

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, JANUARY 24, 2017
7:00 PM**

*(RDN Board Chambers)
This meeting will be recorded*

A G E N D A

Pages

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
 - 13 **Michel Morin, Royal Canadian Marine Search and Rescue - Station 27 Nanaimo**, re Society Activities 2016-2017.
 - 14 **Lynn deVries, Back Country Horsemen Society of BC - Central Vancouver Island Chapter**, re Overview and Update on Funding and Volunteer Work.
 - 15 **Sheri Plummer and Judith Kemp, Communities to Protect our Coast**, re Initiative to Reduce/Eliminate Plastic Bags in Oceanside.
 - 16-17 **Richard Harding and Liette Masse, City of Nanaimo**, re Rogers Hometown Hockey Event - Request for Additional Transportation.
- 3. BOARD MINUTES**
 - 18-35 Minutes of the Regular Board meeting held Tuesday, December 6, 2016 (All Directors – One Vote).

That the minutes of the Regular Board meeting held Tuesday, December 6, 2016 be adopted.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**

(All Directors – One Vote)

 - 36-40 **Ken Carter, Bowser Waterworks District**, re Request for submission of Bowser Waterworks District Balancing Reservoir Evaluation to the BC Ministry of Community, Sport and Cultural Development Infrastructure Planning Grant Program.

6. UNFINISHED BUSINESS

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

7.1 ELECTORAL AREA SERVICES COMMITTEE

Minutes and recommendations from the Electoral Area Services Committee meeting held Tuesday, January 10, 2017.

41-45 **7.1.1 Minutes of the Electoral Area Services Committee meeting held Tuesday, January 10, 2017** (All Directors – One Vote).

That the minutes of the Electoral Area Services Committee meeting held Tuesday, January 10, 2017 be received for information.

46-53 **7.1.2 Development Permit Application No. PL2016-164 – 923 McFeely Drive, Electoral Area ‘G’** (Electoral Area Directors, except EA ‘B’ – One Vote).

That the Board approve Development Permit No. PL2016-164 to permit the construction of a dwelling unit subject to the conditions outlined in Attachments 2 to 4.

54-64 **7.1.3 Development Permit Application No. PL2016-179 – 3271 Jameson Road and 3155 Northwood Road, Electoral Area ‘C’** (Electoral Area Directors, except EA ‘B’ – One Vote).

That the Board approve Development Permit No. PL2016-179 to permit the development of two dwelling units subject to the conditions outlined in Attachments 2 to 4.

65-70 **7.1.4 Development Permit Application No. PL2016-180 – 4179 Island Highway West, Electoral Area ‘G’** (Electoral Area Directors, except EA ‘B’ – One Vote).

That the Board approve Development Permit No. PL2016-180 to permit the construction of a new dwelling unit subject to the conditions outlined in Attachment 2.

- 71-77 **7.1.5 Development Variance Permit Application No. PL2016-113 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-112 – 1031 Robertson Boulevard, Electoral Area ‘G’** (Electoral Area Directors, except EA ‘B’ – One Vote).

Delegations wishing to speak to Development Variance Permit Application No. PL2016-113 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-112 – 1031 Robertson Boulevard, Electoral Area ‘G’.

1. *That the Board approve Development Variance Permit No. PL2016-113 to reduce the minimum pan handle width for proposed lots 6 and 7 subject to the terms and conditions outlined in Attachments 2 to 3.*
2. *That the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 6 and 7 in relation to Subdivision Application No. PL2016-112.*

- 78-82 **7.1.6 Subdivision Application No. PL2014-007 – 1831 Matterson Road, Electoral Area ‘F’** (Electoral Area Directors, except EA ‘B’ – One Vote).

That the Board approve the request to relax the minimum lot frontage requirements for proposed Lot A in relation to Subdivision Application No. PL2014-007.

- 83-95 **7.1.7 Subdivision Application No. PL2016-134 – 2081 Lazy Susan Drive, Electoral Area ‘A’** (Electoral Area Directors, except EA ‘B’ – One Vote).

That five percent (5%) cash-in-lieu of parkland dedication in conjunction with Subdivision Application No. PL2016-134, be accepted.

- 96-107 **7.1.8 Zoning Amendment Application No. PL2016-161 – Pratt Road, Electoral Area ‘F’ – Bylaw 1285.27 – First and Second Reading** (Electoral Area Directors, except EA ‘B’ – One Vote).

1. *That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017", be introduced and read two times.*
2. *That the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017", be chaired by Director Fell or his alternate.*
3. *That the conditions set out in Attachment 2 be completed prior to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017" being considered for adoption.*

- 108-113 **7.1.9 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-131 – 2221, 2225, 2237 Chelsea Place, Electoral Area 'E'** (Electoral Area Directors, except EA 'B' – One Vote).

That the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lot B in relation to Subdivision Application No. PL2016-131.

- 114-128 **7.1.10 Electoral Area Telecommunication Antenna System Consultation and Information Policy with Bylaw No. 1259.11.**

(All Directors – One Vote)

1. *That the attached policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy.*

(Electoral Area Directors, except EA 'B' – Weighted Vote)

2. *That "Regional District of Nanaimo Planning Services Fees And Charges Amendment Bylaw No. 1259.11, 2016" be introduced and read three times.*

(Electoral Area Directors, except EA 'B' – 2/3 Weighted Vote)

3. *That "Regional District of Nanaimo Planning Services Fees And Charges Amendment Bylaw No. 1259.11, 2016" be adopted.*

- 7.1.11 Salish Sea Marine Trail Proposal from BC Marine Trails Network Association**
(All Directors – One Vote).

That staff be directed to work with the BC Marine Trails Network Association on the identification of Blueback Park as a Salish Sea Marine Trail day use area recognizing that this park has limited day-use facilities, with no overnight parking or camping.

- 7.1.12 Dunsmuir Community Park - Concept Plan** (All Directors – One Vote).

1. *That staff proceed with preparing construction drawings for Concept Plan A for Dunsmuir Community Park.*
2. *That staff proceed with clearing a view corridor into Dunsmuir Community Park as part of the 2017 Parks Work Plan.*

7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

Minutes and recommendations from the Committee of the Whole meeting held Tuesday, January 10, 2017.

- 129-136 **7.2.1 Minutes of the Committee of the Whole meeting held Tuesday, January 10, 2017** (All Directors – One Vote).

That the minutes of the Committee of the Whole meeting held Tuesday, January 10, 2017 be received for information.

- 137-140 **7.2.2 2017 Regional Services Review** (All Directors – Weighted Vote).

That staff review the Regional Parks and Trails service funding allocations and bring back a report on options of funding the service in the future, and that staff have discussions with member municipalities and have a Director's seminar to narrow down the preliminary list of services that may be considered for inclusion in a service review.

- 141-143 **7.2.3 Association of Vancouver Island and Coastal Communities Resolution Victim Services Programs** (All Directors – One Vote).

That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at their annual meeting:

WHEREAS Victim Services Programs provide support and assistance to victims of crime;

AND WHEREAS the Ministry of Public Safety has the ultimate responsibility for the Victim Services Programs and yet does not fully fund these programs;

THEREFORE BE IT RESOLVED that the Province of British Columbia fully fund all Victim Services Programs.

- 144-172 **7.2.4 2017 Budget External Funding Requests** (All Directors – Weighted Vote).

1. *That the 2017 Budget include funding to the Coastal Invasive Species Committee (CISC) in the amount of \$16,500.*
2. *That the 2017 Budget include funding to the Island Roots Market Co-op in the amount of \$25,000.*

173-176

7.2.5 2017 to 2021 Financial Plan Outstanding Items.

(All Directors – Weighted Vote)

1. *That the Board reallocate the Provincial Grant in the amount of \$136,000 previously directed to the Island Corridor Foundation agreement to be used for evaluations and analysis related to the establishment of services or the review of existing services.*

(Parksville, Qualicum Beach, Electoral Areas 'E', 'F', 'G', 'H' – Weighted Vote)

2. *That District 69 Search and Rescue requisition funding and transfer to the Arrowsmith Search and Rescue Society be maintained at existing levels.*

(All Directors – Weighted Vote)

3. *That the Board requisition funds under the Feasibility Service to be held in a Regional District Feasibility Reserve fund or in specific Electoral Area Feasibility Reserve funds for service review requests, referendums and for feasibility studies for new amenities.*

177-185

7.2.6 2017 Community Works Funded Projects Update (Electoral Area Directors – Weighted Vote).

That the Community Works Funds program project lists included in Attachment 1 be approved and that staff be authorized to continue work on the projects as needed.

186-189

7.2.7 Union of BC Municipalities Asset Management Planning Program – Grant Application 2017 (All Directors – One Vote).

That the Board support an Asset Management Planning Program grant application to the Union of British Columbia Municipalities to complete a Condition Assessment Plan and Implementation Framework.

190-200

7.2.8 Regional Growth Strategy Bylaw 1615.01, 2016 (All Directors, except EA 'B' – One Vote).

1. *That the Board agree to the revision to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" as proposed by the Town of Qualicum Beach.*
2. *That second reading of "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" be rescinded.*

3. *That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" be read a second time as amended and as outlined in Attachment 2.*
4. *That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" be referred to member municipalities and adjacent regional districts for acceptance.*
5. *That the Regional District of Nanaimo notify the Minister of Community, Sport and Cultural Development with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" that alternative wording has been formulated for consideration of acceptance by affected local governments.*
6. *That the section on minor amendments be reviewed as part of the next Regional Growth Strategy Review.*

201-203 **7.2.9 Response to Request for Support for the Proposed Year-Round Indoor Farmers' Market in Nanaimo** (All Directors – One Vote).

That the Board direct staff to provide some input on draft grant applications prepared by Island Roots Cooperative and/or its partners in support of the year-round indoor farmers' market project.

204-207 **7.2.10 Association of Vancouver Island and Coastal Communities Resolution (2017) Hazardous Property Clean-ups and Environmental Remediation Costs** (All Directors – One Vote).

That the Board endorse the attached resolution requesting that the Province honour any outstanding charges or lien(s) on a property in favour of a regional district that are the result of a hazardous property clean up or environmental remediation and that the resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at the 2017 Annual General Meeting and Convention.

7.2.11 Nanaimo and Area Land Trust, re Funding request for 2017 Operational Uses (All Directors – Weighted Vote).

That the 2017 Budget include funding to the Nanaimo and Area Land Trust in the amount of \$30,000.

7.2.12 Island Health – Long Surgical Waits (All Directors – One Vote).

That the Regional District of Nanaimo endorse the proposal by Dr. Johnston and Maeve O'Byrne and send a letter with response to BC Bid Request for Proposal 868.

7.2.13 Manna Homeless Society – Request for Assistance (Parksville, Qualicum Beach, Electoral Areas ‘E’, ‘F’, ‘G’, ‘H’ – Weighted Vote).

That the 2017 Budget include a one-time \$5,000 cash donation to the Manna Homeless Society from the District 69 Grants-in-Aid Service.

7.2.14 INfilm, re Functional Based Regional Funding (All Directors – One Vote).

That the request from INfilm be referred to staff to provide a report to the Board on their regional funding request.

7.2.15 Cowichan Valley Regional District Request for Waste Disposal Contingency Agreement (All Directors – Weighted Vote).

That correspondence from Tauseef Waraich, Cowichan Valley Regional District (CVRD) requesting a Waste Disposal Contingency Agreement allowing use of the Regional District of Nanaimo’s landfill be referred to the Solid Waste Management Select Committee (SWMSC) and that staff prepare an accompanying report for consideration at the SWMSC.

7.2.16 Regional District of Nanaimo State of Sustainability (All Directors – One Vote).

That Ross Peterson’s letter regarding Regional District of Nanaimo state of sustainability be referred to the Sustainability Select Committee for their consideration.

7.2.17 Regional District of Nanaimo Name Change (All Directors – One Vote).

That the Board direct staff to provide initiative to determine the process that would allow the Regional District of Nanaimo to consider a change of name.

7.2.18 Potential Impact of Log Sorting and Storage on Gabriola and Mudge Island Residents (All Directors – One Vote).

That the Board direct the Chair to write a letter to the Ministry of Forests, Lands and Natural Resource Operations requesting the Ministry consider the potential impact that log sorting and storage (file No. 14145505) may have on Gabriola and Mudge Island residents’ transportation to and from Green’s Landing Wharf.

7.5 SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

7.5.1 Emergency Management Select Committee

Minutes and recommendations from the Emergency Management Select Committee meeting held on Thursday, December 8, 2016.

- 208-210 **7.5.1.1 Minutes of the Emergency Management Select Committee meeting held on Thursday, December 8, 2016** (All Directors – One Vote).

That the minutes of the Emergency Management Select Committee meeting held Thursday, December 8, 2016 be received for information.

- 211-212 **7.5.1.2 Electoral Area 'B' Incident Report** (All Directors – One Vote).

That the Board receive the report for information.

- 213-216 **7.5.1.3 Post Emergency Event Debrief Procedures** (All Directors – One Vote).

That the Board receive the report for information.

- 217-221 **7.5.1.4 Emergency Program Gap Analysis Priority Projects** (Electoral Area Directors – Weighted Vote).

1. *That the description for Item #7 Appendix 'A' be amended to read "revitalized the Neighborhood Emergency Preparedness Program and the Emergency Social Services program".*
2. *That Item #4 Appendix 'A' be removed from the Emergency Program Gap Analysis and referred to the Information Technology department to research off island data storage options.*
3. *That Item #17 Appendix 'A' be amended to include the Policy Group in the tabletop exercise.*
4. *That the description for Item #16 Appendix 'A' be amended to read "Review and Update Emergency Planning Website and Regional District of Nanaimo Publications/ Communications Policy".*
5. *That the Board direct staff to implement the identified priority projects in 2017 as amended.*

- 7.5.1.5 Emergency Operation Centre Signage (Electoral Area Directors – Weighted Vote).**

That staff be directed to prepare a report back to the Committee regarding the signage at the Emergency Operations Centre.

7.5.2 Transit Select Committee

Minutes and recommendations from the Transit Select Committee meeting held on Tuesday, December 13, 2016.

222-223 **7.5.2.1 Minutes of the Transit Select Committee meeting held on Tuesday, December 13, 2016** (All Directors – One Vote).

That the minutes of the Transit Select Committee meeting held on Tuesday, December 13, 2016 be received for information.

224-225 **7.5.2.2 BC Transit Custom Registration Process** (All Directors, except Electoral Areas 'B' and 'F' – Weighted Vote).

That staff be directed to work with BC Transit to implement the enhanced Custom Transit Registration Process for new handyDART applications.

226-237 **7.5.2.3 Inter-Regional Transit to Comox Valley via Fanny Bay** (All Directors, except Electoral Areas 'B' and 'F' – Weighted Vote).

That the Board directs staff to continue to work with BC Transit to evaluate the viability of local transit initiatives as well as inter-regional transit between the Regional District of Nanaimo & Comox Valley Regional District as part of the 2018/2019 Annual Operating Agreement.

8. REPORTS

238-281 **8.1 Trucked Liquid Waste Servicing and Bylaw Enforcement Ticket Regulation Bylaws.**

(Nanaimo, Lantzville, Parksville, Qualicum Beach, Electoral Areas 'E' and 'G' – Weighted Vote)

1. *That the Board rescind third reading of "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".*
2. *That the Board amend "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016" by deleting the repeal of "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995" [Section 38(1)] and "Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001" [Section 38(3)], and renumbering the remaining subsections accordingly.*
3. *That the Board give third reading to "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016", as amended.*

(Nanaimo, Lantzville, Parksville, Qualicum Beach, Electoral Areas 'E' and 'G' – 2/3 Weighted Vote)

4. *That the Board adopt "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".*

(All Directors – One Vote)

5. *That the Board adopt "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016."*
6. *That the Board introduce and give three readings to "Regional District of Nanaimo Pump & Haul Local Service Establishment Repeal Bylaw No. 1752, 2017", and forward the bylaw to the Inspector of Municipalities for approval.*
7. *That the Board introduce and give three readings to "Horne Lake Pump and Haul Service Establishment Repeal Bylaw No. 1753, 2017", and forward the bylaw to the Inspector of Municipalities for approval.*

282-308

8.2 AVICC Proposed Resolution – Bill C-15 Federal Banking “Bail-In” Legislation (All Directors – One Vote).

That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at their annual meeting:

WHEREAS the Canada Economic Plan (2014) and Bill C-15 (2016) enact legislation for a Bail-in regime for “domestic - systemically important” banks (D-SIBs) providing power to the Canada Deposit Insurance Corporation to convert prescribed debt of a non-viable bank into common shares (Bail-in);

AND WHEREAS local governments in British Columbia accumulate large financial reserves through taxation to hold for future infrastructure development both directly with banks and through the Municipal Finance Authority investment program, the loss of which through a Bail-in program would widely harm all local governments;

THEREFORE BE IT RESOLVED that the Provincial Government take measures to reduce the risk of local government reserves being used for Bail-in conversion, either by promoting changes to federal legislation to specifically exclude local government reserves from Bail-in or by promoting legislation such as Glass-Steagall rules; or if unable to do this, by creation of a secure repository for reserve funds, and/or by providing advice to local governments to avoid Bail-in risk.

309-316 **8.3 Zoning Amendment Application No. PL2016-007 – Bylaw No. 500.405 – Third Reading** (Electoral Area Directors, except EA ‘B’ – One Vote).

1. *That the Board receive the report of the Public Hearing held on January 12, 2017 for “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016”.*
2. *That the Board give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016”.*

317-318 **8.4 AVICC Resolution Vancouver Island Transportation Master Plan** (All Directors – One Vote).

319-320 **8.5 Application for UBCM Strategic Wildfire Prevention Initiative Funding** (All Directors – One Vote).

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

11.1 Skogdag or Forest Day (All Directors – One Vote).

At the January 10, 2017 Committee of the Whole meeting Director Rogers noted that the following motion would be brought forward to the January 24, 2017 Board Agenda:

That the Regional District of Nanaimo facilitate a Skogdag or Forest Day sometime in the Spring as an opportunity for members of the forest community and forest industry to update the Regional District on current forestry activity and forest economics.

12. IN CAMERA

That pursuant to sections 90 (1), (a), (e), (f), (i), and (k) of the Community Charter the Board proceed to an In Camera Meeting for discussions related to board appointments, land issues, law enforcement, solicitor-client privilege, and a proposed service.

13. ADJOURNMENT

Delegation: Michel Morin, Royal Canadian Marine Search and Rescue - Station 27 Nanaimo, re Society Activities 2016-2017.

Summary: We would like to appear in front of the RDN board on the 24th of January to present our 2016 report, a financial statement including 2017 budget. We will have a PowerPoint presentation.

Delegation: Lynn deVries, Back Country Horsemen Society of BC - Central Vancouver Island Chapter, re Overview and Update on Funding and Volunteer Work.

Summary: Similar to 2015, the Central Vancouver Island Chapter of the BCHBC would like to provide the Board with a 15 minute overview and update on the funding and volunteer work that has occurred at Spruston Rec Site with respect to site upgrades, trail initiatives and horse trailer parking.

Delegation: Sheri Plummer and Judith Kemp, Communities to Protect our Coast, re Initiative to Reduce/Eliminate Plastic Bags in Oceanside.

Summary: CPOC (Communities To Protect Our Coast) would like to present information about an initiative to reduce/eliminate plastic bags in our Oceanside Community. The presentation is designed to be completed within ten minutes. We are showing the film "Plastic Oceans" moderated by Arthur Black on Sunday, January 22/17 1:30 at Knox United Church in Parksville. After the showing of Plastic Oceans we are hoping there will be people interested in forming a working group to support the initiative. We are aware that the RDN Solid Waste Committee has a stellar approach for current and future plans to minimize the impact of solid wastes.

Delegation: Richard Harding and Liette Masse, City of Nanaimo, re Rogers Hometown Hockey Event - Request for Additional Transportation.

Summary: The Reason for our request to appear as a delegation is to follow up on a letter that was sent requesting additional transportation for the Rogers Hometown Hockey event coming to Nanaimo on February 25 & 26, 2017. Richard Harding and Liette Masse will also speak to what Rogers Hometown Hockey is, and the additional events that are being planned surrounding this event within the City. We have a two minute video produced by Rogers, which gives a great visual of what this national event does for each community that it stops in as it moves across the country.

2017-JAN-06

Daniel Pearce
Acting Director of Transportation and Emergency Planning Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Daniel Pearce

This February the City of Nanaimo is hosting Rogers Home Town Hockey. The celebrations will take place at Maffeo Sutton Park on Feb. 25th from 11:00am – 7:30pm and Feb. 26th from 11:00 to 9:00pm. Attendance at the event is estimated at 5,000 to 10,000 people. As you can well imagine it will be a strain on parking and traffic in the downtown core.

The City is requesting public transits assistance in providing additional bus service to and from the downtown core on the above dates to help decrease the amount of vehicular traffic in the downtown core.

Three locations were identified as possible pick up/drop off locations in addition to transits regular stops:

1. Country Club Mall
2. Prideaux Street Station
3. Vancouver Island University

Any assistance the Regional District of Nanaimo could provide would be greatly appreciated.

Sincerely,

Liz Williams
Manager, Recreation Services
250.755.7512

C Richard Harding, Director Parks and Recreation

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR BOARD MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, DECEMBER 6, 2016, AT 7:07 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director W. Veenhof	Chairperson
Director I. Thorpe	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director W. Pratt	City of Nanaimo
Director B. Yoachim	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director B. Colclough	District of Lantzville
Director T. Westbroek	Town of Qualicum Beach

Also in Attendance:

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

CALL TO ORDER

The Chairperson called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

ELECTION OF DEPUTY CHAIRPERSON

The Chairperson called for nominations for the position of Deputy Chairperson.

Director Stanhope nominated Director Thorpe.

Director Thorpe accepted the nomination.

There being no further nominations, the Chairperson declared Director Thorpe as Deputy Chairperson of the Board.

DELEGATIONS

Dick Sharples, Gabriola Golf Course, re Request for financial support.

Dick Sharples shared the importance of the golf course to Gabriola Island residents and asked the Board to provide funding in the amount of \$28,500 to cover the repair and/or replacement of older capital equipment.

Larry Whaley, Island Roots Market Co-operative, re A year-round indoor farmers market at Beban Park in Nanaimo.

Larry Whaley updated the Board on the progress in establishing a year-round farmers market consistent with the Regional District of Nanaimo's Agricultural Area Plan and asked the Board for a letter of support, to accept donations for the project from the public, assistance writing applications for grants from outside organizations, and \$25,000 to cover the cost of a feasibility study.

BOARD MINUTES

Minutes of the Inaugural Board meeting held Tuesday, November 8, 2016.

16-708 MOVED Director Pratt, SECONDED Director Stanhope, that the minutes of the Inaugural Board meeting held Tuesday, November 8, 2016, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Trudy Coates, District of Lantzville, re Appointment of Municipal Director & Alternate Municipal Director.

16-709 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Trudy Coates, District of Lantzville, regarding the appointment of Municipal Director and Alternate Municipal Director be received.

CARRIED

Sarah Ross, City of Parksville, re Proposed Amendment to the District 69 Sports Field Services Agreement.

16-710 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Sarah Ross, City of Parksville, regarding a proposed amendment to the District 69 Sports Field Services Agreement be received.

CARRIED

Shirley Bond, Minister of Jobs, Tourism and Skills Training and Minister Responsible for Labour, re Request for government to replenish funds for the Island Coastal Economic Trust.

- 16-711 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Shirley Bond, Minister of Jobs, Tourism and Skills Training and Minister Responsible for Labour, regarding a request for government to replenish funds for the Island Coastal Economic Trust be received.
- CARRIED

Arlene Paton, Ministry of Health, re Discussions at UBCM about alternate potable water supplies in rural communities.

- 16-712 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Arlene Paton, Ministry of Health, regarding discussions at the Union of BC Municipalities convention about alternate potable water supplies in rural communities be received.
- CARRIED

Rosemary Bonanno, Vancouver Island Regional Library, re Appointment to the 2017 VIRL Board.

- 16-713 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Rosemary Bonanno, Vancouver Island Regional Library, regarding appointment to the 2017 Vancouver Island Regional Library Board be received.
- CARRIED

Doug Anastos, TELUS, re Telecommunications Infrastructure in the French Creek, Parksville and Qualicum Beach Area.

- 16-714 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Doug Anastos, TELUS, regarding Telecommunications Infrastructure in the French Creek, Parksville and Qualicum Beach Area be received.
- CARRIED

Michael Krenz, Innovation, Science and Economic Development Canada, re Proposed TELUS Antenna Structure, 1421 Sunrise Drive, Electoral Area 'G'.

- 16-715 MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Michael Krenz, Innovation, Science and Economic Development Canada, regarding the proposed TELUS Antenna Structure, 1421 Sunrise Drive, Electoral Area 'G' be received.
- CARRIED

UNFINISHED BUSINESS

Amendment to Electoral Area 'B' Community Parks Local Service Establishment Bylaw No. 799.

- 16-716 MOVED Director Houle, SECONDED Director Lefebvre, that "Electoral Area 'B' Community Parks Local Service Establishment Bylaw No. 799.09, 2016" be adopted.
- CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

Board Appointments.

16-717 MOVED Director Young, SECONDED Director Thorpe, that the Board approve the 2017 appointments to Advisory Committees and Commissions, and the Board of Variance, as follows:

That Graham Gidden, Bernard White, and Kerri-Lynne Wilson be appointed to the Electoral Area 'A' Parks, Recreation and Culture Commission for terms ending December 31, 2018.

That Glenna Borsuk, Rob Brockley, and Megan Walker be appointed to the Electoral Area 'B' Parks & Open Space Advisory Committee for terms ending December 31, 2018.

That Bernice Lind be appointed to the East Wellington/Pleasant Valley Parks & Open Space Advisory Committee for a term ending December 31, 2018.

That Vicki Swan, Rod Turkington, and Diana Young be appointed to the Nanoose Bay Parks & Open Space Advisory Committee for terms ending December 31, 2018.

That Kurtis Kril be appointed to the Electoral Area 'F' Parks & Open Space Advisory Committee for a term ending December 31, 2018.

That Brian Coath, James Dean, and Duane Round be appointed to the Electoral Area 'G' Parks & Open Space Advisory Committee for terms ending December 31, 2018.

That Vanessa Howard be appointed to the Electoral Area 'H' Parks & Open Space Advisory Committee for a term ending December 31, 2018.

That Mayta Ryn and Janet Thony be appointed as Regional Agricultural Organization representatives to the Agricultural Advisory Committee for terms ending December 31, 2018.

That Keith Reid be appointed as the Shellfish Aquaculture Organization representative to the Agricultural Advisory Committee for a term ending December 31, 2018.

That Leigh Mathews, Bruce Erickson, John O'Connor, and Edward Yewchin be appointed to the Grants-in-Aid Advisory Committee for terms ending December 31, 2017.

That Leigh Mathews be appointed to the Board of Variance for a term ending December 31, 2019.

That G. Daniel Hooper and Peter Law be appointed as General Public representatives to the Liquid Waste Management Plan Monitoring Committee for terms ending December 31, 2018.

That Blake Medlar be appointed as a Business Community representative to the Liquid Waste Management Plan Monitoring Committee for a term ending December 31, 2018.

That Matthew Louie be appointed to the Regional Solid Waste Advisory Committee for a one-year term.

CARRIED

ELECTORAL AREA SERVICES COMMITTEE

Minutes of the Electoral Area Services Committee meeting held Tuesday, November 22, 2016.

16-718 MOVED Director Stanhope, SECONDED Director Rogers, that the minutes of the Electoral Area Services Committee meeting held Tuesday, November 22, 2016, be received for information.

CARRIED

UNFINISHED BUSINESS

Electoral Area Telecommunication Antenna System Consultation and Information Policy.

