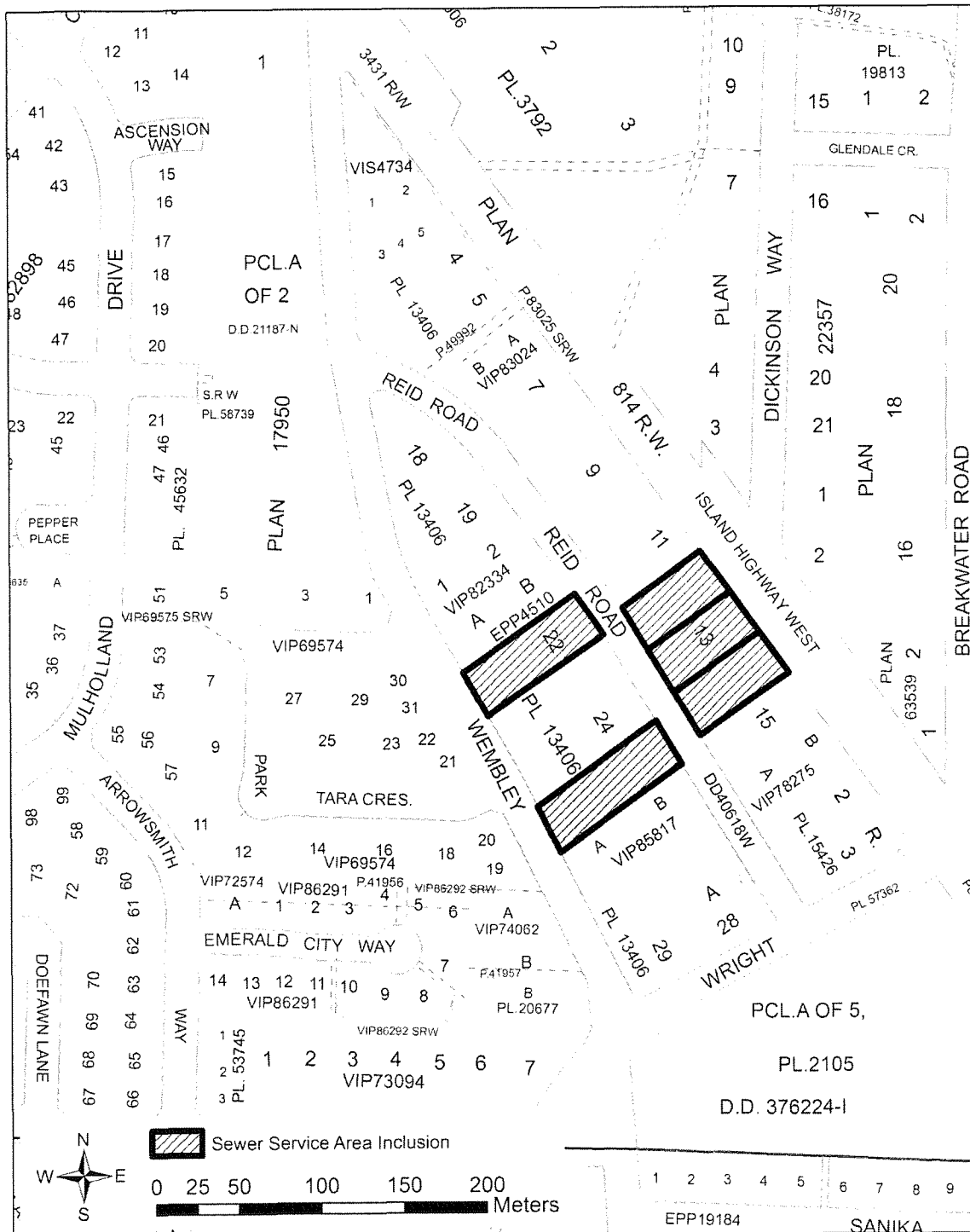
Adopted this    day of    , 2014.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
 Chairperson

\_\_\_\_\_  
 Corporate Officer





**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 889.68**

**A BYLAW TO AMEND THE BOUNDARIES OF THE  
NORTHERN COMMUNITY SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Northern Community Sewer Service pursuant to Bylaw No. 889, cited as "Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993";

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

- Lots 12-14 (inclusive), Lot 22 and Lot 25, District Lot 29, Nanoose District, Plan 13406;

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:

- (1) By amending Schedule 'C' of Bylaw No. 889 (Benefitting Areas) to add the lands outlined in black on Schedule 'B' of this bylaw; and
- (2) By amending Schedule 'E' of Bylaw No. 889 (Non-Benefititing Areas) to *remove* the lands outlined in black on Schedule 'B' of this bylaw.

**2. Citation**

This bylaw may be cited as "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.68, 2014".

Introduced and read three times this 22nd day of July, 2014.

Adopted this     day of     , 2014.

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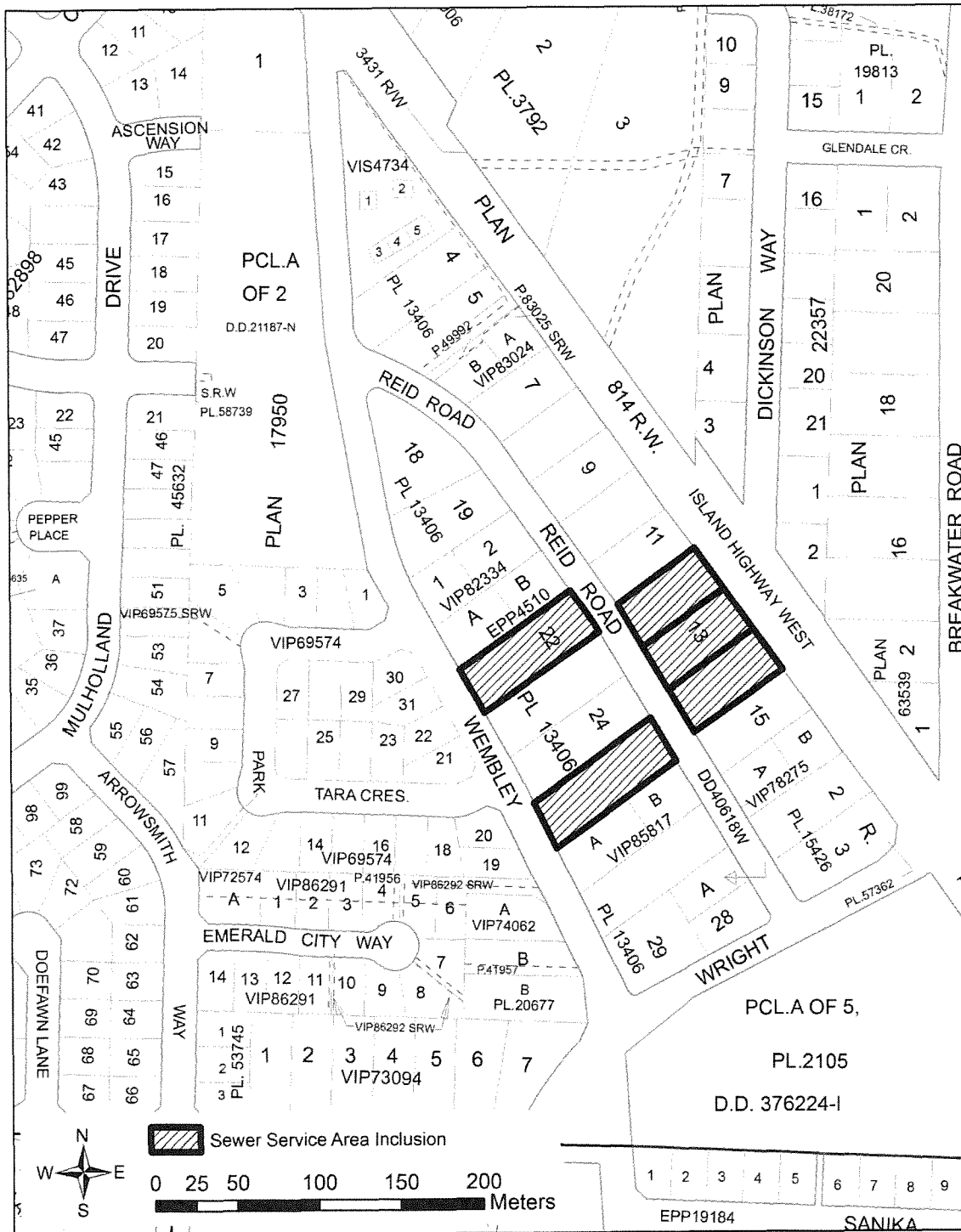
CHAIRPERSON

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CORPORATE OFFICER

Chairperson

Corporate Officer



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1709**

**A BYLAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT RESPECTING FINANCING BETWEEN THE REGIONAL DISTRICT OF NANAIMO (THE "REGIONAL DISTRICT") AND THE MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA (THE "AUTHORITY")**

WHEREAS the Authority may provide financing of capital requirements for regional districts and for their member municipalities by the issue of debentures, or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS, pursuant to the provisions of Section 825 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

<b>Regional District</b>	<b>L/A Bylaw No.</b>	<b>Purpose</b>	<b>Amount Borrowing Authorized</b>	<b>Amount Already Borrowed</b>	<b>Borrowing Authority Remaining</b>	<b>Term of Issue (Yrs.)</b>	<b>Amount of Issue</b>
Nanaimo	1707	Reid Road Sanitary Sewer Capital Financing Service	\$98,000	Nil	\$98,000	20	\$98,000

Total Financing pursuant to Section 825 \$98,000

AND WHEREAS the Regional Board, by this bylaw, hereby requests that such financing shall be undertaken through the Authority;

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Ninety Eight Thousand Dollars (\$98,000) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Director of Finance of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of this bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Director of Finance.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Reid Road Sanitary Sewer Capital Financing Loan Authorization Bylaw No. 1708, the anticipated revenues accruing to the Regional District from the operation of the said Reid Road Sanitary Sewer Capital Financing Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Reid Road Sanitary Sewer Capital Financing Service Security Issuing Bylaw No. 1709, 2014".

Introduced and read three times this 22nd day of July, 2014.

Adopted this     day of     , 2014.

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CHAIRPERSON

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CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1710

A BYLAW TO AUTHORIZE TEMPORARY BORROWING  
OF MONEY PENDING THE ISSUANCE OF SECURITIES  
WHICH HAVE BEEN AUTHORIZED

WHEREAS pursuant to Section 823.2 of the *Local Government Act* a regional district may, where it has adopted a loan authorization bylaw, borrow temporarily without further assents or approvals, from any person under the conditions therein set out;

AND WHEREAS by "Reid Road Sanitary Sewer Capital Financing Loan Authorization Bylaw No. 1708, 2014" ("Bylaw No. 1708"), the Board of the Regional District of Nanaimo was authorized to borrow upon the credit of the Regional District a sum not exceeding \$98,000.00 for the purpose of the Reid Road Sanitary Sewer Service capital upgrades;

AND WHEREAS the remaining authorized borrowing power under the said Bylaw No. 1708 stands at \$98,000.00;

AND WHEREAS the Board wishes to borrow temporarily before entering into long term debt;

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

1. The Board of the Regional District of Nanaimo is hereby authorized and empowered to borrow temporarily from any person or body corporate, sums not exceeding \$98,000.00 solely for the purposes specified in Bylaw No. 1708.
2. The form of obligations, to be given to the lender in acknowledgement of the liability of the said Regional District Board shall be a promissory note, or notes, bearing the Corporate Seal of the Regional District of Nanaimo and signed by the Chairperson and Director of Finance of the Regional District.
3. The proceeds from the sale of debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
4. This bylaw may be cited as "Reid Road Sanitary Sewer Capital Financing Service Interim Financing Bylaw No. 1710, 2014".

Introduced and read three times this 22nd day of July, 2014.

Adopted this     day of     , 2014.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, SEPTEMBER 9, 2014 AT 6:30 PM IN THE  
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Alternate	
Director F. Van Eynde	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H

Regrets:

Director G. Holme	Electoral Area E
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Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
J. Hill	A/Director of Corporate Services
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
J. Holm	Mgr. Current Planning
C. Golding	Recording Secretary

**CALL TO ORDER**

The Chairperson called the meeting to order.

**ELECTORAL AREA PLANNING COMMITTEE MINUTES**

**Minutes of the regular Electoral Area Planning Committee meeting held Tuesday, July 8, 2014.**

MOVED Director Veenhof, SECONDED Director Van Eynde, that the minutes of the regular Electoral Area Planning Committee meeting held Tuesday, July 8, 2014 be adopted.

CARRIED

## **DEVELOPMENT PERMIT APPLICATIONS**

### **Development Permit Application No. PL2014-084 – Shepherd – 853 Miller Road, Electoral Area ‘G’.**

MOVED Director Young, SECONDED Director Veenhof, that Development Permit No. PL2014-084 to permit a subdivision and future residential construction on proposed Lots A and B in the Hazard Lands and Environmentally Sensitive Features (Aquifer Protection) DPA's be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

### **Development Permit Application No. PL2014-075 – 0873123 BC Ltd. – Forgotten Drive, Electoral Area ‘G’.**

MOVED Director Young, SECONDED Director Veenhof, that Development Permit No. PL2014-075 to permit the construction of a dwelling unit within the Hazard Lands Development Permit Area be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

## **DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

### **Development Variance Permit Application No. PL2014-091 – Molnar/Pope – 3031 Park Place, Electoral Area ‘E’.**

MOVED Director Van Eynde, SECONDED Director McPherson, that staff be directed to complete the required notification.

CARRIED

MOVED Director Van Eynde, SECONDED Director McPherson, that Development Variance Permit No. PL2014-091 to permit the construction of a dwelling unit on an existing foundation be approved subject to the conditions outlined in Attachments 2 to 5.

CARRIED

### **Development Variance Permit Application No. PL2014-024 – Ball – Lot 7, Block 359, Newcastle District, Plan VIP64696 – Electoral Area ‘F’.**

MOVED Director Fell, SECONDED Director McPherson, that staff be directed to complete the required notification.

CARRIED

MOVED Director Fell, SECONDED Director McPherson, that Development Variance Permit No. PL2014-024 to reduce the required lot frontage from 40.0 metres to 20.0 metres for the proposed subdivision be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

## **OTHER**

### **Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement – Subdivision Application No. PL2014-053 – Sylvia and Terry Birkholz – 2881 Ashcraft Road, Electoral Area ‘E’.**

MOVED Director Van Eynde, SECONDED Director Fell, that the request to relax the minimum 10% perimeter frontage requirement for the remainder lot be approved.

CARRIED



**ADJOURNMENT**

MOVED Director Van Eynde, SECONDED Director McPherson, that this meeting terminate.

CARRIED

TIME: 6:39 PM

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CHAIRPERSON

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CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY SEPTEMBER 9, 2014 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
Alternate	
Director F. Van Eynde	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director J. de Jong	District of Lantzville
Director J. Ruttan	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

Regrets:

Director G. Holme	Electoral Area E
Director G. Anderson	City of Nanaimo

Also in Attendance:

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

## **CALL TO ORDER**

The Chairperson called the meeting to order.

## **DELEGATIONS**

### **Domenico Iannidinardo, TimberWest, re Overview of Company Land Operations.**

Domenico Iannidinardo presented a slide show which provided an overview of TimberWest history and the Company's new programs and initiatives, and requested the Board support their new projects, promote the benefits of forestry, and to continue being strong partners.

### **Randy White, re BC RDN's and the problem facing them with Marihuana Grow Operations in Agricultural lands.**

Randy White expressed his view that licensing of a medicinal marihuana facility on agricultural lands in Paradise Place is improper due to the impacts to the surrounding community, limited road access, the extensive use of resources required to sustain a large operation, and requested the Board to oppose the licence application for the facility.

### **Lehann Wallace, re Marihuana for Medical Purposes Regulations in River's Edge.**

Lehann Wallace provided a petition to the Board and presented a slide show indicating her concerns for community safety, water usage and ground water contamination, resident's road access, and environmental impacts of a large medical marihuana facility in River's Edge, and asked for the Board's support to act on behalf of the residents who are opposed to the application.

### **Rob Bau, re Seven Springs Camp.**

Rob Bau presented a slide show of Seven Springs Camp and Retreat Centre and highlighted his concerns for community safety, light pollution, creek habitat, water usage and ground water contamination, and the potential impact that a large medical marihuana facility could have on the established community recreation facility.

## **LATE DELEGATIONS**

MOVED Director Kipp, SECONDED Director Houle, that late delegations be permitted to address the Board.

CARRIED

### **Fred Bennett, re Gabriola Island's Descanso Bay Emergency Dock.**

Fred Bennett shared his proposal for water taxi service using the Descanso Bay Emergency Dock and asked the Board to approve water taxi usage and grant Westcoast Water Taxi permission to use the Descanso Bay dock for a trial period to see if there is enough public support for the initiative.

## **COMMITTEE OF THE WHOLE MINUTES**

### **Minutes of the Committee of the Whole meeting held Tuesday, July 8, 2014.**

MOVED Director Kipp, SECONDED Director de Jong, that the minutes of the Committee of the Whole meeting held Tuesday, July 8, 2014 be adopted.

CARRIED

## **COMMUNICATION/CORRESPONDENCE**

**Denis Lebel, Minister of Infrastructure, Government of Canada, re Request for funding for a new water treatment facility.**

MOVED Director Johnstone, SECONDED Director Van Eynde, that the correspondence received from Denis Lebel, Minister of Infrastructure, Government of Canada, regarding the request for funding for a new water treatment facility be received.

CARRIED

**Malcolm Brodie, Metro Vancouver, re Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280.**

MOVED Director Johnstone, SECONDED Director Van Eynde, that the correspondence received from Malcolm Brodie, Metro Vancouver, regarding Metro Vancouver waste flow management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280 be received.

CARRIED

**Taryn O'Flanagan, re \$5,000 Grant to Restorative Justice.**

MOVED Director Johnstone, SECONDED Director Van Eynde, that the correspondence received from Taryn O'Flanagan regarding the \$5,000 grant to Restorative Justice be received.

CARRIED

**Selina Robinson, MLA, re Official Opposition Hosted Breakfast and Meetings at 2014 UBCM.**

MOVED Director Johnstone, SECONDED Director Van Eynde, that the correspondence received from Selina Robinson, MLA, regarding the official opposition hosted breakfast and meetings at the 2014 Union of BC Municipalities Convention be received.

CARRIED

**David Brown, re Proposed Medical Marihuana Facility in Yellowpoint.**

MOVED Director Johnstone, SECONDED Director Van Eynde, that the correspondence received from David Brown regarding the proposed medical marihuana facility in Yellowpoint be received.

CARRIED

## **CAO**

**Regional District of Nanaimo – Operational and Efficiency Review, 2014 Community Survey.**

MOVED Director Veenhof, SECONDED Director Ruttan, that the Board receive the Final Report on the results of 2014 Community Survey and direct staff to release and distribute the information through the Regional District of Nanaimo website, local media and any other appropriate communication channels.

CARRIED

**Board Remuneration - Bylaw No. 1078.08 and Bylaw No. 1317.04.**

MOVED Director McPherson, SECONDED Director Young, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" as shown in attachment 1 be introduced and read three times.

DEFEATED

MOVED Director Fell, SECONDED Director Lefebvre, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" as shown in attachment 3 be introduced and read three times.

DEFEATED

MOVED Director Brennan, SECONDED Director Young, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" as shown in attachment 1 be introduced and read three times.

CARRIED

MOVED Director Veenhof, SECONDED Director Houle, that "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078.08, 2014" as shown in attachment 1 be adopted.

CARRIED

MOVED Director Veenhof, SECONDED Director Houle, that "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.04, 2014" as shown in attachment 1 be introduced and read three times.

CARRIED

MOVED Director Veenhof, SECONDED Director Houle, that "Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317.04, 2014" as shown in attachment 1 be adopted.

CARRIED

MOVED Director Veenhof, SECONDED Director Houle, that the Board Remuneration Review Committee be dissolved.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that prior to the next municipal elections in 2018 that Regional District of Nanaimo staff be directed to engage an independent, qualified consultant to review and report on the Regional District of Nanaimo's Director Remuneration and how it compares to the remuneration paid to Directors in other comparable regional districts.

CARRIED

## **CORPORATE SERVICES**

### **ADMINISTRATION**

#### **Amendment to Officers Appointment and Delegation Bylaw No. 1661.**

MOVED Director Willie, SECONDED Director Lefebvre, that "Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No. 1661.01, 2014" be introduced and read three times.

CARRIED

MOVED Director Willie, SECONDED Director Lefebvre, that "Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No. 1661.01, 2014" be adopted.

CARRIED

## **FINANCE**

### **Operating Results for the Period Ending June 30, 2014.**

MOVED Director Lefebvre, SECONDED Director de Jong, that the summary report of financial results from operations to June 30, 2014 be received for information.

CARRIED

## **RECREATION AND PARKS SERVICES**

### **Request for Acceptance of Park Land Dedication – 1965 Walsh Road, Electoral Area ‘A’.**

MOVED Director McPherson, SECONDED Director Young, that the proposed park dedication in the proximity of York Lake be accepted in conjunction with a proposed subdivision as shown on Attachment 2.

CARRIED

## **REGIONAL AND COMMUNITY UTILITIES**

### **WATER AND UTILITY**

#### **Bylaws No. 1004.07, 1445.05, and 1521.02 – Cedar and Duke Point Sewer Boundary Amendment – 1965 Walsh Road and 1812 Cedar Road, Electoral Area ‘A’.**

MOVED Director McPherson, SECONDED Director Young, that "Duke Point Sewer Service Amendment Bylaw No. 1004.07, 2014" be introduced and read three times.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that "Cedar Sewer Service Amendment Bylaw No. 1445.05, 2014" be introduced and read three times.

