

REGIONAL DISTRICT OF NANAIMO

COMMITTEE OF THE WHOLE

TUESDAY, JUNE 10, 2014

7:00 PM

(RDN Board Chambers)

A D D E N D U M

PAGE

CORRESPONDENCE

- 2 **Premier Christy Clark**, re Preparation for 2014 UBCM Convention.
- 3-6 **Elizabeth Beale and Thomas Harding**, re 1955 Stokes Road — Electoral Area 'B' - Building Bylaw Contravention.
- 7 **John K. Marsh, Town of Qualicum Beach**, re Appointment - Alternate to the RDN Board.



BRITISH
COLUMBIA

June 6, 2014

Dear Mayors and Regional District Chairs:

As we prepare for the upcoming 2014 UBCM Convention in Whistler this September, I wanted to let you know that my caucus colleagues and I are once again looking forward to listening to the discussions around the issues and initiatives that affect your communities. Our work depends on your input and insight, and my colleagues and I will be there to learn about your priorities.

The theme of the 2014 Convention, *Leading Edge Local Governance*, is definitely fitting for our province as we take advantage of the once-in-a-lifetime liquefied natural gas opportunity. The Convention will certainly bring forward inspiring discussions, debate and decisions on how best to move to a brighter future for all British Columbians. I look forward to participating.

If you would like to request a meeting with me or a Cabinet Minister on a specific topic during this year's convention, please fill out the online form at www.fin.gov.bc.ca/UBCM/. The invitation code is MeetingRequest2014 and it is case sensitive.

It'll be great to see you at the UBCM Convention – a wonderful opportunity to connect and share ideas to make BC meet its goal for a secure tomorrow for all British Columbians in all regions of the province. If you have any questions, please contact my UBCM Meeting Request Coordinator, Tara Zwaan, at 604-775-1600.

Sincerely,

A handwritten signature in black ink that reads "Christy Clark". The signature is written in a cursive, flowing style.

Christy Clark
Premier

From: Elizabeth Beale
Sent: Monday, June 09, 2014 8:48 AM
Subject: Submission to RDN meeting, June 10

On Jun 8, 2014, at 6:24 PM, Thomas Harding wrote:

Following is our response to the Staff Report to the Chief Building Inspector. (FILE # PR201400098) Could you arrange to have it read, please, at Tuesday's meeting? The RDN offices are a long way out and bus transportation is sporadic at best in the evenings. We will be available by phone (247-0122) throughout the evening should there be further questions.

The Rev. Elizabeth Beale and Dr. Thomas Harding are a retired couple of modest means. After 12 years roaming the North Coast on their charter sailboat, they moved onto the land on Gabriola early May 2011. Thomas is a former university professor, Elizabeth an Anglican priest. Their goal is to live as simply and sustainably as possible. On their own land and in conjunction with several small cooperatives they produce 75% of their food. Being off the grid they produce 75% of their power requirements (solar, wind, wood heat, cooking and hot water). They have built a modest 360 square foot "eco-cottage" out of surplus materials. Total cost, including cisterns, appliances, etc. has been less than \$20,000. They have full support of their neighbours and, if the original complainant was a neighbour, that neighbour has since sold his property and is in the process of moving.

We find the Staff Report to be not at all a fair representation of our conversations and interactions with inspectors and by-law officers to date and, at some points, we find the Report to actually be erroneous. To wit --

-- Our address is not 1955 Stokes Road but 1998 South Road. This has implications re setbacks etc. Hopefully this is only a clerical error, though we have repeatedly asked that the designation be changed in RDN files.

-- The first visit of a building inspector was in January, not February. The issue at stake was lack of a building permit. There was certainly no complaint at that time about improper sewage disposal. In the brief exchange with the inspector, when asked what were the alternatives, the inspector replied "a bulldozer."