- 16-719 MOVED Director Stanhope, SECONDED Director Lefebvre, that Item 5.D.10 of the policy be amended to read:

“10. A map showing the maximum electromagnetic radiation power levels as watts per square metre, at ground level within 1000 metres of the proposed Telecommunication Antenna System. The map should include the cumulative effects of multiple Telecommunication Antenna Systems at the proposed location with any other existing Telecommunication Antenna Systems broadcasting in the area.

CARRIED

- 16-720 MOVED Director Stanhope, SECONDED Director Lefebvre, that this item be referred back to staff for a reconsideration of the fees with respect to tower height.

MOVED Director Rogers, SECONDED Director Fell, that the Board amend the main motion by adding the words “and co-location” after tower height.

CARRIED

The vote was taken on the main motion as amended:

- 16-721 That this item be referred back to staff for a reconsideration of the fees with respect to tower height and co-location.

CARRIED

Electoral Area Boundary Amendment Process, Requirements, and Implications.

- 16-722 MOVED Director Pratt, SECONDED Director Fell, that staff be directed to proceed with a land use analysis of parcels in Electoral Areas 'F' and 'G' which were affected by the construction of the Inland Island Highway.

CARRIED

- 16-723 MOVED Director Pratt, SECONDED Director Fell, that staff be directed to proceed with the preparation of a draft electoral area boundary amendment proposal for parcels in Electoral Areas 'F' and 'G' which were affected by the construction of the Inland Island Highway.

CARRIED

DEVELOPMENT PERMIT

Development Permit Application No. PL2016-148 – Point Mercer Drive, Electoral Area 'G'.

- 16-724 MOVED Director Stanhope, SECONDED Director Rogers, that the Board approve Development Permit No. PL2016-148 to permit the construction of a dwelling unit and the reconstruction of an existing riprap revetment subject to the conditions outlined in Attachments 2 and 3.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit Application No. PL2016-163 – Lot 20, District Lot 78, Nanoose District, Plan 47638 – Andover Road, Electoral Area 'E'.

- 16-725 MOVED Director Rogers, SECONDED Director Young, that the Board approve Development Variance Permit No. PL2016-163 to reduce the setback from the top of the slope adjacent to the sea and from the Other Lot Line to permit the construction of a dwelling unit on the subject property subject to the terms and conditions outlined in Attachment 2 to 4.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE

Development Permit with Variance Application No. PL2016-153 – Mariner Way, Electoral Area 'G'.

- 16-726 MOVED Director Stanhope, SECONDED Director Fell, that the Board approve Development Permit with Variance No. PL2016-153 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED

Development Permit with Variance Application No. PL2016-166 – Lot 56, District Lot 78, Nanoose District, Plan 47638 – Andover Rd, Electoral Area 'E'.

Brock Williamson spoke in support of Development Permit with Variance Application No. PL2016-166.

- 16-727 MOVED Director Rogers, SECONDED Director Young, that the Board approve Development Permit with Variance No. PL2016-166 to permit the construction of a dwelling unit subject to the terms and conditions outlined in Attachments 2 to 4, as amended to remove the watercourse setback variance.

CARRIED

OTHER

Zoning Amendment Application No. PL2016-007 – 4660 & 4652 Anderson Avenue, Electoral Area 'H' – Bylaw No. 500.405, First and Second Reading.

- 16-728 MOVED Director Stanhope, SECONDED Director Rogers, that the Board receive the Summary of the Public Information Meeting held on October 5, 2016.

CARRIED

- 16-729 MOVED Director Stanhope, SECONDED Director Rogers, that the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.405 being considered for adoption.

CARRIED

- 16-730 MOVED Director Stanhope, SECONDED Director Rogers, that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016", be introduced and read two times.

CARRIED

- 16-731 MOVED Director Stanhope, SECONDED Director Rogers, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016", be chaired by Director Veenhof or his alternate.

CARRIED

NEW BUSINESS

Sleepy Hollow.

- 16-732 MOVED Director Fell, SECONDED Director McPherson, that staff be directed to prepare a report outlining options for completion of the Sleepy Hollow building strata subdivision in approximate accordance with the layout proposed in 1997 and outline any necessary amendments to RDN bylaws required to enable the development to proceed.

CARRIED

COMMITTEE OF THE WHOLE

Minutes of the Committee of the Whole meeting held Tuesday, November 22, 2016.

- 16-733 MOVED Director Pratt, SECONDED Director Thorpe, that the minutes of the Committee of the Whole meeting held Tuesday, November 22, 2016 be received for information. CARRIED

CORPORATE SERVICES

2017 Board and Standing Committee Regular Meeting Schedule.

- 16-734 MOVED Director Pratt, SECONDED Director Stanhope, that the 2017 Board and Standing Committee regular meeting schedule be approved as presented. CARRIED

FINANCE

Bylaw No. 1751 - A Bylaw to Authorize Preparation of 2017 Parcel Tax Rolls.

- 16-735 MOVED Director Rogers, SECONDED Director Fell, that the "2017 Parcel Tax Assessment Roll Bylaw No. 1751, 2016", be introduced and read three times. CARRIED
- 16-736 MOVED Director Lefebvre, SECONDED Director Rogers, that the "2017 Parcel Tax Assessment Roll Bylaw No. 1751, 2016" be adopted. CARRIED
- 16-737 MOVED Director Lefebvre, SECONDED Director Westbroek, that the Board appoint the Chairperson, the Manager, Administrative Services and the Director of Finance to preside as the 2017 parcel tax review panel. CARRIED

Operating Results for the period ending September 30, 2016.

- 16-738 MOVED Director Westbroek, SECONDED Director Pratt, that the summary report on financial operating results as at September 30, 2016 be received for information. CARRIED

2017 Proposed Budget Overview.

- 16-739 MOVED Director Rogers, SECONDED Director Fell, that the proposed conversion of casual Parks Planner hours to a full-time equivalent be removed from the budget and that the position be established as a two-year temporary position only. DEFEATED
- 16-740 MOVED Director Fell, SECONDED Director Rogers, that the Arrowsmith Search and Rescue be funded at the same mill rate as the Nanaimo Search and Rescue.
MOVED Director Stanhope, SECONDED Director Westbroek, that this motion be referred to staff to prepare a report to compare the two search and rescues in Districts 68 and 69. CARRIED
- 16-741 MOVED Director Pratt, SECONDED Director Stanhope, that the proposed 2017 budget be approved. CARRIED

- 16-742 MOVED Director Thorpe, SECONDED Director Westbroek, that staff be directed to proceed to finalize the 2017 to 2021 Financial Plan.
CARRIED

REGIONAL AND COMMUNITY UTILITIES

WATER AND ASSET MANAGEMENT

Westerne Heights Water Rates and Regulations – Bylaws No. 1654.03 and 1655.05.

- 16-743 MOVED Director Fell, SECONDED Director Stanhope, that "Regional District of Nanaimo Water Use Regulation Amendment Bylaw No. 1654.03, 2016" be introduced and read three times.
CARRIED
- 16-744 MOVED Director Fell, SECONDED Director Stanhope, that "Regional District of Nanaimo Water Use Regulation Amendment Bylaw No. 1654.03, 2016" be adopted.
CARRIED
- 16-745 MOVED Director Fell, SECONDED Director Stanhope, that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.05, 2016" be introduced and read three times.
CARRIED
- 16-746 MOVED Director Fell, SECONDED Director Stanhope, that "Regional District of Nanaimo Water Services Fees & Charges Amendment Bylaw No. 1655.05, 2016" be adopted.
CARRIED

WASTEWATER

Greater Nanaimo Pollution Control Centre Capital Project Updates.

- 16-747 MOVED Director Lefebvre, SECONDED Director Pratt, that the Board receive the Greater Nanaimo Pollution Control Centre Capital Project Updates report for information.
CARRIED

Northern and Southern Wastewater Development Cost Charges.

- 16-748 MOVED Director Lefebvre, SECONDED Director Westbroek, that the Board give first and second reading to "Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.03, 2016".
CARRIED
- 16-749 MOVED Director Pratt, SECONDED Director Hong, that the Board give first and second reading to "Southern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1547.01, 2016".
CARRIED
- 16-750 MOVED Director Lefebvre, SECONDED Director Pratt, that the Board direct staff to undertake public consultation for the proposed bylaw amendments, and to report on the public consultation process prior to third readings.
CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

INTERGOVERNMENTAL LIAISON

Snaw-Naw-As First Nation Request for Support – Wallis Point.

16-751 MOVED Director Houle, SECONDED Director Fell, that the Chair write a letter to Snaw-Naw-As First Nation Chief and Council stating that the Regional District of Nanaimo supports access to Wallis Point and for the land to be dedicated as park.

CARRIED

ADVISORY, SELECT COMMITTEE AND COMMISSION

Minutes of the Liquid Waste Management Plan Monitoring Committee meeting held Tuesday, October 18, 2016.

16-752 MOVED Director Pratt, SECONDED Director McPherson, that the minutes of the Liquid Waste Management Plan Monitoring Committee meeting held Tuesday, October 18, 2016 be received for information.

CARRIED

Minutes of the District 69 Recreation Commission meeting held Thursday, October 20, 2016.

16-753 MOVED Director Fell, SECONDED Director Pratt, that the minutes of the District 69 Recreation Commission meeting held Thursday, October 20, 2016 be received for information.

CARRIED

Grants.

16-754 MOVED Director Fell, SECONDED Director Westbroek, that the following District 69 Youth Recreation Grant applications be approved:

Arrowsmith Community Recreation Association - youth sports programs	\$4,200
District 69 Family Resource Association - youth life skills program food and supplies	\$2,500
Parksville Curling Club - junior program equipment	\$2,500
	Total \$9,200

CARRIED

16-755 MOVED Director Fell, SECONDED Director Westbroek, that the following District 69 Community Recreation Grant applications be approved:

Arrowsmith Agricultural Association - Family Day Celebration	\$1,414
Errington Elementary School - Tribune Bay for low income families	\$2,500
Inclusion Parksville Society (formerly PDA CL) - tables, chairs, tents	\$1,000
Nanoose Place Seniors - carpet bowls for visually impaired players	\$828
Oceanside Community Arts Council - senior's art program	\$1,250
Qualicum Beach Lawn Bowling Club - bowling aides	\$1,000
Qualicum Weavers and Spinners Guild - portable loom	\$1,200
Ravensong Masters Swim Club - pool rental	\$1,000
	Total \$10,192

CARRIED

Minutes of the Grants-in-Aid Advisory Committee meeting held Wednesday, October 26, 2016.

- 16-756 MOVED Director Young, SECONDED Director Westbroek, that the minutes of the Grants-in-Aid Advisory Committee meeting held Wednesday, October 26, 2016 be received for information.
- CARRIED

District 68 Grant Approvals.

- 16-757 MOVED Director Young, SECONDED Director Westbroek, that the Board award District 68 Grants-in-Aid funds as follows:

Mudge Island Citizen's Society - purchase of a cistern for collecting rainwater to assist in firefighting.	\$2,100
Scouts Canada 1st Gabriola Scouts Group - Wood Badge training for volunteers.	\$405
	Total \$2,505

CARRIED

- 16-758 MOVED Director Young, SECONDED Director McPherson, that the remaining District 68 funds in the amount of \$614.00 be carried forward to the 2017 Grants-in-Aid budget.
- CARRIED

District 69 Grant Approvals.

- 16-759 MOVED Director Young, SECONDED Director Westbroek, that the Board award District 69 Grants-in-Aid funds as follows:

ECHO Players Society - purchase of materials (e.g. paint and marine-grade plywood) for the Mural Project.	\$4,500
Inclusion Parksville Society - purchase of 4 computers and 4 tablets for client use.	\$2,500
Oceanside Stroke Recovery Society - purchase of a rolling metal library book cart and stroke survivor printed resources.	\$1,000
	Total \$8,000

CARRIED

- 16-760 MOVED Director Young, SECONDED Director Westbroek, that the remaining District 69 funds in the amount of \$892.00 be carried forward to the 2017 Grants-in-Aid budget.
- CARRIED

NEW BUSINESS

- 16-761 MOVED Director Young, SECONDED Director Pratt, that staff be directed to provide a report in spring, 2017, with options for updating the Grants-in-Aid Policy to clarify ineligibility related to annual operating expenses.
- CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

District 69 Municipal, Tourism Growth Memorandum of Understanding and Short Term Rentals / Vacation Rentals.

- 16-762 MOVED Director Westbroek, SECONDED Director Lefebvre, that staff be directed to prepare a report for the Board with respect to the District 69 Municipal, Tourism Growth Memorandum of Understanding, and a separate report with respect to short-term rentals / vacation rentals.

CARRIED

SCHEDULED STANDING, ADVISORY, AND SELECT COMMITTEES

Solid Waste Management Select Committee.

Minutes of the Solid Waste Management Select Committee meeting held Tuesday, October 25, 2016.

- 16-763 MOVED Director McPherson, SECONDED Director McKay, that the minutes of the Solid Waste Management Select Committee meeting held Tuesday, October 25, 2016 be received for information.

CARRIED

Orgaworld – RDN and Advanced Organics Processing Presentation.

- 16-764 MOVED Director McPherson, SECONDED Director Pratt, that staff be directed to prepare a report with respect to the options and implications regarding the Orgaworld proposal.

CARRIED

Regional Parks and Trails Select Committee.

Minutes of the Regional Parks and Trails Select Committee meeting held Tuesday, November 1, 2016.

- 16-765 MOVED Director Thorpe, SECONDED Director Westbroek, that the minutes of the Regional Parks and Trails Select Committee meeting held Tuesday, November 1, 2016 be received for information.

CARRIED

Horne Lake Historic Regional Trail Report.

- 16-766 MOVED Director Yoachim, SECONDED Director Lefebvre, that the Regional District resume planning and development of the approximately 12 km Horne Lake Regional Trail with the goal to complete a footpath standard trail by 2020.

CARRIED

- 16-767 MOVED Director Yoachim, SECONDED Director Lefebvre, that the Regional District work with the Qualicum First Nations, the Alberni-Clayoquot Regional District and Port Alberni First Nations to obtain Provincial recognition of a Sea to Sea, First Nation to First Nation BC Heritage Trail across Vancouver Island via Horne Lake by 2020.

CARRIED

Arrowsmith Water Service Management Board.

Minutes of the Arrowsmith Water Service Management Board meeting held Tuesday, November 1, 2016.

- 16-768 MOVED Director Lefebvre, SECONDED Director Yoachim, that the minutes of the Arrowsmith Water Service Management Board meeting held Tuesday, November 1, 2016 be received for information.

CARRIED

AWS 2017 - 2021 Financial Plan.

- 16-769 MOVED Director Stanhope, SECONDED Director Rogers, that the Regional District of Nanaimo adopt its portion of the 2017 – 2021 Financial Plan as outlined in Table 2 attached to the October 28, 2016 report.

CARRIED

Englishman River Water Service Management Board.

Minutes of the Englishman River Water Service Management Board meeting held Tuesday, November 1, 2016.

- 16-770 MOVED Director Lefebvre, SECONDED Director Stanhope, that the minutes of the Englishman River Water Service Management Board meeting held Tuesday, November 1, 2016 be received for information.

CARRIED

ERWS 2017 – 2021 Financial Plan.

- 16-771 MOVED Director Stanhope, SECONDED Director Rogers, that the Regional District of Nanaimo adopt its portion of the 2017-2021 Financial Plan as outlined in Table 2 attached to the October 27, 2016 report.

CARRIED

Northern Community Economic Development Select Committee.

Minutes of the Northern Community Economic Development Select Committee meeting held Wednesday, November 9, 2016.

- 16-772 MOVED Director Westbroek, SECONDED Director Kipp, that the minutes of the Northern Community Economic Development Select Committee meeting held Wednesday, November 9, 2016 be received for information.

CARRIED

Northern Community Economic Development Program – Fall 2016 Proposals.

- 16-773 MOVED Director Stanhope, SECONDED Director Lefebvre, that \$19,000 in funds from the Northern Community Economic Development service be awarded as follows:

Town of Qualicum Beach	Developing Airport Land Use Design Concepts	\$10,000
Parksville and District Historical Society	Parksville Museum Digital Heritage Exhibition	\$5,000
Qualicum Beach Historical and Museum Society	Qualicum Beach Museum Powerhouse – Discovery Centre Interactive Display	\$4,000

CARRIED

- 16-774 MOVED Director Stanhope, SECONDED Director Lefebvre, that the Town of Qualicum Beach be invited to bring forward their request regarding renovating the Old Fire Hall for Regional Industrial Growth to the Spring 2017 proposals.

CARRIED

New Business.

- 16-775 MOVED Director Pratt, SECONDED Director Westbroek, that staff schedule a Northern Community Economic Development Select Committee meeting in February/March of 2017 to invite prior recipients of Northern Community Economic Development funding to present their project results.

CARRIED

District 69 Community Justice Select Committee.

Minutes of the District 69 Community Justice Select Committee meeting held Monday, November 14, 2016.

- 16-776 MOVED Director Lefebvre, SECONDED Director Pratt, that the minutes of the District 69 Community Justice Select Committee meeting held Monday, November 14, 2016 be received for information.

CARRIED

Business Arising from Delegation – Victim Services, Restorative Justice and Community Policing/Oceanside Community Safety Volunteers.

- 16-777 MOVED Director Lefebvre, SECONDED Director Westbroek, that a 2% increment for Victim Services from \$63,080 to \$64,342 be considered in the 2017 budget deliberations.

CARRIED

- 16-778 MOVED Director Lefebvre, SECONDED Director Westbroek, that the 2017 requisition for funding to support the Oceanside Victim Services, Restorative Justice and Community Policing Programs be approved at \$123,562, which includes a 2% increment for Victim Services.

CARRIED

- 16-779 MOVED Director Lefebvre, SECONDED Director Westbroek, that the Regional District of Nanaimo provide letters of support to the Federal and Provincial Minister for the continuation of the Auxiliary Police Officer positions.

CARRIED

- 16-780 MOVED Director Lefebvre, SECONDED Director Stanhope, that the Regional District of Nanaimo bring recommendations to the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities regarding Victim Services funding issues including a lack of funding for on-call support.

CARRIED

Community Safety Grant-in-Aid Applications.

- 16-781 MOVED Director Westbroek, SECONDED Director Lefebvre, that a 2017 grant in the amount of \$6,200 for the Oceanside Community Safety Volunteers be approved.

CARRIED

- 16-782 MOVED Director Fell, SECONDED Director Lefebvre, that a 2017 grant in the amount of \$650 for the Corcan-Meadowood Residents Association be approved.

CARRIED

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

Minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held Wednesday, November 16, 2016.

- 16-783 MOVED Director McPherson, SECONDED Director Young, that the minutes of the Electoral Area 'A' Parks, Recreation and Culture Commission meeting held Wednesday, November 16, 2016 be received for information.

CARRIED

Cedar Heritage Centre Agreement.

- 16-784 MOVED Director McPherson, SECONDED Director Young, that the Lease and Site License Agreement with Cedar School and Community Enhancement Society (CSES) be extended for a two-year term (January 1, 2017- December 31, 2018).

CARRIED

Driftwood Stairs Update.

- 16-785 MOVED Director McPherson, SECONDED Director Young, that staff move forward to the public consultation phase of the development of the Driftwood Road beach access.

CARRIED

District 69 Recreation Commission.

Minutes of the District 69 Recreation Commission meeting held Thursday, November 17, 2016.

- 16-786 MOVED Director Fell, SECONDED Director Westbroek, that the minutes of the District 69 Recreation Commission meeting held Thursday, November 17, 2016 be received for information.

CARRIED

Arrowsmith Community Recreation Services Renewal Report 2017-2019.

- 16-787 MOVED Director Fell, SECONDED Director McPherson, that the Recreation Services Delivery Agreement (Appendix 'A') with the Arrowsmith Community Recreation Association (ACRA) be renewed for a three-year term from January 1, 2017 through to December 31, 2019.

CARRIED

Parksville Curling Club.

- 16-788 MOVED Director Stanhope, SECONDED Director Lefebvre, that staff continue to work with the Parksville Curling Club throughout the Recreation Services Plan process.

CARRIED

Solid Waste Management Select Committee.

Minutes of the Solid Waste Management Select Committee meeting held Monday, November 28, 2016.

- 16-789 MOVED Director McPherson, SECONDED Director Pratt, that the minutes of the Solid Waste Management Select Committee meeting held Monday, November 28, 2016 be received for information.

CARRIED

Bylaw No. 1591.07 – Solid Waste & Recycling Collection Service Rates and Regulations Amendment Bylaw.

16-790 MOVED Director McPherson, SECONDED Director Pratt, that “Regional District of Nanaimo Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 1591.07, 2016”, be introduced and read three times.

CARRIED

16-791 MOVED Director McPherson, SECONDED Director Pratt, that “Regional District of Nanaimo Solid Waste and Recycling Collection Services Rates and Regulations Amendment Bylaw No. 1591.07, 2016”, be adopted.

CARRIED

AVICC Special Committee on Solid Waste – 2017 Funding.

16-792 MOVED Director McPherson, SECONDED Director Pratt, that 2017 funding for the Association of Vancouver Island and Coastal Communities Special Committee on Solid Waste Management in the amount of \$2,941.44 be approved.

CARRIED

New Business.

16-793 MOVED Director McPherson, SECONDED Director Pratt, that staff be directed to prepare a report outlining potential arrangements for reduced tipping fees for non-profit organizations.

CARRIED

REPORTS

2017 Board Committee Appointments.

16-794 MOVED Director Pratt, SECONDED Director Thorpe, that the Board receive the appointments to the 2017 Regional District of Nanaimo Standing, Select, Advisory and Scheduled Standing Committees for information.

CARRIED

16-795 MOVED Director Westbroek, SECONDED Director Thorpe, that the Board endorse the recommendations for appointments to the 2017 Regional District of Nanaimo Commissions.

CARRIED

RCMP Auxiliary Constable Program.

16-796 MOVED Director Westbroek, SECONDED Director Thorpe, that the Board advise the Union of BC Municipalities of its support for the proposed Option 3 Tier 3 Program for the RCMP Auxiliary Constable Program.

CARRIED

Approval of Signing Authorities for General Banking and Investments.

- 16-797 MOVED Director Stanhope, SECONDED Director Westbroek, that the signing authorities for general banking services and financial instruments reflect the following officer positions:

Chairperson	William Veenhof
Deputy Chairperson	Ian Thorpe
Chief Administrative Officer	Phyllis Carlyle
Director of Finance	Wendy Idema
Manager, Accounting Services	Tiffany Moore
Manager, Capital & Financial Reporting	Manvir Manhas

CARRIED

- 16-798 MOVED Director Stanhope, SECONDED Director Westbroek, that the foregoing authorizations extend to accounts in the name of the Regional District of Nanaimo.

CARRIED

Response to the Organic Matter Recycling Regulation Intentions Paper.

- 16-799 MOVED Director Westbroek, SECONDED Director Lefebvre, that the Board endorse the attached response to the Organic Matter Recycling Regulation Intentions paper for submission to the Ministry of Environment.

CARRIED

Zoning Amendment Application No. PL2014-087 – Electoral Area ‘H’ – Amendment Bylaw 500.398 – Adoption.

- 16-800 MOVED Director Stanhope, SECONDED Director Fell, that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.398, 2015” be adopted.

CARRIED

District of Lantzville Service Agreements 2017/2018.

- 16-801 MOVED Director Colclough, SECONDED Director McPherson, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Animal Control beginning January 1, 2017 and ending December 31, 2018, be approved.

CARRIED

- 16-802 MOVED Director Colclough, SECONDED Director McPherson, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Building Inspection beginning January 1, 2017 and ending December 31, 2018, be approved.

CARRIED

- 16-803 MOVED Director Colclough, SECONDED Director McPherson, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Bylaw Enforcement beginning January 1, 2017 and ending December 31, 2018, be approved.

CARRIED

- 16-804 MOVED Director Colclough, SECONDED Director McPherson, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for Emergency Planning beginning January 1, 2017 and ending December 31, 2018, be approved.

CARRIED

- 16-805 MOVED Director Colclough, SECONDED Director McPherson, that the Service Agreement between the Regional District of Nanaimo and the District of Lantzville for GIS and Mapping Services beginning January 1, 2017 and ending December 31, 2018, be approved.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Island Roots Market Co-operative.

- 16-806 MOVED Director Kipp, SECONDED Director Hong, that the Board provide a letter of support for the Island Roots Market Co-operative, refer their request for a \$25,000 grant to pay the cost of a feasibility study to budget discussions, and direct staff to prepare a report on funding options and financial implications regarding their requests for the Regional District to accept donations for the project from members of the public, and to provide assistance with writing grant applications.

CARRIED

Gabriola Island Golf and Country Club.

- 16-807 MOVED Director Houle, SECONDED Director Young, that up to \$28,500 of Electoral Area 'B' Community Works funds be provided to the Gabriola Island Golf and Country Club for equipment upgrades through a Community Works Funding Agreement with the Regional District of Nanaimo.

CARRIED

Proposed Amendment to District 69 Sports Field Services Agreement.

- 16-808 MOVED Director Lefebvre, SECONDED Director Stanhope, that staff be directed to review and report back to the Board on the implications of the City of Parksville's request for the addition of the Springwood Park tennis courts and the Qualicum Beach tennis courts to the existing District 69 Sports Field Services Agreement.

CARRIED

Proposed TELUS Antenna Structure, 1421 Sunrise Drive, Electoral Area 'G'.

- 16-809 MOVED Director Stanhope, SECONDED Director Fell, that the Board direct the Chair to write a letter to the Courtenay-Alberni Member of Parliament stating that the recent Innovation, Science and Economic Development Canada ruling regarding the Regional District of Nanaimo's objections to the TELUS cell tower proposed at 1421 Sunrise Drive and the prescribed federal consultation process for telecommunication infrastructure does not promote responsible telecommunication infrastructure planning for Regional District of Nanaimo rural areas.

CARRIED

IN CAMERA

- 16-810 MOVED Director Stanhope, SECONDED Director Westbroek, that pursuant to sections 90 (1), (a), (e), (f), (i), (k) and (m) of the *Community Charter* the Board adjourn to an In Camera Meeting for discussions related to board appointments, land issues, law enforcement, solicitor-client privilege, a proposed service, policy advice and recommendations, and intergovernmental relations.

CARRIED

TIME: 8:31 PM

RISE AND REPORT

Options and Implications of acquiring Epcor Water (West) Inc.

16-811 MOVED Director Stanhope, SECONDED Director Westbroek, that the Board release \$50,000 from Electoral Area 'G' Community Works Funds to undertake a valuation process.

CARRIED

16-812 MOVED Director Stanhope, SECONDED Director Westbroek, that the Board authorize a \$5,000 Feasibility Service Requisition in Electoral Area 'G' to support legal costs associated with the valuation process.

CARRIED

16-813 **Snaw-Naw-As First Nation – District 69 Grants-in-Aid Funding for Hockey Equipment.**

MOVED Director Houle, SECONDED Director Westbroek, that the Board approve up to \$500 in District 69 Grants-in-Aid funding to purchase hockey equipment for the Snaw-Naw-As First Nation.

CARRIED

ADJOURNMENT

MOVED Director Lefebvre, SECONDED Director Stanhope, that this meeting be adjourned.

CARRIED

TIME: 9:04 PM

CHAIRPERSON

CORPORATE OFFICER

Bowser Waterworks District

January 11, 2017

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Attention: Wendy Idema

Re: Request for submission of Bowser Waterworks District Balancing Reservoir Evaluation to the BC Ministry of Community, Sport and Cultural Development Infrastructure Planning Grant program.

The Bowser Waterworks District (BWD) Board has passed a motion to pursue an Infrastructure Planning Grant from the BC Ministry of Community, Sport and Cultural Development for an investigation of a suitable site for a proposed Balancing Reservoir. The BWD capital plan targets construction of a new Balancing Reservoir for 2018 and needs to prove the viability of a proposed site in 2017 towards that goal.