CARRIED

MOVED Director McPherson, SECONDED Director Young, that "Cedar Sewer Small Residential Properties Capital Financing Service Amendment Bylaw No. 1521.02, 2014" be introduced and read three times.

CARRIED

## **STRATEGIC AND COMMUNITY DEVELOPMENT**

### **BUILDING, BYLAW, AND EMERGENCY PLANNING SERVICES**

#### **1673 Gerrand Road – Electoral Area ‘A’ – Unsightly Premises.**

MOVED Director McPherson, SECONDED Director Young, that the Board, pursuant to *Unsightly Premises Regulatory Bylaw No. 1073, 1996*, directs the owner of Lot 2, Section 16, Range 8, Cranberry District, Plan 11970, (1673 Gerrand Road), to remove the accumulation of disused, discarded materials and refuse, unlicensed derelict vehicles, boats, recreational vehicles, scrap metal, automotive parts, scrap wood and refuse 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

**1016 Harrison Way – Electoral Area ‘B’ – Unsightly Premises.**

Mr. Christos Glaros spoke to the condition of the property and updated the Board on the progress to date.

MOVED Director Houle, SECONDED Director Young, that the Board, pursuant to *Unsightly Premises Regulatory Bylaw No. 1073, 1996*, directs the owner of Lot 35, Section 12, Gabriola Island, Nanaimo District, Plan 23619, (1016 Harrison Way), to remove the accumulation of discarded and disused wood waste, miscellaneous debris, scrap metal, old bikes, building materials, plastic and several structures from the property within sixty (60) days, or the work will be undertaken by the Regional District of Nanaimo or its agents at the owner's cost.

CARRIED

**EXTERNAL BOARDS**

**Englishman River Water Service.**

**Minutes of the Englishman River Water Service Management Board meeting held Tuesday, June 24, 2014.**

MOVED Director Lefebvre, SECONDED Director Ruttan, that the minutes of the Englishman River Water Service Management Board meeting held Tuesday, June 24, 2014 be received for information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS AND COMMUNICATIONS**

**Marihuana for Medical Purposes in River's Edge.**

MOVED Director Lefebvre, SECONDED Director Van Eynde, that correspondence be sent to Health Canada by the Regional District of Nanaimo opposing the issuance of a permit for the production of medical marihuana at 1085 Paradise Place due to negative impacts on adjacent residential areas, lack of water and sewer infrastructure, traffic and security concerns.

CARRIED

**Metro Vancouver Solid Waste Bylaw 280.**

MOVED Director Willie, SECONDED Director Fell, that staff be directed to prepare correspondence from the Regional District of Nanaimo Board Chair to the appropriate Provincial Ministries reaffirming the Board's support for Metro Vancouver's Bylaw 280, encouraging the Minister to approve the Bylaw; and that staff be directed to forward copies of the correspondence to all Association of Vancouver Island and Coastal Communities members encouraging those jurisdictions to send similar indications of support for the Bylaw to the Province.

CARRIED

Chairperson Stanhope advised the Board that Director Fell accepted the appointment as the Board's representative to the Island Corridor Foundation.

**IN CAMERA**

MOVED Director Fell, SECONDED Director Lefebvre, that pursuant to Section 90(1)(a) of the *Community Charter* the Committee proceed to an In Camera Meeting to consider committee appointments.

CARRIED

TIME: 9:51 PM

**ADJOURNMENT**

MOVED Director Veenhof, SECONDED Director Van Eynde, that this meeting terminate.

CARRIED

TIME: 10:03 PM

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CHAIRPERSON

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CORPORATE OFFICER



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1078.08**

**A BYLAW TO AMEND REMUNERATION AND  
EXPENSE REIMBURSEMENT RATES FOR BOARD DIRECTORS**

WHEREAS the Board of the Regional District of Nanaimo by bylaw, cited as “Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078, 1997”, and subsequent amendments thereto, provided for the remuneration rates and reimbursement of expenses incurred by Directors and Alternate Directors;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to amend the bylaw on the recommendations of the 2014 Board Remuneration Review Committee;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to introduce various housekeeping amendments;

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

1. Citation

This bylaw may be cited as “Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Amendment Bylaw No. 1078.08, 2014”.

2. Amendments

“Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078, 1997” is amended as follows:

- (1) By deleting Schedule ‘A’ and replacing it with Schedule ‘A’ attached to and forming part of this bylaw.
- (2) By amending section references in sections 5, 6, 9 and 10 to correspond to the correct referenced section of the bylaw.
- (3) By amending the job titles in section 9 as follows:
  - (a) replace “General Manager, Finance & Information Services” with “Manager of Accounting Services”; and
  - (b) replace “Administrator” with “Chief Administrative Officer”.

Introduced and read three times this \_\_\_\_\_th day of \_\_\_\_\_, 2014.

Adopted this this \_\_\_\_\_th day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
 Chairperson

\_\_\_\_\_  
 Corporate Officer

**SCHEDULE 'A'**

1. Remuneration rates effective commencing the pay period following the Inaugural Board Meeting in each year shall be as follows:

	<u>Dec. 2014</u>	<u>Dec. 2015</u>	<u>Dec. 2016</u>	<u>Dec. 2017</u>
All Directors	\$11,855 plus CPI adjustment plus \$1,350	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment
Chairperson – allowance	\$19,500	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment

- (a) The base remuneration shall cover up to four regularly scheduled Board or Committee meetings, Ideas and Updates meetings and up to one additional informational seminar per month.

Note: CPI shall be based on the British Columbia Consumer Price Index as published at November 30th each year.

2. In addition to the remuneration rates shown at (1) above, there shall be paid the following rates:

Vice Chairperson of the Board	\$160 per meeting when acting as Chairperson of the Board
Committee Chairperson (Standing, Select, Advisory, Public Hearing or Public Information Meeting)	\$110 per meeting chaired

Committee Vice Chairperson (has the same meaning as Committee Chairperson)	\$85 per meeting chaired
Alternate Director	\$80 per meeting when attending in the regular Director's place
Select Committees	\$70 per meeting attended
Scheduled Standing Committees	\$70 per meeting attended
Advisory Standing Committees	\$70 per meeting attended
Public Hearings	\$70 per meeting attended
Public Information Meeting	\$70 per meeting attended
Other meetings	\$70 per meeting for Directors appointed by the Board or the Chairperson to represent the Regional District at other Regional District business meetings

- (a) Where a Committee meeting, Public Hearing, Public Information meeting or Other Business meeting, exceeds half a day or four hours in length, the per diem shall be \$110.
  - (b) The Chair and/or a Director designated by the Chair shall receive a meeting per diem of \$110 when attending meetings with senior levels of government or when representing the Regional District at locations outside of the Regional District unless otherwise remunerated as a representative of another organization attending the meeting.
  - (c) Meeting per diems shall be paid for sub-committee work only where the committee appointment is to an organization constituted under Provincial legislation or is directly related to the Regional District's service responsibilities.
3. The rates above shall be reviewed by a Committee appointed by the Board in the year of Local Government elections and any changes shall be effective from the pay period following the December inaugural Board meeting of that year.

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1317.04**

**A BYLAW TO AMEND THE SUPPLEMENTAL  
REMUNERATION RATES FOR ELECTORAL AREA DIRECTORS**

WHEREAS the Board of the Regional District of Nanaimo by bylaw, cited as “Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002”, and subsequent amendments thereto, provided for the remuneration rates and reimbursement of expenses incurred by Electoral Area Directors;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to amend the bylaw on the recommendations of the 2014 Board Remuneration Review Committee;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to introduce housekeeping amendments;

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

1. Citation

This bylaw may be cited as “Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Amendment Bylaw No. 1317.04, 2014”.

2. Amendments

“Regional District of Nanaimo Board Remuneration and Expenses (Electoral Areas Only) Bylaw No. 1317, 2002” is amended as follows:

- (1) By deleting Schedule ‘A’ and replacing it with Schedule ‘A’ attached to and forming part of this bylaw.
- (2) By amending the job titles in section 6 as follows:
  - (a) replace “General Manager, Finance & Information Services” with “Manager of Accounting Services”; and
  - (b) replace “Manager of Financial Services” with “Treasurer”.

Introduced and read three times this \_\_\_\_\_th day of \_\_\_\_\_, 2014.

Adopted this \_\_\_\_\_th day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

### SCHEDULE 'A'

1. Remuneration rates effective commencing the pay period following the Inaugural Board Meeting in each year shall be as follows:

	<u>Dec. 2014</u>	<u>Dec. 2015</u>	<u>Dec. 2016</u>	<u>Dec. 2017</u>
Regional Allowance – Electoral Areas only	\$10,985	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment

Note: CPI shall be based on the British Columbia Consumer Price Index as published at November 30th each year.

2. The rates above shall be reviewed by a Committee appointed by the Board in the year of Local Government elections and any changes shall be effective from the pay period following the December inaugural Board meeting of that year.

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1661.01**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO  
OFFICERS APPOINTMENT AND DELEGATION BYLAW**

WHEREAS the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1661, 2012”;

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

**1. Citation**

This Bylaw may be cited as “Regional District of Nanaimo Officers Appointment and Delegation Amendment Bylaw No 1661.01, 2014”.

**2. Amendments**

“Regional District of Nanaimo Officers Appointment and Delegation Bylaw No. 1661, 2012” is amended as follows:

1. By adding the following under Section 2. Definitions:

“Chair” means the Chair of the Board of the Regional District of Nanaimo.

2. By deleting Section 4. in its entirety and replacing it with the following:

4. DEPUTY POSITIONS

- (1) The following persons are appointed as Deputy Chief Administrative Officer: the General Manager of Recreation and Parks, the General Manager of Regional and Community Utilities, the General Manager of Strategic and Community Development, the General Manager of Transportation and Solid Waste, the Director of Corporate Services and the Director of Finance.
- (2) The persons appointed under subsection (1) may only exercise the authority as Deputy Chief Administrative Officer in the absence of the Chief Administrative Officer and as designated by the Chief Administrative Officer or the Chair. (For the purpose of this section, absence is defined as being absent from the Regional District of Nanaimo Administration Office in the event of illness, incapacity, annual vacation or other similar reasons.)
- (3) The Legislative Coordinator is appointed as the deputy for the purposes of s. 198 of the *Local Government Act*;



- (4) The Manager of Accounting Services and the Senior Accountant are appointed as the deputy for the purposes of s. 199 of the *Local Government Act*;
  - (5) A delegation of a power, duty or function under this bylaw includes a delegation to a person who is from time to time the deputy of the delegate.
3. By amending Section 9(1) to delete the words “adopted by the Board on the 13<sup>th</sup> day of July, 1999” and replace them with “as adopted by the Board.”

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, 2014.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1004.07**

**A BYLAW TO AMEND THE BOUNDARIES OF THE  
DUKE POINT SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Duke Point Sewer Service pursuant to Bylaw No. 1004, cited as "Duke Point Sewer Local Service Area Establishment Bylaw No. 1004, 1996";

AND WHEREAS the Board of the Regional District of Nanaimo has been requested by two property owners to amend the boundaries of the service area to exclude the land legally described as:

- Lot 1, Section 14, Range 1, Plan 19367, Cedar Land District (Folio No. 768.3090.500);

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**

"Duke Point Sewer Local Service Area Establishment Bylaw No. 1004, 2005" is hereby amended as follows:

- (a) By deleting Schedule 'A' of Bylaw 1004 and replacing it with the new Schedule 'A' attached to this bylaw; and
- (c) By deleting Schedule 'B' of Bylaw 1004 and replacing it with the new Schedule 'B' attached to this bylaw.

**2. Citation**

This bylaw may be cited for all purposes as "Duke Point Sewer Service Amendment Bylaw No. 1004.07, 2014".

Introduced and read three times this \_\_\_\_ day of \_\_\_\_\_, 2014.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2014.

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CHAIRPERSON

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CORPORATE OFFICER

Schedule 'A' to accompany "Duke Point Sewer Service  
Amendment Bylaw No. 1004.07, 2014"

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer



Schedule `B' to accompany "Duke Point Sewer Service  
Amendment Bylaw No. 1004.07, 2014"

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

**Properties within Electoral Area A included in the service area**

768 3089.001 Lot A, Section 14, Range 1, VIP 57874  
768 3089.106 Lot 6, Section 14, Range 1, VIP 59634

**Commercial Properties (reference Cedar Sewer Commercial Properties Capital Financing Service Establishing Bylaw No. 1513, 2007)**

768 3121.080 Lot A, Range 8, Plan VIP 71569  
768 3089.002 Lot 1, Section 14, Range 1, Plan VIP 76260  
768 3090.425 Lot A, Section 14, Range 1, Plan VIP 67433  
768 4645.000 Lots 4 & 5, Block 1, Plan 2045  
768 3134.000 Lot 3, Section 17, Range 1, Plan 11369  
768 3136.100 Lot A, Section 17, Range 1, Plan 46766  
768 4646.000 Lot 6, Block 1, Section 15, Range 8, Plan 2045

**Large Residential Properties (reference Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2007)**

768 4655.000 Lot 1, Plan 2995, Section 15, Range 8  
768 3128.030 Lot A, Plan 30449

**Sportsfield (reference Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007)**

768 3089.020 Lot A, Plan 37404

**Small Residential Properties (reference Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007)**

Folio	Legal Description
768 3128.050	Lot B, Pl 30449
768 3128.325	Lot 4, Pl 19416
768 3091.100	Lot 1, Pl 7636 Excl Pcl A (DD14382N)
768 3180.000	Lot 5, Pl 2049, Sec 16, Range 8
768 3131.010	Lot 1, Pl 69370
768 3121.085	Lot 3, Pl 23666
768 3126.000	Lot 4, Block 3, Section 16, Range 8, Plan 2041
768 3135.000	Lot 4, Pl 11369

**High School**

Folio 768 3130.600 Lot A, Section 16, Range 8, Plan 48768, Land District 18

**Small Residential Properties Stage 2 (reference Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service Establishment Bylaw No. 1565, 2009)**

<b>Folio</b>	<b>PID</b>	<b>Legal Description</b>	<b>Street Address</b>
768 3113.00	006636268	Lot 5, Block 2, Section 16, Range 8, Plan 2041	1668 Cedar Rd
768 3114.000	006636225	Lot 6, Block 2, Section 16, Range 8, Plan 2041	1672 Cedar Rd
768 3176.000	006644562	Lot 1, Section 16, Range 8, Plan 2049	1674 Cedar Rd
768 3178.000	006645046	Lot 3, Section 16, Range 8, Plan 2049	1682 Cedar Rd
768 3179.000	006645062	Lot 4, Section 16, Range 8, Plan 2049	Vacant
768 3128.300	003732967	Lot 3, Section 15, Range 8, Plan 19416	1782 Cedar Rd
768 3090.200	000280534	Lot 6, Section 14, Range 1, Plan 16036	1823/1825/1827 Cedar Rd

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1445.05**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE CEDAR SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Cedar Sewer Service pursuant to Bylaw No. 1445, cited as "Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005";

AND WHEREAS the Board of the Regional District of Nanaimo has been requested by two property owners to amend the boundaries of the service area to exclude the land legally described as:

- Lot 1, Section 14, Range 1, Plan 19367, Cedar Land District (Folio No. 768.3090.500);

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**

"Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005" is hereby amended as follows:

- (a) By deleting Schedule 'A' of Bylaw 1445 and replacing it with the new Schedule 'A' attached to this bylaw; and
- (b) By deleting Schedule 'B' of Bylaw 1445 and replacing it with the new Schedule 'B' attached to this bylaw.

**2. Citation**

This bylaw may be cited for all purposes as "Cedar Sewer Service Amendment Bylaw No. 1445.05, 2014".

Introduced and read three times this \_\_\_ day of \_\_\_\_\_, 2014.

Adopted this \_\_\_ day of \_\_\_\_\_, 2014.

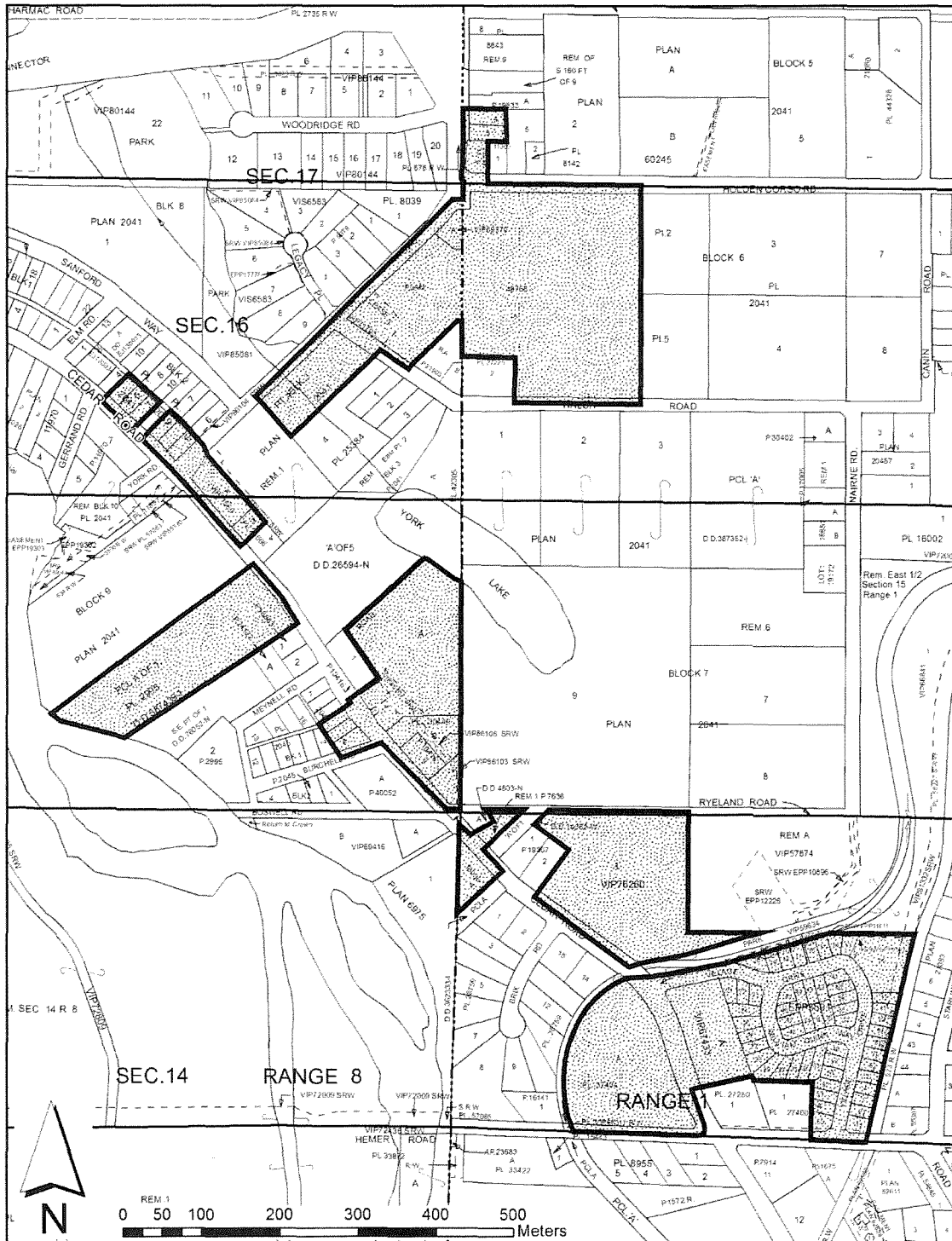
\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

Schedule 'A' to accompany "Cedar Sewer Service  
Amendment Bylaw No. 1445.05, 2014

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer



\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

Properties included in the service area:

768 3089.001                      Lot A, Section 14, Range 1, VIP 57874  
768 3089.106                      Lot 6, Section 14, Range 1, VIP 59634

**Commercial Properties (reference Cedar Sewer Commercial Properties Capital Financing Service Establishing Bylaw No. 1513, 2007)**

768 3121.080                      Lot A, Range 8, Plan VIP 71569  
768 3089.002                      Lot 1, Section 14, Range 1, Plan VIP 76260  
768 3090.425                      Lot A, Section 14, Range 1, Plan VIP 67433  
768 4645.000                      Lots 4 & 5, Block 1, Plan 2045  
768 3134.000                      Lot 3, Section 17, Range 1, Plan 11369  
768 3136.100                      Lot A, Section 17, Range 1, Plan 46766  
768 4646.000                      Lot 6, Block 1, Section 15, Range 8, Plan 2045

**Large Residential Properties (reference Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2007)**

768 4655.000                      Lot 1, Plan 2995, Section 15, Range 8  
768 3128.030                      Lot A, Plan 30449

**Sportsfield (reference Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007)**

768 3089.020                      Lot A, Plan 37404

**Small Residential Properties (reference Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007)**

Folio	Legal Description
768 3128.050	Lot B, Pl 30449
768 3128.325	Lot 4, Pl 19416
768 3091.100	Lot 1, Pl 7636 Excl Pcl A (DD14382N)
768 3180.000	Lot 5, Pl 2049, Sec 16, Range 8
768 3131.010	Lot 1, Pl 69370
768 3121.085	Lot 3, Pl 23666
768 3126.000	Lot 4, Block 3, Section 16, Range 8, Plan 2041
768 3135.000	Lot 4, Pl 11369

**High School**

Folio 768 3130.600                      Lot A, Section 16, Range 8, Plan 48768, Land District 18



**Small Residential Properties Stage 2 (reference Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service Establishment Bylaw No. 1565, 2009)**

<b>Folio</b>	<b>PID</b>	<b>Legal Description</b>	<b>Street Address</b>	
768 3113.000	006636268	Lot 5, Block 2, Section 16, Range 8, Plan 2041	1668	CEDAR RD
768 3114.000	006636225	Lot 6, Block 2, Section 16, Range 8, Plan 2041	1672	CEDAR RD
768 3176.000	006644562	Lot 1, Section 16, Range 8, Plan 2049	1674	CEDAR RD
768 3178.000	006645046	Lot 3, Section 16, Range 8, Plan 2049	1682	CEDAR RD
768 3179.000	006645062	Lot 4, Section 16, Range 8, Plan 2049	VACANT	CEDAR RD
768 3128.300	003732967	Lot 3, Section 15, Range 8, Plan 19416	1782	CEDAR RD
768 3090.200	000280534	Lot A, Section 14, Range 1, Plan 16036	1823/1825/1827	CEDAR RD

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1521.02

A BYLAW TO AMEND THE BOUNDARIES OF THE  
CEDAR SEWER SMALL RESIDENTIAL PROPERTIES  
CAPITAL FINANCING SERVICE

WHEREAS the Regional District of Nanaimo established the Cedar Sewer Small Residential Properties Capital Financing Service pursuant to Bylaw No. 1521, cited as “Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007”;

AND WHEREAS the Board of the Regional District of Nanaimo has been requested by two property owners to amend the boundaries of the service area to exclude the land legally described as:

- Lot 1, Section 14, Range 1, Plan 19367, Cedar Land District (Folio No. 768.3090.500);

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**

“Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007” is hereby amended as follows:

- (a) By deleting Schedule ‘A’ of Bylaw 1521 and replacing it with the new Schedule ‘A’ attached to this bylaw; and
- (b) By deleting Schedule ‘B’ of Bylaw 1521 and replacing it with the new Schedule ‘B’ attached to this bylaw.