-- The second visit by an inspector was March 7. Though Thomas was in the cottage at the time, the inspector did not knock on the door. Rather he parked his car behind a tree and tacked a stop work order to a corner of the cottage. By the time Thomas realized something was happening the inspector was gone. Thomas phoned Mr. Al Dick, the inspector's supervisor, protesting this disrespectful behaviour. Mr. Dick apologized and subsequently arranged a meeting at the RDN offices.

-- At that meeting Thomas explained why he and Elizabeth had not applied for a permit. A permit requires submission of a plan. Building with surplus materials, however, requires one-step-at-a-time planning, the plan is developed as material becomes available. Thomas also explained that professional builder friends assured them that the building was "structurally equivalent to code." At no point did he say that they considered "regulatory requirements to be optional." The simple fact is, however, that the cottage cannot meet regulatory requirements and,

therefore, to apply for a permit was not a possibility.

-- At a subsequent meeting on the property (at Thomas' invitation), Thomas explained that as they had no intention of insuring the building or of selling the property in the foreseeable future, the best compromise might well be to attach a Notice of Bylaw Contravention to the property title. That, at least, would protect any future buyer from a misunderstanding about the nature of the building and the costs involved in removing the Notice of Contravention.

-- The first of two letters from RDN building inspection arrived on April 15. This was the first mention of a "no occupancy" order. It was a bit redundant, however, as Thomas and Elizabeth had been living in the building since mid-January. In a phone call to Mr Dick, Mr. Dick indicated that we were now in "due process" and that a second letter would be forthcoming. Thomas again indicated that he and Elizabeth believed that a Notice of Bylaw Contravention might be an acceptable solution. At no point did either Thomas or Elizabeth say that they were "opting out" of provincial regulations; they simply stressed the impossibility of compliance.

-- The Environmental Health Officer's report attached to the Staff Report is quite out of date. Thomas and Elizabeth have corrected several errors in Mr. Gibson's first report and are engaged in an on-going conversation about acceptable solutions. The correspondence with Mr. Gibson is attached (though we fail to see what that issue has to do with the building permit controversy). The two pictures attached to the Report also seem designed to cast as negative a light as possible on the project. (We fail to see what a picture of the half-completed workshop/wood shed has to do with anything. The shed now holds three cords of split and stacked wood as well as a workbench with assorted power and hand tools.) Alternative pictures are attached to this response.