BWD recognizes that this grant program requires that the Regional District of Nanaimo (RDN) submit the application on behalf of BWD. BWD would like the RDN to consider processing the application on behalf of the BWD. Supporting documentation, the consultant's proposal (McElhanney Consulting Services), has been provided to the RDN for consideration.

BWD looks forward to the RDN considering this request and would greatly appreciate all assistance that may be provided.

Respectfully,



Ken Carter
Board Administrator



PLEASE READ THE PROGRAM GUIDE before completing this Application Form. A separate Application Form must be completed for each project. Applicants should be aware that information collected is subject to provincial freedom of information legislation.

This Application Form is designed to be filled in electronically using word processing software. If you have any questions, please contact Local Government Infrastructure and Finance Branch by Phone: 250 387-4060, Fax: 250-387-7972 or Email: Infra@gov.bc.ca

For Administrative Use Only

A. Applicant Information

Legal Name of Applicant: Bowser Waterworks District		
Address: Box 17, #206 - 6996 West Island Highway		
Town/City: Bowser, BC		Postal Code: V0R 1G0
Phone No: 250 757 8363	Fax No: 250 757 6363	Email Address: bowserww@shaw.ca
Primary Contact Name: Ken Carter		
Title of Primary Contact: Administrator		

B. Project Description

Project Title: Balancing Reservoir Evaluation
Brief Project Description (less than 200 words): To evaluate and design a recommended Balancing Reservoir for the Bowser Waterworks District (BWD) improvement district. First recommended in 1996, BWD's engineering consultants have specified the need for a Balancing Reservoir to meet the growing needs of the District, and to provide redundancy, and improve performance to the water distribution system.

C. Project Information

1. What are the main objectives of the project? To provide the necessary topographic survey, geotechnical assessment, and design documents for a planned water distribution system balancing reservoir.
2. What is the estimated total cost of the project? \$39,870.00
3. What is the estimated completion date of the project? December 1, 2017
4. If multiple applications are being submitted, this project is ranked as priority 1 out of 1 applications.
5. The project will be completed by: <input type="checkbox"/> Local government staff <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Other (please specify):
6. a) Will the project enhance environmental protection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No b) If yes, describe: A primary goal of this evaluation program is to make it possible to provide additional



water storage capacity to BWD that does not require pumps (electrical) due to it being entirely gravity fed. In addition, the storage site to be evaluated has been carefully chosen to limit road access construction and use existing infrastructure. As noted the design will focus on "Equalization, Pressure Maintenance, Fire Storage, Emergency Storage, and Water Quality".

7. a) Will the project improve public health and safety? Yes No

b) If yes, describe: The Balancing Reservoir design will focus on "Equalization, Pressure Maintenance, Fire Storage, Emergency Storage, and Water Quality" - all contributing to public health and safety. Equalization and Pressure Maintenance are two critical components of water distribution back-flow prevention. Fire storage would double with the addition of the new tank. Emergency storage will ensure that distribution system failures can be addressed without residents losing access to water.

8. a) Does the project support any community sustainability goals? Yes No

b) If yes, describe: Water distribution system performance and security are critical components for community sustainability.

9. a) Does the project support the development or implementation of any long-term plans? e.g. Regional Growth Strategy, Liquid Waste Management Plan Yes No

b) If yes, describe: The Official Community Plan for the Bowser Village node identifies it a being suitable for substantial growth. To accommodate more than the current zoning for BWD, as proposed by the OCP, will require additional storage.

10. a) Does the project use any innovative technologies or approaches? Yes No

b) If yes, describe: By matching storage elevations at different points in the system, the plan will ensure that the new storage unit is free of mechanical assistance requirements (pumps) and will be able to operate using strictly gravity.

11. a) Will the project be developed in partnership with any organizations? Yes No

b) If yes, list the partners and describe their role in this project:

12. a) Will (has) this project receive(d) any funding or in-kind contributions from a third party? Yes No

b) If yes, list the parties and describe the contributions:

13. a) Will there be any public consultation and/or participation? Yes No

b) If yes, describe: Public consultation has been ongoing since 2008.

14. a) What is the population of the community? 698

b) What is the estimated population that will be served by this project? 1,500

15. This application should be submitted with any supporting documentation that may help with the assessment process (e.g. terms of reference, consultant's proposal, letters of support). If applicable, please list the supporting documentation that will be submitted with the application.

McElhanney Consulting Services McColl Road Reservoir Proposal



Bowser Waterworks District Water System Evaluation, Nov 10, 2008

16. Does the Ministry have permission to share the information contained in this application with the Federation of Canadian Municipalities' Green Municipal Fund?
 Yes No

Please email the completed Application Form and any supporting documentation to: Infra@gov.bc.ca

Hardcopies can be mailed to: Ministry of Community, Sport and Cultural Development
 Local Government Infrastructure and Finance Branch
 PO Box 9838 Stn Prov Govt
 Victoria BC V8W 9T1

To complete the application process you must sign and submit the Certification Form in portable document format (PDF) by email to: Infra@gov.bc.ca. By signing the Certification Form you are certifying that the information contained in this application is to the best of your knowledge correct and complete. Applications are not eligible for assessment until the Certification Form is received by the Ministry of Community, Sport and Cultural Development. The Certification Form can be downloaded from http://www.cd.gov.bc.ca/lgd/infra/infrastructure_grants/infrastructure_planning_grant.htm



To complete the application process applicants must complete, print, sign and mail this Certification Form to the Ministry of Community, Sport and Cultural Development. This form is designed to be filled in electronically using word processing software. A separate Certification Form must be submitted for each project.

Applicants should be aware that information collected is subject to provincial freedom of information legislation.

For Administrative Use Only

Applicant Certification

Legal Name of Applicant: Bowser Waterworks District
Project Title: Balancing Reservoir Evaluation
Date Application Form was submitted: January 12, 2017
<i>I certify that the information contained in the Application Form for the above noted project is to the best of my knowledge, correct and complete and has been submitted with council/board concurrence.</i>
Project Manager Signature: (e.g. Engineer, Planner) _____
Date: January 9, 2017
Print Name: Ken Carter
Title: Administrator
Financial Officer Signature: (as per S.149 Community Charter) _____
Date:
Print Name:
Title:

Please email the signed Certification Form in portable document format (PDF) to: Infra@gov.bc.ca

Hardcopies can be mailed to:
Ministry of Community, Sport and Cultural Development
Local Government Infrastructure and Finance Branch
PO Box 9838 Stn Prov Govt
Victoria BC V8W 9T1

If you have any questions, please contact by Phone: 250 387-4060 Fax: 250 387-7972 or Email: Infra@gov.bc.ca

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA SERVICES COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JANUARY 10, 2017 AT 4:00 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
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director W. Veenhof	Electoral Area H

Also in Attendance:

P. Carlyle	Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Emergency Planning Services
J. Harrison	Director of Corporate Services
J. Hill	Mgr. Administrative Services
J. Holm	Mgr. Current Planning
B. Ritter	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

ELECTORAL AREA SERVICES COMMITTEE MINUTES

Minutes of the Regular Electoral Area Services Committee meeting held Tuesday, November 22, 2016.

MOVED Director Veenhof, SECONDED Director McPherson, that the minutes of the Regular Electoral Area Services Committee meeting held Tuesday, November 22, 2016, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

MOVED Director Veenhof, SECONDED Director Fell, that the correspondence regarding Development Variance Permit Application No. PL2016-113 – 1031 Robertson Boulevard, Electoral Area 'G', be received.

CARRIED

PLANNING

DEVELOPMENT PERMIT

Development Permit Application No. PL2016-164 – 923 McFeely Drive, Electoral Area ‘G’.

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve Development Permit No. PL2016-164 to permit the construction of a dwelling unit subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Permit Application No. PL2016-179 – 3271 Jameson Road and 3155 Northwood Road, Electoral Area ‘C’.

MOVED Director Young, SECONDED Director Fell, that the Board approve Development Permit No. PL2016-179 to permit the development of two dwelling units subject to the conditions outlined in Attachments 2 to 4.

CARRIED

Development Permit Application No. PL2016-180 – 4179 Island Highway West, Electoral Area ‘G’.

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve Development Permit No. PL2016-180 to permit the construction of a new dwelling unit subject to the conditions outlined in Attachment 2.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE AND REQUEST FOR FRONTAGE RELAXATION

Development Variance Permit Application No. PL2016-113 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-112 – 1031 Robertson Boulevard, Electoral Area ‘G’.

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve Development Variance Permit No. PL2016-113 to reduce the minimum pan handle width for proposed lots 6 and 7 subject to the terms and conditions outlined in Attachments 2 to 3.

CARRIED

MOVED Director Veenhof, SECONDED Director Rogers, that the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 6 and 7 in relation to Subdivision Application No. PL2016-112.

CARRIED

MOVED Director Veenhof, SECONDED Director Rogers, that the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-113.

CARRIED

SUBDIVISION APPLICATION

Subdivision Application No. PL2014-007 – 1831 Matterson Road, Electoral Area ‘F’.

MOVED Director Fell, SECONDED Director Stanhope, that the Board approve the request to relax the minimum lot frontage requirements for proposed Lot A in relation to Subdivision Application No. PL2014-007.

CARRIED

Subdivision Application No. PL2016-134 – 2081 Lazy Susan Drive, Electoral Area ‘A’.

MOVED Director McPherson, SECONDED Director Fell, that five percent (5%) cash-in-lieu of parkland dedication in conjunction with Subdivision Application No. PL2016-134, be accepted.

CARRIED

ZONING AMENDMENT APPLICATION

Zoning Amendment Application No. PL2016-161 – Pratt Road, Electoral Area ‘F’ – Bylaw 1285.27 – First and Second Reading.

MOVED Director Fell, SECONDED Director Rogers, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017", be introduced and read two times.

CARRIED

MOVED Director Fell, SECONDED Director Rogers, that the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017", be chaired by Director Fell or his alternate.

CARRIED

MOVED Director Fell, SECONDED Director Rogers, that the conditions set out in Attachment 2 be completed prior to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017" being considered for adoption.

CARRIED

Zoning Amendment Application No. PL2016-060 – 4775 & 4785 Anderson Avenue, Electoral Area ‘H’ – Bylaw 500.407 – First and Second Reading.

This item was withdrawn at the applicant’s request.

OTHER

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-131 – 2221, 2225, 2237 Chelsea Place, Electoral Area ‘E’.

MOVED Director Rogers, SECONDED Director Veenhof, that the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lot B in relation to Subdivision Application No. PL2016-131.

CARRIED

Electoral Area Telecommunication Antenna System Consultation and Information Policy with Bylaw No. 1259.11.

MOVED Director Veenhof, SECONDED Director McPherson, that the attached policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy.

CARRIED

MOVED Director Veenhof, SECONDED Director McPherson, that "Regional District of Nanaimo Planning Services Fees And Charges Amendment Bylaw No. 1259.11, 2016" be introduced and read three times.

CARRIED

MOVED Director Veenhof, SECONDED Director McPherson, that "Regional District of Nanaimo Planning Services Fees And Charges Amendment Bylaw No. 1259.11, 2016" be adopted.

CARRIED

PARKS AND OPEN SPACE COMMITTEE MINUTES AND RECOMMENDATIONS

Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee Meeting held Wednesday, October 12, 2016.

MOVED Director Rogers, SECONDED Director Young, that the Minutes of the Electoral Area 'E' Parks and Open Space Advisory Committee Meeting held Wednesday, October 12, 2016 be received for information.

CARRIED

Salish Sea Marine Trail Proposal from BC Marine Trails Network Association.

MOVED Director Rogers, SECONDED Director Young, that staff be directed to work with the BC Marine Trails Network Association on the identification of Blueback Park as a Salish Sea Marine Trail day use area recognizing that this park has limited day-use facilities, with no overnight parking or camping.

CARRIED

Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee Meeting held Wednesday, November 9, 2016.

MOVED Director Fell, SECONDED Director McPherson, that the Minutes of the Electoral Area 'F' Parks and Open Space Advisory Committee Meeting held Wednesday, November 9, 2016 be received for information.

CARRIED

Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee Meeting held Thursday, December 1, 2016.

MOVED Director Veenhof, SECONDED Director Young, that the Minutes of the Electoral Area 'H' Parks and Open Space Advisory Committee Meeting held Thursday, December 1, 2016 be received for information.

CARRIED

Dunsmuir Community Park - Concept Plan.

MOVED Director Veenhof, SECONDED Director Rogers, that staff proceed with preparing construction drawings for Concept Plan A for Dunsmuir Community Park.

CARRIED

MOVED Director Veenhof, SECONDED Director Rogers, that staff proceed with clearing a view corridor into Dunsmuir Community Park as part of the 2017 Parks Work Plan.

CARRIED

DIRECTORS' FORUM

The Directors' Forum included discussions related to Electoral Area matters.

IN CAMERA

MOVED Director Veenhof, SECONDED Director Young, that pursuant to Sections 90 (1) (a) of the *Community Charter* the Committee proceed to an In Camera Meeting for discussions related to Board appointments.

CARRIED

TIME: 4:47pm

ADJOURNMENT

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

CARRIED

TIME: 4:50 PM

CHAIRPERSON

CORPORATE OFFICER

TO: Regional District of Nanaimo
Electoral Area Services Committee

MEETING: January 10, 2016

FROM: Sarah Preston
Planning Technician

FILE: PL2016-164

SUBJECT: **Development Permit Application No. PL2016-164**
Lot 8, District Lot 9, Newcastle District, Plan VIP69413
923 McFeely Drive – Electoral Area ‘G’

RECOMMENDATION

That the Board approve Development Permit No. PL2016-164 to permit the construction of a dwelling unit subject to the conditions outlined in Attachments 2 to 4.

SUMMARY

Westmark Construction Ltd has applied for a development permit in support of a proposed dwelling unit development located at 923 McFeely Drive. The dwelling unit is proposed to be constructed on a property subject to the Hazard Lands Development Permit Area (DPA), identified as such due to the potential for coastal flooding and erosion in the electoral area. A Geotechnical Hazard Assessment prepared by Lewkowich Engineering and Associates Ltd has been submitted in support of the application, as per the development permit area guidelines. Given that the development permit area guidelines have been met and no negative impacts are anticipated as a result of the proposed development, it is recommended that the Board approve the proposed development permit subject to the conditions outlined in Attachments 2-4.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Westmark Construction Ltd on behalf of Karen and William Driol to permit the construction of a 214.9 square metre dwelling unit with attached garage. The subject property is approximately 0.21 hectares in area and is zoned Residential 2 (RS2), Subdivision District ‘M’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the north of Island Highway West off Kinkade Road in a residentially zoned neighbourhood bordering a National Wildlife Area and Little Qualicum River Regional Park (see Attachment 1 – Subject Property Map).

The property is currently undeveloped and is serviced by Surfside Properties Water and Surfside Sewer.

The proposed development is subject to the Hazard Lands Development Permit Area (DPA) per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008”.

Land Use Implications

As per the DPA guidelines, the applicant has submitted a Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd, dated October 24, 2016. As part of their assessment, Lewkowich reviewed a previous geotechnical assessment prepared by Simpson Geotechnical Ltd in support of a similar proposal for the subject property in 2010. The 2010 assessment found that the risk of tsunami was the most significant, however, a number of recent contemporary studies and assessments have shown an increase in severity and frequency of significant storm events related to climate change. The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) recommends a cumulative method for flood construction level calculation that includes variables associated with sea level rise, a factor not addressed by the 2010 assessment. Based on this calculation method, Lewkowich found that the risk posed by the oceanic floodplain is greater than that posed by the floodplain of the Little Qualicum River. A Flood Construction Level (FCL) of 4.6 metres geodetic is recommended, which is a 0.6 metre increase from the 2010 calculation by Simpson. Lewkowich also notes that severe wave action or flooding may negatively impact the granular nature of the shoreline at the subject property, increasing the risk of future flooding and damage to the property during major storm events.

Previous studies, such as the 2010 assessment by Simpson and another prepared in 1996 by Lewkowich, indicate that the shoreline has varied significantly over time and while the changes have largely been the result of accretion, some areas have suffered degradation. The 1996 assessment posited that the accretion trend has been the result of protection afforded by a linear offshore feature located to the northeast that may be an abandoned breakwater or pier. The future of this feature and its ability to protect the shoreline from degradation over time is unknown, however the expectation is that without the protection afforded by this feature, the property could suffer from significant erosion. Thus, significant setbacks were established through covenant to ensure the protection of life and property.

The October 24, 2016 assessment by Lewkowich concludes that from a geotechnical point of view, the subject property is considered safe and suitable for the intended purpose and that future development will not result in a detrimental impact on the environment, subject property, or adjoining properties, provided the recommendations in the report are followed. Recommendations include confirmation of footing and floor elevations during construction by qualified survey personnel, evaluation of footing soils by a geotechnical engineer, and the installation of backflow preventers on all sewer and drainage piping. In addition, the assessment states that all construction shall be carried out within the requirements and recommendations of the environmental consultant and/or any defined jurisdictional setbacks, including existing restrictive covenants, whichever is more stringent.

A review of the permit application materials confirms that the proposed development conforms to the covenanted setback, (referenced as "covenant plan VIP 69415" – Attachment 3 – Proposed Site Plan), as well as side and front yard setbacks imposed by zoning. Parcel coverage and height restrictions have also been met by the proposal.

Staff recommend that issuance of this Permit be withheld until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd dated October 24, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo (RDN) from all losses and damages as a result of the potential hazard.

Staff also recommend discharging the Section 219 Covenant CA1587218 that registered the geotechnical assessment prepared by Simpson Geotechnical Ltd and dated February 26, 2010, as the recommended FCL has been shown to be inadequate based on current best practice recommended by APEGBC.

Given that the DPA guidelines and applicable land use regulations have been met it is anticipated that no negative impacts will be incurred by the proposed development.

Intergovernmental Implications

Staff have reviewed the proposed development and note that the proposal has no implications related to intergovernmental relations.

ALTERNATIVES

1. To approve Development Permit No. PL2016-164 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2016-164.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal will be in keeping with the 2016 – 2020 Board Strategic Plan. The Plans “Focus on the Environment” states that the Board will prepare for and mitigate the impact of environmental events. The DPA guidelines requirement for a geotechnical hazard assessment meets this goal by ensuring that the potential impact of environmental events are assessed on a site by site basis and measures are imposed to mitigate that impact.



Sarah Preston
spreston@rdn.bc.ca
December 14, 2016

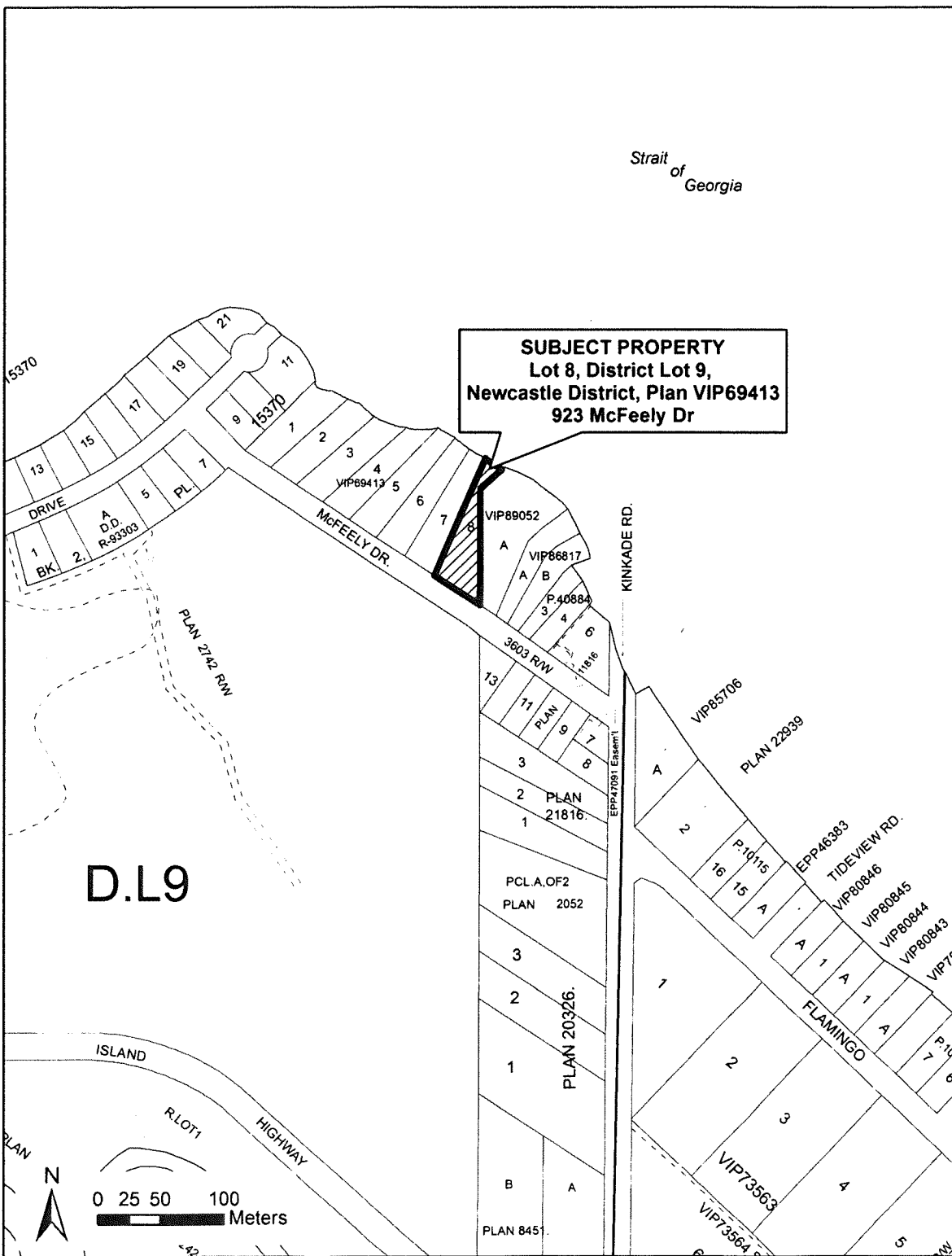
Reviewed by:

- P. Carlyle, Chief Administrative Officer
- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development

Attachments

1. Subject Property Map
2. Conditions of Permit
3. Proposed Site Plan
4. Building Plans and Elevations

Attachment 1
Subject Property Map



Attachment 2 Conditions of Permit

The following sets out the conditions of Development Permit No. PL2016-164:

Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Turner Land Surveying dated October 3, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Sea Swan Enterprises dated November 8, 2016 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd dated October 24, 2016.
4. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Hazard Assessment by Lewkowich Engineering Associates Ltd dated October 24, 2016 as Schedule 'A', the referenced Geotechnical Assessment prepared by Simpson Geotechnical Ltd dated February 26, 2010 as Schedule 'B', and includes a save harmless clause that releases the Regional District of Nanaimo (RDN) from all losses and damages as a result of the potential hazard; and discharges Covenant No. CA1587218.
5. The property owner shall obtain the necessary permits for construction in accordance with the "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 1250, 2001" as replaced or amended.

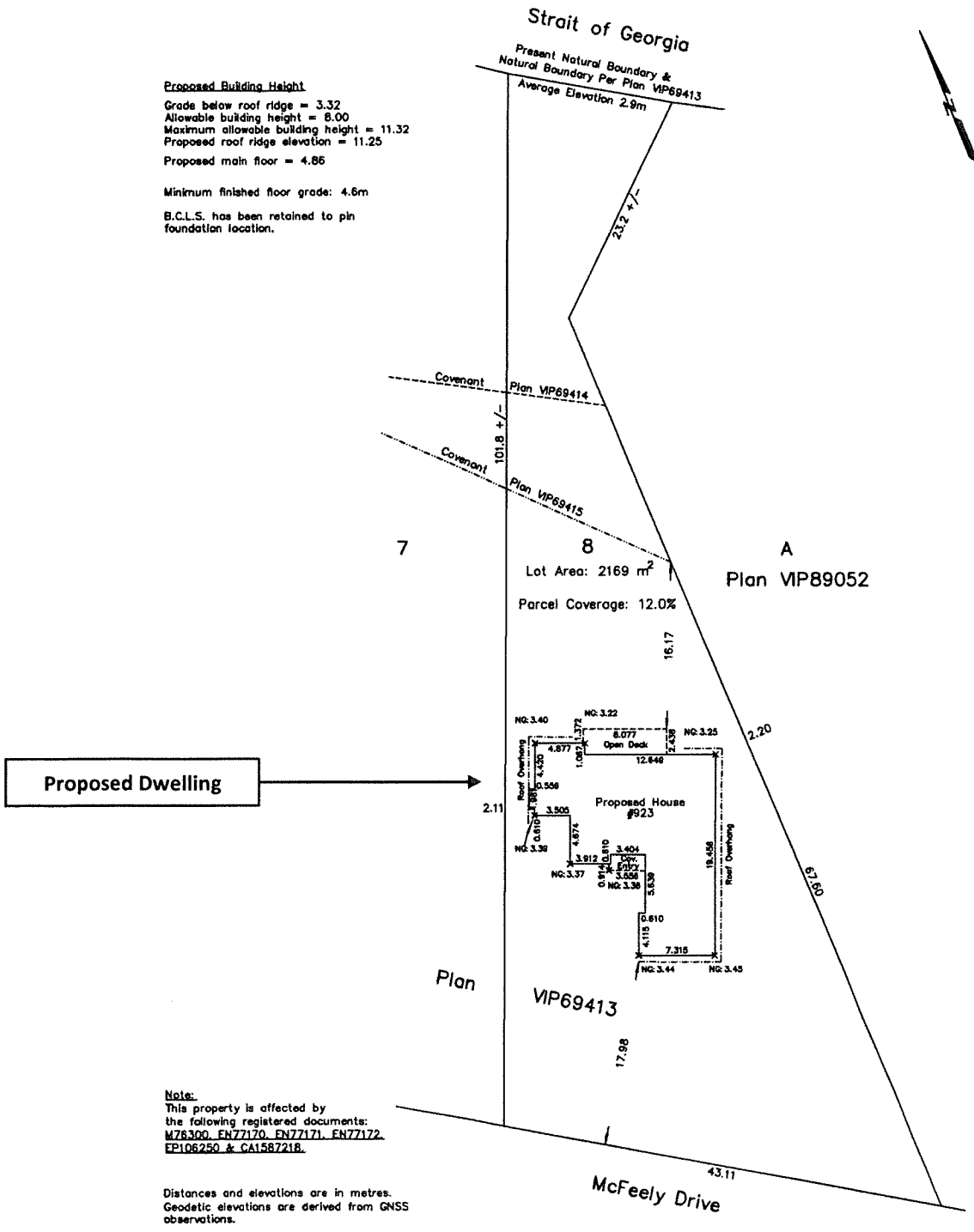
Attachment 3 Proposed Site Plan

Proposed Building Height

Grade below roof ridge = 3.32
 Allowable building height = 8.00
 Maximum allowable building height = 11.32
 Proposed roof ridge elevation = 11.25
 Proposed main floor = 4.86

Minimum finished floor grade: 4.6m

B.C.L.S. has been retained to pin foundation location.