2. **Citation**

This bylaw may be cited for all purposes as “Cedar Sewer Small Residential Properties Capital Financing Service Amendment Bylaw No. 1521.02, 2014”.

Introduced and read three times 23<sup>rd</sup> day of September, 2014.

Adopted this \_\_\_ day of \_\_\_\_\_, 2014.

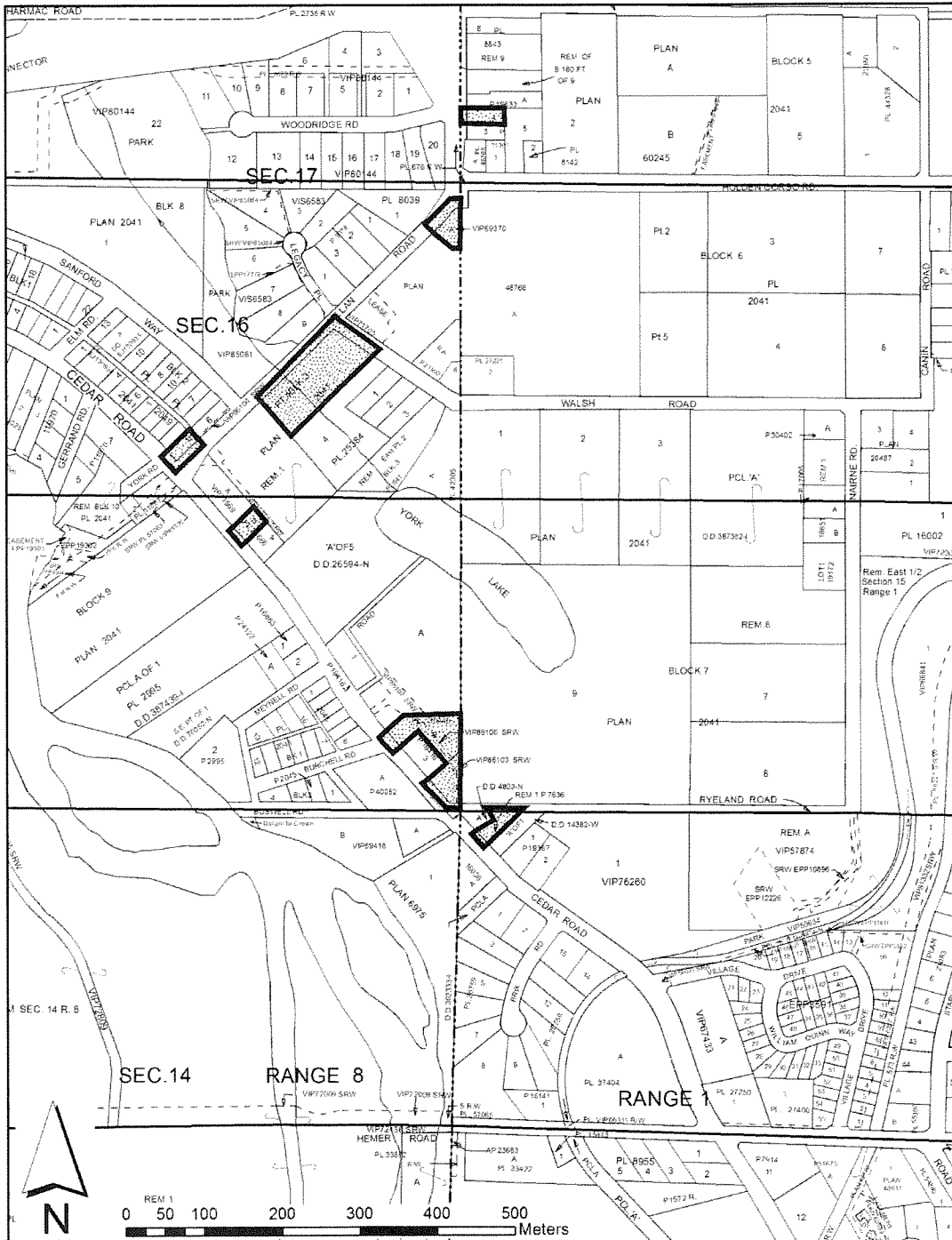
\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
CORPORATE OFFICER

Schedule 'A' to accompany "Cedar Sewer Small Residential  
Properties Capital Financing Service Amendment Bylaw No.  
1521.02, 2014"

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer



Schedule 'B' to accompany "Cedar Sewer Small Residential  
Properties Capital Financing Service Amendment Bylaw No.  
1521.02, 2014"

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

Properties included within the Service Area:

<b>Folio</b>	<b>Legal Description</b>
768 3128.050	Lot B, PI 30449 – 1 connection
768 3128.325	Lot 4, PI 19416 – 1 connection
768 3091.100	Lot 1, PI 7636 Excl Pcl A (DD14382N) – 1 connection
768 3180.000	Lot 5, PI 2049, Sec 16, Range 8 – 1 connection
768 3131.010	Lot 1, PI 69370 – 1 connection
768 3121.085	Lot 3, PI 23666 – 1 connection
768 3126.000	Lot 4, Block 3, Section 16, Range 8, Plan 2041 – 2 connections
768 3135.000	Lot 4, PI 11369 – 1 connection

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE AREA F PARKS AND OPEN SPACE ADVISORY COMMITTEE (POSAC)  
REGULAR COMMITTEE MEETING HELD  
WEDNESDAY, JULY 9, 2014  
7:00PM  
AT THE ARROWSMITH HALL, COOMBS

**Attendance:** Chair Julian Fell  
Alfred Jablonski  
Barbara Smith  
Colin Anderson  
David Edgeley  
Reg Nosworthy

**Staff:** Wendy Marshall  
Elaine McCulloch

**Regrets:** Earl Billingsley

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**CALL TO ORDER**

Chair Fell called the meeting to order 7:08 p.m. The agenda was approved.

**MINUTES**

MOVED A. Jablonski, SECONDED R. Nosworthy that the Minutes of the Electoral Area F Parks and Open Space Advisory Committee (POSAC) dated March 17, 2014 be approved.

CARRIED

**COMMUNICATION/CORRESPONDENCE**

**Letter from T. Osborne, RDN to R. Koop, School District 69, RE: Facility Use Partnership Opportunities with SD 69.**

MOVED R. Nosworthy, SECONDED A. Jablonski to receive the correspondence.

CARRIED

**REPORTS**

**Monthly Update of Community Parks and Regional Parks and Trail Projects**

Ms. McCulloch referred to the Community Parks and Regional Parks and Trails Projects reports for April, May, and June, provided to the committee.

B. Smith advised there is no report as yet regarding the Errington School trail contact with Ms. Diewold.

Chair Fell advised that there is a Federal Fisheries Employment Program which may be a potential funding source for construction accessible trails. Access to this funding program requires a project in place by a non-profit group. It was speculated by Committee members that these funds might be used in the next phase of the Meadowood Community Park, where a community hall could be established. Pursuant to this, the Chair advised that a surplus portable from school closures might be available to use as a temporary community building at Meadowood Community Park, although there are other groups vying for those excess buildings. He will follow up with this.

B Smith advised that the Section .57 Recreation application started by the Silver Spur Riding Club has been sidetracked.

Ms. McCulloch reviewed the information taken from the trail counter data.

### **Meadowood Community Park Construction Update**

Ms. McCulloch advised that the Meadowood Community Park Phase 1 construction contract has been awarded to Milestone Equipment Contracting Ltd. and that work has begun. Tree planting and seeding cannot happen until the fall. Committee members were concerned about vandalism in the park and suggested that a surveillance camera be installed. Staff noted that legal advice has been sought regarding the legality of monitoring a public park with a camera and that it is not recommended to use cameras as a deterrent nor as a first response to vandalism issues in a park. Milestone Contracting Ltd. is responsible to secure the area until their contract has finished. Ms. McCulloch thanked A. Jablonski for his work to date on the pavilion.

Ms. McCulloch advised that the bridge over Little Qualicum River, through Little Qualicum Regional Park has been damaged and is closed. The present easement holder has been maintaining the bridge and with the closure of their business, bridge repair may become the responsibility of the RDN.

Continuing issue with damage done by ATVs, and it is hoped that the new legislation will address accountability for improper use of ATVs.

### **Malcolm Community Park Signage Update (verbal)**

Ms. McCulloch will continue to investigate the potential of developing a trailhead behind the Whiskey Creek Store.

Ms. Marshall will ascertain the status of the survey of Cranswick Road.

R. Nosworthy spoke about the need to have a bike corridor from Coombs to Errington School, and foresees a transportation problem now that French Creek School is closed.

### **5-year Project Planning: 2014-2018**

The 5-year project planning spreadsheet was reviewed. R. Nosworthy noted that some funds have been budgeted for trail development in 2014/2015. He is concerned that these funds may not be used as other projects, such as the Meadowood Community Park construction, have taken priority for staff time. Chair Fell suggested that the Community Works (CW) Fund (Federal Gas Tax Infrastructure fund administered in BC through UBCM) might be available for trail construction work and will look into this.

Ms. Marshall will distribute the Community Parks and Trails Strategy Final Reports to those members of POSAC who have not received it. This Report is providing information for the creation of a 5-year budget and a development package. A volunteer policy and guidelines will be developed as well.

Chair Fell reviewed the problems with lack of funding for the projects as Meadowood Project has used all of the funds available for parks and trails.

MOVED R. Nosworthy, SECONDED D. Edgeley to receive the Reports.

CARRIED

#### **BUSINESS ARISING FROM DELEGATIONS AND COMMUNICATIONS**

Letter of Tom Osborne dated June 25<sup>th</sup>, 2014 regarding facility use partnership opportunities with School District 69. Partnership opportunities will be welcomed.

#### **NEW BUSINESS**

R. Nosworthy questioned what will be done with the French Creek School Building and whether it could be designated as a Heritage Building. However the RDN does not have a Heritage Commission to do so.

#### **AJOURNMENT**

MOVED D. Edgeley to adjourn the meeting at 8:45 p.m.

CARRIED

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Chair

**REGIONAL DISTRICT OF NANAIMO**  
**MINUTES OF THE SUSTAINABILITY SELECT COMMITTEE**  
**MEETING HELD ON TUESDAY, SEPTEMBER 16, 2014 AT 2:03 PM**  
**IN THE RDN COMMITTEE ROOM**

**Present:**

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Veenhof	Electoral Area H
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach
Director J. de Jong	District of Lantzville

**Also in Attendance:**

Director J. Fell	Electoral Area F
P. Thorkelsson	Chief Administrative Officer
G. Garbutt	General Manager, Strategic & Community Development
R. Alexander	General Manager, Regional & Community Utilities
C. Midgley	Manager, Energy & Sustainability
M. Donnelly	Manager, Water & Utility Services
T. Pan	Sustainability Coordinator
J. Pisani	Drinking Water & Watershed Protection Coordinator
N. Hewitt	Recording Secretary

**Regrets:**

Director D. Brennan	City of Nanaimo
Director J. Kipp	City of Nanaimo

**CALL TO ORDER**

The Chairperson called the meeting to order at 2:03 pm.

**MINUTES**

MOVED Director de Jong, SECONDED Director Houle, that the minutes of the Sustainability Select Committee meeting held on Thursday June 12, 2014 be adopted.

CARRIED



MOVED Director Lefebvre, SECONDED Director de Jong, that the minutes of the Drinking Water and Watershed Protection Technical Advisory Committee held on Wednesday July 23, 2014 be received.

CARRIED

## **BUSINESS ARISING FROM THE MINUTES**

### **First Nation Engagement**

MOVED Director Veenhof, SECONDED Director Houle, that staff advise First Nation communities when Sustainability Select Committee meetings take place, and cordially invite First Nation representatives to upcoming Sustainability Select Committee meetings.

CARRIED

## **REPORTS**

### **Release of Corporate Climate Action Reserve Funds – September 2014.**

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board approve the release of up to \$30,000 from the Corporate Climate Action Reserve Fund for investment in a variable frequency drive pump speed controller for the Departure Bay Pump Station.

CARRIED

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board approve the release of up to \$4,500 from the Corporate Climate Action Reserve Fund for the regional purchase of SMARTTool.

CARRIED

### **2014 Regional Emission Reduction Projects.**

MOVED Director Veenhof, SECONDED Director McPherson, that staff proceed with developing a request for proposals from qualified professionals to evaluate potential legal instruments and develop the legal language necessary to protect private forest land in perpetuity for the purpose of implementing regional emission reduction projects.

CARRIED

### **Quarterly Energy Update (presentation).**

MOVED Director Willie, SECONDED Director Veenhof, that the verbal report on Quarterly Energy Update be received.

CARRIED

### **Energy & Sustainability – Ongoing Initiatives (presentation).**

MOVED Director Veenhof, SECONDED Director Lefebvre, that the verbal report on Energy & Sustainability Ongoing Initiatives be received.

CARRIED

**Drinking Water Watershed Protection Technical Advisory Committee Information Package.**

MOVED Director Veenhof, SECONDED Director Young, that the verbal report on Drinking Water Watershed Protection Technical Advisory Committee be received.

CARRIED

**ADJOURNMENT**

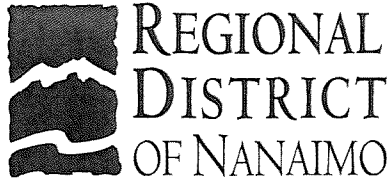
MOVED Director Veenhof, SECONDED Director Willie, that this meeting be adjourned.

CARRIED

Time 3:47 pm

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CHAIRPERSON



RDN REPORT		
CAO APPROVAL		<i>[Signature]</i>
EAP		
GOW		
SEP 08 2014		
RHD		
BOARD		DATE:
<i>lml</i>		<i>SEPT 16 / 2014</i>

**MEMORANDUM**

**TO:** Geoff Garbutt  
General Manager,  
Strategic and Community Development

**DATE:** September 5, 2014

**FROM:** Chris Midgley  
Manager, Energy and Sustainability

**FILE:** 1855-03-CARIP

**SUBJECT:** Release of Corporate Climate Action Reserve Funds – September 2014

**PURPOSE**

To request that funds up to \$34,500 be released from the Corporate Climate Action Reserve Fund for investment in two projects that contribute to corporate energy conservation and emissions reductions.

**BACKGROUND**

The Corporate Climate Action Reserve Fund was established by bylaw at the Regular Board Meeting held November 22, 2011. The fund is intended to support capital investment in vehicles, equipment, infrastructure and initiatives that result in corporate energy conservation and emissions reductions.

The source of revenue for the Corporate Climate Action Reserve Fund is the Provincial Climate Action Revenue Incentive Program (CARIP), which provides an annual grant to the Regional District of Nanaimo (RDN) in an amount equal to that paid by the RDN in the Carbon Tax. In 2014, the CARIP grant was \$112,558 and at present, the total amount available for projects is approximately \$275,600.

**2014 NEW PROJECTS**

For 2014, two new projects have been identified for funding: a variable frequency drive pump speed controller for one new pump to be installed at the Departure Bay Pump Station (DBPS); and software costs for ongoing regional use of the SMARTTool Energy and Emissions Monitoring and Reporting tool.

**Departure Bay Pump Station (DBPS) – Variable Frequency Drive (VFD) Pump Control (\$30,000)**

At present, the DBPS has four Worthington Model 10CFA-2, 350 horsepower pumps in service. These pumps were installed in 1973, and are scheduled to be replaced over the ten-year period beginning in 2014/2015. In March of 2014, AECOM completed a *Technical Memorandum* recommending replacing the existing pumps with new models that closely match the existing configuration, controlled with variable frequency drives (VFD) rather than the Eddy current magnetic coupling pump speed controllers presently in use.

When compared to the controllers currently installed, and conventional permanent magnetic drives, the VFD option is the most energy efficient. Table 1 (adapted from the AECOM *Technical Memorandum*) lists the efficiency of the three pump control options at the 80-95% speed range.

**Table 1: Pump Speed Control Technology Efficiency**

<b>Pump Speed Control Technology</b>	<b>Efficiency Rating (80-95% Speed Range)</b>
Eddy Current Magnetic Coupling	70-88%
Permanent Magnetic Drive	80-95%
Variable Frequency Drive	95-98%

Source: Ken Moysiuk, P.Eng, *AECOM Memorandum: RDN Departure Bay Pump Station Assessment (Final)*, March 31, 2014, p. 5

In large horsepower, reliability-critical applications such as the Departure Bay Pump Station, VFDs are an untested technology for the RDN. As such, the RDN has opted to apply this new technology on a pilot basis on one new pump, and monitor for reliability, effectiveness and efficiency before committing to investing in VFD controls for additional pump replacements.

Actual savings to be realized by this investment are unknown, but the DBPS is the second largest single consumer of electricity in the RDN portfolio of facilities. In 2013, over 2 million kilowatt hours (kWh) were consumed there (more than 16% of the total electricity consumed in all RDN facilities).

Every one-percent reduction in energy use at DBPS represents approximately 20,000 kWh savings<sup>1</sup>. Real-time energy monitoring tools have been installed at the DBPS, and before and after consumption will be monitored for any measurable impact attributable to the installation.

The cost for the VFD controller is quoted at \$60,000. It is proposed that 50% of that cost or \$30,000 come from the Corporate Climate Action Fund.

#### **SMARTTool Software for Energy and Emission Monitoring and Reporting (\$4,500)**

SMARTTool is a web based energy and emission inventory tool produced by the Province to assist local governments develop and report accurate corporate emission inventories. Reporting corporate energy use and emissions to the Province is the prerequisite for receiving the CARIP grant described above.

The Province has enabled the RDN to bundle a regional purchase of the SMARTTool, allowing the RDN and participating member municipalities (District of Lantzville, City of Parksville, and the Town of Qualicum Beach) to access the software and technological support at a reduced rate.

The software and support costs of the SMARTTool have previously been covered by releases from the Corporate Climate Action Fund.

#### **ALTERNATIVES**

1. Approve the release of up to \$30,000 from the Corporate Climate Action Reserve Fund for investment in a pilot test of Variable Frequency Drive pump controllers for one new pump at the Departure Bay Pump Station.
2. Approve the release of up to \$4,500 from the Corporate Climate Action Reserve Fund for the regional purchase SMARTTool.
3. Do not approve the release of funds, or provide alternate direction to staff.

<sup>1</sup> For comparison, in 2010 average household electricity consumption in the RDN (electoral areas and member municipalities) was approximately 13,500 kWh (Source: Province of BC, *Regional District of Nanaimo 2010 Community Energy and Emission Inventory (CEEI) Report*, 2012).

## **FINANCIAL IMPLICATIONS**

Contributing \$30,000 from the Corporate Climate Action Fund toward the installation of new, energy efficient infrastructure will allow that same amount to remain in the existing Capital Reserve, Southern Wastewater – General reserve account. While the amount is small in relation to wastewater infrastructure costs in general, every dollar that remains in reserve now reduces amounts to be borrowed in the future, benefitting future taxpayers accordingly.

In addition, the project should result in a measurable reduction in electricity use for the facility. Actual savings associated with this test of VFD technology are not known, but will be estimated by comparing pre- and post-installation electricity consumption in real-time. Reliability and effectiveness will also be closely monitored, and if the technology proves itself, then greater savings will be possible with the installation of VFD pump controls on future pump replacements.

Contributing \$4,500 toward the regional purchase of the SMARTTool allows the RDN and member municipalities to continue to have access to the software and support intended to simplify measuring, monitoring and reporting corporate energy use and emissions at a reduced rate. Reporting corporate emissions to the Province is required to access the CARIP grant, which in 2014 amounted to \$112,558 for the RDN.

## **STRATEGIC PLAN IMPLICATIONS**

The financial savings from reduced energy use, and the opportunity to reduce future borrowing support the strategic priority to ensure economic viability for RDN services. Monitoring and communication is a second strategic priority supported by this project. Data gathered as a result of this pilot project will help determine the RDN's approach to future investments in wastewater pumping infrastructure.