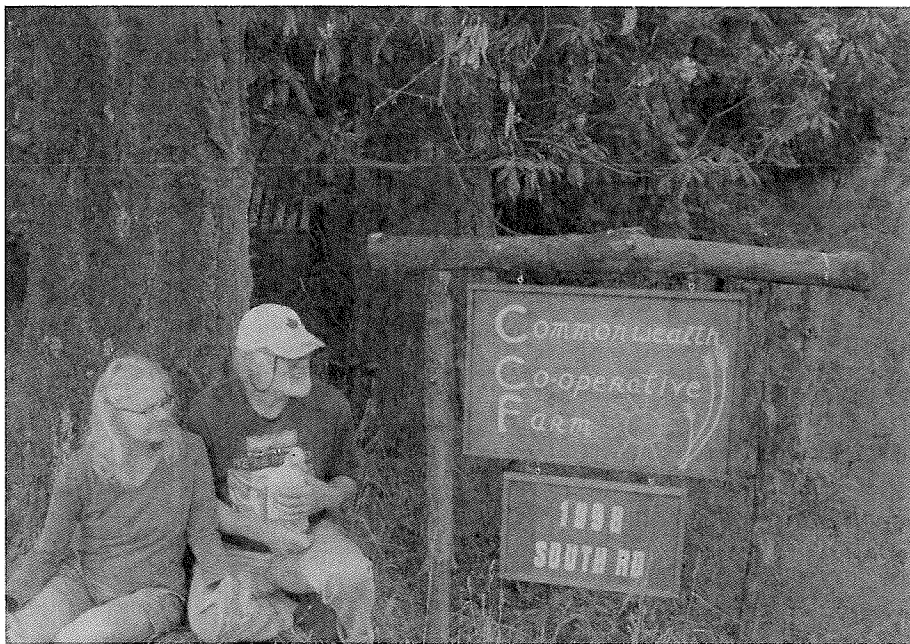
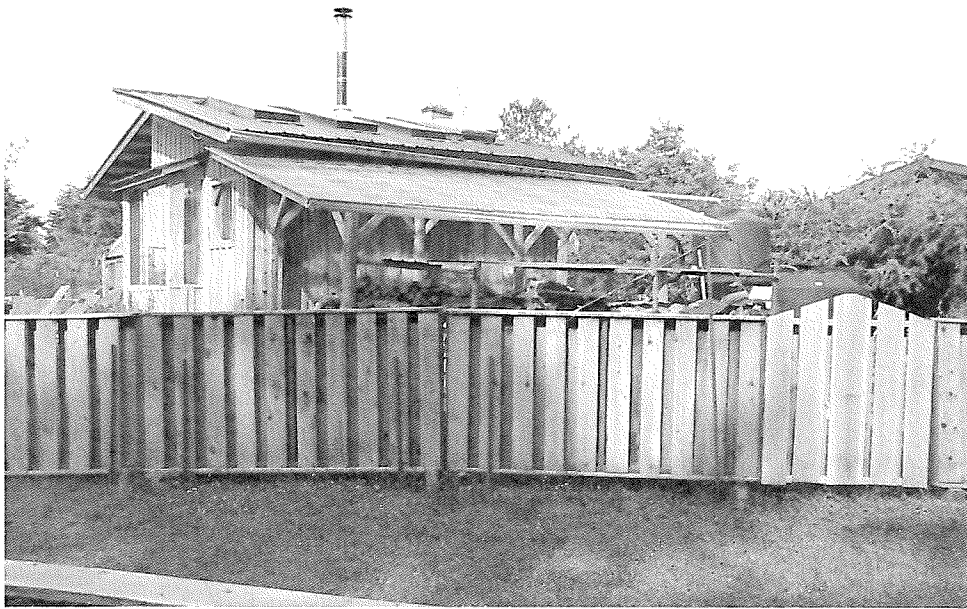
In conclusion: Elizabeth and Thomas are attempting to live as simply and sustainably as possible. They have built and are occupying a modest "eco-cottage," constructed out of surplus materials and, they believe, "structurally equivalent to code." Having spent 12 years on a boat, with wood heat and propane stove and hot water system, they are especially aware of safety issues with these two systems. They believe that an acceptable solution is to have the RDN register a Notice of Bylaw Contravention to the property title. They will continue to work with the Environmental Health Officer to seek acceptable solutions to grey water and black water. Though they still have an aft covered deck to construct, a new goat/chicken shed to build and a permanent green house to replace the current experimental green house, the "large accumulation of assorted building materials" has been considerably reduced. This is still a construction site, however. We invite people to come and visit and discuss what we are doing. Out of respect for our privacy, please phone or e-mail in advance.

At all times Thomas and Elizabeth have been above board, transparent and courteous. We expect the same from inspectors and by-law officers. We commend Mr. Al Dick, Mr. Brian Brack and Mr. Glenn Gibson for their courtesy during phone calls and on-site visits. Given that courtesy, it is with great disappointment that we received a report of this tenor.

Respectfully submitted,

Elizabeth Beale
Thomas Harding







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June 10, 2014

Emailed: jhill@rdn.bc.ca
Jacquie Hill
Manager of Administrative Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Jacquie Hill:

Town of Qualicum Beach Appointments Alternate to the RDN Board

Council, at their meeting held Monday, June 9, 2014 passed the following motion:

THAT Council appoints Mayor Teunis Westbroek as the Alternate Municipal Director on the Regional District of Nanaimo Board.

Correspondence for the alternate can be forwarded to the Town's postal address or by e-mail to: mayor@qualicumbeach.com

Please contact me at 250.752. 6921 you require any additional information.

Yours truly,

John K. Marsh,
Acting Chief Administrative Officer

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