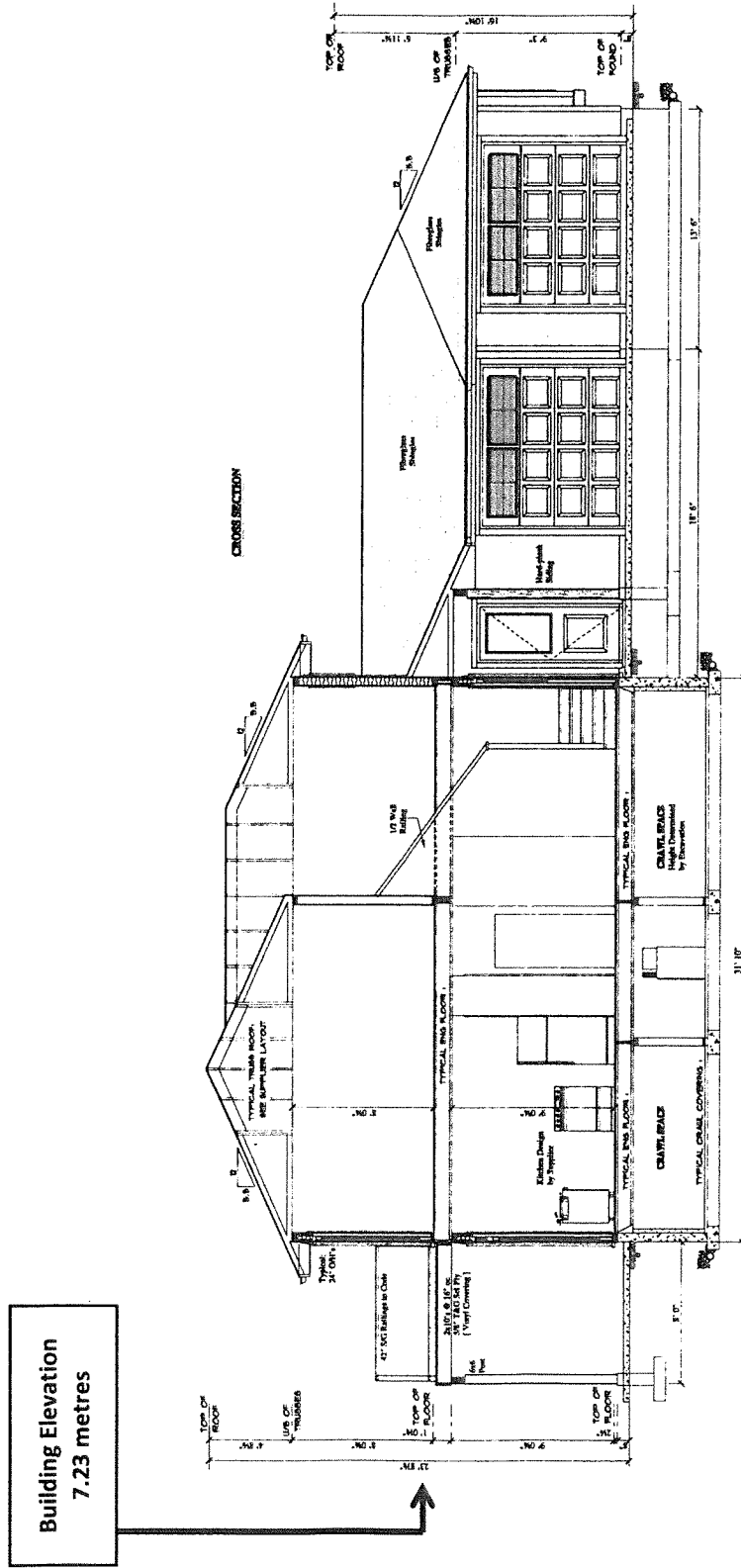


Proposed Dwelling

Note:
 This property is affected by the following registered documents:
 M76300, EN77170, EN77171, EN77172,
 EP106250 & CA158721B.

Distances and elevations are in metres.
 Geodetic elevations are derived from GNSS observations.

Attachment 4 Building Elevations



TO: Regional District of Nanaimo
Electoral Area Services Committee

DATE: December 23, 2016

FROM: Sarah Preston
Planning Technician

MEETING: January 10th, 2017

FILE: PL2016-179

**SUBJECT: Development Permit Application No. PL2016-179
Lot 10, Sections 13 and 14, Range 2, Mountain District, Plan VIP80085
3271 Jameson Road and 3155 Northwood Road – Electoral Area ‘C’**

RECOMMENDATION

That the Board approve Development Permit No. PL2016-179 to permit the development of two dwelling units subject to the conditions outlined in Attachments 2 to 4.

SUMMARY

Gordon, Juanita, and Allan Dickerson have applied for a development permit to allow the development of two dwelling units and accompanying driveways within the Fish Habitat Protection Development Permit Area (DPA). The Regional District has received a riparian assessment prepared by Aquaparian Environmental Consulting Ltd and notification of assessment from the Province in accordance with the DPA guidelines. Given that the DPA guidelines have been met and no negative impacts are anticipated as a result of the proposed development, it is recommended that the development permit be approved subject to the conditions outlined in Attachments 2 to 4.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Gordon Dickerson, Juanita Dickerson, and Allan Dickerson to permit the construction of two dwelling units and related driveways. The subject property is 2.02 Hectares in area and is zoned Rural One (RU1), Subdivision District ‘D’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the south-west of Jingle Pot Road on Jameson Road (see Attachment 1 – Subject Property Map).

The property is currently undeveloped and largely forested; though clearing of the building site accessed from Jameson Road was previously completed. The dwelling units are proposed to be serviced by separate wells and on-site sewerage systems.

The proposed development is subject to the Fish Habitat Protection Development Permit Area per the “Regional District of Nanaimo Electoral Area ‘C’ Official Community Plan Bylaw No. 1055, 1997”.

Proposed Development

The applicants propose to construct an approximately 238 square metre dwelling unit with attached garage fronting on Jameson Road (Proposed House A), and an approximately 68 square metre dwelling unit fronting on Northwood Road (Proposed House B). Both proposed buildings and their driveways are within a 30 metre riparian assessment area for water features located on the subject property.

Land Use Implications

The applicant has submitted a Site Plan prepared by Turner Land Surveying Inc dated April 16, 2016. The proposed dwelling units siting meet zoning setbacks for lot lines and watercourses, as well as parcel coverage and height regulations. Submitted building elevations prepared by Jenish House Design Limited, dated November 2015, support the height resolve calculations by Turner (223.90 metres allowable, 223.73 metres proposed). In addition, the proposed dwelling unit locations conform with the floodplain bylaw for setbacks to watercourses (minimum 15.1 metres from top of bank) and floodplain elevation requirements (minimum 5.1 metres above the surveyed edge of standing water).

Environmental Implications

A riparian area assessment performed by Aquaparian Environmental Consulting Ltd dated October 13, 2016 has been submitted in support of the applicants proposal. The subject property contains two water features. The first is a wetland that was historically modified by the construction of Jameson Road. It now functions as part of the roadside ditch system. However, it still possesses wetland characteristics with a high, sloping bank. The primary water source is posited to be seasonal runoff and groundwater flows. Proposed House A is sited 30 metres from the surveyed high water mark, which is the extent of the setback established by the riparian area assessment. Aquaparian has recommended that as land within the 30 metre setback was previously cleared, it should be allowed to revegetate naturally. The existing canopy is comprised of a mix of coastal Douglas fir, western red cedar, red alder, and arbutus. The driveway was constructed through the area prior to its establishment and the applicant advises that the region between the top of bank and edge of standing water was revegetated with western red cedar saplings this past fall.

Proposed House B, accessed off Northwood Road, is sited 19.1 metres from the second water feature (top of bank). The existing driveway crosses this water feature. Aquaparian has established a 10 metre streamside protection and enhancement area (SPEA) for this water feature, which is described as a remnant section of stream. The water feature is characterized by a natural stream channel with a canopy of western red cedar and red alder. Groundcover is comprised of dull oregon grape, salal, sword fern, and bracken fern. The stream channel is fed by upstream roadside ditches off Long View Place and Northwood Road. Downstream, the channel enters the ditch flowing along Northwood Road.

Both water features, the modified wetland and remnant stream, eventually discharge into McGarrigle Creek, which is a tributary of the Millstone River. The Millstone River is known to provide habitat for cutthroat trout, rainbow trout, Coho Salmon, chum salmon and pink salmon.

As both proposed dwelling units are located outside of the SPEAs and no further land clearing is expected, Aquaparian has recommended that the SPEAs be staked by a surveyor prior to construction site layout. Where construction is started during the winter, standard construction mitigation measures are recommended, which include the installation of silt fencing along the SPEA impacting Proposed House B, prohibiting access to both SPEAs, and ensuring heavy equipment is maintained clean and free

of leaks. It is not expected that environmental monitoring will be required. A post development inspection report is required to be completed by a qualified environmental professional and submitted to the Province.

As per the development permit area guidelines, it is recommended that the homeowner implement all measures necessary to maintain the integrity of the SPEA as specified in the riparian area assessment, and that such measures are included as a condition of permit.

Intergovernmental Implications

Staff have reviewed the proposed development and note that the proposal has no implications related to intergovernmental relations.

ALTERNATIVES

1. To approve Development Permit No. PL2016-179 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Permit No. PL2016-179.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal will be in keeping with the 2016 – 2020 Board Strategic Plan. The Board's "Focus on the Environment" is supported through the Watercourse Protection DP Guideline requirement for the assessment of the proposals impact by a Qualified Environmental Professional. Further, the Strategic Plan acknowledges the importance of water in supporting our economic and environmental health.



Sarah Preston
spreston@rdn.bc.ca
December 22, 2016

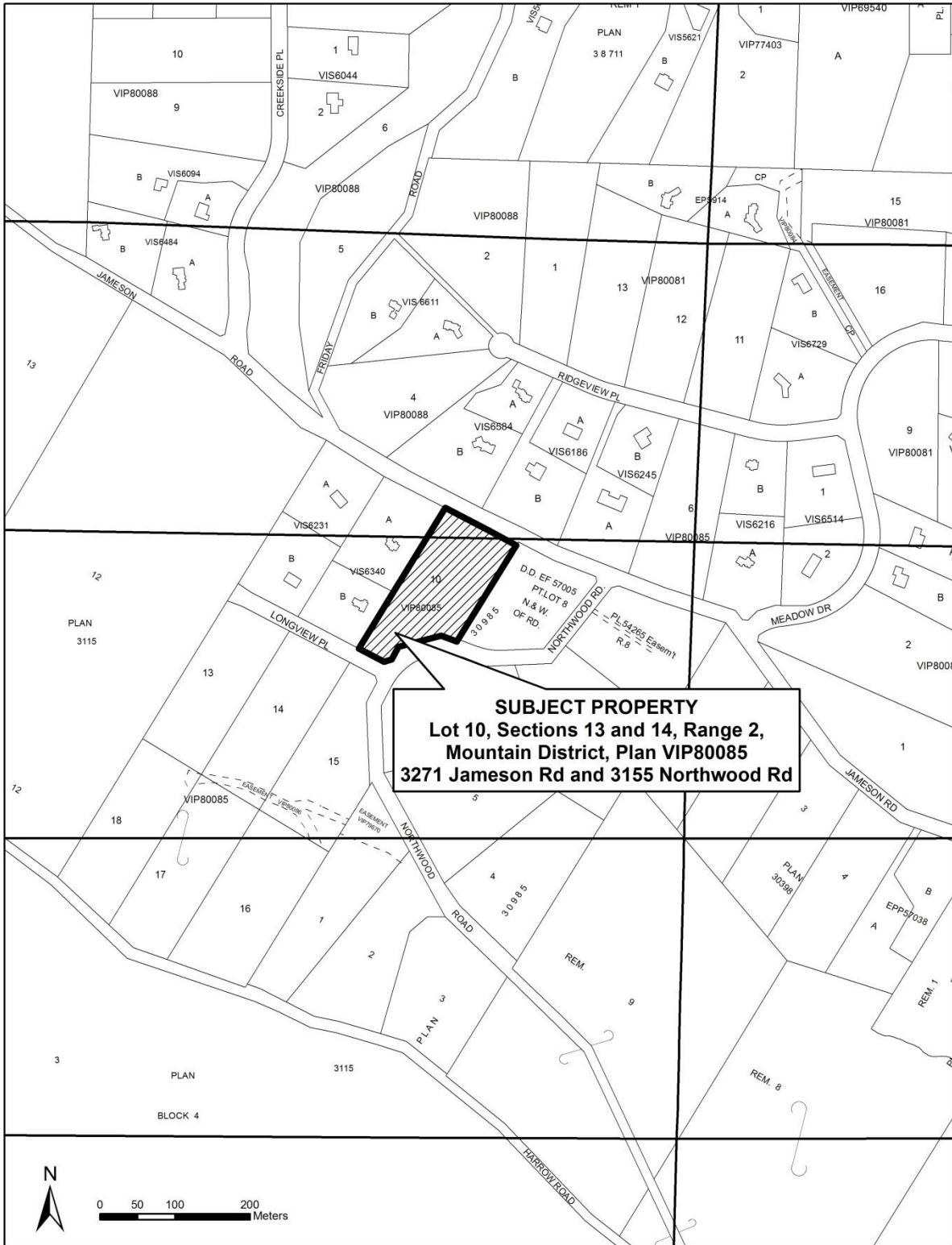
Reviewed by:

- P. Carlyle, Chief Administrative Officer
- T. Brown, Acting Manager, Current Planning
- P. Thompson, Acting General Manager, Strategic & Community Development

Attachments

- Subject Property Map
- Conditions of Permit
- Proposed Site Plan
- Building Plans and Elevations

Attachment 1
Subject Property Map



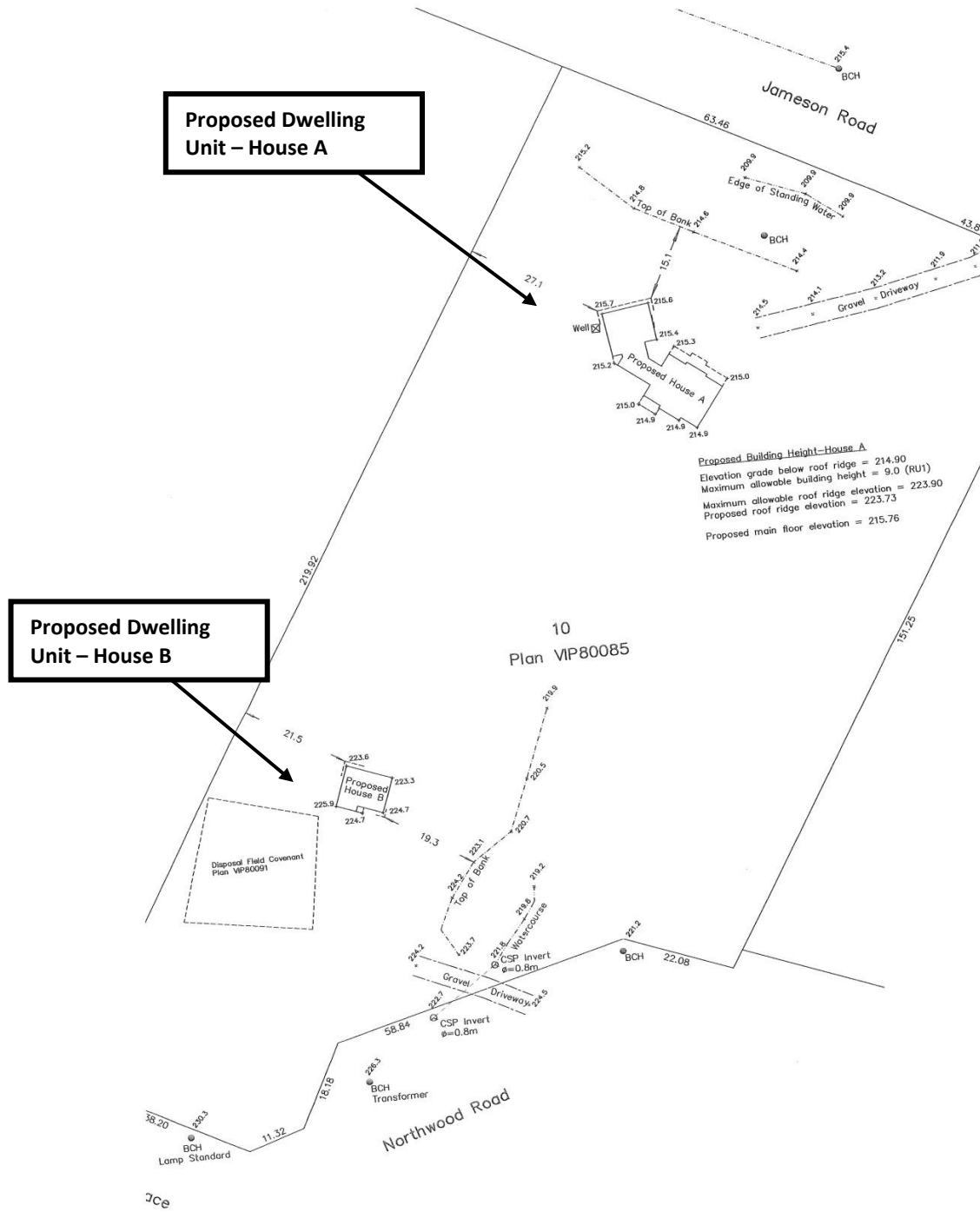
Attachment 2
Conditions of Permit

The following sets out the conditions of Development Permit No. PL2016-179:

Conditions of Approval

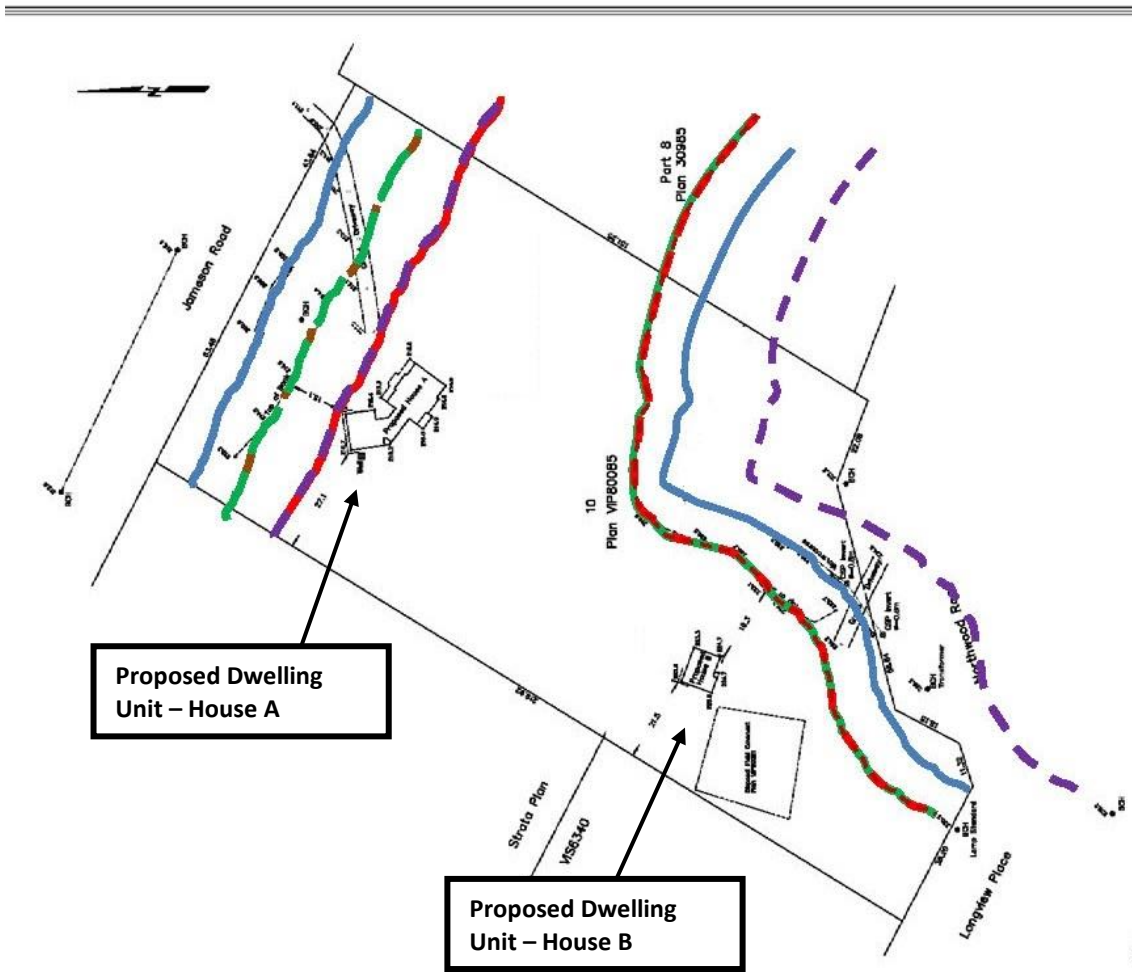
1. The site is developed in accordance with the Site Plan prepared by Turner Land Surveying Inc, dated April 16, 2016 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Jenish House Design Limited, dated November 2015 (House A) and December 2015 (House B), attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the Riparian Areas Assessment prepared by Aquaparian Environmental Consulting Ltd dated October 13, 2016.
4. Prior to any physical development occurring, the SPEA setback boundaries on the subject property are to be marked on the ground with stakes by a surveyor.
5. The Qualified Environmental Professional (QEP) shall be required to provide confirmation to the RDN that the development has been completed in accordance with the QEP's recommendations prior to occupancy, by copy of the post-development assessment required by the Province.
6. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

**Attachment 3
 Proposed Site Plan
 (1 of 2)**

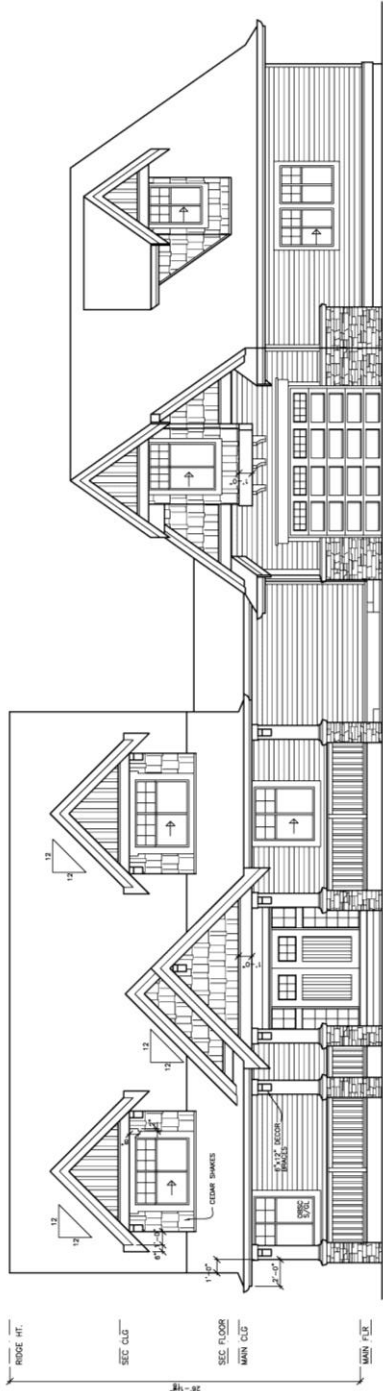


Attachment 3
Proposed Site Plan
(2 of 2)

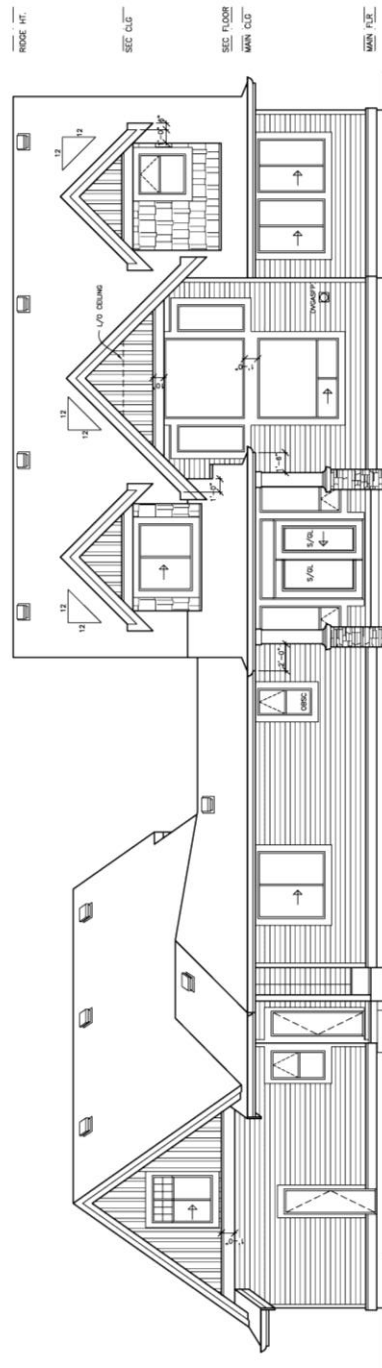
- LEGEND:**
- High Water Mark
 - Large Woody Debris
 - Leaf Litter Insect Drop
 - Shade
 - Streamside Protection & Enhancement Area



Attachment 4
Building Elevations – House A
(1 of 3)



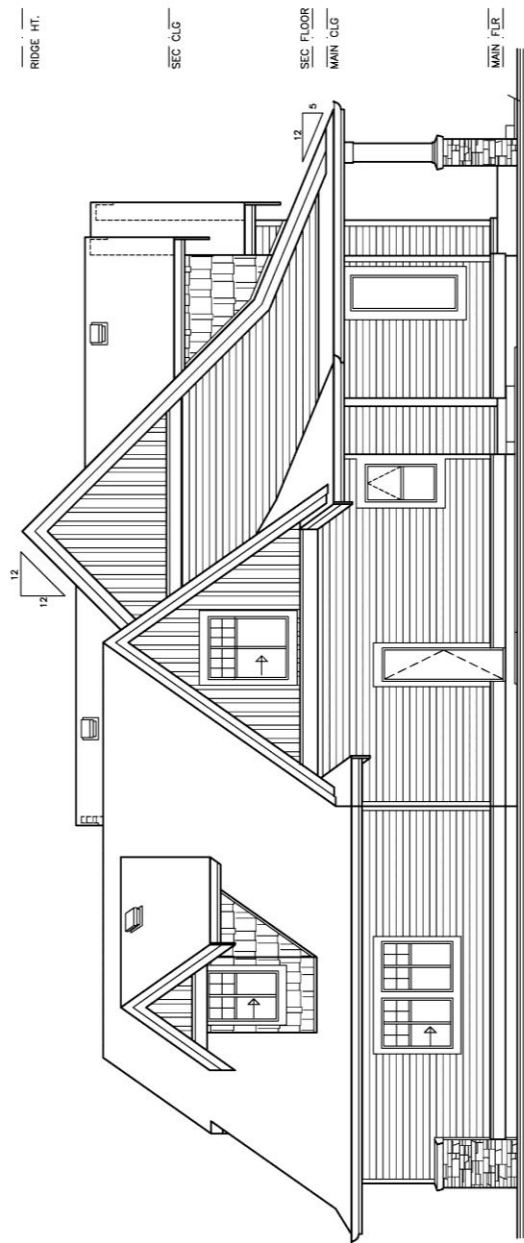
FRONT ELEVATION



REAR ELEVATION

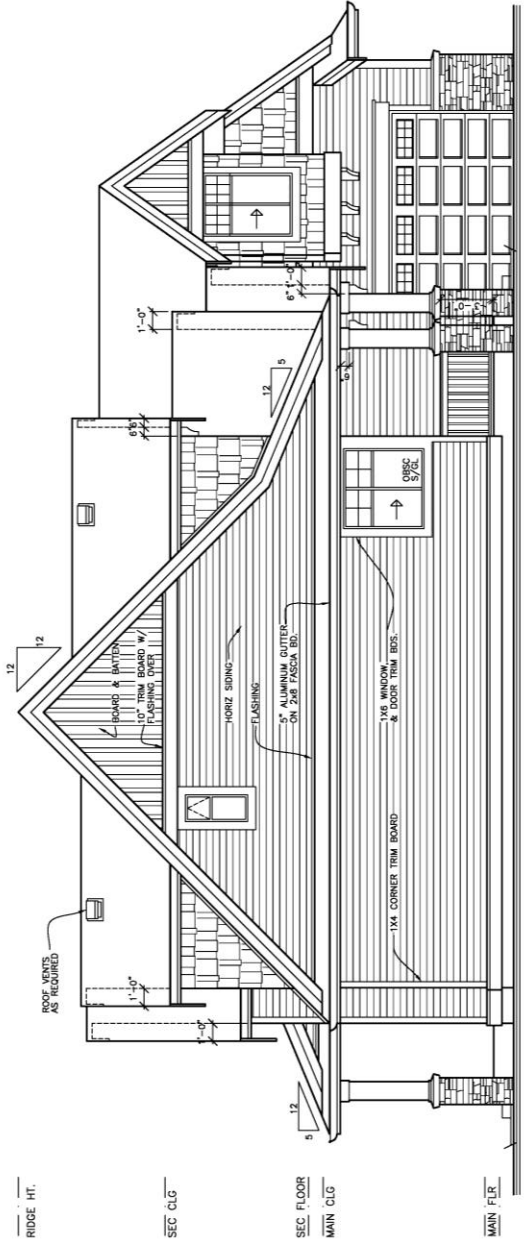
Building Elevation – 7.96 metres

Attachment 4
Building Elevations – House A
(2 of 3)