Investing \$4,500 in the regional purchase of the SMARTTool supports the strategic priority of regional collaboration between the RDN and member municipalities

## **SUMMARY/CONCLUSIONS**

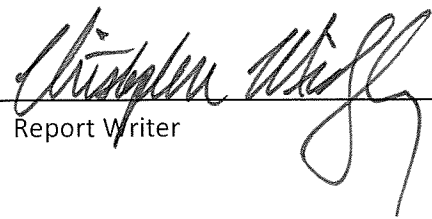
At the November 2, 2011 Board Meeting, the Regional District of Nanaimo Board of Directors established by bylaw the Corporate Climate Action Reserve Fund. Revenues into the Reserve Fund come from the Provincial CARIP grant, which is accessible to the RDN for signing on to the Climate Action Charter, and measuring, monitoring and reporting corporate emissions. The Provincial grant is provided annually in the amount equal to what the RDN pays in the Carbon Tax, as reported to the Province. For 2014, the CARIP grant was \$112,558, and the total available in reserve is approximately \$275,600.

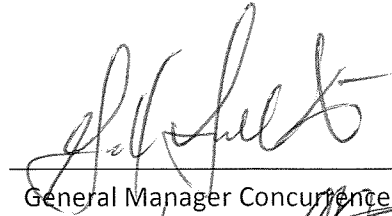
Two new projects have been identified as suitable for investment from the Corporate Climate Action Reserve Fund for 2014:

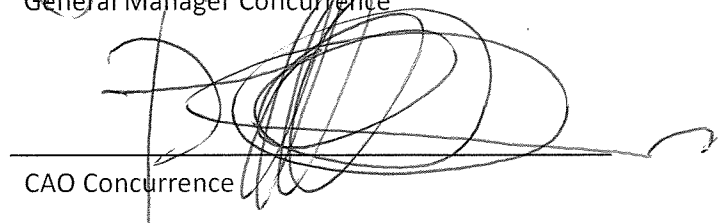
- A Variable Frequency Drive pump speed controller for a new pump to be installed at the Departure Bay Pump Station (up to \$30,000); and
- Regional purchase of the SMARTTool energy and emissions monitoring software (up to \$4,500).

**RECOMMENDATIONS**

1. That the Board approve the release of up to \$30,000 from the Corporate Climate Action Reserve Fund for investment in a variable frequency drive pump speed controller for the Departure Bay Pump Station.
2. That the Board approve the release of up to \$4,500 from the Corporate Climate Action Reserve Fund for the regional purchase of SMARTTool.

  
Report Writer

  
General Manager Concurrence

  
CAO Concurrence

RDN REPORT		[Signature]
CAO APPROVAL		
EAP		
COW		
SEP 08 2014		
RHD		
BOARD		

**MEMORANDUM**

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**TO:** Geoff Garbutt  
General Manager, Strategic and Community Development

**DATE:** September 10, 2014

**FROM:** Chris Midgley  
Manager, Energy and Sustainability

**FILE:**

**SUBJECT:** 2014 Regional Emission Reduction Projects

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**PURPOSE**

To update the committee on regional emission reduction projects under development for the 2014 emission inventory year.

**BACKGROUND**

In 2008, the Regional District of Nanaimo (RDN) became a signatory to the Climate Action Charter, which includes the commitment to develop strategies and take actions to achieve carbon neutral operations. To achieve carbon neutral operations, a local government must quantify and offset corporate emissions. Whether through investing in local emission reduction projects, or purchasing verified third-party carbon offsets, achieving carbon neutral operations represents a financial cost for local governments.

While committed to taking actions to achieve carbon neutral operations, the RDN Board of Directors has maintained a strong desire to ensure that any costs associated with carbon neutrality remains within the region, directly benefitting residents of the region. To that end, the Regional District of Nanaimo and Member Municipalities executed a *Memorandum of Agreement (MOA)* to implement regional emission reduction projects. According to the MOA, regional emission reduction projects are to be implemented with funds reserved annually based \$25 per tonne CO<sub>2</sub>e for local government emissions. At the Regular Board meeting held June 26, 2012, the Board carried the following recommendation of the Sustainability Select Committee:

*That the Regional Emission Reduction Project Memorandum of Agreement be endorsed by the RDN Board and forwarded to the member municipalities.*

To date, one regional reduction emission reduction project has yielded reductions for the RDN and member municipalities. The curbside organic collection program operated by the RDN's Solid Waste department and the City of Nanaimo diverts household food waste from the landfill to a private sector composting facility. Since 2011, a total of 15,615 tonnes of diverted organic waste has resulted in emission reductions totaling 8,375 tonnes CO<sub>2</sub>e, enough for the RDN, Town of Qualicum Beach, City of Parksville and the District of Lantzville to achieve carbon neutral operations for the 2012 emission inventory year; and for the City of Parksville and the District of Lantzville to achieve carbon neutral operations for the 2013 emission inventory year. In 2012, emission reductions from organic diversion were not sufficient for the City of Nanaimo to achieve carbon neutral operations, nor were they

sufficient for the City of Nanaimo, the Regional District of Nanaimo or the Town of Qualicum Beach to achieve carbon neutral operations for the 2013 emission inventory year. In those circumstances, the City of Nanaimo, the Regional District of Nanaimo and the Town of Qualicum Beach were recognized for 'making progress' toward carbon neutral operations.

### **New Regional Emission Reduction Projects for the 2014 Inventory Year**

Emissions for the 2014 inventory year will be calculated upon the conclusion of 2014, and verified and reported by March 31, 2015. The final deadline to report emissions for the 2014 inventory year is expected to be the first week of June 2015.

### **Low Emission Vehicles**

A new opportunity for a regional emission reduction project relates to the incorporation of 25 compressed natural gas buses into the regional transit fleet. Much like the opportunity to count reductions associated with organic diversion, the Province of BC, through the Climate Action Secretariat, has developed a method to count reductions associated with switching to lower emission fuel sources for vehicles against local government emission inventories. The shift from diesel fuel to compressed natural gas for 25 buses in the regional transit fleet is applicable within this project type.

This is a new project type for the RDN with an unknown quantity of potential reductions, and it remains to be determined whether any or all reductions are to be shared with BC Transit. Preliminary discussions with BC Transit have taken place, and the RDN will use the simplified provincial method to determine the total quantity of reductions made possible by this project. Any reductions available to the RDN and member municipalities will be counted against the respective local governments' inventories.

### **Avoided Deforestation**

Another regional emission reduction project type also developed by the Climate Action Secretariat relates to avoided deforestation. In general, if a parcel of forested land is at risk of development as a result favourable zoning, and some or all the forested portion of that parcel is protected in perpetuity, then a measurable amount standing carbon is protected, or 'sequestered' in the form of living trees. This sequestered carbon can be counted as a reduction against a corporate emission inventory.

The Phased Development Agreement for the Fairwinds project represents an ideal opportunity to translate large areas of park land previously zoned for development into local government emission reductions. As land previously zoned for development comes under the ownership of the RDN as park, any potential emissions reductions will similarly come under the ownership of the RDN. It is unlikely that any park land contemplated in the Fairwinds Phased Development Agreement will come under RDN ownership in 2014, but a preliminary assessment of the park area eventually to come under RDN ownership shows enormous potential for reductions.

On a smaller scale, single parcels where an area greater than one hectare could be protected from deforestation also show promise. If an owner of such a parcel agreed to protect a forested portion of their property in perpetuity, and the parcel owner was willing to convey ownership of that sequestered carbon to the RDN, the RDN could provide a financial contribution to the land owner on a price-per-tonne basis for the sequestered carbon.



Staff have budgeted professional fees to assess the viability of investing funds reserved for regional emission reduction projects toward forest land protection on private parcels for the purpose of carbon sequestration. For this opportunity, qualified consultants are needed to determine whether the simplified method developed by the Province requires refinement, as well as the legal instruments most appropriate for protecting private property in perpetuity for the purpose of carbon sequestration. The ability to apply reductions from avoided deforestation to the 2014 emission inventory year depends on the complexity of the results of this project and the Board's willingness to proceed, based on those results.

## **ALTERNATIVES**

1. Recommend that staff proceed with a proposed project to evaluate potential legal instruments and develop the legal language necessary to protect private forest land in perpetuity for the purpose of implementing regional emission reduction projects.
2. Recommend that staff do not proceed with the proposed project, and provide alternate direction to staff.

## **FINANCIAL IMPLICATIONS**

Implementing regional emission reduction projects based on methods developed by the Province of BC through the Climate Action Secretariat are free of charge. The only investment necessary is the staff time needed to gather data and input values into spreadsheets provided by the Province.

In the case of curbside organic diversion, the Regional District of Nanaimo and member municipalities have been able to claim emission reductions for implementing an important regional project, thereby receiving additional benefits as a result of good work directed by the Board. This regional emission project alone has saved local governments in the region an estimated \$209,375 (8,375 tonnes of reductions at \$25 dollars per tonne).

Moving forward, organic diversion is not likely to yield sufficient annual reductions for the RDN and all member municipalities to achieve carbon neutral operations, so additional regional emission reduction projects are under consideration.

The opportunity to quantify reductions from switching regional transit buses to compressed natural gas from diesel fuel is another example of a good project implemented by the Regional District of Nanaimo that may reap additional rewards in terms of corporate carbon neutrality – though the actual numbers have yet to be determined. The only financial implications associated with this project are the financial savings that result from counting reductions against corporate emission inventories, much like the organic diversion program.

The opportunity to implement regional emission reduction projects based on avoided deforestation and carbon sequestration on private parcels is a unique project that has the potential to yield a very significant quantity of emission reductions, while providing a financial benefit to local land owners, but will come at a cost to the RDN.

The RDN has established a reserve account to implement regional emission reduction projects. Presently, there is \$51,381.20 held in reserve in that account. Based on an internalized price of \$25/tonne CO<sub>2</sub>e, this sum is sufficient to 'offset' 2,055 tonnes of corporate emissions. It is from this account that funds would be requested to provide to private land owners with a financial incentive for protecting forest land that could legally be deforested.

After accounting for curbside organic collection, it is estimated that the Regional District of Nanaimo will have to offset approximately 1,000 tonnes CO<sub>2</sub>e for the 2014 inventory year. At \$25 per tonne, this amounts to \$25,000, which will be raised by the RDN services that generate emissions.

If avoided deforestation projects prove to be viable and supported by the Board of Directors; and enough private land owners volunteer to participate, up to the full \$25,000 can be redirected into the regional community. If viable, this could generate financial benefits for land owners while increasing areas of protected forest land, protecting regional watersheds and air quality, and contributing to carbon neutral operations for the Regional District of Nanaimo.

The Energy and Sustainability Department has up to \$20,000 to allocate toward professional fees for regional sustainability initiatives. It is proposed that the project to evaluate legal instruments and develop the legal language necessary to protect private forested land in perpetuity for the purpose of implementing regional emission reduction projects be funded through this budget item. The actual value of the professional fees will be known upon receipt of proposals from qualified professionals, but will not exceed \$20,000.

## **STRATEGIC PLAN IMPLICATIONS**

Implementing regional emission reduction projects is strongly supported by the Board Strategic Plan.

Under the Strategic Priority of Self-Sufficiency, the Board Strategic Plan includes the objective "to work with each local government and electoral area to reduce emissions and meet provincial and global targets for emission reductions while generating benefits for the region." (Regional District of Nanaimo Board of Directors, *Working Together for a Resilient Future: 2013-2015 Board Strategic Plan*, p. 18).

Similarly, within the Regional Federation Action Area, the goal to "strengthen the working relationships between municipalities and electoral areas in the RDN and increase operational effectiveness through cooperation," is to be achieved in part by "collaborat[ing] with municipal partners to develop local emission reduction projects that contribute to carbon neutrality for local governments while benefitting local residents." (Regional District of Nanaimo Board of Directors, *Working Together for a Resilient Future: 2013-2015 Board Strategic Plan* p. 23).

Finally, within the Strategic and Community Development Action Area, the goal to "improve community self-sufficiency with energy conservation, renewable energy initiatives and regional emission reduction projects," is to be achieved in part by "develop[ing] regional emission reduction projects that retain carbon tax dollars in the region, and provide benefits to residents." (Regional District of Nanaimo Board of Directors, *Working Together for a Resilient Future: 2013-2015 Board Strategic Plan*, p. 25).

## SUMMARY/CONCLUSIONS

In signing the Climate Action Charter, the Regional District of Nanaimo has made the commitment to develop strategies and take actions to achieve carbon neutral operations. The Regional District of Nanaimo and member municipalities have fulfilled this commitment as a result of implementing the organic diversion program through the Solid Waste department.

Moving forward, organic diversion is not likely to yield the emission reductions necessary to achieve corporate carbon neutral operations, and if viable, two new regional emission reduction projects are proposed to reduce emissions for the 2014 emission inventory year and beyond.

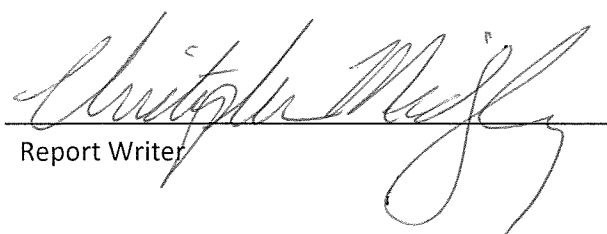
Firstly, it may be possible to quantify emission reductions resulting from the switch from diesel fuel to compressed natural gas for 25 buses in the regional transit fleet. The quantity of reductions remains to be determined, as does the ownership of those reductions. RDN staff have initiated preliminary discussion with BC Transit to clarify the ownership of reductions arising from this beneficial project. Any reductions available to the RDN and member municipalities from this project type will be counted against the respective local government inventories.

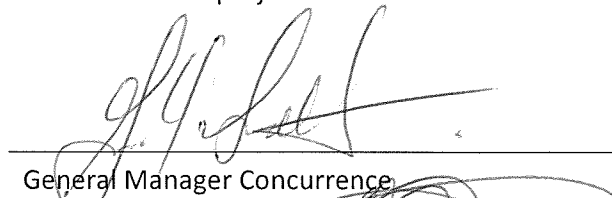
It is also possible to quantify emission reductions resulting from the protection of forested land from deforestation. The potential for carbon sequestration projects to contribute to corporate carbon neutral operations is significant, both in terms of total tonnes of reductions and direct benefits to residents of the region but work needs to be done to assess the viability of this project type.

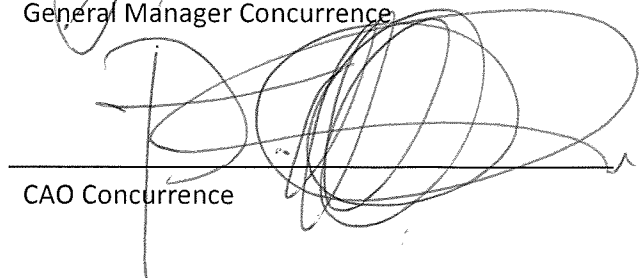
It is proposed that the Regional District of Nanaimo allocate budgeted professional fees to evaluate potential legal instruments and develop the legal language necessary to protect private forest land in perpetuity for the purpose of implementing regional emission reduction projects.

## RECOMMENDATION

That staff proceed with developing a request for proposals from qualified professionals to evaluate potential legal instruments and develop the legal language necessary to protect private forest land in perpetuity for the purpose of implementing regional emission reduction projects.

  
Report Writer

  
General Manager Concurrence

  
CAO Concurrence

## DISTRICT OF NANAIMO

### MINUTES OF THE TRANSIT SELECT COMMITTEE MEETING HELD ON THURSDAY, SEPTEMBER 18, 2014 AT 12:00 NOON IN THE RDN COMMITTEE ROOM

#### Present:

Director D. Brennan	Chairperson
Director A. McPherson	Electoral Area 'A'
Director M. Young	Electoral Area 'C'
Alternate	
Director F. Van Eynde	Electoral Area 'E'
Director B. Veenhof	Electoral Area 'H'
Director D. Willie	Town of Qualicum Beach
Director M. Lefebvre	City of Parksville
Director J. De Jong	District of Lantzville
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director G. Anderson	City of Nanaimo

#### Also in Attendance:

P. Thorkelsson	CAO, Regional District of Nanaimo
D. Trudeau	Gen. Mgr, Transportation & Solid Waste Services, RDN
D. Pearce	Manager, Transit Operations, RDN
D. Marshall	Acting Manager, Fleet Operations, RDN
M. Moore	Senior Regional Transit Manager, BC Transit
G. Foy	Traffic & Transportation Planning Engineer, CON
F. McFarlane	Recording Secretary, RDN

#### CALL TO ORDER

The meeting was called to order at 12:05 pm by the Chair.

#### MINUTES

MOVED Director Veenhof, SECONDED Director de Jong that the minutes of the regular Transit Select Committee meeting held May 22, 2014 be adopted. CARRIED

#### BC TRANSIT UPDATES

No report.

#### REPORTS

##### Ridership Update.

D. Pearce provided a PowerPoint presentation, which addressed the increase in Conventional transit

transit ridership. Figures show a 4.5% increase in ridership in 2014 over the same period in 2013. Custom transit remains constant from the previous year.

Director Bestwick requested figures for ridership on statutory holidays. D. Pearce noted the best way to do this is through a ridership count and he will follow up on this. A report will be brought forward to the Transit Select Committee.

MOVED Director Lefebvre, SECONDED Director Greves that the verbal report on ridership update be accepted. CARRIED

### **BC Transit 3-Year Expansion – Memorandum of Understanding.**

D. Pearce reviewed the report. D. Trudeau noted that the budget figures will be reviewed annually.

MOVED Director Bestwick, SECONDED Director De Jong that the 3-year Expansion Memorandum of Understanding between BC Transit and the Regional District of Nanaimo be approved. CARRIED

### **NEW BUSINESS**

#### **Google Transit**

MOVED Director Anderson, SECONDED Director Bestwick that regular updates regarding the progress of Google transit on the RDN work plan be provided to the members of the Transit Select Committee.

CARRIED

#### **Road Construction – City of Parksville**

MOVED Director Lefebvre, SECONDED Director Willie that staff review the #88 Parksville's route and provide a report on routing options while upgrades on Temple Street are taking place. CARRIED

#### **Transit Service from Comox Valley Regional District to Electoral Area 'H'**

MOVED Director Veenhof, SECONDED Director Van Eynde that staff be directed to send a letter to the Comox Valley Regional District and BC Transit to request consideration of their transit service being extended into Electoral Area 'H' and, if the response indicates it is feasible, that a service agreement be prepared for consideration of the RDN Board. CARRIED

**Removal of Route 15A VIU**

MOVED Director Young, SECONDED Director Veenhof that staff be directed to bring a report to the Board on options to remove Conventional transit from Electoral Area 'C' while retaining Custom Transit.  
CARRIED

**ADJOURNMENT**

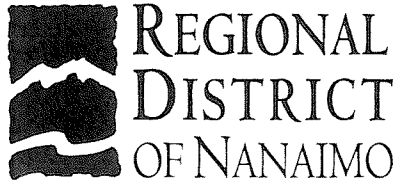
MOVED Director Anderson that the meeting be adjourned. CARRIED

**NEXT MEETING**

The next meeting of the Transit Select Committee is set tentatively for Thursday, November 20, 2014, in the RDN Committee Room.

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CHAIRPERSON



RDN REPORT		
CAO APPROVAL		
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BOARD		

**MEMORANDUM**

**TO:** Dennis Trudeau  
General Manager, Solid Waste and Transportation Services

**DATE:** July 7, 2014

**FROM:** Daniel Pearce  
Manager, Transit Operations

**FILE:** 0400-01

**SUBJECT: BC Transit 3-Year Expansion - Memorandum of Understanding**

**PURPOSE**

To bring forward a Memorandum of Understanding (MOU) between the Regional District of Nanaimo and BC Transit for the RDN Transit’s three-year expansion initiatives.

**BACKGROUND**

On June 4, 2015, the RDN received a Memorandum of Understanding from BC Transit for the RDN’s 3-year expansion initiatives, as shown in *Appendix A*. BC Transit is attempting to secure expansion funding from the Province for BC Transit’s next three fiscal years to ensure funding and equipment are available for future RDN Transit expansions.

BC Transit is communicating the proposed expansion initiatives as early as possible to achieve the following goals:

1. Ensure the proposed 3-year expansion initiatives are aligned with the expectations of the RDN.<sup>3</sup>
2. Attain a commitment from the RDN that will allow BC Transit to proceed with the procurement and management of resources necessary to implement our expansions.
3. Provide BC Transit with the information necessary to provide the RDN with enhanced 3-year budget forecasts.

The three year expansions cover the Annual Operating Agreement periods of 2015-2016 through to 2017-2018. The expansion plans are primarily derived from the *RDN Future Plan* and include developing a frequent transit corridor between downtown Nanaimo, Vancouver Island University and the north end of Nanaimo. It also includes developing a rapid transit corridor, a possible connection between downtown Nanaimo, Electoral Area ‘A’ and Ladysmith. Additional plans include local transit service improvements in Parksville, Qualicum Beach, transit service in Electoral Area ‘E’ and connections between Electoral Area ‘H’ and the CVRD. Staff will have to work with BC Transit to conduct analyses of routing and costs to determine the impacts to participants in the transit function.

Further, one of the results of the BC Transit Independent Review Panel is that BC Transit is now committed to providing local governments with three year budgets as well as working in collaboration

with local governments on long range planning. Staff believe this is one of the important results of the review, which has strengthened the relationship between local governments and BC Transit.

The 3-Year Expansion MOU does not permanently set expansion plans and the Transit Select Committee (TSC) and the Board will have the final approval for each year’s expansion plans.

**ALTERNATIVES**

1. Approve the 3-Year Expansion Memorandum of Understanding.
2. Do not approve the 3-Year Expansion Memorandum of Understanding and provide alternate direction to staff.

**FINANCIAL IMPLICATIONS**

Below outlines expansion initiatives identified by BC Transit for the RDN Transit System, along with a high level annual costing.

CONVENTIONAL PROPOSED EXPANSIONS INITIATIVES					
AOA PERIOD	ANNUAL HOURS	VEHICLE PROCUREMENT	ESTIMATED REVENUE	ESTIMATED TOTAL COSTS	ESTIMATED NET MUNICIPAL SHARE
2015/16	5000	2 Heavy Duty	\$87,253	\$547,875	\$240,661
	Description: RDN Transit Future Plan				
2016/17	5000	2 Heavy Duty	\$87,253	\$569,278	\$253,266
	Description: Rapid Transit Route				
2017/18	5000	1 Light Duty	\$87,253	\$581,840	\$256,677
	Description: Parksville and Qualicum local transit service improvements				

\*All costs shown above are cost shared at a rate of 46.69% BC Transit and 53.31% RDN.

CUSTOM PROPOSED EXPANSIONS INITIATIVES					
AOA PERIOD	ANNUAL HOURS	VEHICLE PROCUREMENT	ESTIMATED REVENUE	ESTIMATED TOTAL COSTS	ESTIMATED NET MUNICIPAL SHARE
2015/16	1700	1 Light Duty	\$8,289	\$123,673	\$44,902
	Description: RDN Transit Future Plan				
2016/17	0	0	\$0	\$0	\$0
	Description: N/A				
2017/18	0	0	\$0	\$0	\$0
	Description: N/A				

\*All costs shown above are cost shared at a rate of 66.69% BC Transit and 33.31% RDN.

The RDN 5-year financial plan has included 5,000 annual hours for Conventional transit expansions in 2016, 2017 and 2018. It also includes Custom expansions; however, the plan does not account for a Custom expansion in 2015/2016 but instead 2018. Staff believe that, for the 2015 budget year, a Custom expansion could be accommodated within the current Financial Plan.



## STRATEGIC PLAN IMPLICATIONS

The Board Vision expresses a desire to build a future where the air is clean and safe to breathe. Transit service throughout the RDN allows each resident the option to leave their personal vehicle at home, helping to reduce emissions and particulate matter. Further, an enhanced transit service allows a greater number of residents to access the transit service and further reduce environmental emissions.

In terms of Strategic Priorities, expanded transit service throughout the region promotes economic viability and Regional Collaboration. Expansion transit service allows a greater number of residents to access the transit service, which in turn allows them to access economic opportunities throughout the RDN. Regarding Regional Collaboration, the RDN Transit Service links the communities in the RDN and also has the possibilities of linking communities outside the RDN to communities inside the RDN, which would allow residents greater access to the surrounding areas.

## SUMMARY

BC Transit has sent the RDN an MOU for the RDN Transit's 3-year expansion initiatives. The MOU will allow BC Transit to secure expansion funding from the Province for BC Transit's next three fiscal years.

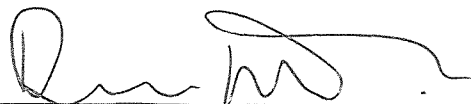
BC Transit is trying to achieve the following goals with the 3-Year Expansion MOU. First, they are attempting to ensure that the 3-year expansion initiatives are aligned with the expectations of the RDN. Secondly they are trying to obtain a commitment from the RDN that will allow BC Transit to proceed with the procurement and management of resources necessary to implement RDN expansions. Last, BC Transit needs information to provide the RDN with enhanced three year budget forecasts.

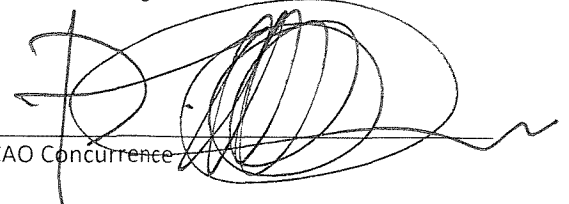
The three year expansions cover the Annual Operating Agreement periods of 2015-2016 through to 2017-2018. The expansion plans are primarily derived from the *RDN Future Plan* and include developing a frequent Transit corridor between downtown Nanaimo, Vancouver Island University and the north end of Nanaimo. It also includes developing a rapid transit corridor, a possible connection between downtown Nanaimo and Ladysmith and local transit service improvements in Parksville and Qualicum.

## RECOMMENDATION

That the 3-Year Expansion Memorandum of Understanding between BC Transit and the Regional District of Nanaimo be approved.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

## APPENDIX A



June 4, 2014

Attn: Daniel Pearce  
Manager, Transit & Planning  
Regional District of Nanaimo  
Transportation Services Department  
6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2

**Re: 3 Year Expansion Initiatives**

Dear Daniel,

As outlined in our Annual Partner Communications Calendar (APCC), we are writing to seek your commitment on expansion initiatives that have been proposed for your transit system. BC Transit will be attempting to secure expansion funding on your behalf from the Province, and your timely confirmation of these expansion initiatives is critical.

As your transit system has been identified for expansion you will find attached a list of the specific initiatives for the Annual Operating Agreement periods of 2015-2016 through to 2017-2018. Each expansion initiative is primarily derived from recent service plans approved by your local government. A high level costing based on the hourly rates of your system is provided to offer you the scope of transit service initiatives based on the proposed annual expansion hours. More detailed levels of costing would be provided once the expansion is approved and further work is done to define specifics for the expansion, such as routing and schedules.

By communicating proposed expansion initiatives as far in advance as possible we are trying to achieve three important goals:

1. Ensure the proposed 3 year expansion initiatives are aligned with the expectations of your local government.
2. Attain a commitment from your local government that will allow BC Transit to proceed with the procurement and management of resources necessary to implement your expansion.
3. Provide BC Transit with the information necessary to provide local government partners with enhanced 3 year budget forecasts that identify longer term funding requirements.

Upon confirmation of your council/board's intent to commit to the expansion and budget accordingly, we will include your request in our Service Plan to the Province in October which seeks the funding required for operating and capital costs. As per the APCC, if the funding request is approved, BC Transit will provide confirmation to you in March, 2015 of the intent to fund the expansion. As such, we ask that you please review and sign the attached Memorandum of Understanding. However, if confirmation is not provided in time to form part of your request in September, we will be unable to deliver service expansion in your community in the coming 15/16 year.

I look forward to working with you on the continued improvement of your transit service and encourage you to contact me if you have any questions regarding these proposed expansion initiatives.

Yours truly,

A handwritten signature in cursive script that reads 'M. Moore'.

Myrna Moore  
Senior Regional Transit Manager

## Expansion Memorandum of Understanding

**Date** June 4, 2014  
**Expiry** August 29, 2014  
**System** RDN Conventional and Custom Transit

**Expansion Initiatives Agreement**

The following outlines expansion initiatives identified for your transit system along with a high level annual costing based on the hourly rates of your system. Please confirm these initiatives are aligned with the expectations of your local government. Upon confirmation of your local government's intent to commit to the expansion and budget, we will proceed with the request to secure funding from the Province on your behalf.

Conventional Proposed Expansion Initiatives					
AOA Period	Annual Hours	Vehicle Requirement	Estimated Revenue	Estimated Total Costs	Estimated Net Municipal Share
15/16	5000	2 Heavy Duty	\$87,253	\$547,875	\$240,661
	Description: Transit Future Plan recommendations				
16/17	5000	2 Heavy Duty	\$87,253	\$569,278	\$253,266
	Description: Rapid Transit Route #8 and #9				
17/18	5000	1 Light Duty	\$87,253	\$581,840	\$256,677
	Description: Local transit service improvements to Parksville & Qualicum. Route 3- Hospital				

Custom Proposed Expansion Initiatives					
AOA Period	Annual Hours	Vehicle Requirement	Estimated Revenue	Estimated Total Costs	Estimated Net Municipal Share
15/16	1700	1 Light Duty	\$8,289	\$123,673	\$44,902
	Description: Increased handyDART service based on TFP				
16/17	0	0	\$0	\$0	\$0
	Description: n/a				
17/18	0	0	\$0	\$0	\$0
	Description: n/a				



**Approval**

On behalf of the \_\_\_\_\_, I am confirming to BC Transit to proceed with the request for funding to the province on our behalf and that we are committed to budget accordingly as per the advice provided and with the knowledge a more detailed budget will follow as service details are confirmed.

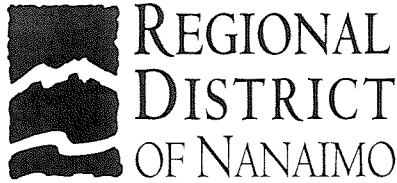
Name \_\_\_\_\_ Position \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

On behalf of BC Transit, prepared by

Name Myrna Moore Position Senior Regional Transit Manager

Signature  Date June 4, 2014



RDN REPORT		
CAO APPROVAL		
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SEP 19 2014		
RHD		
BOARD	✓	
		DATE:

**MEMORANDUM**

**TO:** Jeremy Holm  
Manager, Current Planning

**FILE:** PL2014-028

**FROM:** Tyler Brown  
Planner

**SUBJECT:** Zoning Amendment Application No. PL2014-028 – Steve Atkinson  
Lot 5, Section 12 and 13, Range 3, Mountain District, Plan 30398  
3119 Jameson Road - Electoral Area 'C'  
Amendment Bylaw 500.393, 2014 - Third Reading

**PURPOSE**

Receive the report summarizing the minutes and submissions received at the Public Hearing held on September 16, 2014 and consider “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014” for third reading.

**BACKGROUND**

Amendment Bylaw No. 500.393 was introduced and given first and second reading on July 22, 2014 (see Attachment 1). This was followed by a Public Hearing held on September 16, 2014. A summary of the public hearing is attached for the Board’s consideration (see Attachment 2).

Following the close of a Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by legal precedent. Having received the report of the Public Hearing eligible Board members may vote on the Bylaw.

The proposed Amendment Bylaw would rezone the property from Rural 1 Zone (RU1), Subdivision District ‘D’ (2.0 ha minimum parcel size) to Rural 1 Zone, Subdivision District ‘F’ (1.0 ha minimum parcel size) to permit a two lot subdivision (see Attachment ‘1’ in Amendment Bylaw No. 500.393 for the Subject Property Map).

**ALTERNATIVES**

1. Receive the report of the Public Hearing and give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014”.
2. Receive the report of the Public Hearing and deny “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014”.

**SUMMARY/CONCLUSIONS**

The applicant proposes to rezone the property from Rural 1 Zone (RU1), Subdivision District 'D' (2.0 ha minimum parcel size) to Rural 1 Zone, Subdivision District 'F' (1.0 ha minimum parcel size) in order to permit a two lot subdivision. The Amendment Bylaw was introduced and given first and second reading on July 22, 2014, and advanced to Public Hearing on September 16, 2014. The requirements set out in the Conditions of Approval are to be completed by the applicant prior to the Board's consideration of the Bylaw for adoption (see Attachment 3). Staff recommend that Amendment Bylaw No. 500.393, 2014 be considered for third reading.

**RECOMMENDATIONS**

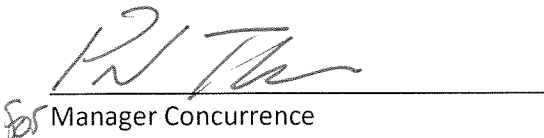
1. That the report of the Public Hearing held on September 16, 2014 for "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014" be received.
2. That the "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014", be read a third time.



Report Writer



General Manager Concurrence



Manager Concurrence

CAO Concurrence

**Attachment 1**  
**Proposed Amendment Bylaw No. 500.393**

**REGIONAL DISTRICT OF NANAIMO**  
**BYLAW NO. 500.393**

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

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

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

By rezoning the lands as shown on the attached Schedule ‘1’ and legally described as:

Lot 5, Sections 12 and 13, Range 3, Mountain District, Plan VIP30398

from Rural 1 Zone, Subdivision District ‘D’ to Rural 1 Zone, Subdivision District ‘F’.

Introduced and read two times this 22nd day of July, 2014.

Public Hearing held this 16th day of September, 2014.

Read a third time this \_\_\_ day of \_\_\_\_\_ 20\_\_.

Adopted this \_\_\_ day of \_\_\_\_\_ 20\_\_.

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Chairperson

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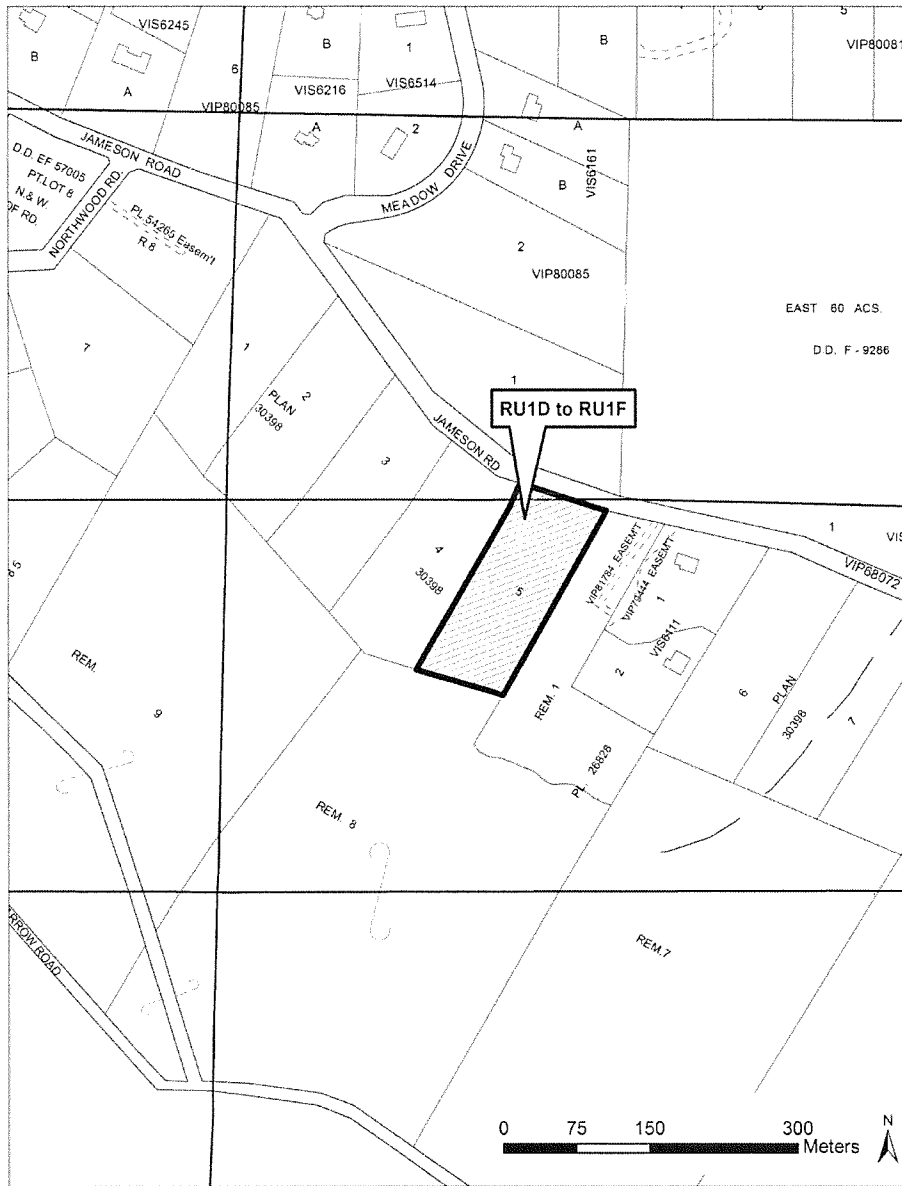
Corporate Officer

Schedule '2' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014"

Chairperson

Corporate Officer

Schedule '2'





**Attachment 2  
Summary of the Public Hearing**

**Held at Beban Social Centre  
2300 Bowen Road, Nanaimo BC  
Tuesday, September 16, 2014 at 6:30 PM  
To Consider Regional District of Nanaimo Land Use and Subdivision  
Amendment Bylaw No. 500.393, 2014**

*Note: This report is not a verbatim recording of the proceedings but a summary of the comments of those in attendance at the Public Hearing.*

**PRESENT:**

Maureen Young, RDN	Chair, Director, Electoral Area 'C'
Tyler Brown, RDN	Planner
Steve Atkinson	Agent

Three members of the public attended the meeting.

The Chair called the hearing to order at 6:32 pm, introduced those present representing the Regional District, and outlined the procedures to be followed during the hearing.

Tyler Brown provided an explanation of the proposed amendment bylaw and application process.

The Chair called for formal submissions with respect to Bylaw 500.393, 2014.

No written submissions were received at the hearing. The following comments were received.

Bob Jepson, 7095 Vipond Road, stated his strong support for the application.

Ty Jepson, 6850 Doumont Road, stated his strong support for the application.

Steve Atkinson, 2904 Jameson Road, declared that although he is representing the applicant he requested that his comments be included in the public record as a member of the public and resident of Area 'C.' Mr. Atkinson would like the RDN to rezone many of the properties in the area to permit subdivision without requiring individual zoning amendments. Moreover, Mr. Atkinson expressed his concern that the current zoning forces strata development which is outside of the RDN's authority to prevent. He continued that RDN Planning staff need to understand what happens in the real world and that it his understanding that if the bathroom and kitchen were removed from the house, with regard to the existing proposal, the property could be stratified. Furthermore, such a process would have been cheaper and quicker for the applicant and avoided the need for RDN approval. Mr. Atkinson concluded that allowing strata development in the area results in hap-hazard development, the same overall density, but without RDN approval.

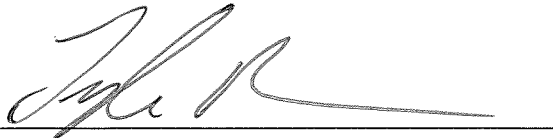
Bob Jepson, 7095 Vipod Road, stated that the zoning bylaw needs to change to limit strata development in the area.

The Chair called for further submissions for the second time.

The Chair called for further submissions a third and final time.

There being no further submissions, the Chair adjourned the Public Hearing at 6:46 pm.

Certified true and accurate this 16<sup>th</sup> day of September, 2014.

A handwritten signature in black ink, appearing to read 'Tyler Brown', written over a horizontal line.

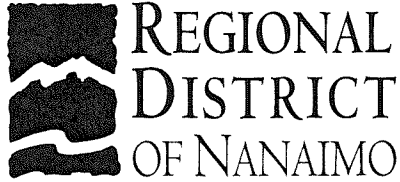
Tyler Brown  
Recording Secretary

**Attachment 3**  
**Conditions of Approval**

The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.393, 2014” being considered for adoption:

**Conditions of Approval**

1. The applicant shall register a Section 219 restrictive covenant requiring that wells be constructed and tested for each new parcel, and a report is to be submitted to the RDN, prior to the final approval of subdivision.
  
2. The applicant shall register a section 219 restrictive covenant registering the Groundwater Capability Assessment for 3119 Jameson Road, prepared by GW Solutions Inc. and dated March 8, 2013, on the property title, which includes a clause requiring that all development of the subject property must be done in accordance with recommendations of the report.



RDN REPORT	
CAO APPROVAL <del>PH</del>	
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SEP 05 2014	
RHD	
BOARD	✓

**MEMORANDUM**

**TO:** Jeremy Holm  
Manager, Current Planning

**DATE:** August 26, 2014

**FROM:** Tyler J. Brown  
Planner

**FILE:** PL2013-089

**SUBJECT:** Zoning Amendment Application No. PL2013-089 – Robert and Gigi Obradovic  
Lot C, Section 15, Range 3, Mountain District, Plan VIP68636  
3389 Jingle Pot Road – Electoral Area ‘C’  
Amendment Bylaw 500.390, 2013 - Adoption

**PURPOSE**

To consider “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.390, 2013” for adoption.

**BACKGROUND**

Amendment Bylaw No. 500.390 was introduced and given first and second reading on January 28, 2014 (see Attachment 1). A Public Hearing was held on March 12, 2014 and the Bylaw received third reading on March 25, 2014.

Following the close of a Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by provincial legal precedent. Having received the minutes of the Public Hearing eligible Board members may vote on the Bylaw.

As a condition of rezoning approval, and prior to the adoption of the Bylaw, it was required that wells for domestic use be secured for each proposed parcel. The applicant has satisfied the conditions of approval. As such, the Bylaw is presented to the Board for consideration for adoption.

**ALTERNATIVES**

1. To adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.390, 2013”.
2. To not approve the Amendment Bylaw and provide alternate direction.

**SUMMARY/CONCLUSIONS**

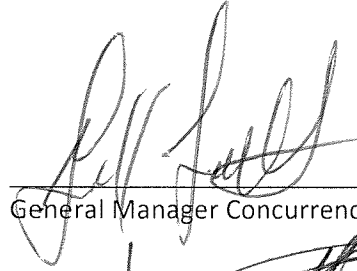
The proposed Amendment Bylaw No. 500.390 would rezone the subject property from Rural 1 Zone (RU1), Subdivision District ‘D’ to Rural 1 Zone, Subdivision District ‘F’ in order to permit a subdivision of the property into two lots. The Amendment Bylaw was introduced and read two times on January 28, 2014, proceeded to Public Hearing on March 12, 2014, and received third reading on March 25, 2014. Given that the applicant has completed the conditions of approval, staff recommend that the Board adopt Amendment Bylaw No. 500.390, 2013.

**RECOMMENDATION**


That the "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.390, 2013" be adopted.