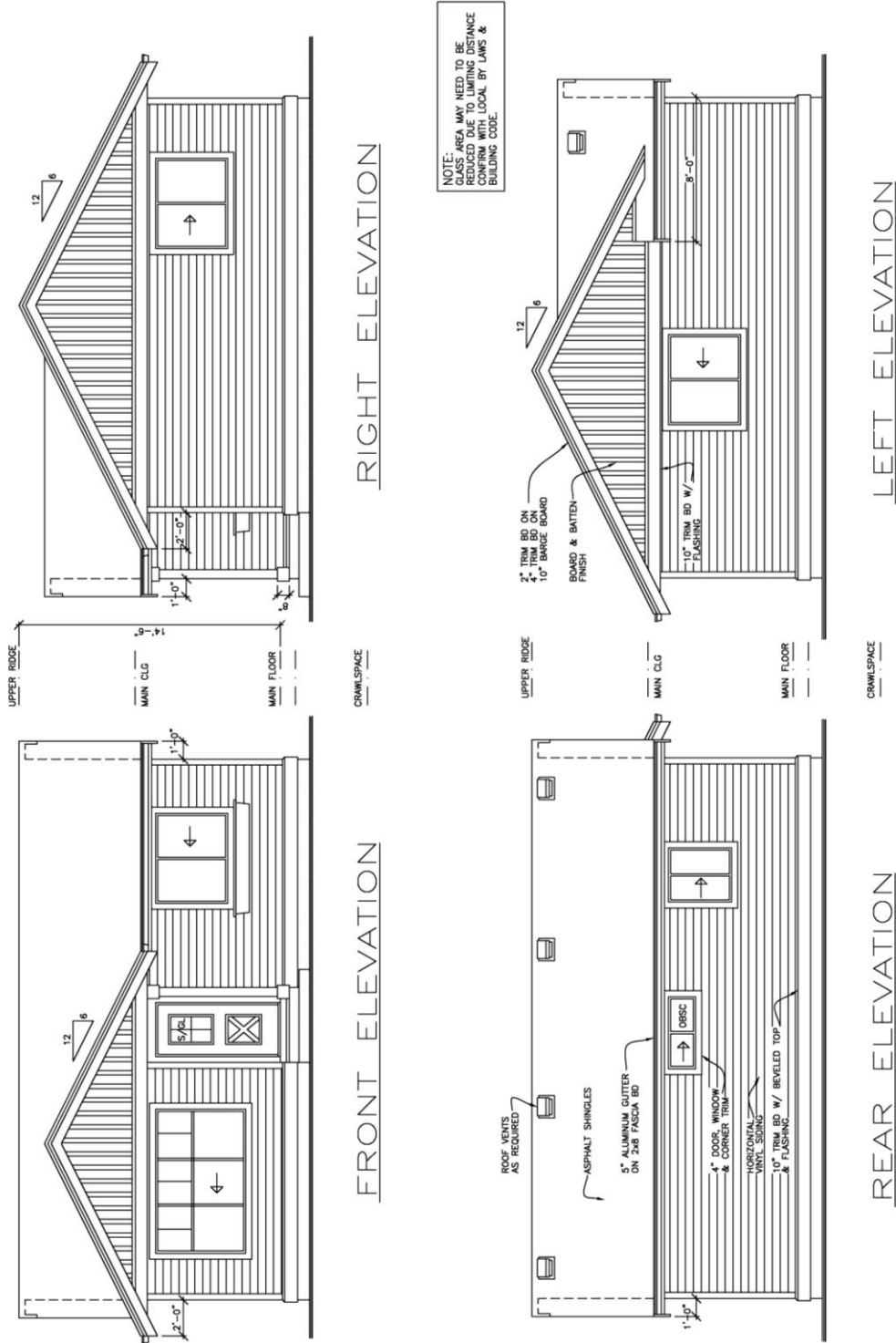
RIGHT ELEVATION

NOTE:
 GLASS AREA MAY NEED TO BE
 REFINISHED TO MATCH SURFACE
 FINISH WITH LOCAL BY LAWS &
 BUILDING CODE.



LEFT ELEVATION

Attachment 4
Building Elevations – House B
(3 of 3)



TO: Electoral Area Services Committee **MEETING:** January 10, 2017
FROM: Frank Limshue
 Planner **FILE:** PL2016-180
SUBJECT: Development Permit Application No. PL2016-180
 Lot A, District Lot 73, Newcastle District, Plan 14402
 4179 Island Highway West – Electoral Area ‘G’

RECOMMENDATION

That the Board approve Development Permit No. PL2016-180 to permit the construction of a new dwelling unit subject to the conditions outlined in Attachment 2.

SUMMARY

A development application was received for the purpose of building a dwelling unit. Given that the Hazard Lands Development Permit Area guidelines have been met and no negative land use impacts are anticipated as a result of the development, staff recommend that the Board approve the development permit subject to the terms and conditions outlined in Attachment 2.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Dogwood Mountain Homes Ltd. on behalf of Peter and Gail Fee to permit the construction of a dwelling unit. The subject property is approximately 1.45 hectares in area and is zoned Residential 2 Zone (RS2), Subdivision District ‘M’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located on the northeast corner of Island Highway West and Hobbs Road and surrounded by residential dwellings on acreage parcels (see Attachment 1 – Subject Property Map).

The property contains an existing dwelling and workshop. The new dwelling unit is being constructed to replace a previously existing dwelling. The property is serviced by Little Qualicum Waterworks and on-site wastewater disposal systems.

The proposed development is subject to the Hazard Lands Development Permit Area (DPA) per the “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008”.

The purpose of the Hazard Lands Development Permit Area is to protect development from hazardous conditions. In this case, the property is in a designated Hazard Lands Development Permit Area as there is historic evidence of slope failure in the area.

An assessment of the natural hazard by a geotechnical engineer or other qualified professional is required to determine if the site is safe for the intended use and provide recommendations to ensure that the proposed development is protected from the natural hazard and will not result in a detrimental impact on the environment or adjoining properties.

Land Use Implications

The applicant recently demolished the existing dwelling and would like to construct a new dwelling unit in the same general location as shown on the attached site plan (see Attachment 3 – Site Plan).

To satisfy the Hazard Lands DPA guidelines, the applicant has submitted: a “Geotechnical Hazards Assessment” dated August 22, 2008 prepared by Ground Control Geotechnical Engineering Ltd. (GCG) and a “Geotechnical Hazard Assessment Report” dated December 1, 2016 prepared by Lewkowich Engineering Associates Ltd (LEA). The later (LEA) report reconfirms the findings of the previous (GCG) report and provides recommendations regarding setback of buildings from the crest of the slope. The report also makes recommendations regarding on-site stormwater management.

The LEA report recommends a minimum distance of 50.0 metres from the crest of the slope at its closest proximity to the proposed dwelling. The setback of the proposed dwelling is noted on the site plan as 54.3 metres from the crest of the slope, thus, the proposed setback satisfies the general requirements for safe setbacks.

ALTERNATIVES

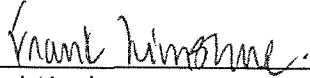
1. To approve Development Permit No. PL2016-180 subject to the conditions outlined in Attachment 2 to 3.
2. To request further information for Development Permit No. PL2016-180.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan. The strategic priority labelled “Focus on the Environment” states that the Board will prepare for and mitigate the impact of environmental events. The DPA guidelines requirements for a Geotechnical Hazard Assessment and recommendations for the protection of life and property meets this priority by ensuring that the potential impact of environmental events are assessed on a site-by-site basis and measures are imposed to mitigate that impact.



Frank Limshue
flimshue@rdn.bc.ca
December 13, 2016

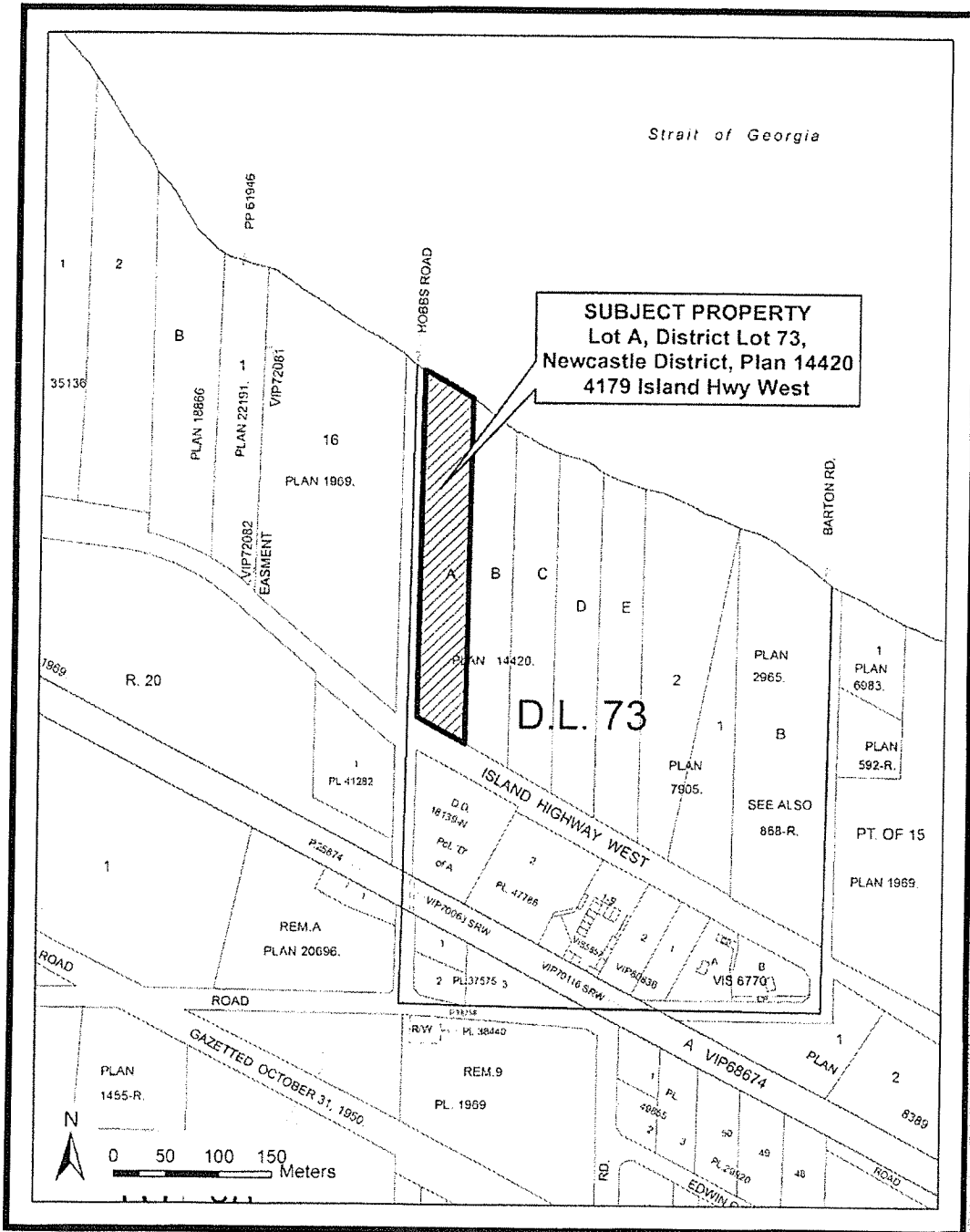
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property
2. Conditions of Permit
3. Proposed Site Plan
4. Building Plans and Elevations

Attachment 1
 Subject Property Map



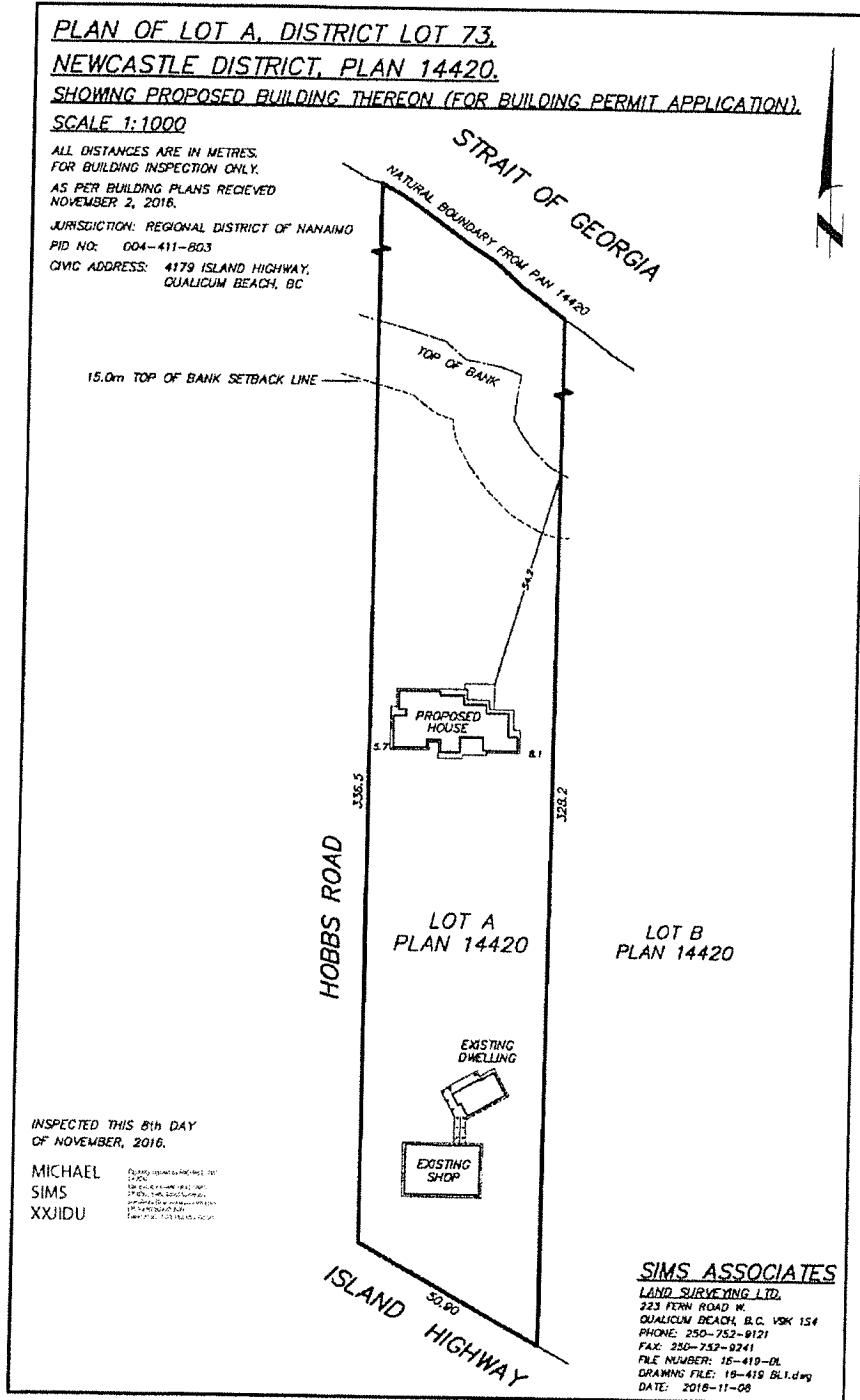
**Attachment 2
Conditions of Permit**

The following sets out the conditions of Development Permit No. PL2016-180:

Conditions of Approval

1. The site is developed in accordance with the site plan prepared by Sims Associates Surveying Ltd., dated November 8, 2016 and attached as Attachment 3.
2. The subject property shall be developed in accordance with the recommendations contained in the Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associates Ltd., dated December 1, 2016.
3. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title containing the Geotechnical Engineering Review prepared by Lewkowich Engineering Associates Ltd., dated December 1, 2016, and includes a save harmless clause that releases the Regional District of Nanaimo (RDN) from all losses and damages as a result of the potential hazard.
4. The property owner shall obtain the necessary permits for construction in accordance with the "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 1250, 2001" as replaced or amended.

Attachment 3
 Proposed Site Plan



TO: Electoral Area Services Committee **MEETING:** January 10, 2017

FROM: Kristy Marks
Planner **FILE:** PL2016-113 & PL2016-112

SUBJECT: **Development Variance Permit Application No. PL2016-113 and Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2016-112**
Lot B, District Lot 81, Nanoose District, Plan 44150, Except Part in Plans 44151, VIP81836 and EPP12138
1031 Robertson Boulevard – Electoral Area ‘G’

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2016-113 to reduce the minimum panhandle width for proposed lots 6 and 7 subject to the terms and conditions outlined in Attachments 2 to 3.
2. That the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 6 and 7 in relation to Subdivision Application No. PL2016-112.
3. That the Board direct staff to complete the required notification for Development Variance Permit No. PL2016-113.

SUMMARY

This is an application for a development variance permit to reduce the minimum panhandle width from 6.0 metres to 4.0 metres and a frontage relaxation for proposed lots 6 and 7 to permit a seven lot subdivision.

Given the guidelines of Board Policy B1.5 *Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation* have been satisfied, the proposed parcels meet the minimum site area requirements and will provide adequate area to support the permitted uses, staff recommend that the proposed development variance permit and frontage relaxation be approved pending the outcome of public notification and subject to the conditions outlined in Attachment 2.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Lorrie and Nancy Shaver to relax the minimum panhandle width provisions pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw No. 500) and relax the minimum 10% frontage requirement in conjunction with a proposed seven lot Subdivision Application No. PL2016-113.

The subject property is approximately 0.6 hectares in area and is zoned Residential 1 Zone (RS1), Subdivision District ‘Q’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is surrounded by developed residential parcels to the north and east, Robertson Boulevard to the south, and developed residential parcels and Lowry’s Road to the west (see Attachment 1 – Subject Property Map).

The property contains an existing mobile home and an accessory building that will be removed prior to subdivision of the parcel. The parcel is currently serviced by community water and sewer.

Proposed Development and Variance

The applicant is proposing to subdivide the subject property into seven parcels serviced with community water and sewer (see Attachment 3 - Proposed Site Plan and Variances). The applicant proposes to vary the following regulation from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **4.5(3)(b) – Parcel Shape and Dimensions** to reduce the minimum panhandle width requirement for lots where no further subdivision is possible from 6.0 metres to 4.0 metres for proposed lots 6 and 7.

Minimum 10% Perimeter Frontage Requirement

Proposed lots 6 and 7 do not meet the minimum 10% perimeter frontage requirement, pursuant to Section 512 of the *Local Government Act*. Therefore, approval of the RDN Board is required to allow exemption from the requirements of Section 512. The applicant has requested approval from the Board to reduce the frontage requirement as follows:

<i>Proposed Lot No.</i>	<i>Perimeter (m)</i>	<i>Required Frontage (m)</i>	<i>Proposed Frontage (m)</i>	<i>% Perimeter</i>
Lot 6	200.3	20.0	4.0	2.0
Lot 7	208.0	20.8	4.0	1.9

Land Use Implications

The applicant is requesting a variance to the minimum panhandle width for proposed lots 6 and 7 and is proposing a reciprocal access agreement for shared access to these parcels. In addition, the applicant is requesting a relaxation to the minimum 10% parcel frontage for proposed lots 6 and 7.

Board Policy B1.5 for evaluation of Development Variance Permit Applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration. In this case the parent parcel is an irregular shape and in order to provide access to lots 6 and 7, back to back panhandles and a reciprocal access agreement is proposed. The applicant has provided the following justification for the requested variance:

- A reciprocal access agreement will be registered over the panhandles and allow adequate access to both parcels with ample distance from the Robertson Boulevard intersection to allow for safe access;
- Redesigning the subdivision to provide 6-metre-wide panhandles would result in the reduction in the widths of Lots 5, 6 and 7 and increase in the length of the panhandles;
- Lots 1 and 2 would have to be reconfigured resulting in irregularly shaped parcels with restricted building envelopes and yard areas.

In addition, staff discussed planned improvements to Robertson Boulevard to address community concerns related to vehicular traffic and pedestrian and bike mobility and safety along Robertson Boulevard with MOTI staff. MOTI staff confirmed that subdivision of this parcel would not trigger any requirements for road improvements. However, they did note that planned improvements to Robertson Boulevard will include the addition of a 1.5 m wide paved shoulder to increase pedestrian safety on the south side of Robertson Boulevard, opposite the subject property. In addition, there is existing signage in place that identifies this stretch of Robertson Boulevard as part of the Parksville – Qualicum Beach Links trail.

Given that the applicant has provided sufficient rationale and there are no negative land use implications anticipated as a result of the proposed variance, the applicants have made reasonable efforts to address Policy B1.5 guidelines.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure have reviewed the application and has issued a preliminary layout approval for the proposed subdivision and have not noted any concern with the proposed frontage relaxation.

Public Consultation Implications

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

ALTERNATIVES

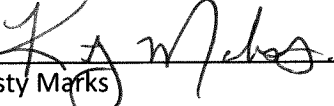
1. To approve Development Variance Permit No. PL2016-113 and request for relaxation of the minimum 10% frontage requirement for proposed lots 6 and 7 subject to the conditions outlined in Attachments 2 to 3.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Kristy Marks
kmarks@ren.bc.ca
December 21, 2016

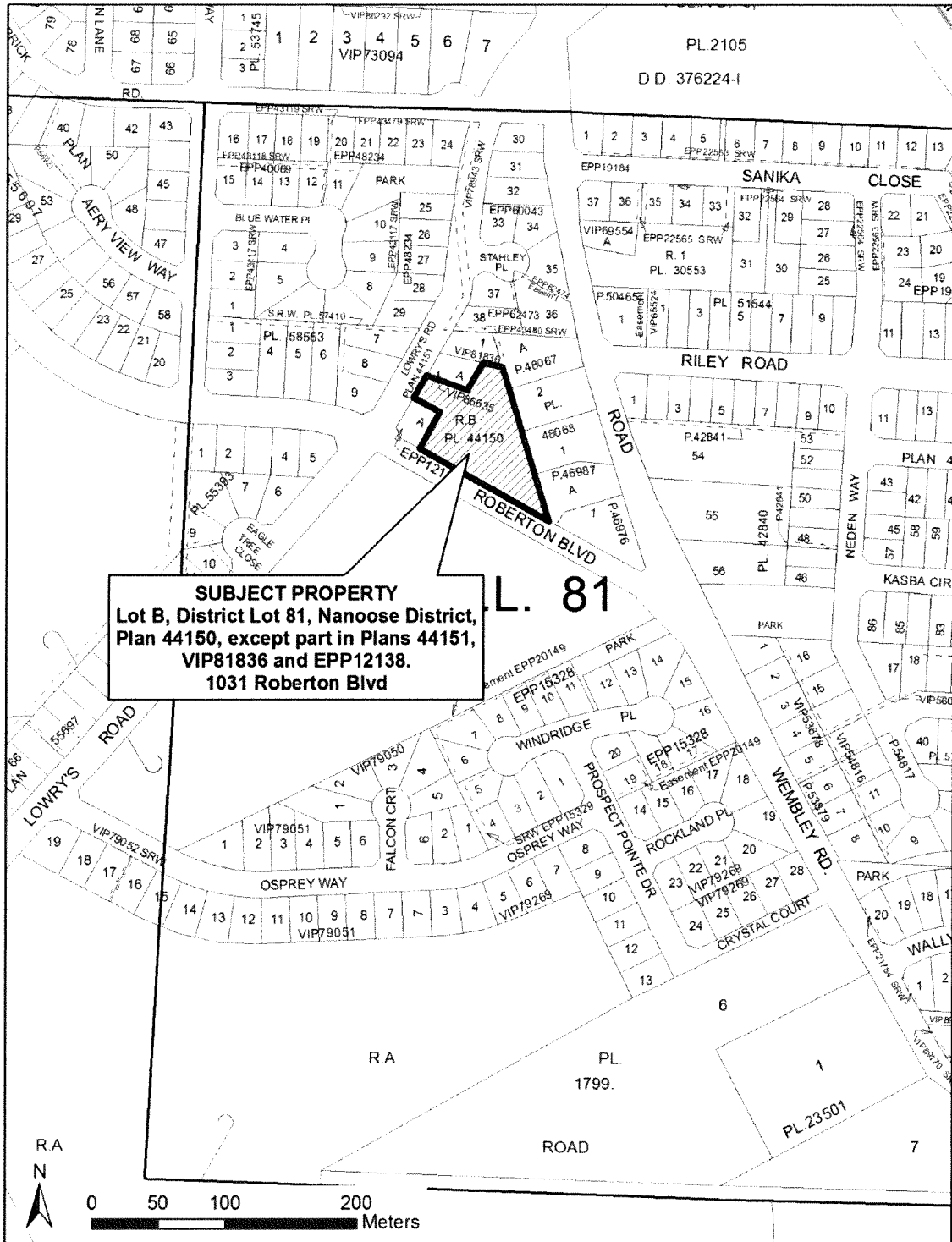
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Terms and Conditions of Permit
3. Proposed Site Plan and Variances

Attachment 1
Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Variance Permit No. PL2016-113:

Bylaw No. 500, 1987 Variance

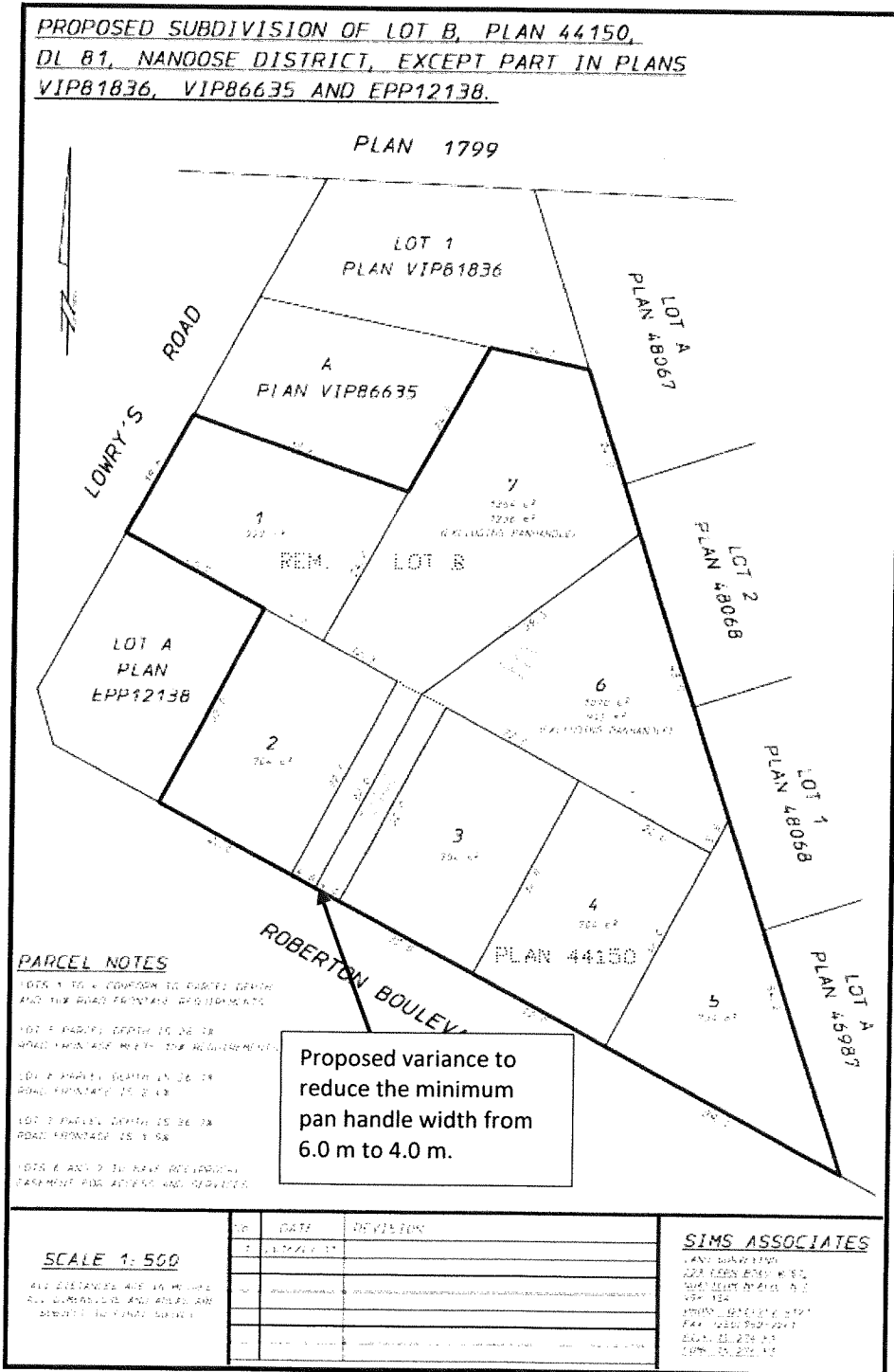
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

4.5(3)(b) – Parcel Shape and Dimensions to reduce the minimum panhandle width requirement for lots where no further subdivision is possible from 6.0 metres to 4.0 metres for proposed lots 6 and 7.