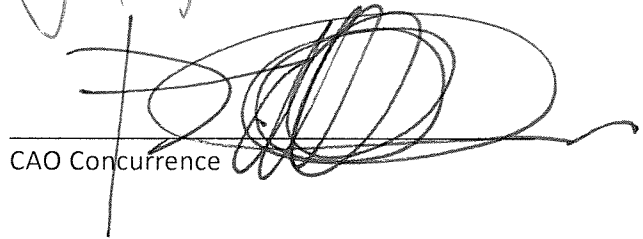
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

**Attachment 1  
Proposed Amendment Bylaw No. 500.390**

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 500.390**

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

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

- A. This Bylaw may be cited as "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.390, 2013".
- B. "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987", is hereby amended as follows:

By rezoning the lands as shown on the attached Schedule '1' and legally described as:

Lot C, Section 15, Range 3, Mountain District, Plan VIP68636

from Rural 1 Zone, Subdivision District 'D' to Rural 1 Zone, Subdivision District 'F'.

Introduced and read two times this 28th day of January 2014

Public Hearing held this 12th day of March, 2014

Read a third time this 25th day of March, 2014

Adopted this \_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Chairperson

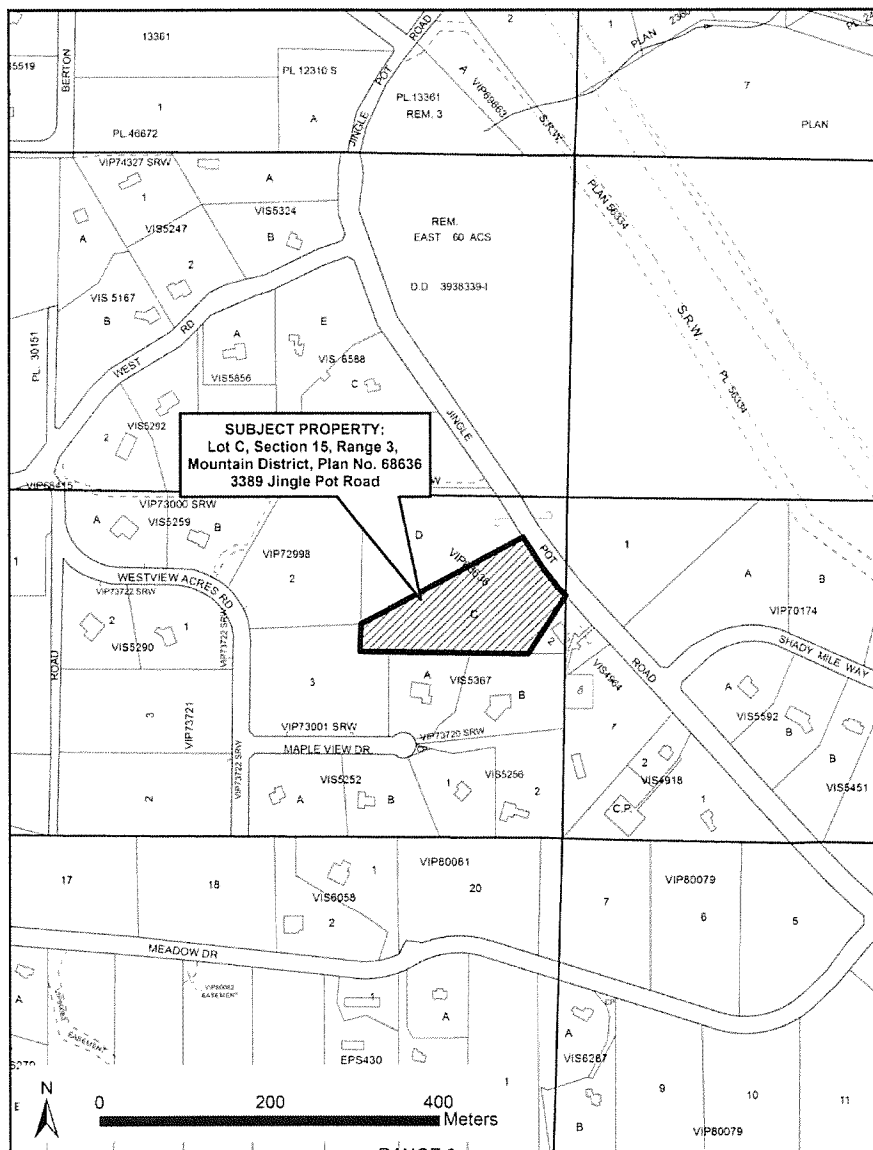
\_\_\_\_\_  
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo and Land Use Subdivision Amendment Bylaw No. 500.390, 2013."

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

**Schedule 1**





RDN REPORT		
CAO APPROVAL <del>DEJ</del>		
EAP		
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SEP 22 2014		
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BOARD	✓	

**MEMORANDUM**

**TO:** Paul Thorkelsson  
Chief Administrative Officer

**DATE:** September 22, 2014

**FROM:** Wendy Idema  
Director of Finance

**File:**

**SUBJECT:** Proposed Schedule to Approve the 2015 to 2019 Financial Plan

**PURPOSE:**

To identify meeting and publication dates related to the review and approval of the 2015 to 2019 financial plan.

**BACKGROUND:**

Local governments are required to publicize and provide opportunities for members of the public to provide input and to comment on the financial plan. This report is intended to identify for the Board, the public and staff the times and places at which the 2015 to 2019 financial plan will be reviewed and approved by the Regional Board.

The Regional District undertakes its financial plan review in two stages. In election years, the preliminary budget for each service area for the next year is introduced to the Board in December or early January. This preliminary budget will be based on the 2015 amounts included in the 2014 to 2018 Financial Plan approved under Bylaw No. 1698 (copy attached) and updated to reflect new work plan and capital project changes.

The proposed budget document is posted to the Regional District web site for public access. Later in January, as 2014 year end results are known, the budget amounts will be updated to reflect those results as well as carry forward projects and the allocation of surpluses to each service area which keeps the funds raised within the service they were collected for.

Late in January the Board receives an overview of the full five year financial plan as well as identifying any further changes to the new annual budget. A budget edition of the Regional Perspectives is published in mid to late February to provide residents with information by service area and by electoral area. Any remaining changes and updates are completed during February, and the final plan with any amendments is returned to the Board in March for adoption. The meeting dates are published in local newspapers and on the website in advance of each open Board meeting, and the opportunity to make a presentation and ask questions is provided at those meetings.



**ALTERNATIVES:**

1. Approve the proposed schedule of meetings to review and approve the 2015 to 2019 financial plan.
2. Provide other directions regarding the review and approval process of the 2015 to 2019 financial plan.

**FINANCIAL IMPLICATIONS:**

The 2014 to 2018 Financial Plan Bylaw predicted a \$2.5 million overall increase to property taxes in 2015 and is used as the basis for the next five-year plan. Some of the largest components of this increase are in the areas noted below. There will be many changes to these budgets between September and January to reflect new information including items such as the requisition for the transfer to the Island Corridor Foundation, possible new services for Search & Rescue in District 69 and a Taxi-Saver program in EA B as well as revised estimates for 2014 year end surplus carry forwards.

Transit – Southern Community	\$545,500	Downtown exchange capital program
Wastewater - Southern	\$454,305	Increments related to secondary treatment costs and outfall replacement
Wastewater – Northern	\$262,800	Build reserve contributions for future expansion
Nanoose Bulk Water	\$77,475	Englishman River Water System treatment and expansion related costs
Nanoose Peninsula Water	\$71,705	Capital program costs + reduced surplus carry forward
Water, San Pareil Fire Improvements	\$93,280	First full year of debt repayment for capital upgrades
Regional Parks Operations	\$87,275	Expenses related to E&N Trail not funded by grant + reduced carry forward surplus + Regional Parks & Trails Plan

The only costs for the actual financial planning process are newspaper advertising and publication costs for the Regional Perspectives, all of which are included in the annual budget.

**SUMMARY/CONCLUSIONS:**


Local governments are required to establish a public process for the review and approval of the five year financial plan. Commencing with the Committee of the Whole meeting on January 13, 2015 staff will publish budget documents to the Regional District web site, arrange the publication of the budget edition of the Regional Perspectives in mid-February and ensure that all meetings are advertised to provide members of the public an opportunity to attend the meetings to provide comments and input. The preliminary budget will be based on the 2015 amounts included in the 2014 to 2018 Financial Plan


approved under Bylaw No. 1698 (copy attached) and updated to reflect new work plan and capital project changes.

**RECOMMENDATIONS:**

That the following schedule for the review and adoption of the 2015 to 2019 financial plan be approved:

- December 11, 2014 Information seminar to Board for 2015 preliminary budget
- January 13, 2015 Presentation of 2015 preliminary budget at Committee of the Whole
- February 3, 2015 Presentation of 2015 to 2019 financial plan at Special Committee of the Whole Meeting
- February 10, 2015 Presentation of financial plan at Committee of the Whole Meeting
- February 16, 2015 Publication of budget edition of Regional Perspectives
- March 10, 2015 Introduce bylaw to adopt the 2015 to 2019 financial plan
- March 24, 2015 Adopt financial plan bylaw

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1698

A BYLAW TO ADOPT THE 2014  
TO 2018 FINANCIAL PLAN

WHEREAS the Regional District of Nanaimo shall, pursuant to Section 815 of the *Local Government Act*, adopt by bylaw a five year financial plan;

AND WHEREAS an expenditure not provided for in the financial plan or the financial plan as amended, is not lawful unless for an emergency that was not contemplated;

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

**1. Definitions**

“Emergency” means a present or imminent event that:

- a) is caused by accident, fire explosion or technical failure or by the forces of nature; and
- b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.

**2. Financial Plan**

Schedule ‘A’ attached to this bylaw is hereby adopted as the Financial Plan for the Regional District of Nanaimo for the period January 1, 2014 to December 31, 2018.

**3. Financial Plan Amendments**

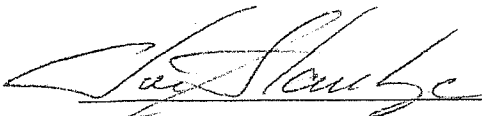
- a) Funds may be reallocated in accordance with the Regional District of Nanaimo’s purchasing policy for new projects.
- b) The officer responsible for financial administration may transfer unexpended appropriations to Reserve Funds and accounts for future expenditures.
- c) The Board may authorize amendments to the plan for Emergencies as defined herein.


**4. Citation**

This bylaw may be cited as “Regional District of Nanaimo Financial Plan 2014 to 2018 Bylaw No. 1698, 2014”.

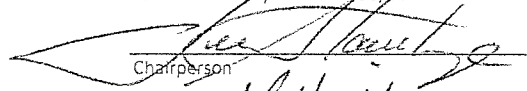
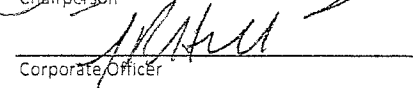
Introduced and read three times this 25th day of March, 2014.

Adopted this 25th day of March, 2014.

  
CHAIRPERSON

  
CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

  
Chairperson  
  
Corporate Officer

CONSOLIDATED FINANCIAL PLAN 2014 TO 2018

	2013 Budget	2014 Proposed	2015	2016	2017	2018	TOTAL
<b>Operating Revenues</b>		5.2%	5.8%	5.6%	5.9%	5.8%	
Property taxes	(36,059,156)	(37,892,155)	(40,048,912)	(42,336,083)	(44,884,472)	(47,572,959)	(212,734,581)
Parcel taxes	(3,751,262)	(4,017,616)	(4,325,807)	(4,517,731)	(4,729,391)	(4,933,303)	(22,523,848)
Municipal agreements	(330,566)	(302,164)	(306,078)	(312,726)	(317,251)	(323,865)	(1,562,084)
	(40,140,984)	(42,211,935)	(44,680,797)	(47,166,540)	(49,931,114)	(52,830,127)	(236,820,513)
Operations	(2,328,459)	(2,450,763)	(2,806,457)	(2,837,282)	(2,860,686)	(2,894,702)	(13,849,890)
Interest income	(150,000)	(150,000)	(150,000)	(125,000)	(100,000)	(100,000)	(625,000)
Transit fares	(4,254,765)	(4,366,943)	(4,410,613)	(4,538,213)	(4,667,092)	(4,806,866)	(22,789,727)
Landfill tipping fees	(7,885,000)	(8,285,750)	(8,534,323)	(8,961,039)	(9,229,870)	(9,506,766)	(44,517,748)
Recreation fees	(400,690)	(435,020)	(449,134)	(462,606)	(476,487)	(487,277)	(2,310,524)
Recreation facility rentals	(538,245)	(540,345)	(556,555)	(573,252)	(590,450)	(608,163)	(2,868,765)
Recreation vending sales	(11,700)	(9,500)	(9,500)	(9,500)	(9,500)	(9,500)	(47,500)
Recreation concession	(4,000)	(4,000)	(4,000)	(4,000)	(4,000)	(4,000)	(20,000)
Recreation other	(388,060)	(385,410)	(396,972)	(408,882)	(421,148)	(433,783)	(2,046,195)
Utility user fees	(5,085,265)	(4,748,477)	(4,603,489)	(4,696,200)	(4,800,808)	(4,908,711)	(23,757,685)
Operating grants	(6,097,405)	(6,530,205)	(6,127,256)	(6,418,275)	(6,712,204)	(7,060,819)	(32,848,759)
Planning grants	(114,000)	(7,100)					(7,100)
Grants in lieu of taxes	(144,145)	(149,645)	(149,645)	(149,645)	(149,645)	(149,645)	(748,225)
Interdepartmental recoveries	(6,201,568)	(6,425,414)	(6,441,746)	(6,584,608)	(5,994,202)	(6,166,788)	(31,612,758)
Miscellaneous	(4,468,041)	(5,833,209)	(6,827,097)	(5,707,212)	(5,705,200)	(5,677,297)	(29,751,015)
<b>Total Operating Revenues</b>	<b>(78,212,327)</b>	<b>(82,533,716)</b>	<b>(86,147,584)</b>	<b>(88,642,254)</b>	<b>(91,653,406)</b>	<b>(95,644,444)</b>	<b>(444,621,404)</b>
<b>Operating Expenditures</b>							
Administration	3,996,335	4,105,520	4,158,045	4,169,541	4,125,990	4,134,980	20,694,076
Community grants	517,916	529,498	52,139	52,139	52,139	52,139	738,054
Legislative	412,345	492,385	422,038	408,302	495,878	425,566	2,244,169
Professional fees	2,431,159	2,865,021	2,180,463	2,118,493	2,149,211	2,123,513	11,436,701
Building ops	2,914,463	3,052,862	3,093,720	3,140,481	3,186,353	3,229,417	15,702,833
Veh & Equip ops	7,504,324	7,862,991	7,948,556	8,089,607	8,240,802	8,395,225	40,537,181
Operating costs	15,314,288	16,011,162	16,150,032	17,623,977	19,551,513	21,846,196	91,182,880
Program costs	639,693	745,904	637,854	645,956	654,202	662,597	3,346,513
Wages & benefits	27,329,345	28,231,414	28,656,285	29,187,091	29,770,822	30,306,690	146,152,302
Transfer to other gov/org	5,898,225	6,265,363	6,295,158	6,456,921	6,617,113	6,781,488	32,416,043
Contributions to reserve funds	5,356,933	5,085,277	5,149,178	6,328,390	6,303,495	4,846,345	27,712,685
Debt interest	3,755,276	4,461,601	4,366,003	4,051,408	3,992,687	3,962,119	20,833,818
<b>Total Operating Expenditures</b>	<b>76,070,302</b>	<b>79,708,998</b>	<b>79,109,471</b>	<b>82,272,306</b>	<b>85,140,205</b>	<b>86,766,275</b>	<b>412,997,255</b>
<b>Operating (surplus)/deficit</b>	<b>(2,142,025)</b>	<b>(2,824,718)</b>	<b>(7,038,113)</b>	<b>(6,369,948)</b>	<b>(6,513,201)</b>	<b>(8,878,169)</b>	<b>(31,624,149)</b>
<b>Capital Asset Expenditures</b>							
Capital expenditures	19,360,572	24,954,456	32,727,660	34,647,720	42,132,972	50,549,069	185,011,877
Transfer from reserves	(14,200,121)	(14,236,617)	(19,894,772)	(20,141,424)	(14,919,365)	(7,148,265)	(76,340,443)
Grants and other	(870,637)	(5,390,311)	(2,945,000)	(692,450)			(9,027,761)
New borrowing	(1,245,000)	(1,482,800)	(5,658,565)	(11,426,010)	(25,588,914)	(41,830,814)	(85,987,103)
<b>Net Capital Assets funded from Operations</b>	<b>3,044,814</b>	<b>3,844,728</b>	<b>4,229,323</b>	<b>2,387,836</b>	<b>1,624,693</b>	<b>1,569,990</b>	<b>13,656,570</b>
<b>Capital Financing Charges</b>							
Existing debt (principal)	3,833,495	4,062,581	4,059,585	3,855,407	3,147,727	3,148,879	18,274,179
New debt (principal & interest)			262,958	749,190	1,970,528	4,234,730	7,217,406
<b>Total Capital Financing Charges</b>	<b>3,833,495</b>	<b>4,062,581</b>	<b>4,322,543</b>	<b>4,604,597</b>	<b>5,118,255</b>	<b>7,383,609</b>	<b>25,491,585</b>
<b>Net (surplus)/deficit for the year</b>	<b>4,736,284</b>	<b>5,082,591</b>	<b>1,513,753</b>	<b>622,485</b>	<b>229,747</b>	<b>75,430</b>	<b>7,524,006</b>
Add: Prior year (surplus) / deficit	(9,265,070)	(9,916,390)	(4,833,799)	(3,320,046)	(2,697,561)	(2,467,814)	(23,235,610)
<b>(Surplus) applied to future years</b>	<b>(4,528,786)</b>	<b>(4,833,799)</b>	<b>(3,320,046)</b>	<b>(2,697,561)</b>	<b>(2,467,814)</b>	<b>(2,392,384)</b>	<b>(15,711,604)</b>



RDN REPORT		[Signature]
CAO APPROVAL		
EAP		
COW		
SEP 22 2014		
RHD		
BOARD	✓	

**MEMORANDUM**

**TO:** Paul Thorkelsson  
Chief Administrative Officer

**DATE:** September 15, 2014

**FROM:** Wendy Idema  
Director of Finance

**FILE:**

**SUBJECT:** 2014 Gas Tax Transfer and Community Works Fund Program Update

**PURPOSE**

To provide an update on the renewed Canada/BC Gas Tax Transfer Program and Community Works Fund Program.

**BACKGROUND**

The 2014-2024 Community Works Fund (CWF) agreement (Attachment 1) has been fully executed by the RDN and UBCM and the first installment of funds (\$798,364) under the new agreement has been received with an additional interest payout amount of \$12,608. As previously noted, there are significant changes from the previous agreement such as the expanded range of eligible categories listed below.

- **Capacity building** – includes investments related to strengthening the ability of local governments to develop long-term planning practices. Under the capacity building category, items related to asset management have been added such as long-term infrastructure plans, studies, strategies, or systems related to asset management and training directly related to asset management planning.
- **Local roads, bridges** – roads, bridges and active transportation infrastructure (active transportation refers to investments that support active methods of travel. This can include: cycling lanes and paths, sidewalks, hiking and walking trails).
- **Highways** – highway infrastructure.
- **Short-sea shipping** – infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
- **Short-line rail** – railway related infrastructure for carriage of passengers or freight.
- **Regional and local airports** – airport-related infrastructure (excludes the National Airport System).
- **Broadband connectivity** – infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
- **Public Transit** – infrastructure that supports a shared passenger transport system that is available for public use.
- **Drinking Water** – infrastructure that supports drinking water conservation, collection, treatment and distribution systems.

- **Wastewater** – infrastructure that supports wastewater and storm water collection, treatment and management systems.
- **Solid Waste** – infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage.
- **Community Energy Systems** – infrastructure that generates or increases the efficient usage of energy.
- **Brownfield redevelopment** – remediation or decontamination and redevelopment of a brownfield site within local government boundaries, where the redevelopment includes:
  - the construction of public infrastructure as identified in the context of any other eligible project category under the GTF, and/or;
  - the construction of local government public parks and publicly-owned social housing.
- **Sport infrastructure** – amateur sport infrastructure (excludes facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League)).
- **Recreational infrastructure** – recreational facilities or networks.
- **Cultural infrastructure** – infrastructure that supports arts, humanities, and heritage.
- **Tourism infrastructure** – infrastructure that attracts travelers for recreation, leisure, business or other purposes.
- **Disaster mitigation** – infrastructure that reduces or eliminates long-term impacts and risks associated with natural disasters.

The following table summarizes additional changes under the renewed 2014 to 2024 agreement.

2005-2015 CWF Agreement	2014-2024 CWF Agreement	Comments/Implications
CWF funds are to support eligible projects that directly benefit the electoral areas of the regional district	CWF funds are to support projects for public use of benefit, both regionally and in the electoral areas	Reflects the broadening of scope in the new CWF agreement
Interest earned on CWF balances could be used to offset some administrative costs	Interest earned must be used for eligible expenses only which do not include administrative costs or overhead	The application of earned interest to administrative costs under the 2005-2015 CWF agreement was an inadvertent effect of a wording issue, and was apparently never the intent of the Federal Government
The regional district will undertake Integrated Community Sustainability Planning (ICSP), either by itself or as part of a regional Strategy	The regional district will work to strengthen asset management planning that supports effective stewardship of infrastructure assets in order to maximize benefits and manage risk	Expenditures related to both ICSP and asset management planning activities (including life-cycle cost assessments, asset management plans, software acquisition/implementation, long-term infrastructure plans) are CWF eligible expenditures

2005-2015 CWF Agreement	2014-2024 CWF Agreement	Comments/Implications
CWF funded infrastructure must continue to be owned by the regional district (or other identified eligible recipient) for a period of ten years, disposal of assets triggered repayment requirements	If CWF funded infrastructure is disposed of within five years of the project completion date, the resulting proceeds must be reinvested in CWF eligible projects	Will likely impact how year-end CWF balances are reflected in the annual financial statements (unconditional versus conditional grants, and equity rather than deferred revenue)
Eligible projects are those that result in assets that improve the quality of the environment and contribute to reduced greenhouse gas emissions, clean water, or clean air	Eligible projects are those that support national objectives of productivity and economic growth, a clean environment and strong cities and communities	Program outcomes are greatly expanded, recognizing that not all categories of projects result in improvements that are easily quantified
Agreement amended to include CWF use for eligible projects owned by entities other than the recipient local government under a contractual arrangement	Agreement clearly identifies regional districts as the ultimate recipient required to ensure compliance with agreement. Allows for CWF funds to be used for investments in municipal or regional, publicly or privately owned tangible capital assets that may be implemented by a third party through a contract	Ultimate responsibility for the use of the funds and reporting remains with the regional district. Adds a level of complexity for transferring funds to other local governments or to not for profits which have to be treated as a third party through a contract
Expend all funds prior to termination of the agreement	Any unspent funds at the end of the term of the agreement will continue to be subject to the agreement until either the agreement is renewed or until such time as may be determined by the parties	Reflects the “permanent” nature of the grant program; supports reclassifying the program as an unconditional rather than conditional grant
Funding was split with 50% allocated to CWF, 25% to Regionally Significant project funds and 25% to Strategic Priorities funds allocated on an application basis	Funding is split 75% to CWF and 25% to the application based Strategic Priorities program	Streamlines delivery and increases the amount received under CWF funds to each municipality and electoral area; however, as noted above there is an expectation of an asset management program to be in place for the regional district
Annual Expenditures and Outcomes reports are due July 1 of each year	Annual Expenditures and Outcomes reports are due June 1 of each year	Some increased pressure on staff to meet shorter annual reporting timeline

One other item to note is that unspent funds remaining from the first agreement are not restricted for use only under the previous agreement's eligible categories, but can be applied to the new range of eligible projects effective April 1, 2014.

Allocations under the Community Works Fund will be based on a funding formula similar to the 2005-2014 funding years and will consist of a \$50,000 funding floor, plus a per-capita amount for each local government. The application based Strategic Priorities Fund provides funding for projects that are larger in scale, or regional in impact, or innovative and will deliver approximately \$145.2 million in funding over the first five years. It is expected that information for the first call for applications to the SPF will be available later in 2014.

Eligible and ineligible expenditures have remained largely as per the previous agreement, e.g., land purchases, legal costs and wages/operating/administrative costs remain ineligible.

Schedule A (attached) provides a list of current and potential CWF projects. The projects listed for 2014 provide a broad range of outcomes including the development of community water and sewer systems, walking/cycling trails, building upgrades, continuing to actively engage the community in green building education and best practices, as well as the development of corporate monitoring programs.

Some of the projects to be undertaken will include a transfer of funding to another local government or to a not-for-profit association. In those cases, sub-agreements are completed with these eligible recipients to ensure compliance with all of the Gas Tax Program criteria and reporting requirements.

**ALTERNATIVES:**

1. Receive this report for information and endorse the 2014 Community Works Funds program as presented.
2. Recommend changes to the proposed projects and endorse an amended plan.

**FINANCIAL IMPLICATIONS:**

Alternative 1

The funds received by the Regional District of Nanaimo under the first round of funding were allocated by a Board decision for use in the Electoral Areas on a population basis with the \$50,000 floor funding amount designated as base funding for cross-region projects. Each municipality within the regional district receives funds separately for the same purposes.

Under the renewed CWF program, \$1,596,728 will be allocated to the RDN in 2014/15, plus a one-time \$12,608 payment of accumulated interest on funds held by UBCM totaling \$1,609,336. The same amount is expected for 2015/16; then \$1,676,566 in 2016/17 and 2017/18; and \$1,756,239 in 2018/19. The \$50,000 received as floor funding is allocated to cross-area projects and the remainder is allocated on a per capita basis.

Under the previous agreement, the RDN was able to utilize a portion of the interest earned on CWF reserves towards our administration costs which was used to offset staff costs to administer the program and for legal costs not allowed under the direct CWF program dollars. The current agreement does not allow for this interest transfer and as such all legal costs and administrative costs need to be absorbed under existing administration budgets for electoral areas. This may become significant for



projects such as community recreation centres and community trails because of the need to obtain agreements with other parties and statutory right of ways over privately held lands, and because the new agreement has added complexity for contracts with third parties to fund projects being completed by other local governments or not for profits.

Based on the 2013 year end balances, plus expected funding for 2014/15, less funds required to complete known and estimated projects, estimated balances available by area are per the following table. Many of the project amounts are based on rough estimates only, at this time, and further updating will be required.

	<b>Dec 31, 2013 Balance</b>	<b>2014 Estimated Allocation</b>	<b>2014 Estimated Spending</b>	<b>Estimated Remainder Available</b>
Electoral Area A	\$944,880	\$295,065	\$80,645	\$1,159,300
Electoral Area B	\$596,750	\$163,835	\$74,140	\$686,445
Electoral Area C	\$439,125	\$126,410	\$282,590	\$282,945
Electoral Area E	\$427,390	\$238,080	\$30,645	\$634,825
Electoral Area F	\$1,125,530	\$300,615	\$515,845	\$910,300
Electoral Area G	\$1,020,505	\$289,925	\$416,390	\$894,040
Electoral Area H	\$365,870	\$145,405	\$20,645	\$490,630
<b>Total</b>	<b>\$4,920,050</b>	<b>\$1,559,335</b>	<b>\$1,420,900</b>	<b>\$5,058,485</b>

A list and description of the 2014 projects either approved or under consideration is attached to this report as Schedule A. In staff's opinion all are eligible for funding by the Community Works Program. Under this alternative an estimated \$1,920,885 would be targeted for new projects including the \$50,000 floor amount. Use of Community Works funds for these projects means that incremental work which would not otherwise be feasible without significant tax increases can be completed.

The use of Community Works funds can be authorized at any time. Should the Board identify further projects during 2014, they can be authorized to proceed at a later date.

**SUMMARY/CONCLUSIONS:**

The 2014-2024 Community Works Fund (CWF) agreement (Attachment 1) has been fully executed by the RDN and UBCM. The information above provides a review of the differences between the old agreement, including the expanded range of eligible categories for use of the funds, and the requirement of the new agreement for the local government to work to strengthen Asset Management, in accordance with the Asset Management framework developed by the Partnership Committee. Unspent funds remaining from the first agreement are not restricted for use only under the previous agreement's eligible categories, but can be applied to the new range of eligible projects effective April 1, 2014.

Estimated balances available by Electoral Area, using a per capita allocation formula as in the past, are noted above and Schedule A attached to this report includes the known and under discussion projects for 2014/15. 2014 projects at this time total an estimated \$1,470,900; however, many numbers are based on rough estimates only and will require updates. Should the Board identify further projects during 2014, it can authorize those to proceed at a later date.

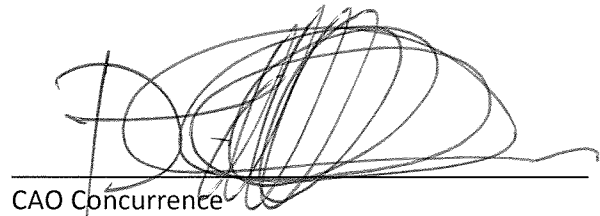
**RECOMMENDATIONS:**

1. That this report on the renewed Gas Tax Funding Program be received for information.
2. That the 2014 Community Works Funds program attached as Schedule A be approved and that staff be authorized to continue work on the projects as needed.



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Report Writer



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CAO Concurrency

**SCHEDULE A**  
**2014-2015 COMMUNITY WORKS PROJECTS UNDERWAY or PLANNED**

<b>APPROVED</b>		
Morden Colliery Bridge Crossing (Nanaimo River) – update to 1999 Herold Engineering Plan – EA A	\$80,000	Phase 1 Environmental, hydrology, geotec and archaeology studies to update original 1999 plan to current regulatory standards. Engage community and Ministry of Environment on use of bridge and design implications. Outcome is detailed design and cost estimates for construction.
Gabriola Village Trail Design Phase – EA B	\$65,000	Development of detailed design plan incorporating surveys, environmental studies, landowner, community and MoTI consultation.
Gabriola Island Community Bus – EA B	\$8,500	Additional capital funding to Island Futures Society for Community Bus capital upgrades.
Extension Miners Bridge – EA C	\$60,150	Trail and bridge construction costs.
South Forks hydrant water service – EA C	\$8,000	Contribution to the City of Nanaimo for water main service to fire hydrants in the area. Protection of water treatment plant in significant interface fire risk area.
Jingle Pot Road Trail Design – EA C	\$200,000	Detailed design plans incorporating surveys, environmental studies, landowner, community and MoTI consultation - will result in a plan for a trail encompassing an area from city boundary to city boundary.
Extension Community School infrastructure plan – EA C	\$13,800	Asset management/infrastructure requirements plan for recreation facility use.
Community Signage Program – EA E	\$30,000	Integrated wayfinding and community signage program for Nanoose Bay.
Septic System for Arrowsmith Recreational Hall – EA F	\$30,000	Transfer from NCED application for use of CWF for this purpose based on NCED Committee recommendation and Board approval (April 2014).
Westerne Heights Water System - EA F	\$35,200	Completion of the engineering review for a renewed water system plus capital upgrade for water treatment will depend on outcome of petitioning process.
San Pareil Water System Improvements – EA G	\$315,750	Improved pump station and reservoir enhancing capacity for future water treatment.
Park and Rides/Rest Stops – EA H	TBD	Possible project in conjunction with MOTI.
Lighthouse Community Centre – EA H	\$20,000	Capital/energy efficiency upgrades to recreation facility.
Green Building Best Practices Guidebook Series – continuation of annual series – all EAs	\$20,000	Continue to review and develop compendium of alternative solutions to BC Building Code. 2014 work includes editing prior guidebooks down to smaller pamphlet/booklet scale. Possible new topics include alternative wall assemblies (structural insulated panels, insulated concrete forms, etc.)

Staff/Building Inspector training related to Green Building Guidebooks – all EAs	\$2,000	Ongoing training related to 2013 guide and new 2014 guides.
Community Outreach Speaker Series – all EAs	\$20,000	Continuation of Green Building speaker series and open houses - covers speakers, open house costs, and hall rentals.
Corporate Performance Monitoring – all EAs	\$12,500	In conjunction with RGS monitoring - development of reporting tool to assist reporting on progress toward Strategic Plan Goals (50% cost shared with General Admin).
<b>FUTURE PROPOSED</b>		
Community Busing Review – EA A	TBD	Electoral Area A - Community Busing Review.
Gabriola Village Trail – Phase 2 – EA B	TBD	Construction Phase.
Jingle Pot Road Trail – EA C	TBD	Jingle Pot Road Trail – EA C, Construction.
Extension Community School – EA C	TBD	Construction phase of project to restore school as community centre.
Meadow Drive Roadside Path – EA C	TBD	Upgrades to current trail.
Whiskey Creek Water System Upgrades – EA F	TBD – preliminary estimate \$400,000 to \$500,000	Engineering and construction of treatment facility for Whiskey Creek Water System in response to order from Island Health - design to take place in 2014.
Arrowsmith Community Trails – EA F	TBD	Trail development projects.
Meadowood Community Park Community Centre – EA F	TBD	Moving and siting of a portable from SD69 to serve as a community centre.
Wembley Road Trail – EA G	\$100,000	Wembley Road Trail – EA G, Design.
Little Qualicum Hall – EA G	TBD	Capital upgrades.
Deep Bay to Shaw Hill Roadside Trail – EA H	TBD	Project in conjunction with MoTI.
<b>TOTAL All Projects</b>	<b>\$1,470,900</b>	

Note: Work related to community trails planning projects will be combined where possible to obtain efficiencies and may require phasing depending on MoTI staff availability. Survey costs may be significant in some areas depending on information available and obstacles encountered (such as driveways). Type of trail and level of accessibility would be decided through the design process.

**2014-2024 COMMUNITY WORKS FUND AGREEMENT**  
under the  
**ADMINISTRATIVE AGREEMENT**  
**ON THE FEDERAL GAS TAX FUND IN BRITISH COLUMBIA**

This Agreement made as of July 14, 2014.

BETWEEN:

Nanaimo Regional District (the Local Government)

AND

The **UNION OF BRITISH COLUMBIA MUNICIPALITIES** (UBCM) as continued by section 2 of the *Union of British Columbia Municipalities Act RSC 2006, c.1*, as represented by the President

**WHEREAS:**

- A. Canada, British Columbia and UBCM wish to help communities build and revitalize their public infrastructure that supports national objectives of productivity and economic growth, a clean environment and strong cities and communities;
- B. Canada, British Columbia and UBCM have entered into the Agreement setting out the roles and responsibilities of the Parties for the administration of the Federal Gas Tax Fund (GTF) in British Columbia;
- C. The Agreement provides for delivery of funding that may be received by UBCM from Canada, including interest thereon, through three programs, one of which is Community Works Fund;
- D. The Agreement sets out the purpose, terms and conditions of the Community Works Fund, and requires that in order to receive Community Works Fund funding, a Local Government must sign a Funding Agreement with UBCM;

**NOW THEREFORE**, in consideration of the mutual promises herein, UBCM and the Local Government agree as follows:

**1. PURPOSE**

The purpose of this Community Works Fund Agreement is to set out the roles and responsibilities of the Local Government and UBCM related to any Community Works Fund funds that may be delivered to the Local Government by UBCM:

**2. SCHEDULES**

The following Schedules, originating in whole or part from the Agreement, are attached to and form part of this Community Works Fund Agreement:

- Schedule A - Definitions
- Schedule B - Eligible Project Categories
- Schedule C - Eligible and Ineligible Expenditures

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Nanaimo Regional District - Agreement [AG617-0-Community Works Fund (CWF)]

Schedule D - Reporting and Audits  
Schedule E - Communications Protocol

### **3. ROLE OF UBCM**

- 3.1 UBCM has, pursuant to the Agreement, agreed with Canada and British Columbia to:
- A. receive GTF funding from Canada and allocate funds so received from Canada pursuant to the Agreement, including allocating Community Works Funds to the Local Government to be spent on Eligible Projects and Eligible Expenditures in accordance with the terms and conditions of this Community Works Fund Agreement;
  - B. report to Canada and British Columbia, including Annual Reports and Outcome Reports, as required by the Agreement; and
  - C. fulfill other roles and responsibilities as set out in the Agreement.

### **4. CONTRIBUTION PROVISIONS**

- 4.1 Over the term of this Community Works Fund Agreement, UBCM will pay the Local Government its annual allocation within 30 days of receipt of such funds from Canada.
- 4.2 Payments under section 4.1 are subject to UBCM receiving sufficient GTF funds from Canada, and Local Government compliance with this Community Works Fund Agreement and any other Funding Agreement under the First Agreement.
- 4.3 Annual allocation is based on a formula set out in section 3.4 of Annex B of the Agreement. In the first year of this Community Works Fund Agreement, the Local Government will receive \$1,596,728.73, in two equal instalments which, subject to section 4.2, are expected to be delivered in the month following July 15 and November 15, 2014.
- 4.4 Annual allocation to the Local Government for all subsequent years under this Community Works Fund Agreement continue to be based on the funding formula set out in the Agreement, but are subject to change by UBCM from the amount set out in section 4.3 due to such circumstances as local government boundary changes and new Local Government incorporations, changes in Census populations and changes in amounts that may be received by UBCM from Canada.
- 4.5 Timing of payments in subsequent years under this Community Works Fund Agreement to the Local Government by UBCM are subject to change due to any changes in timing of payments to UBCM by Canada.

## 5. USE OF FUNDS BY LOCAL GOVERNMENT

- 5.1 Any GTF funding that may be received by the Local Government and any Unspent Funds, and any interest earned thereon held by the Local Government must be used by the Local Government in accordance with this Community Works Fund Agreement, including specifically Section 6. (Commitments of the Local Government).
- 5.2 Any GTF funding that may be received by the Local Government and any Unspent Funds, and any interest earned thereon held by the Local Government will be treated as federal funds with respect to other federal infrastructure programs.

## 6. COMMITMENTS OF THE LOCAL GOVERNMENT

- 6.1 The Local Government shall:
- A. Ensure that any Unspent Funds and any GTF funding received from UBCM, as well as any interest earned thereon are expended and used in accordance with Schedule B (Eligible Project Categories) and Schedule C (Eligible and Ineligible Expenditures).
  - B. Treat any Unspent Funds and any GTF funding received from UBCM, as well as any interest earned thereon as federal funds with respect to other federal infrastructure programs.
  - C. Over the term of this Community Works Fund Agreement, ensure that any Unspent Funds and any GTF funding received from UBCM, as well as any interest earned thereon result in incremental spending as measured by the methodology, which will include a Base Amount, approved by the Partnership Committee.
  - D. Comply with all Ultimate Recipient requirements outlined in Schedule E (Communications Protocol).
  - E. During the term of this Community Works Fund Agreement work to strengthen Asset Management, in accordance with the Asset Management framework developed by the Partnership Committee.
  - F. Invest, in a distinct account, GTF funding received from UBCM in advance of paying Eligible Expenditures.
  - G. With respect to Contracts, award and manage all Contracts in accordance with the Local Government's relevant policies and procedures and, if applicable, in accordance with the Agreement on Internal Trade and applicable international trade agreements, and all other applicable laws.
  - H. Invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance or other disposal of an asset resulting from an Eligible Project where such disposal takes place within five (5) years of the date of completion of the Eligible Project.
  - I. Submit a report to UBCM, in a format acceptable to UBCM, by June 1 in each year, which includes:
    - GTF transactions of the Local Government for the previous calendar year, in sufficient detail to allow UBCM to produce the Annual Report required by Schedule D (Reporting and Audits);
    - a declaration from the Chief Financial Officer that the Local Government has complied with all Funding Agreements between it and UBCM; and

- any other information required by UBCM to fulfill its responsibilities under the Agreement, including, but not limited to project outcomes in relation to anticipated program benefits, expenditures made for tangible capital assets, and progress made towards Asset Management improvements.

J. Allow Canada and UBCM reasonable and timely access to all of its documentation, records and accounts and those of their respective agents or Third Parties related to the use of any Unspent Funds and any GTF funding, as well as any interest earned thereon, and all other relevant information and documentation requested by Canada or UBCM or its designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Community Works Fund Agreement.

K. Ensure that no current or former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from GTF funding, Unspent Funds and interest earned thereon, unless the provision or receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

L. Keep proper and accurate accounts and records in respect of all Eligible Projects for at least six (6) years after completion of the Eligible Project and, upon reasonable notice, make them available to Canada or UBCM.

M. Ensure actions do not establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Canada, British Columbia, or UBCM and the Local Government, or between Canada, British Columbia, or UBCM and a Third Party.

N. Ensure the Local Government does not represent themselves, including in any agreement with a Third Party, as a partner, employee or agent of Canada, British Columbia or UBCM.

O. Ensure that the Local Government will not, at any time, hold the Government of Canada or British Columbia or any of their respective officers, servants, employees or agents responsible for any claims or losses of any kind that they, Third Parties or any other person or entity may suffer in relation to any matter related to GTF funding or an Eligible Project and that they will, at all times, compensate the Government of Canada or British Columbia and their respective officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to GTF funding or an Eligible Project, except to the extent to which such claims or losses relate to the negligence of an officer, employee, or agent of Canada in the performance of his or her duties.

P. Ensure that the Local Government will not, at any time, hold UBCM or any of its officers, servants, employees or agents responsible for any claims or losses of any kind that they, Third Parties or any other person or entity may suffer in relation to any matter related to GTF funding or an Eligible Project and that they will, at all times, compensate UBCM and its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to GTF funding or an Eligible Project, except to the extent to which such claims or losses relate to the act of negligence of an officer, employee, or agent of UBCM in the performance of his or her duties.

Q. Agree that the above requirements which, by their nature, should extend beyond the expiration or termination of this Agreement will extend beyond such expiration or termination.



## 7. TRANSITION

- 7.1 As of the effective date of this Community Works Fund Agreement, the First Community Works Fund Agreement is terminated.
- 7.2 Notwithstanding section 7.1, the Parties agree that prior to its termination, the First Community Works Fund Agreement is amended to add to section 6.2 of that agreement: Schedule A (Eligible Project Categories and Project Examples); Schedule B (Eligible Costs for Eligible Recipients) and Schedule E (Reporting and Audit).
- 7.3 Notwithstanding section 7.1, the Parties agree that the survival rights and obligations in Section 6.2 of the First Community Works Fund Agreement (including those added to that section by virtue of Section 7.2), and any other section of the First Community Works Fund Agreement that is required to give effect to that survival section, will continue to apply beyond the termination of the First Community Works Fund Agreement subject to the following:
- A. Regardless of any wording in the First Community Works Fund Agreement with another effect, Unspent Funds, including interest earned thereon, will, as of the effective date of this Community Works Fund Agreement, be subject to this Community Works Fund Agreement;
  - B. Unspent Funds that fall within the reporting period of the 2013 Annual Expenditure Report (as defined in the First Community Works Fund Agreement) will be reported by the Local Government to UBCM in accordance with the First Community Works Fund Agreement;
  - C. Unspent Funds that fall within the reporting period that includes January 1, 2014 to the effective date of this Community Works Fund Agreement will be reported by the Local Government to UBCM in accordance with this Community Works Fund Agreement;
  - D. The survival of the reporting obligations under Section 3.2 and section 1.1 of Schedule E (Reporting and Audits) of the First Community Works Fund Agreement extends only until these obligations are fulfilled by the Local Government for the 2013 reporting year, after which, the reporting obligations under Section 6.1(i) and Schedule D of this Community Works Fund Agreement will apply; and
  - E. Any matters that Section 3.1 (iv) and Schedule G of the First Community Works Fund Agreement would have applied to will be dealt with under Section 6.1(d) and Schedule E (Communications Protocol) of this Community Works Fund Agreement.