Conditions of Approval

1. The site is developed in accordance with the Proposed Plan of Subdivision prepared by Sims Associates Land Surveying, dated July 11, 2016 and attached as Attachment 3.
2. That the applicant, at the applicant’s expense shall register a reciprocal access easement combined with a Section 219 covenant, on the title of proposed lots 6 and 7, concurrently with the plan of subdivision.
3. The property owner shall obtain the necessary permits for construction or demolition in accordance with the “Regional District of Nanaimo Building Regulations and Fee Bylaw No. 1250, 2001” as replaced or amended.

Attachment 3
Proposed Site Plan and Variance



TO: Electoral Area Services Committee **MEETING:** January 10, 2017

FROM: Greg Keller
Senior Planner **FILE:** PL2014-007

SUBJECT: Subdivision Application No. PL2014-007
Lot 2, District Lot 114, Nanoose District, Plan VIP78443
1831 Matterson Road – Electoral Area ‘F’

RECOMMENDATION

That the Board approve the request to relax the minimum lot frontage requirements for proposed Lot A in relation to Subdivision Application No. PL2014-007.

SUMMARY

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd. on behalf of Edward and Linda Matt to relax the minimum 70 metre lot frontage requirement for proposed Lot A as part of a subdivision to provide a separate residence for a family member pursuant to Section 514 of the *Local Government Act*. The proposed subdivision will meet the applicable minimum parcel size requirements and provide adequate site area for the intended residential use. Despite the reduced frontage, no negative land use implications are anticipated. Ministry of Transportation and Infrastructure staff have confirmed that they have no concerns with the requested frontage relaxation. Therefore, staff recommends that the requested frontage relaxation be approved.

BACKGROUND

The subject property is approximately 3.6 hectares in area and is zoned Rural 1 (RU1), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 1285, 2002”. The property is a rural acreage located to the north west of the intersection of Matterson Road and Courtney Road and is surrounded by other rural acreages (see Attachment 1 – Subject Property Map).

Proposed Development

The proposed Section 514 subdivision is shown on Attachment 2. Proposed Lot A would be 1.0 hectare and currently does not contain any buildings or structures. Proposed Lot B would be 2.6 hectares and currently contains two dwelling units and a number of accessory buildings. Access to proposed Lot A is to be off of Courtney Road while access to proposed Lot B may be from either Courtney Road or Matterson Road.

Land Use Implications

Proposed Lot A does not meet the minimum lot frontage required under Bylaw 1285 pursuant to Section 512 of the *Local Government Act* (see Attachment 3 – Proposed Lot Frontage). Therefore, approval of the RDN Board is required to allow an exemption from the requirements of Section 512. The applicant has requested approval from the Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Lot Frontage (m)	Proposed Lot Frontage (m)	% of Perimeter
A	70	58.7	12.7

With regards to the requested relaxation for proposed Lot A, the lot configuration will meet minimum lot size requirements in accordance with Section 6.7(4) of Bylaw No. 1285 and provide adequate site area to support the permitted uses on both proposed parcels. The proposal would provide ample road frontage to accommodate access to both proposed lots. Given this information, the proposed relaxation is not anticipated to result in any negative development implications.

ALTERNATIVES

1. To approve the request for relaxation of the minimum lot frontage requirement for proposed Lot A as shown on Attachment 3.
2. To deny the request for relaxation of the minimum lot frontage requirement.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Greg Keller
gkeller@rdn.bc.ca
December 22, 2016

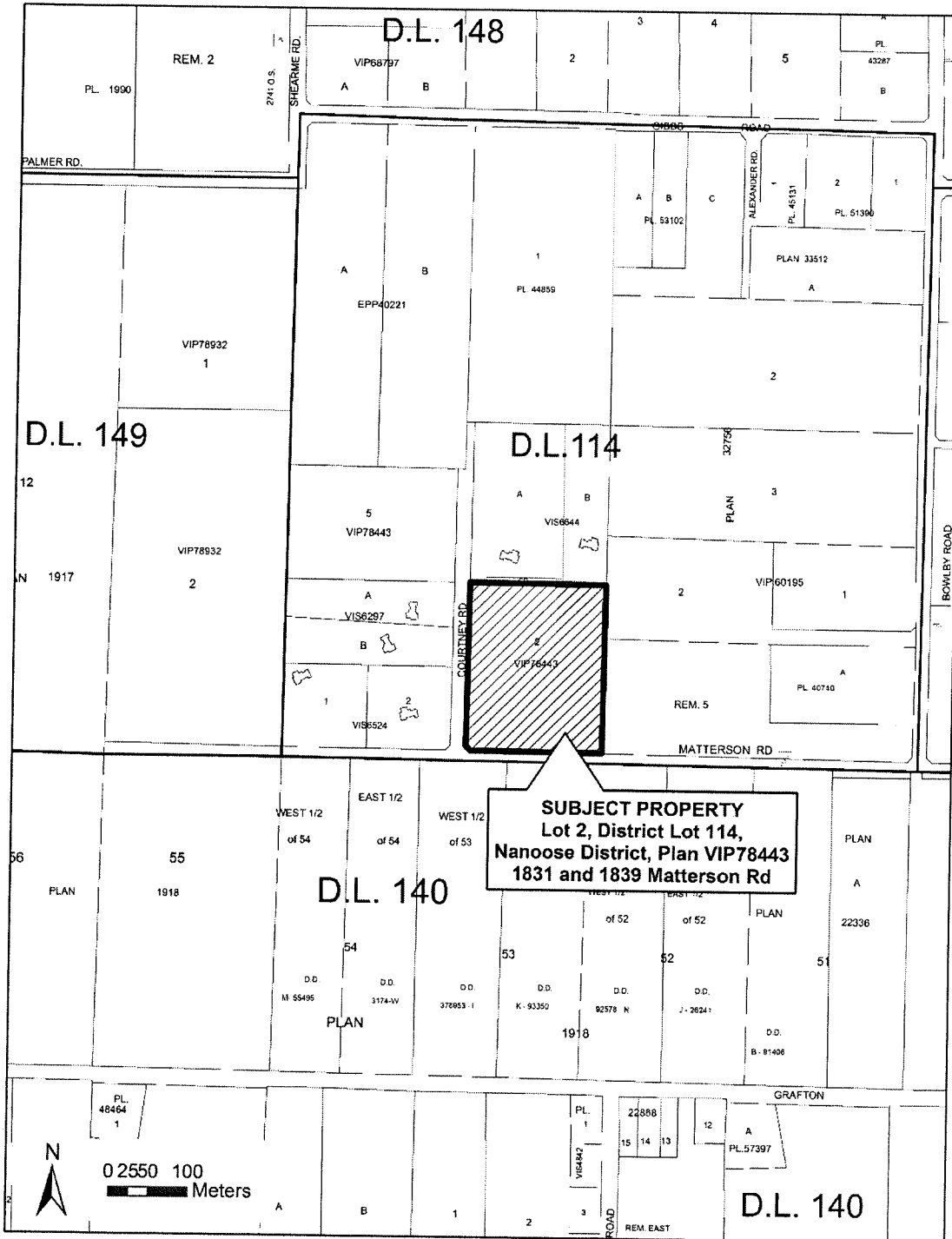
Reviewed by:

- J. Holm, Manager, Current planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

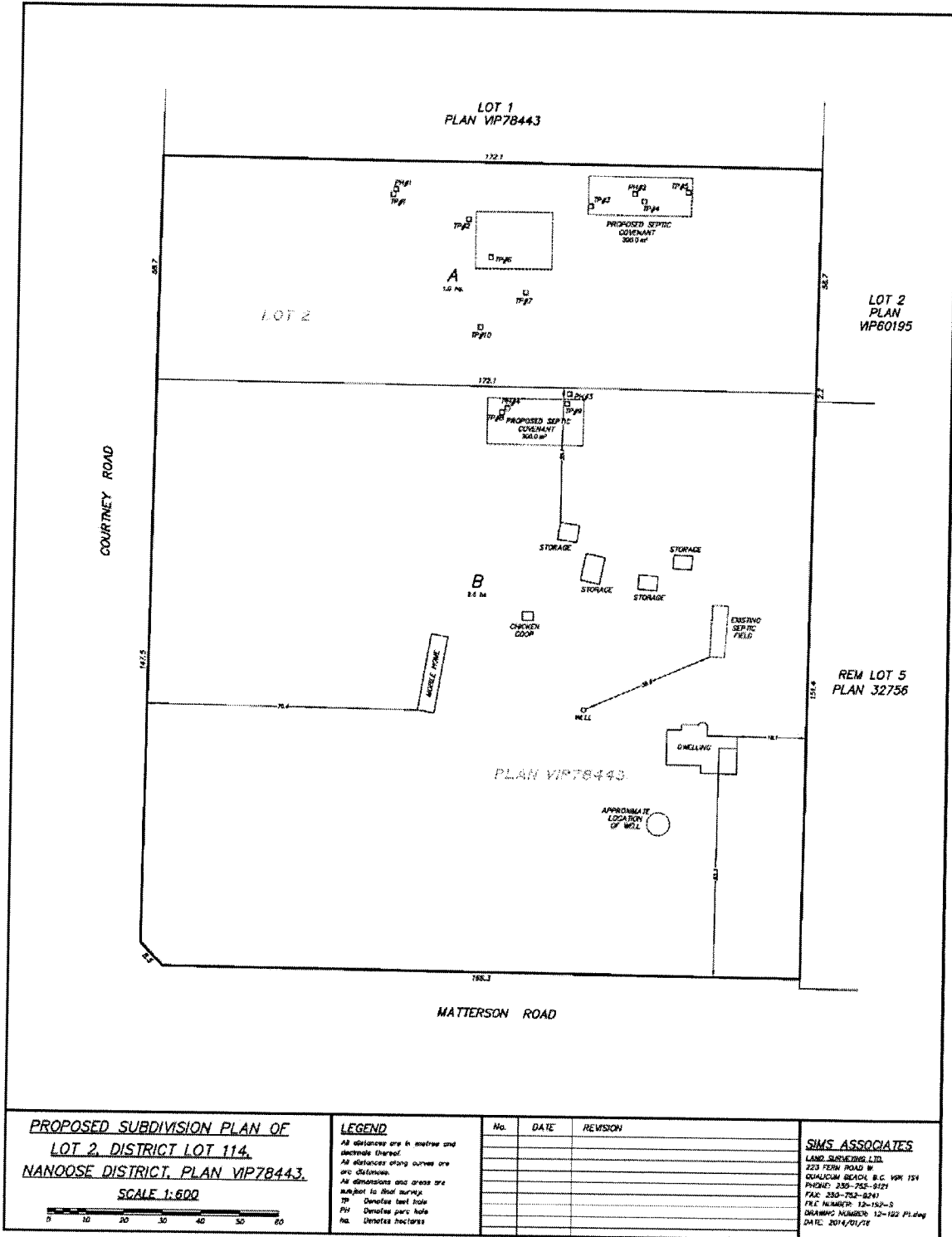
Attachments

1. Subject Property Map
2. Proposed Plan of Subdivision
3. Proposed Lot Frontage

Attachment 1
Subject Property Map



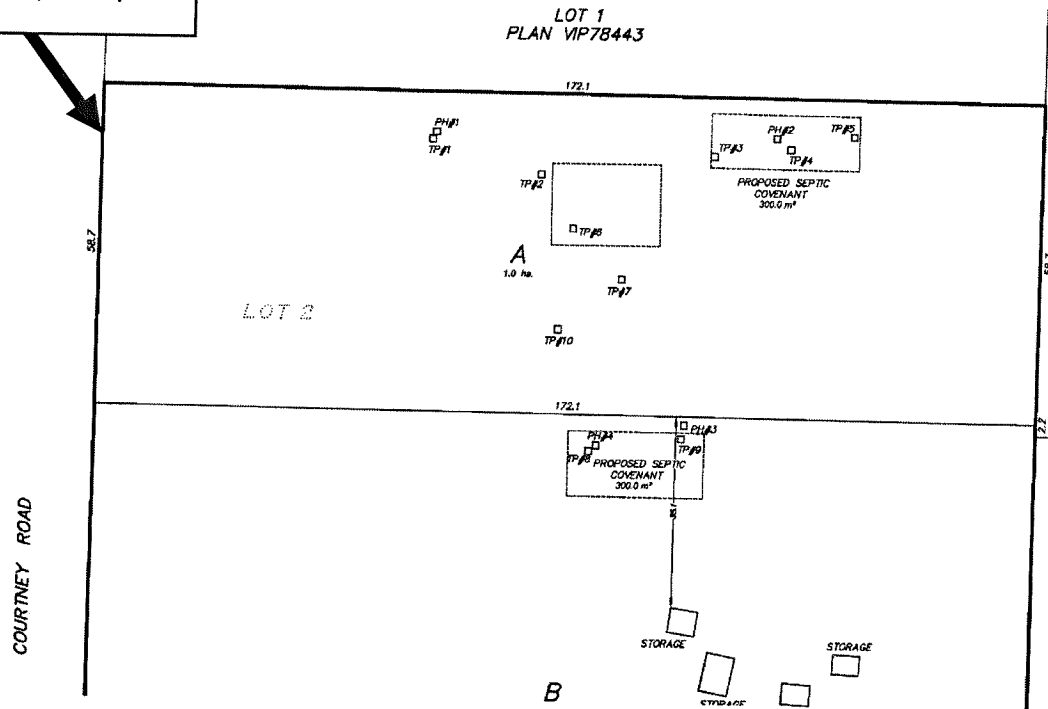
Attachment 2
Proposed Plan of Subdivision



Attachment 3
Proposed Lot Frontage

Proposed Lot No.	Required Lot Frontage (m)	Proposed Lot Frontage (m)	% of Perimeter
A	70	58.7	12.7

Lot A
Proposed Lot Frontage
58.7 m (12.7%)



TO: Electoral Area Services Committee **DATE:** January 10, 2017

FROM: Frank Limshue
Planner **FILE:** PL2016-134

SUBJECT: **Subdivision Application No. PL2016-134**
The West 60 Acres of Section 12, Range 1, Cedar District, Except Parcel A (DD6974N), and
Except Those Parts Within the Areas Outlined Red on Plans 573RW, 657RW and
1997RW, and Except Those Parts in Plans 7914, 23683 and EPP41405
2081 Lazy Susan Drive – Electoral Area 'A'

RECOMMENDATION

That five percent (5%) cash-in-lieu of parkland dedication in conjunction with Subdivision Application No. PL2016-134, be accepted.

SUMMARY

The applicant proposes a four lot subdivision on the lands known as 2081 Lazy Susan Drive. As this application for subdivision involves the creation of more than three parcels, the provision of parkland and/or cash-in-lieu is required, pursuant to Section 510 of the *Local Government Act*. The applicant is proposing parkland dedication. The recommendation is to require five percent cash-in-lieu rather than parkland as the proposal for park dedication is not in keeping with the Electoral Area 'A' OCP, Bylaw No. 1620 policies regarding parkland.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Richard Parrish to permit a four lot subdivision (including remainder). The subject property is approximately 8.13 hectares in area and is zoned Residential 2 (RS2) Zone, Subdivision District 'M' pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is located at 2081 Lazy Susan Drive, bound by Agricultural Land Reserve lands to the west and residential dwellings to the north, south and east (see Attachment 1 - Subject Property Map), and contains an existing dwelling unit, garage and workshop.

The subject property is designated Rural within the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011".

Proposed Development

The applicant is proposing a four lot subdivision with individual on-site septic system and on-site wells, which meet the minimum parcel requirements for approval with the health authority for a parcel and also meets the minimum parcel size requirements of Bylaw 500 for unserviced lots (see Attachment 2 – Plan of Subdivision).

As this application for subdivision involves the creation of more than three parcels and the smallest lot being created is less than 2 hectares, the provision of parkland and/or cash-in-lieu is required, pursuant to Section 510 of the *Local Government Act*. The RDN may require cash-in-lieu representing five percent of the predevelopment value of the land. Alternatively, the Regional District of Nanaimo may require five percent parkland dedication or a combination of parkland dedication and cash-in-lieu to the equivalent of five percent of the total subject property.

Parkland Dedication/Cash-in-Lieu

The applicant submitted the proposed parkland dedication as shown on Attachment 3 – Proposed Parkland Dedication. This proposal includes approximately 0.62 hectares which includes an area on the north side of Hemer Creek and the 10.0 metre riparian area along the creek.

Policy 10.2.3.d of the Electoral Area ‘A’ OCP, Bylaw No. 1620, 2011 states that, “generally, as environmentally sensitive lands cannot be developed, the protection of these lands should be in addition to the minimum parkland dedication requirements pursuant to the *Local Government Act*”. The applicant’s proposal to include lands within the riparian area as part of the parkland dedication for subdivision is not consistent with this OCP policy. As the proposal does not provide any connectivity to either the regional or community trail network staff from Parks Services and Current Planning recommend that the RDN seek cash-in-lieu of park dedication.

A Public Information Meeting was held on Thursday, November 10, 2016 at the Cedar Heritage Centre (see Attachment 4 – Summary of Public Information Meeting). The Electoral Area ‘A’ Parks, Recreation and Culture Commission considered the proposal at its November 16, 2016 meeting and recommended accepting five percent cash-in-lieu of parkland dedication (see Attachment 5 – Minutes of Electoral Area ‘A’ Parks, Recreation and Culture Commission Regular Meeting).

ALTERNATIVES

1. To accept a combination of parkland dedication and cash-in-lieu.
2. To accept park dedication only – the offer.
3. To accept cash-in-lieu only – the recommendation.

FINANCIAL IMPLICATIONS

Regional District of Nanaimo “Board Policy C1.2 Cash-in-lieu of Parkland” indicates where a cash-in-lieu option is pursued, an independent appraisal shall be required, the costs of which is to be shared equally by the developer and the RDN. It has been the practice for the RDN to have the developer cover the entire cost of the appraisal, and reduce the cash-in-lieu contribution by the RDN’s share of the appraisal costs. Should the Board approve cash-in-lieu; the funds will be directed to the “Capital Reserve for Parks

Cash in Lieu Electoral Area A” for future acquisition of parkland in Electoral Area ‘A’. Thus, the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLANNING IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal is consistent with the 2016-2020 Board Strategic Plan.

The RDN Strategic Priority “Focus on Organizational Excellence and Services” states “the RDN will deliver efficient and economically viable services that meet the needs of the Region”. The cash-in-lieu provides the opportunity for the RDN to be more strategic in future parkland acquisition, thus allowing the RDN to look at the costs/benefits for providing effective and efficient recreational amenities.

Frank Limshue

Frank Limshue

flimshue@rdn.bc.ca

December 2, 2016

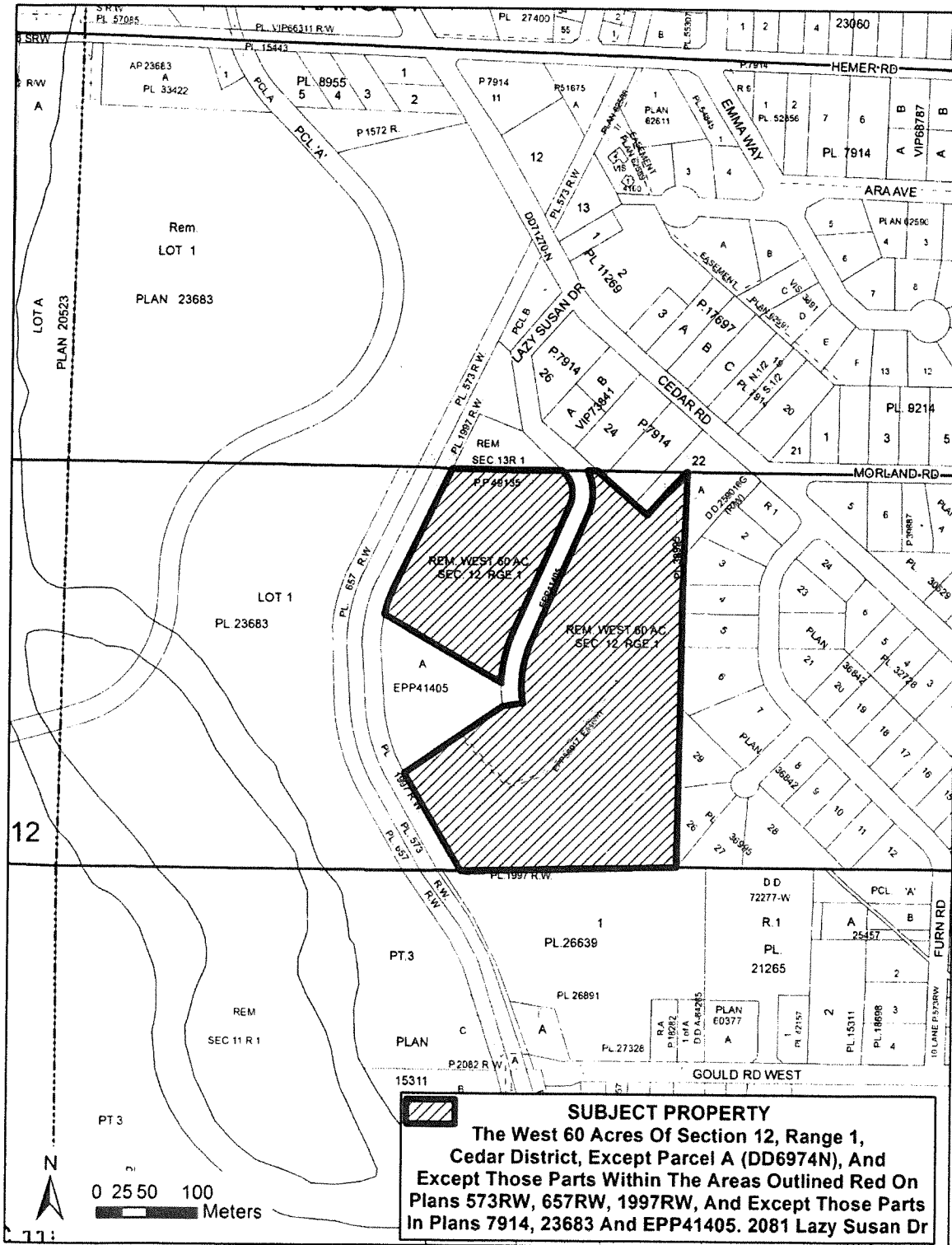
Reviewed by:

- Jeremy Holm, Manager, Current Planning
- Geoff Garbutt, GM Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

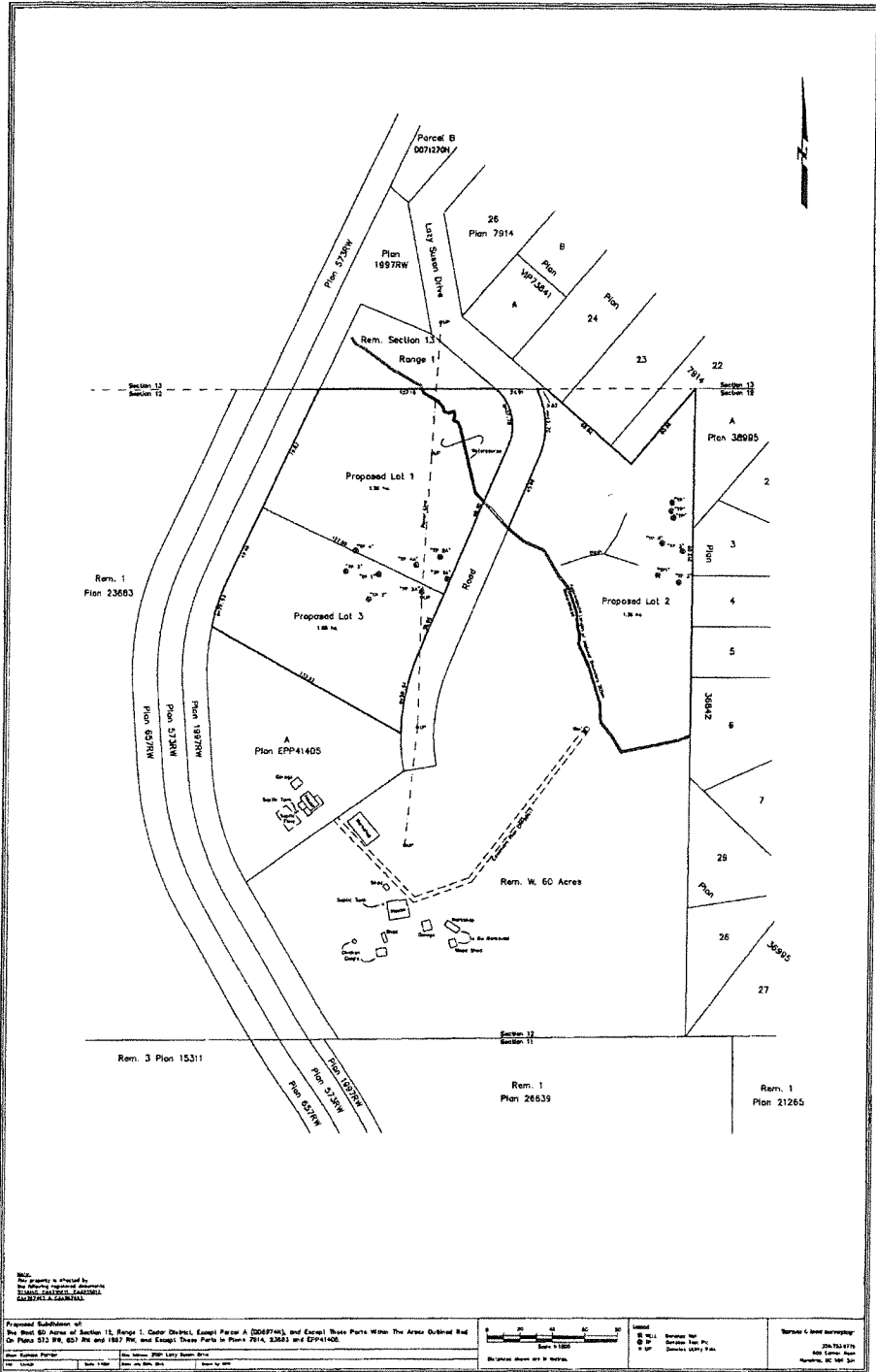
Attachments

1. Subject Property Map
2. Plan of Subdivision
3. Proposed Parkland Dedication
4. November 10, 2016 – Summary of Public Information Meeting
5. November 16, 2016 – Minutes of the Electoral Area ‘A’ Parks , Recreation & Culture Commission