## 8. TERM

This Community Works Fund Agreement will be effective as of April 1, 2014 and will be in effect until March 31, 2024 unless the Parties agree to renew it. In the event where this Community Works Fund Agreement is not renewed, any GTF funding and Unspent Funds, and any interest earned thereon held by the Local Government, that have not been expended on Eligible Projects or other expenditures authorized by this Community Works Fund Agreement as of March 31, 2024 will nevertheless continue to be subject to this Community Works Fund Agreement until such time as may be determined by the Parties.

**9. SURVIVAL**

The rights and obligations, set out in Sections 5.1, 5.2 and 6.1 will survive the expiry or early termination of this Community Works Fund Agreement and any other section which is required to give effect to the termination or to its consequences shall survive the termination or early termination of this Community Works Fund Agreement.

**10. AMENDMENT**

The Local Government acknowledges that the Agreement may from time to time be amended by agreement of Canada, British Columbia and UBCM and if and whenever such amendments to the Agreement are made, the Local Government agrees that UBCM may require this Community Works Fund Agreement to be amended to reflect, at the sole discretion of UBCM, the amendments made to the Agreement. Where UBCM requires this Community Works Fund 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 Community Works Fund Agreement and be binding on the Local Government and UBCM thirty (30) days after such notice, unless before then the Local Government elects in writing to give written notice of termination of this Community Works Fund Agreement to UBCM.

**11. WAIVER**

No provision of this Community Works Fund Agreement shall be deemed to be waived by UBCM, unless waived in writing with express reference to the waived provisions and no excusing, condoning or earlier waiver of any default by the Local Government shall be operative as a waiver, or in any way limit the rights and remedies of UBCM or Canada.

**12. NO ASSIGNMENT**

This Community Works Fund Agreement is not assignable by the Local Government and the Local Government shall not assign, pledge, or otherwise transfer any entitlement to allocation of funds under this Community Works Fund Agreement to any person and shall upon receipt of any allocation of funds hereunder pay and expend such funds thereafter only in accordance with the terms of this Community Works Fund Agreement.

**13. NOTICE**

Any notice, information or document provided for under this Community Works Fund Agreement must be in writing and will be effectively given if delivered or sent by mail, postage or other charges prepaid, or by facsimile or email. Any notice that is delivered will have been received on delivery; and any notice mailed will be deemed to have been received eight (8) calendar days after being mailed.

**Any notice to UBCM will be addressed to:**

Executive Director  
525 Government Street  
Victoria, British Columbia  
V8V 0A8  
Facsimile: 250 356-5119  
Email: [ubcm@ubcm.ca](mailto:ubcm@ubcm.ca)

**Any notice to the Local Government will be addressed to:**

The Corporate Officer at the place designated as the Local Government office.

**SIGNATURES**


This Community Works Fund Agreement has been executed on behalf of the Local Government by those officers indicated below and each person signing the agreement represents and warrants that they are duly authorized and have the legal capacity to execute the agreement.

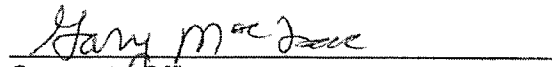
Nanaimo Regional District

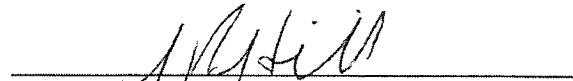
UNION OF BC MUNICIPALITIES

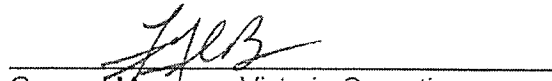
Original signed by:

Original signed by:

  
Chair

  
Corporate Officer

  
Corporate Officer

  
General Manager, Victoria Operations

Signed by Nanaimo Regional District on the 30 day of June, 2014.

The Community Works Fund Agreement have been executed by UBCM on the 14 day of JULY, 2014.

### Schedule A – Definitions

“**Agreement**” means the Administrative Agreement on the Federal Gas Tax Fund in British Columbia.

“**Annual Report**” means the duly completed annual report to be prepared and delivered by UBCM to Canada and British Columbia, as described in Schedule D (Reporting and Audits).

“**Asset Management**” (AM) includes planning processes, approaches or plans that support integrated, lifecycle approaches to effective stewardship of infrastructure assets in order to maximize benefits and manage risk. AM is further described in Schedule F (Asset Management) of the Agreement, and can include:

- an inventory of assets;
- the condition of assets;
- level of service;
- risk assessment;
- a cost analysis;
- community priority setting;
- long-term financial planning.

“**Base Amount**” means an amount established over a time-period, reflecting non-federal investments in Infrastructure and against which GTF investments will be measured to ensure that GTF investments are incremental.

“**Chief Financial Officer**” means in the case of a municipality, the officer assigned financial administration responsibility under S. 149 of the *Community Charter*, and in the case of a Regional District, the officer assigned financial administration responsibility under S. 199 of the *Local Government Act*, R.S.B.C. 1996, c.323.

“**Communications Protocol**” means the protocol by which all communications activities related to GTF funding will be delivered as described in Schedule E (Communications Protocol).

“**Community Works Fund**” means the fund provided from the Federal gas tax revenues to be dispersed to local governments based on a percentage of the per capita allocation for local spending priorities in accordance with the terms and conditions set out in the Agreement.

“**Community Works Fund Agreement**” means this Agreement made between UBCM and Local Government.

“**Contract**” means an agreement between an Ultimate Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

“**Eligible Expenditures**” means those expenditures described as eligible in Schedule C (Eligible and Ineligible Expenditures).

“**Eligible Projects**” means projects as described in Schedule B (Eligible Project Categories).

“**First Agreement**” means the agreement for the transfer of federal gas tax revenues entered into on September 19, 2005 by the Government of Canada, British Columbia and UBCM, with an expiry date of March 31, 2019, as amended.

**“First Community Works Fund Agreement”** means the agreement entered between UBCM and Local Government in order to administer the Community Works Fund under the First Agreement.

**“Funding Agreement”** means an agreement between UBCM and an Ultimate Recipient setting out the terms and conditions of the GTF funding to be provided to the Ultimate Recipient as entered under the First Agreement or the Agreement.

**“GTF”** means the Gas Tax Fund, a program established by the Government of Canada setting out the terms and conditions for the administration of funding that may be provided by Canada to recipients under section 161 of the *Keeping Canada’s Economy and Jobs Growing Act*, S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33, or any other source of funding as determined by Canada.

**“Ineligible Expenditures”** means those expenditures described as ineligible in Schedule C (Eligible and Ineligible Expenditures).

**“Infrastructure”** means municipal or regional, publicly or privately owned tangible capital assets in British Columbia primarily for public use or benefit.

**“Local Government”** means a municipality as defined in the *Community Charter* [SBC 2003] Chapter 26, a regional district as defined in the *Local Government Act* [RSBC 1996] Chapter 323, and the City of Vancouver as continued under the *Vancouver Charter* [SBC 1953] Chapter 55.

**“Outcomes Report”** means the report to be delivered by March 31, 2018 and again by March 31, 2023 by UBCM to Canada and British Columbia which reports on how GTF investments are supporting progress towards achieving the program benefits, more specifically described in Schedule D (Reporting and Audits).

**“Partnership Committee”** means the Committee required to be established by the Agreement to govern the implementation of the Agreement and further described in Annex C of the Agreement.

**“Party”** means Canada, British Columbia or UBCM when referred to individually and collectively referred to as “Parties”.

**“Third Party”** means any person or legal entity, other than Canada, British Columbia, UBCM or an Ultimate Recipient, who participates in the implementation of an Eligible Project by means of a Contract.

**“Ultimate Recipient”** means a Local Government.

**“Unspent Funds”** means Funds (as defined by the First Agreement) that have not been spent towards an Eligible Project (as defined under the First Agreement) prior to the effective date of the Agreement.

### Schedule B – Eligible Project Categories

Eligible Projects include investments in Infrastructure for its construction, renewal or material enhancement in each of the following categories:

- A. Local roads, bridges – roads, bridges and active transportation infrastructure (active transportation refers to investments that support active methods of travel. This can include: cycling lanes and paths, sidewalks, hiking and walking trails).
- B. Highways – highway infrastructure.
- C. Short-sea shipping – infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
- D. Short-line rail – railway related infrastructure for carriage of passengers or freight.
- E. Regional and local airports – airport-related infrastructure (excludes the National Airport System).
- F. Broadband connectivity – infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
- G. Public transit – infrastructure that supports a shared passenger transport system which is available for public use.
- H. Drinking water – infrastructure that supports drinking water conservation, collection, treatment and distribution systems.
- I. Wastewater – infrastructure that supports wastewater and storm water collection, treatment and management systems.
- J. Solid waste – infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage.
- K. Community energy systems – infrastructure that generates or increases the efficient usage of energy.
- L. Brownfield Redevelopment – remediation or decontamination and redevelopment of a brownfield site within Local Governments boundaries, where the redevelopment includes:
  - the construction of public infrastructure as identified in the context of any other eligible project category under the GTF, and/or;
  - the construction of Local Government public parks and publicly-owned social housing.
- M. Sport Infrastructure – amateur sport infrastructure (excludes facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League)).
- N. Recreational infrastructure – recreational facilities or networks.

O. Cultural infrastructure – infrastructure that supports arts, humanities, and heritage.

P. Tourism infrastructure – infrastructure that attract travelers for recreation, leisure, business or other purposes.

Q. Disaster mitigation – infrastructure that reduces or eliminates long-term impacts and risks associated with natural disasters.

Eligible Projects also include:

R. Capacity building – includes investments related to strengthening the ability of Local Governments to develop long-term planning practices.

Note: Investments in health infrastructure (hospitals, convalescent and senior centres) are not eligible.



## Schedule C – Eligible and Ineligible Expenditures

### 1. ELIGIBLE EXPENDITURES

1.1 Eligible Expenditures of Ultimate Recipients will be limited to the following:

A. the expenditures associated with acquiring, planning, designing, constructing or renovating a tangible capital asset, as defined by Generally Accepted Accounting Principles (GAAP), and any related debt financing charges specifically identified with that asset;

B. for capacity building category only, the expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, life-cycle cost assessments, and Asset Management Plans. The expenditures could include developing and implementing:

- studies, strategies, or systems related to asset management, which may include software acquisition and implementation;
- training directly related to asset management planning; and,
- long-term infrastructure plans.

C. the expenditures directly associated with joint communication activities and with federal project signage for GTF-funded projects.

1.2 Employee and Equipment Costs: The incremental costs of the Ultimate Recipient's employees or leasing of equipment may be included as Eligible Expenditures under the following conditions:

- the Ultimate Recipient is able to demonstrate that it is not economically feasible to tender a contract;
- the employee or equipment is engaged directly in respect of the work that would have been the subject of the contract; and
- the arrangement is approved in advance and in writing by UBCM.

1.3 Administration expenses of UBCM related to program delivery and implementation of this Agreement, in accordance with Section 9 (Use and Recording of Funds by UBCM) of Annex B (Terms and Conditions).

## 2. INELIGIBLE EXPENDITURES

The following are deemed Ineligible Expenditures:

- A. project expenditures incurred before April 1, 2005;
- B. project expenditures incurred before April 1, 2014 for the following investment categories:
  - highways;
  - regional and local airports;
  - short-line rail;
  - short-sea shipping;
  - disaster mitigation;
  - broadband connectivity;
  - brownfield redevelopment;
  - cultural infrastructure;
  - tourism infrastructure;
  - sport infrastructure; and
  - recreational infrastructure.
- C. the cost of leasing of equipment by the Ultimate Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Ultimate Recipient, its direct or indirect operating or administrative costs of Ultimate Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Expenditures above;
- D. taxes for which the Ultimate Recipient is eligible for a tax rebate and all other costs eligible for rebates;
- E. purchase of land or any interest therein, and related costs;
- F. legal fees; and
- G. routine repair and maintenance costs.

### Schedule D –Reporting and Audits

#### 1. REPORTING

Reporting requirements under the GTF will consist of an Annual Report and an Outcomes Report that will be submitted to Canada and British Columbia for review and acceptance. The reporting year is January 1<sup>st</sup> to December 31<sup>st</sup>.

#### 1.1 ANNUAL REPORT

By September 30th of each year, UBCM will provide to Canada and British Columbia an Annual Report in an electronic format deemed acceptable by Canada consisting of the following in relation to the previous reporting year:

Financial Report Table: The financial report table will be submitted in accordance with the following template.

Annual Report Financial Table	Annual	Cumulative
	20xx - 20xx	2014 - 20xx
UBCM		
Opening Balance <sup>203</sup>	\$xxx	
Received from Canada	\$xxx	\$xxx
Interest Earned	\$xxx	\$xxx
Administrative Cost	(\$xxx)	(\$xxx)
Transferred to Ultimate Recipients	(\$xxx)	(\$xxx)
Closing Balance of unspent funds	\$xxx	
Ultimate Recipients in aggregate		
Opening Balance <sup>204</sup>	\$xxx	
Received from UBCM	\$xxx	\$xxx
Interest Earned	\$xxx	\$xxx
Spent on Eligible Expenditures	(\$xxx)	(\$xxx)
Closing Balance of unspent funds	\$xxx	

<sup>203</sup> For the 2014 Annual Report this means the amount reported as unspent by UBCM the 2013 Annual Expenditure Report (as defined under the First Agreement).

<sup>204</sup> For the 2014 Annual Report this means the amount reported as unspent by Eligible Recipients (as defined under the First Agreement) in the 2013 Annual Expenditure Report (as defined under the First Agreement).

Independent Audit or Audit Based Attestation:

UBCM will provide an independent audit opinion, or an attestation based on an independent audit and signed by a senior official designated in writing by British Columbia and UBCM, as to:

- A. the accuracy of the information submitted in the Financial Report Table; and
- B. that Funds were expended for the purposes intended.

Project List

UBCM will maintain, and provide to Canada and British Columbia a project list submitted in accordance with the following template.

**Annual Report - GTF Project List Template**

Project ID	Ultimate Recipient	Project Title	Project Description	Investment category	Total Project Cost	Funds (GTF) Spent	Completed

**1.2 OUTCOMES REPORT**

By March 31, 2018 and March 31, 2023, UBCM will provide to Canada and British Columbia and make publicly available, an Outcomes Report that will report in aggregate on the degree to which investments are supporting the progress in British Columbia towards achieving the following program benefits:

- A. Beneficial impacts on communities of completed Eligible Projects;
- B. Enhanced impact of GTF as a predictable source of funding including incremental spending; and
- C. Progress made on improving Local Government Asset Management.

The Outcomes Report will present performance data and a narrative on program benefits. The partnership committee will develop and approve a methodology for reporting on performance in respect of each of the program benefits

**2. AUDITS**

Canada may, at its expense, carry out any audit in relation to the Agreement, and for this purpose, reasonable and timely access to all documentation, records and accounts that are related to the Agreement and the use of GTF funding, and any interest earned thereon, and to all other relevant information and documentation requested by Canada or its designated representatives, will be provided to Canada and its designated representatives by:

- British Columbia and UBCM, as applicable, where these are held by British Columbia, UBCM, or their respective agents or Third Parties; and
- Ultimate Recipients where these are held by the Ultimate Recipient or a Third Party or their respective agents.

Canada may, at its expense, complete a periodic evaluation of the GTF to review the relevance and performance (i.e. effectiveness, efficiency and economy) of the GTF. British Columbia and UBCM will provide Canada with information on program performance and may be asked to participate in the evaluation process. The results of the evaluation will be made publicly available.

### **Schedule E – Communications Protocol**

#### **1. PURPOSE**

1.1 The provisions of this Communications Protocol apply to all communications activities related to any GTF funding which may be delivered by Canada, including allocations, and Eligible Projects funded under this Agreement. Communications activities may include, but are not limited to, public or media events, news releases, reports, web articles, blogs, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, awards programs, and multi-media products.

1.2 Through collaboration, the Parties agree to work to ensure clarity and consistency in the communications activities meant for the public.

#### **2. JOINT COMMUNICATIONS APPROACH**

2.1 The Parties agree to work in collaboration to develop a joint communications approach that identifies guiding principles, including those related to the provision of upfront project information, project signage, and planned communications activities throughout the year. This joint communications approach will have the objective of ensuring that communications activities undertaken each calendar year communicate a mix of Eligible Project types from both large and small communities, span the full calendar year and use a wide range of communications mediums.

2.2 The Parties agree that the initial annual joint communications approach will be finalized and approved by the partnership committee within 60 working days following the inaugural meeting of the partnership committee.

2.3 The Parties agree that achievements under the joint communications approach will be reported to the partnership committee once a year, or more frequently as requested by the partnership committee.

2.4 The Parties agree to assess the effectiveness of the joint communications approach on an annual basis and, as required, update and propose modifications to the joint communications approach. Any modifications will be brought to the partnership committee for approval.

### **3. INFORM CANADA ON ALLOCATION AND INTENDED USE OF GTF FUNDING FOR COMMUNICATIONS PLANNING PURPOSES**

3.1 UBCM agrees to provide to Canada upfront information on planned Eligible Projects and Eligible Projects in progress on an annual basis, prior to the construction season. The Parties will agree, in the joint communications approach, on the date this information will be provided. The information will include, at a minimum:

Ultimate Recipient name; Eligible Project name; Eligible Project category, a brief but meaningful Eligible Project description; amount of Funds being used toward the Eligible Project; and anticipated start date.

3.2 The Parties agree that the above information will be delivered to Canada in an electronic format deemed acceptable by Canada. This information will only be used for communications planning purposes and not for program reporting purposes.

3.3 The Parties agree that the joint communications approach will define a mechanism to ensure the most up-to-date Eligible Project information is available to Canada to support media events and announcements for Eligible Projects.

### **4. PROJECT SIGNAGE**

4.1 The Parties and Ultimate Recipients may each have a sign recognizing their contribution to Eligible Projects.

4.2 At Canada's request, Ultimate Recipients will install a federal sign to recognize federal funding at Eligible Project site(s). Federal sign design, content, and installation guidelines will be provided by Canada and included in the joint communications approach.

4.3 Where British Columbia, UBCM or an Ultimate Recipient decides to install a permanent plaque or other suitable marker with respect to an Eligible Project, it must recognize the federal contribution to the Eligible Project(s) and be approved by Canada.

4.4 The Ultimate Recipient is responsible for the production and installation of Eligible Project signage, or as otherwise agreed upon.

4.5 British Columbia or UBCM agree to inform Canada of signage installations on a basis mutually agreed upon in the joint communications approach.

### **5. MEDIA EVENTS AND ANNOUNCEMENTS FOR ELIGIBLE PROJECTS**

5.1 The Parties agree to have regular announcements of Eligible Projects that are benefiting from GTF funding that may be provided by Canada. Key milestones may be marked by public events, news releases and/or other mechanisms.

5.2 Media events include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.

5.3 A Party or an Ultimate Recipient may request a media event.

5.4 Media events related to Eligible Projects will not occur without the prior knowledge and agreement of the Parties and the Ultimate Recipient.

5.5 The Party or Ultimate Recipient requesting a media event will provide at least 15 working days' notice to the other Parties or Ultimate Recipient of their intention to undertake such an event. The event will take place at a mutually agreed date and location. The Parties and the Ultimate Recipient will have the opportunity to participate in such events through a designated representative. The Parties will each designate their own representative.

5.6 The conduct of all joint media events and products will follow the *Table of Precedence for Canada* as outlined at <http://www.pch.gc.ca/pgm/ceem-cced/prtcl/precedence-eng.cfm>.

5.7 All joint communications material related to media events must be approved by Canada and recognize the funding of the Parties.

5.8 All joint communications material must reflect Canada's policy on official languages and the federal identity program.

## 6. PROGRAM COMMUNICATIONS

6.1 The Parties and Ultimate Recipients may include messaging in their own communications products and activities with regard to the GTF.

6.2 The Party or Ultimate Recipient undertaking these activities will provide the opportunity for the other Parties and Ultimate Recipient to participate, where appropriate, and will recognize the funding of all contributors.

6.3 The Parties agree that they will not unreasonably restrict the other Parties or Ultimate Recipient from using, for their own purposes, public communications products related to the GTF prepared by a Party or Ultimate Recipients, or, if web-based, from linking to it.

6.4 Notwithstanding Section 5 (Communications Protocol), Canada retains the right to meet its obligations to communicate information to Canadians about the GTF and the use of funding through communications products and activities.

## 7. OPERATIONAL COMMUNICATIONS

7.1 The Ultimate Recipient is solely responsible for operational communications with respect to Eligible Projects, including but not limited to, calls for tender, construction, and public safety notices. Operational communications as described above are not subject to the federal official language policy.

7.2 Canada, British Columbia, UBCM or the Ultimate Recipient will share information promptly with the Parties should significant emerging media or stakeholder issues relating to an Eligible Project arise. The Parties will advise Ultimate Recipients, when appropriate, about media inquiries received concerning an Eligible Project.

## **8. COMMUNICATING SUCCESS STORIES**

British Columbia and UBCM agree to facilitate communications between Canada and Ultimate Recipients for the purposes of collaborating on communications activities and products including but not limited to Eligible Project success stories, Eligible Project vignettes, and Eligible Project start-to-finish features.

## **9. ADVERTISING CAMPAIGNS**

Recognizing that advertising can be an effective means of communicating with the public, a Party or an Ultimate Recipient may, at their own cost, organize an advertising or public information campaign related to the GTF or Eligible Projects. However, such a campaign must respect the provisions of this Agreement. In the event of such a campaign, the sponsoring Party or Ultimate Recipient agrees to inform the other Parties of its intention, and to inform them no less than 21 working days prior to the campaign launch.