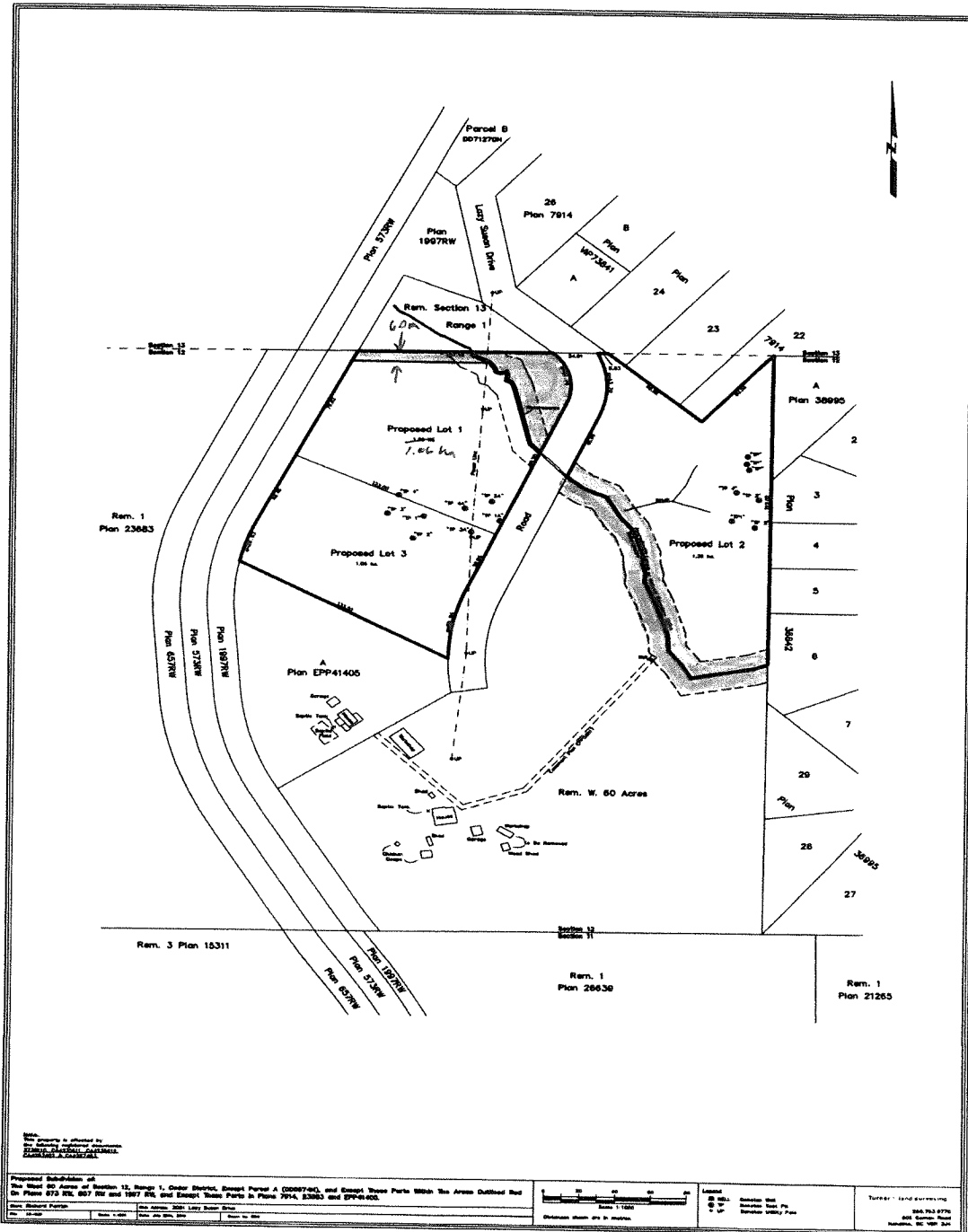
**Attachment 1
 Subject Property Map**



Attachment 2 Plan of Subdivision



Attachment 3
Proposed Parkland Dedication



Attachment 4

**Summary of the Public Information Meeting
Held at Cedar Heritage Centre
1644 MacMillan Road, Nanaimo
Thursday, November 10, 2016 at 6:30 pm**

Note: This summary of the meeting is not a verbatim recording of the proceedings, but is intended to summarize the comments and questions of those in attendance at the PIM.

There were eighteen (18) members of the public in attendance at this meeting.

Present for the Regional District of Nanaimo:

Director Alec McPherson, Electoral Area 'A' (the Chair)
Jeremy Holm, Manager, Current Planning
Frank Limshue, Planner

Present for the Applicant:

Richard Parrish (Agent)

The Chair opened the meeting at 6:30 pm, outlined the evening's agenda, and introduced the RDN staff and the applicant (Richard Parrish). The Chair then stated the purpose of the Public Information Meeting and asked RDN staff to provide background information concerning the development application.

Frank Limshue provided a brief summary of the proposed overview of the following:

- The proposed subdivision and the requirement for 5% park dedication;
- Explanation of parkland requirements under the Act;
- Options available – 5% park land dedication, cash-in-lieu, or combination thereof;
- Lands in riparian zone would not count as parkland; and
- Explained applicant's proposal for parkland dedication.

The Chair invited the applicant to give a presentation of the development proposal.

Richard Parrish presented an overview of the proposed subdivision and explained the rationale for the proposed parkland dedication. He indicated that the proposed parkland dedication would provide a link to a possible future trail within the waterline right-of-way to the west of the property.

Following the presentation, the Chair invited questions and comments from the audience.

Dave Nordman, 2170 Mundie Road asked if none of the proposed parklands are taken will the lands be incorporated back into the proposed lots for park.

Richard Parrish responded yes.

Sean Roberts, 1990 Lazy Susan asked if there would be a bridge crossing over the creek along the panhandle portion.

Richard Parrish indicated yes, a pedestrian bridge may be required if park dedication is provided and a trail connection to the Harmac pipeline is constructed.

Jacques Salomonson, 2151 Furn Road asked if the land is in the ALR.

Richard Parrish confirmed the land is not in the ALR.

Sean Roberts 1990 Lazy Susan asked about the existing covenant along the riparian area for proposed Lot 1?

Richard Parrish confirmed that the covenant is still in place.

Jennifer McWilliam, 2037 Furn Road noting that there is an existing drainage pipe between Lots 3 and 4 on Furn Road, asked how the drainage will be dealt with.

Richard Parrish stated that the drainage will need to be addressed at time of construction.

Ms. Cavezza, 1999 Cedar Road expressed concern about future access to allow for the future subdivision of adjacent Lot 23.

Sean Mehrer, 2152 Gould Road West asked if there were plans for more subdivision in the future.

Richard Parrish stated there is potential for 8 lots; however, further subdivision would depend on costs and the availability of water.

Sean Roberts, 1990 Lazy Susan commented any plans to upgrade existing road as it is muddy; bridge over water course will need to be designed to Ministry standards; and are there restrictions on type of vegetation planned in the park?

Dalys Barney, 2045 Furn Road asked can the applicant carry on with his proposed park dedication.

Staff confirmed that RDN Board has final say on requiring parkland vs. cash-in-lieu.

Jim Fiddick, 1431 Leask Road stated that he was against having any more pocket parks as the Regional District has enough in Area A.

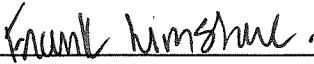
Dave Nordman, 2170 Mundie Road asked if the money collected through cash-in-lieu could be used for park acquisition in other Electoral Areas.

Staff confirmed funds collected in Electoral Area A must be used for park acquisition in Area A.

The Chair asked if there were any further questions or comments.

Being none, the Chairperson thanked those in attendance and announced that the Public Information Meeting was closed.

The meeting was concluded at 7:27 pm.



Frank Limshue
Recording Secretary

Attachment 5

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA 'A' PARKS, RECREATION AND
CULTURE COMMISSION REGULAR MEETING
HELD WEDNESDAY, NOVEMBER 16, 2016
7:00PM**

(Cedar United Church)

Attendance: Alec McPherson, RDN Director, Chair
Jim Fiddick
Graham Gidden
Andrew Thornton
John O'Connor
Patti Grand

Staff: Hannah King, Superintendent of Recreation Program Services
Elaine McCulloch, Parks Planner
Ann-Marie Harvey, Recording Secretary

Regrets: Angela Davies
Bernard White
Kerri-Lynne Wilson

CALL TO ORDER

Chair McPherson called the meeting to order at 7:05pm.

DELEGATIONS/PRESENTATION

None

MINUTES

MOVED Commissioner O'Connor, SECONDED Commissioner Grand that the Minutes of the Regular Electoral Area 'A' Parks, Recreation and Culture Commission meeting held September 21, 2016 be adopted.

CARRIED

BUSINESS ARISING FROM THE MINUTES

Roadside Trails

Chair McPherson suggested, due to the inclement weather, that the Commission wait until the spring to visit possible roadside trails in the area.

Commissioner Fiddick provided photos of the fallen timber left in Ivor/Glynneath Park after the hazard tree work was completed. He expressed concern that the trees might be left on the ground as they significantly impact the usage of the park. The photos illustrate the volume of wood and the trees blocking much of the park. He requested the RDN look into the possibility of salvaging and selling the wood with the proceeds going back into the Electoral Area 'A' Community Parks budget. Ms. McCulloch will speak with Ms. Marshall and M. Dobbs to discuss any options that might be available.

Cedar Heritage Centre Agreement

MOVED Commissioner O'Connor, SECONDED Commissioner Gidden that the Lease and Site License Agreement with Cedar School and Community Enhancement Society (CSES) be extended for a two year term (January 1, 2017- December 31, 2018)

CARRIED

COMMUNICATIONS/CORRESPONDENCE

None

REPORTS

Monthly Update of Regional and Community Parks and Trail Projects – September 2016 (Handout)

Ms. McCulloch updated the Commission on the EA parks information, noting that construction of the Cedar Plaza Kiosk will begin at the end of November with completion by the end of the year. She has not heard back from the North Cedar Improvement District regarding the RDN's request for a water connection to Cedar Plaza.

Ms. McCulloch provided photos of the new rock stairs at the Shasta Road beach access installed by the developer of the home beside the access. The stairs comply with the conditions of the Development Permit with Variance and are to the satisfaction of the RDN Parks Manager. Ms. McCulloch asked the Commission if this access is one they would like to prioritize as a beach access for signage. If so, a railing would need to be installed on the stairs. This item is not currently in the 2017 budget.

Commissioner Fiddick provided some photos of the Shasta Road foreshore revetment and voiced his concerns about its encroachment onto the beach. Director McPherson advised that professionals oversaw all the works as per the Development Permit with Variance. Commissioner Fiddick noted that he also noticed that this property owner was damming the stream and redirecting the flow down the trail. He will email Ms. McCulloch some photos and she will contact MOTI to inquire about the damming.

Subdivision Application No. PL2016-134 Cash-in-lieu of Parkland

MOVED Commissioner Fiddick, SECONDED Commissioner Gidden that five percent (5%) cash-in-lieu of parkland dedication in conjunction with Subdivision Application No. PL2016-134, be accepted.

Driftwood Stairs Update – (Verbal)

Ms. McCulloch gave the Commission an update of the Driftwood Stairs project plan and budget. The next step will be to go to public consultation. Ms. McCulloch suggests having an open house at the beach access so attendees can discuss the area's needs on site. Commissioners are encouraged to attend.

MOVED Commissioner O'Connor, SECONDED Commissioner Grand that staff move forward to the public consultation phase of the development of the Driftwood Rd. Beach Access.

CARRIED

Cedar Heritage Centre Update (Verbal)

Ms. King gave an update of the Cedar Heritage Centre, noting as part of the building maintenance, new blinds had been purchased.

Ms. King told the Commission of a request from the CSES board to convert the middle room in the centre that is now used for storage/office space to a display area for heritage items. She gave an idea of what it could look like. Staff has asked CSES to bring a plan to staff for January and then it can be determined where the funding would come from.

MOVED Commissioner Grand, SECONDED Commissioner O'Connor that the reports be received.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NONE

NEW BUSINESS

Island Health Grant

Ms. King told the Commission about the Island Health Grant that the RDN received in the amount of \$154,933, of which \$7,290 is allocated to Electoral Area 'A' for funding for community wellness.

The Commission discussed different possible uses for the funds and the groups that could use it to its best benefit. Ms. King gave examples of how the funds are being used in other areas.

MOVED Commissioner Grand, SECONDED Commissioner Thornton that staff liaise with School District staff and Cedar School and Community Enhancement Society to get their ideas as how to use the Island Health Grant money best and bring it back to the Electoral Area A Parks Recreation and Culture Commission at the next meeting.

CARRIED

COMMISSIONER ROUND TABLE

Commissioners provided community updates to the Committee.

Commissioner O'Connor voiced his disappointment in the lack of applicants for the last Grant in Aid period. He mentioned a Performance Recognition Program he read about in another area and thought it would be a good thing for Area 'A'.

MOVED Commissioner Gidden, SECONDED Commissioner O'Connor that staff come forward with Performance/Volunteer Recognition templates to the next Electoral Area A Parks Recreation and Culture commission meeting for discussion.

CARRIED

IN CAMERA

MOVED Commissioner Gidden, SECONDED Commissioner O'Connor that pursuant to Section 90(1) (e) of the Community Charter the Committee proceed to an In Camera Committee meeting to consider items related to land issues.

Time: 8:50

ADJOURNMENT

MOVED Commissioner Gidden, SECONDED Commissioner O'Connor that the meeting be adjourned at 9:05pm.

CARRIED

Chair

TO: Electoral Area Services Committee **Meeting:** January 10, 2017

FROM: Angela Buick
Planner **FILE:** PL2016-161

SUBJECT: **Zoning Amendment Application No. PL2016-161**
Lot 7, DL 8, Cameron District, Plan EPP10381
Pratt Road – Electoral Area ‘F’
Amendment Bylaw 1285.27, 2017 – First and Second Reading

RECOMMENDATIONS

1. That “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017”, be introduced and read two times.
2. That the Public Hearing on “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017”, be chaired by Director Julian Fell or his alternate.
3. That the conditions set out in Attachment 2 be completed prior to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017” being considered for adoption.

SUMMARY

The applicant proposes to rezone the subject property from the FR-1 Zone (Forestry/Resource 1), to a new FR-2 Zone (Forestry/Resource 2) to permit a second dwelling unit on the property and add secondary suite as an accessory use. Given that the application is consistent with the Official Community Plan (OCP), maintains the rural character of the area and does not propose a regionally significant land use change, the optional Public Information Meeting was waived.

It is recommended that “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017” be granted first and second reading and that the requirements set out in Attachment 2 are to be completed by the applicant prior to the Board’s consideration of the Bylaw for adoption.

BACKGROUND

The Regional District of Nanaimo has received an application from Maureen Pilcher & Associates Inc. on behalf of Wayne and Pamela Potts to rezone the subject property in order to permit a second dwelling unit and accessory secondary suites (one per dwelling). The subject property is approximately 5.6 hectares in area and contains one dwelling unit (see Attachment 4 – Proposed Site Plan). The property is

located north, south and east of lands zoned FR-1 (Forestry/Resource 1) and west and east of R-1 (Rural 1) zoned lands. Further, the property is accessed from Pratt Road and is surrounded by heavily forested Rural/Residential land (see Attachment 1).

Proposed Development

The applicant proposes to rezone the subject property from FR-1 (Forestry/Resource 1), to a new FR-2 zone (Forestry/Resource 2) to permit a second dwelling unit and accessory secondary suites. The development is proposed to be serviced by an existing well and on-site septic system (see Attachment 4 – Proposed Site Plan).

Official Community Plan Implications

The subject property is designated Resource Lands pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1152, 1999.” The General Policies section within the Resource Land Use Designation supports rural and resource activities on lands that have been removed from the Forest Land Reserve. As the Forest Land Reserve is no longer applicable to the subject property and the proposed uses are consistent to those supported within the Rural Land Use Designation, the proposed amendment is consistent with the Official Community Plan General Policies.

Land Use Implications

The existing zoning permits one Dwelling Unit, Farm Use, Log Storage and Sorting Yard, Primary Mineral Processing, Silviculture, Wood Processing as principal uses. Accessory Buildings and Structures, Farm Business and Home Based Business are permitted as accessory uses. The proposed FR-2 (Forestry/Resource) Zone would allow the same uses and increase the number of permitted dwelling units from one dwelling unit per lot to two dwelling units per lot (see Attachment 5 – Proposed Amendment Bylaw 1285.27, 2017). In addition, secondary suites would be permitted as an accessory use and subject to the general secondary suite regulations of the Electoral Area ‘F’ Zoning Bylaw. A maximum of one secondary suite per dwelling unit would be permitted, one of which could be contained within an accessory building. It is recommended that the applicant be required to register a Section 219 Covenant on the property title to prevent the stratification of the dwelling units by Building Strata pursuant to the *Strata Property Act*.

As the applicant is proposing to utilize an existing well and on-site septic system to service the second dwelling unit, it is recommended the applicant obtain the appropriate approvals from Island Health for domestic water supply to the proposed second dwelling unit prior to the final adoption of the amendment bylaw (see Attachment 2 – Conditions of Approval). In recognition of the increased development potential that would be achieved through rezoning the subject property, the applicant is offering a community amenity contribution in the form of \$1,000 towards local park improvements in Electoral Area ‘F’ (see Attachment 2 - Conditions of Approval).

As an alternative to the proposed FR-2 zone, an additional site specific zone could be added to the site specific zoning section of the Electoral Area ‘F’ Zoning Bylaw (Site Specific Zoning Regulations – Section 4.23). Such an approach would have the same land use implications without the need for the creation of an additional zone.

Intergovernmental Implications

The application was referred to the local fire department, Vancouver Island Health Authority and the Ministry of Transportation and Infrastructure for review and comment. All three agencies have advised that they do not have any concerns with the proposed amendment.

Public Consultation Implications

Given that the application is consistent with the OCP policy, maintains the rural character of the area and does not propose a regionally significant land use change, the optional Public Information Meeting was waived.

In accordance with Section 464 of the *Local Government Act*, should the Board grant first and second reading to the amendment bylaw, a Public Hearing is required to be held or waived prior to the Board's consideration of third reading. The purpose of the Public Hearing is to provide an opportunity for those who believe that their interest in their property is affected by the proposed bylaw to be heard by the Regional Board. In addition, the Regional Board may delegate the Public Hearing by resolution in accordance with Section 469 of the *Local Government Act*. Therefore, it is recommended, should the Board grant first and second reading to the proposed amendment bylaw, that a Public hearing be held in accordance with Section 464 of *The Local Government Act* and that the Public Hearing be delegated to Director Julian Fell or his alternate.

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2016-161, consider first and second reading of the Amendment Bylaw and proceed to Public Hearing.
2. To not proceed with the Amendment Bylaw readings and Public Hearing.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Angela Buick
abuick@rdn.bc.ca
December 21, 2016

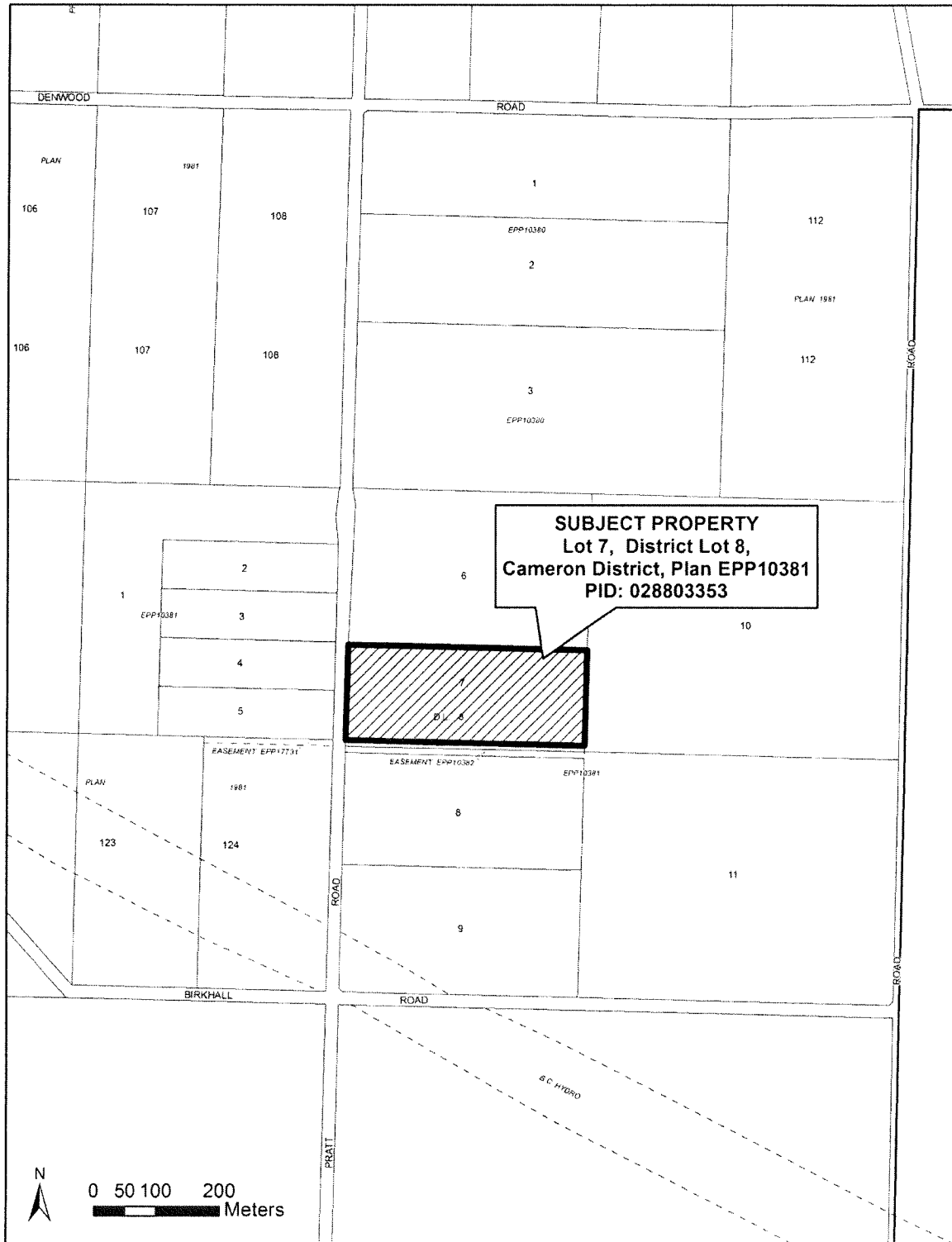
Reviewed by:

- Tyler Brown, Acting Manager, Current Planning
- Paul Thompson, Acting General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer Attachments

Attachments:

1. Subject Property Map
2. Conditions of Approval
3. Proposed Zoning Map
4. Proposed Site Plan
5. Proposed Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017

Attachment 1
Subject Property Map

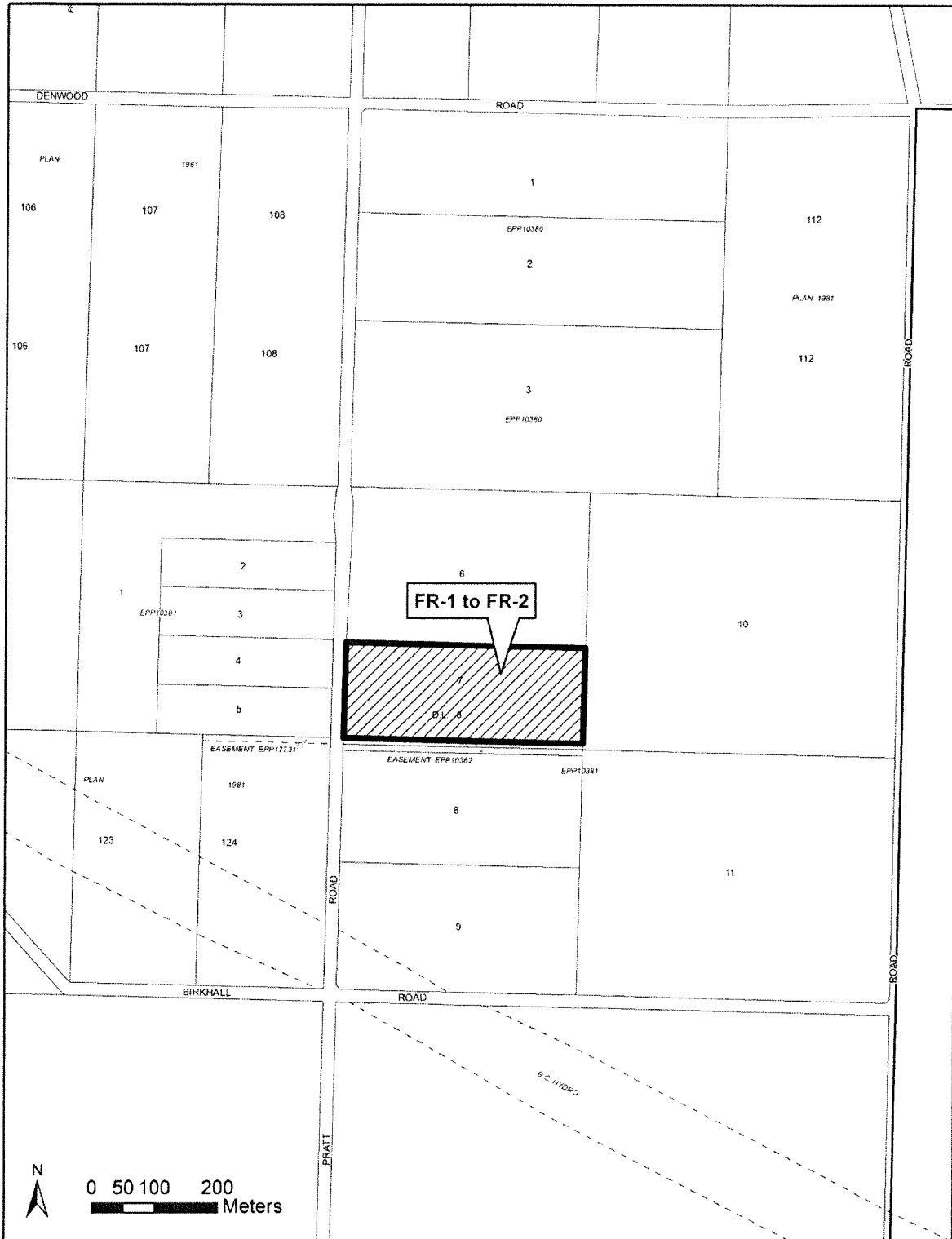


Attachment 2
Conditions of Approval

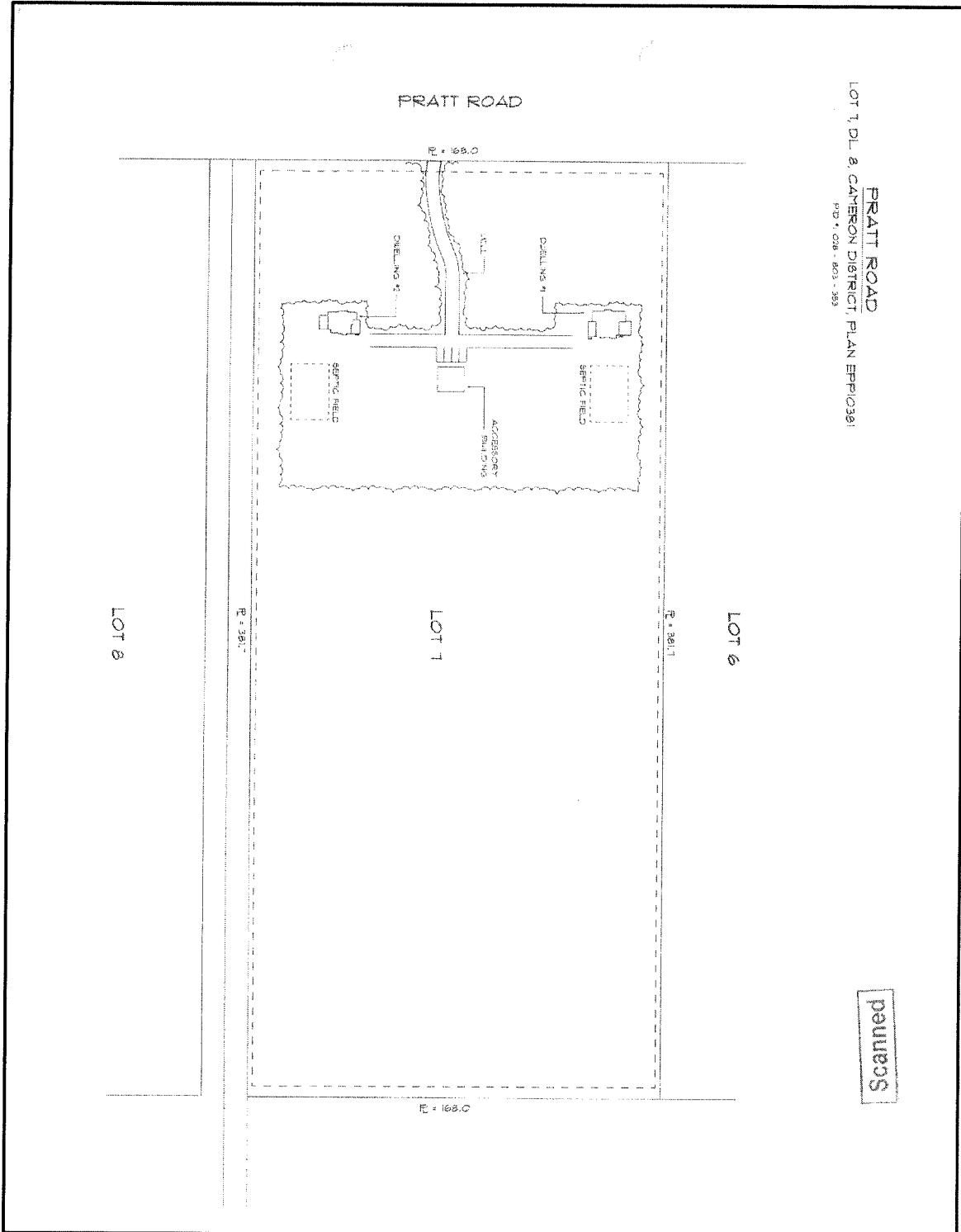
The following is required prior to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017” being considered for adoption:

1. The applicant shall provide a voluntary community amenity contribution in the amount of \$1,000 to Electoral Area ‘F’ Parks Reserve Fund to be used for local park improvements.
2. The applicant shall obtain the appropriate approvals from Island Health for domestic water supply to the proposed second dwelling unit prior to adoption of Bylaw 1285.27, 2017.
3. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title prohibiting Building Strata, pursuant to the *Strata Property Act*, on the subject property.

Attachment 3 Proposed Zoning Map



**Attachment 4
Proposed Site Plan**



Attachment 5
Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision
Amendment Bylaw No. 1285.27, 2017

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.27**

**A Bylaw to Amend Regional District of Nanaimo
Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002**

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 Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017".
- B. "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:
 - 1. Under the Table of Contents - SECTION 4 – ZONES, by adding the following zoning classification and corresponding short title after FR-1 Forestry/Resource 1:

FR-2 – Forestry/Resource 2 4.6 A/10
 - 2. Under SECTION 2 – GENERAL REGULATIONS, 2.14 Signs, Table 2.1 – Sign Regulations, a., by inserting "FR-2" after "FR-1"; 2.18 Secondary Suites, 1., by inserting "FR-2" after "R-4"; and 3.1 Establishment of Zones, Table 3.1 – Zones, by inserting "FR-2" after "FR-1".
 - 3. By adding Section 4.6 A, (FR-2 - Forestry/Resource 2) as shown on Schedule '1' which is attached to and forms part of this Bylaw.
 - 4. On Schedule "B" – Zoning Map by rezoning the lands shown on the attached Schedule '2' and legally described as Lot 7, District Lot 8, Cameron District, Plan EPP10381 from FR-1 – (Forestry/Resource 1) to FR-2 – (Forestry/Resource 2).

Introduced and read two times this ___th day of __, 201X.

Public Hearing held this ___th day of __, 201X.

Read a third time this ___th day of __, 201X.

Adopted this ___th day of __, 201X.

Chairperson

Corporate Officer

Chairperson

Corporate Officer

Schedule '1'

FR-2 – FORESTRY/RESOURCE 2

SECTION 4.6 A

4.6.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Agriculture
- c) Log Storage and Sorting Yard
- d) Primary Mineral Processing
- e) Silviculture
- f) Wood Processing

4.6.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Farm Business
- c) Home Based Business
- d) Secondary Suite

4.6.3 Regulations Table

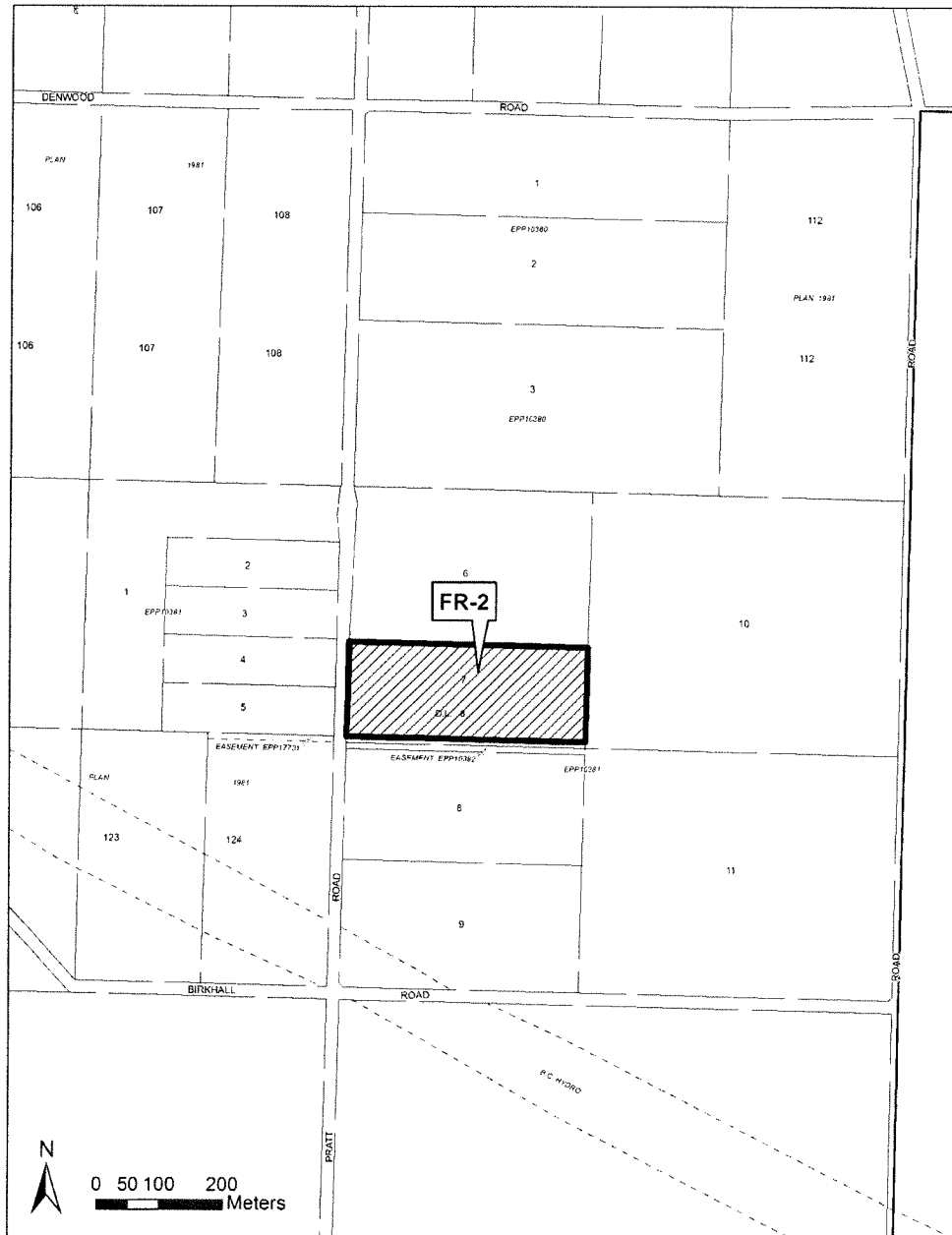
Category	Requirements
a) Maximum Density	1 Dwelling Unit per ha to a maximum of 2 Dwelling Units per lot
b) Minimum Lot Size	50 ha
c) Minimum Lot Frontage	400 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from	4.5 metres
i) Front and Exterior Side Lot Lines	2 metres
ii) All Other Lot Lines	
g) Minimum Setback of all agricultural buildings, structures and uses	Refer to Section 2 – General Regulations
h) Minimum Setback of all buildings or structures for primary mineral processing from all watercourses	30 metres
i) General Land Use Regulations	Refer to Section 2 – General Regulations

Schedule '2' to accompany "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.27, 2017"

Chairperson

Corporate Officer

Schedule '2'



TO: Electoral Area Services Committee **MEETING:** January 10, 2016

FROM: Angela Buick
Planner **FILE:** PL2016-131

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in Relation to Subdivision Application No. PL2016-131
Lots 81, 82, 83 and 84, District Lot 78, Nanoose District, Plan 51142
2221, 2225, 2237 Chelsea Place – Electoral Area 'E'

RECOMMENDATION

That the Board approve a request to relax the minimum 10% perimeter frontage requirements for proposed Lot B in relation to Subdivision Application No. PL2016-131.

SUMMARY/CONCLUSIONS

The applicant has requested a relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B within a proposed three lot subdivision of the subject properties. All proposed lots would exceed the minimum parcel size requirement and provide adequate site area for the intended residential use with sufficient buildable site area. Despite the reduced frontage, no negative land use implications are anticipated, and Ministry of Transportation and Infrastructure staff have confirmed that they have no concerns with the requested frontage relaxation. It is recommended that the requested frontage relaxation be approved.

BACKGROUND

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd on behalf of Brigit Albiston (Lot 81), Carl Eddison and Jane Head (Lot 82 & 83) and John and Lorraine Jacobson (Lot 84) to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to a boundary adjustment subdivision.

The subject properties consist of four lots; Lot 81, 82, 83 and 84 totaling an area of 0.753 hectares. The subject property owners each want to purchase a portion of Lot 83 and consolidate it into their existing lots. In order to accomplish this, the applicant is proposing to dissolve Lot 83 (855.9 m² in size) by adjusting the lot line boundaries to create three new lots; Lot A, B, and C, 0.229 hectares, 0.290 hectares, and 0.234 hectares in size, respectively. The subject properties are zoned Residential 1 (RS1) Zone, Subdivision District 'P', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The properties are located to the north of Chelsea Road, and south, east and west of other Residential Zoned lots (see Attachment 1 – Subject Property Map).

Currently, Lot 81, 82, and 84 each contain a dwelling unit whereas Lot 83 is vacant. The proposed subdivision, which would eliminate the vacant lot, and would result in Lot A, B and C each containing one dwelling unit. These lots are serviced by Regional District of Nanaimo (RDN) community water and sewer service areas.

Minimum 10% Perimeter Frontage Requirement

Proposed Lot B does not meet the minimum 10% perimeter frontage requirement pursuant to Section 512 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% of Perimeter
B	37.95	9.14	2.4

Land Use Implications

The applicant has submitted a site plan with lot area calculations outlining the proposed subdivision and requested frontage relaxation. The existing frontage to Lot 81 is 9.14 metres and is proposed to remain unchanged as the frontage to new Lot B. The size of the perimeter of new Lot B is greater than the perimeter of existing Lot 81 and as such the frontage of new Lot B is a smaller percentage of the parcel perimeter. Due to topography constraints the road frontage could not be increased as part of the new site configuration. Therefore, the applicants are confined to the constraints of the existing road frontage. The applicants’ rationale meets the evaluation criteria in “Board Policy B1.4 Frontage Requirements for Rural Lots”.

Proposed Lot A, B and C each would have future subdivision potential. Pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw 500, 1987” Part 4, Subdivision Regulations each lot must meet a minimum of 10 meters road frontage when a lot being created has future subdivision potential. As the frontage of proposed Lot B is less than 10 metres and has enough land area for future subdivision, the applicant has agreed to enter into a Section 219 Covenant restricting Lot B to no further subdivision.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure has reviewed the application and has issued a Preliminary Layout Approval for the proposed subdivision. Ministry staff have confirmed that they have no concerns with the proposed frontage relaxation.

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B as shown on Attachment 3.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2016 – 2020 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2016 – 2020 Board Strategic Plan.



Angela Buick
abuick@rdn.bc.ca
December 22, 2016

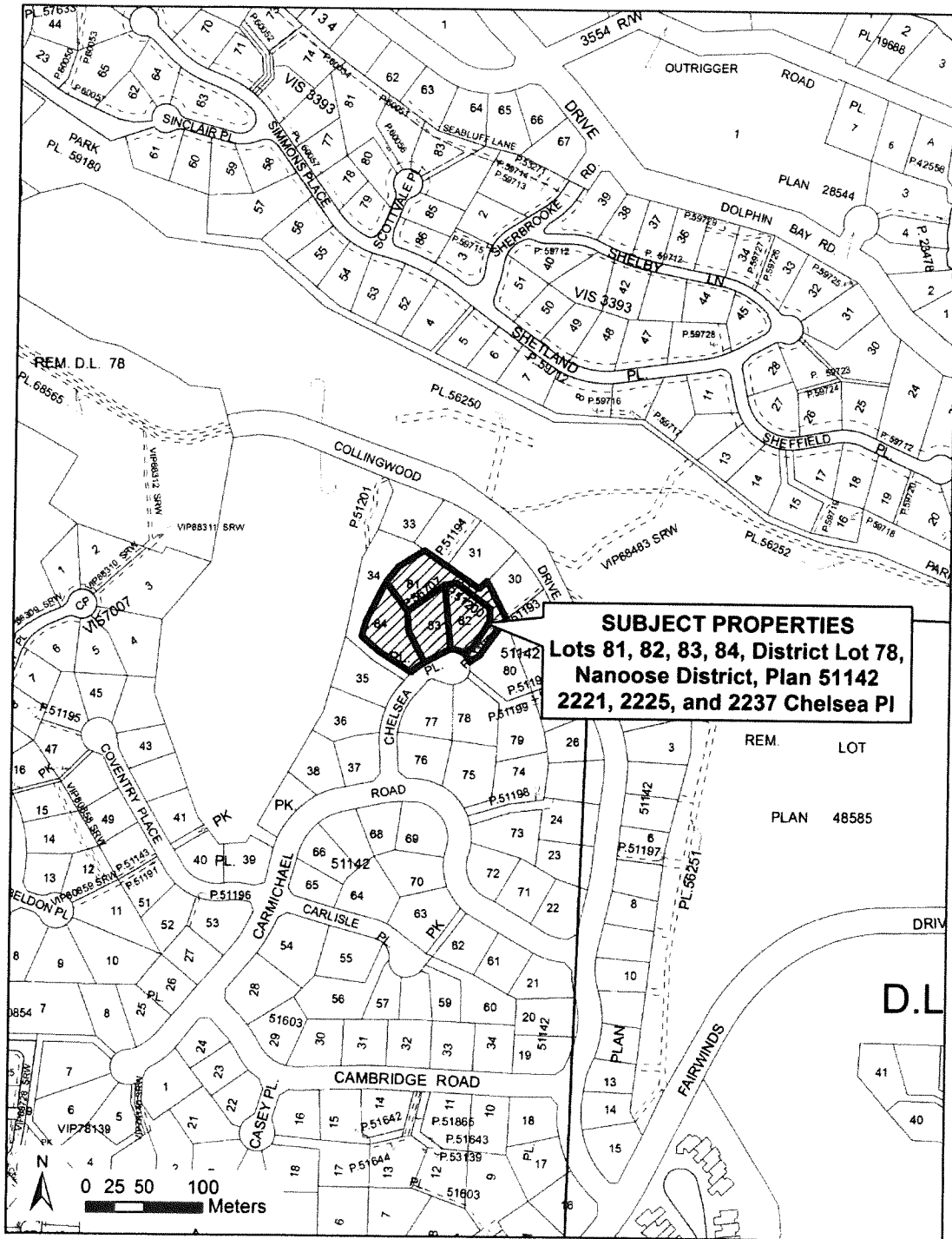
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Conditions of Permit
3. Proposed Plan of Subdivision

**Attachment 1
 Subject Property Map**



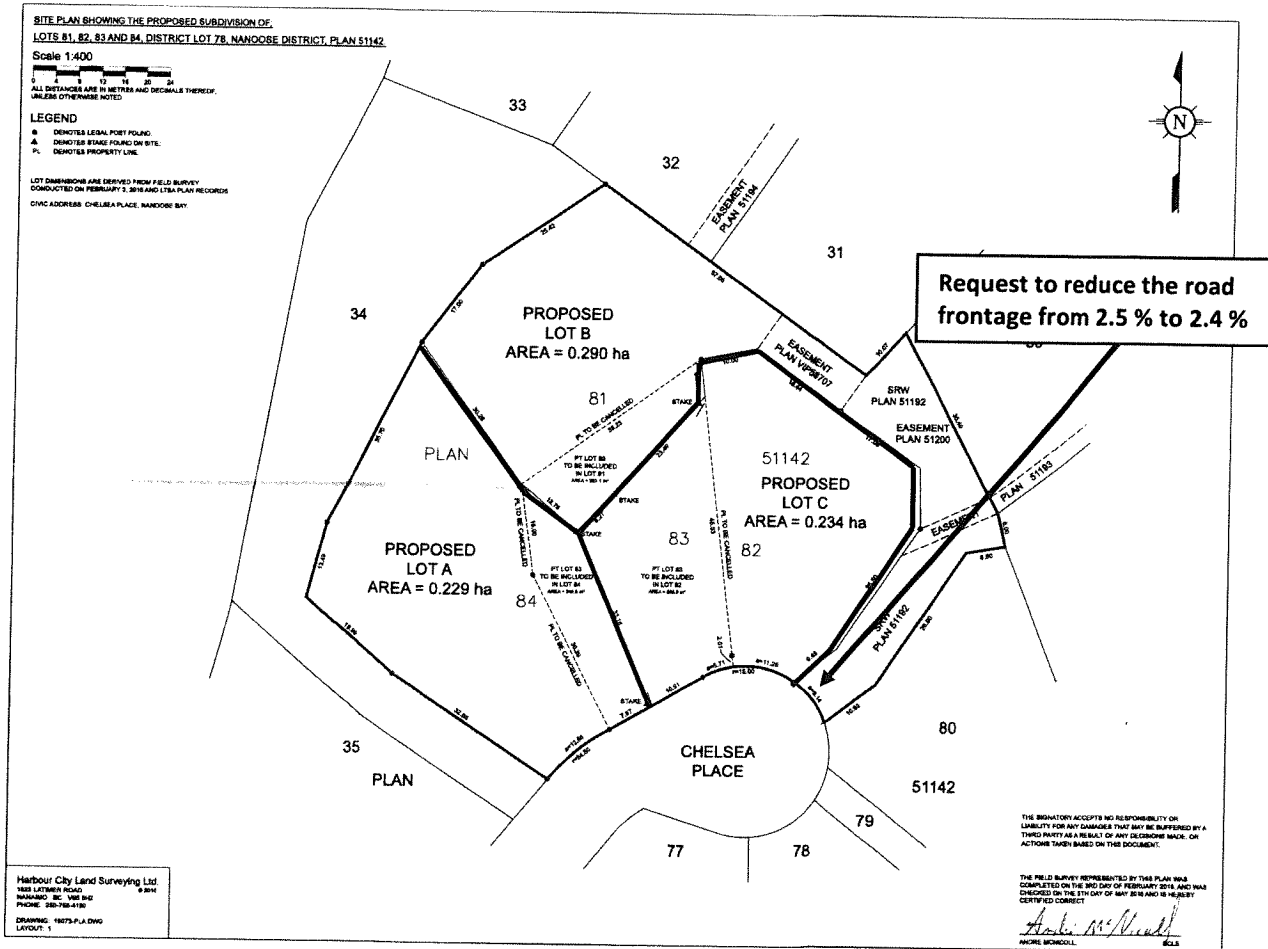
Attachment 2
Conditions of Permit

The following sets out the conditions of Development Permit No. PL2016-131:

Conditions of Approval

1. The site is developed in accordance with the Survey Plan prepared by Harbour City Land Surveying Ltd., dated May 5, 2016 and attached as Attachment 3.
2. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a Section 219 Covenant on the property title restricting the use of proposed Lot B to no further subdivision.
3. The property owner shall obtain the necessary permits for construction in accordance with the "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 1250, 2001" as replaced or amended.

Attachment 3 Proposed Plan of Subdivision



TO: Electoral Area Services Committee **MEETING:** January 10, 2017

FROM: Tyler Brown
Intergovernmental Liaison

SUBJECT: Electoral Area Telecommunication Antenna System Consultation and Information Policy

RECOMMENDATIONS

1. That the attached policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy.
2. That "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" be introduced and read three times.
3. That "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" be adopted.

SUMMARY

A draft of the Electoral Area Telecommunication and Antenna System Consultation and Information Policy and the "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" amendment bylaw were initially presented to the Electoral Area Services Committee (EASC) at the October 11, 2016, meeting. The EASC recommended that the proposed policy and amendment bylaw be referred back to staff for additional considerations. Minor amendments were made to the draft policy and both the policy and the bylaw were presented to the EASC at the November 22, 2016 meeting and they were again referred back to staff for additional considerations.

Based on the direction received and comments heard at both EASC meetings, revisions to the draft policy have been made to require proponents to provide the Regional District of Nanaimo (RDN) with a map illustrating the maximum radiofrequency emission levels, as a function of watts per square metre, at ground level within 1000 metres of a proposed telecommunication antenna system; and explicitly state that co-location and taller towers are an important objective of the policy. The changes are highlighted in the draft policy attached (see pages 4, 5, 8 and 9 of Attachment 1). Industry was also consulted on the proposed application fee. Based on EASC Director comments that an application fee for a telecommunication antenna system should discourage shorter towers, a flat fee of \$4000 per application is now proposed rather than the previous fee proposal which was based on the tower/structure height.

It is recommended that the attached draft policy titled Electoral Area Telecommunication and Antenna System Consultation and Information Policy be adopted as a Board policy and that the RDN Planning Services Fees and Charges Bylaw be amended to help recover the costs associated with processing telecommunication infrastructure applications.

BACKGROUND

A draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy and the "Regional District of Nanaimo Planning Services Fees And Charges Bylaw No. 1259.11, 2016" amendment bylaw were presented to the EASC at the October 11, 2016 and the November 22, 2016 meetings. At both meetings the EASC referred the proposed policy and amendment bylaw back to staff for additional considerations.

ALTERNATIVES

1. To adopt the amended draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy and amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" as proposed to include applications for telecommunication infrastructure.
2. To adopt the amended draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy and amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" to include applications for telecommunication infrastructure with additional revisions, or amendments as directed by the Board.
3. To not adopt the amended draft Electoral Area Telecommunication and Antenna System Consultation and Information Policy as a Board policy nor amend the "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" to include applications for telecommunication infrastructure, and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Discussions at the October 11, 2016 EASC meeting regarding a proposed fee for processing telecommunication infrastructure applications centred on whether charging an application fee based on the tower height would incentivize industry proponents to build shorter towers to avoid the fees associated with constructing a taller tower¹. Following the meeting, an industry proponent was consulted on whether the application fee as proposed would deter or influence the type of tower they would pursue. Staff were informed that typically a local government's application fee is a minor cost in comparison to other expenses associated with site selection and tower construction and the fee proposed would not influence the type of tower they pursue.

At the December 6, 2016 Board meeting, the Board provided direction to consider whether the cost of an application fee should be reduced or potentially eliminated if a tower proposal accommodates more than one telecommunication provider. Section 3 of CPC-2-0-03 and CPC-2-0-17, the Innovation, Science and Economic Development Canada (ISED) procedures governing telecommunication infrastructure deployment, require that prior to building a new antenna supporting structure, proponents must consider sharing an existing antenna system or locate, analyze and attempt to use any feasible existing

¹ The fee for a telecommunication antenna system application was originally proposed to be determined by the tower height. A base application fee of \$1500 was proposed, with an additional \$100 increase for each metre in height over 15.0 metres.

infrastructure such as rooftops, water towers or other structures. This requirement is reflected in the RDN draft policy and proponents would be required to provide evidence to the RDN Board on why co-location is not possible. Co-location is an expressed priority of ISED and will also be an expressed priority of the RDN if the draft policy is adopted. Therefore, eliminating the application fee for proposals that accommodate multiple carriers to make co-location attractive to industry proponents is not required.

Unlike other development applications, there currently is no cost recovery mechanism for staff time spent on reviewing and processing telecommunication infrastructure applications. Therefore, the entire expense incurred processing telecommunication infrastructure proposals by the RDN is funded through service area requisitions. At a minimum, under the ISED mandated process, each application takes over three months to process and staff must meet with industry proponents, respond to public inquiries on a specific proposal, review application materials and prepare a Board report if industry requests siting concurrence.

Members of the public have strong opinions with respect to proposals in their local area. As such, a significant amount of staff time is spent responding to public inquiries. Based on prior Board feedback and feedback received from members of the public through various applications, the draft Electoral Area Telecommunication Antenna System Consultation and Information Policy proposes to increase the consultation radius and require newspaper notification. Therefore, it is anticipated that staff will field more public inquiries regarding telecommunication infrastructure applications in the future. In addition to an increased notification, the proposed policy also requires the proponent to hold a public information meeting which would typically be attended by RDN staff.

A flat fee of \$4000 per application is proposed to contribute towards recovering RDN costs associated with processing telecommunication infrastructure applications (see Attachment 2 – Planning Services Fees and Charges Amendment Bylaw). This is generally consistent with application fees charged by other jurisdictions.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the 2016 – 2020 Board Strategic Plan and note that the Electoral Area Telecommunication Antenna System Consultation and Information Policy is consistent with the RDN strategic priority of Focusing on Relationships as it requests increased public consultation on telecommunication infrastructure proposals, improving two-way communication between industry proponents and the public and industry proponents and the RDN. In addition, the Board policy is consistent with the strategic priority of Focusing on Service and Organizational Excellence as it promotes a consistent process and review of telecommunication infrastructure applications.



Tyler Brown

tbrown@rdn.bc.ca

December 20, 2016

Reviewed by:

- J. Holm, Manager, Current Planning
- P. Thompson, Acting General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Draft Electoral Area Telecommunication Antenna System Consultation and Information Policy
2. Planning Services Fees and Charges Amendment Bylaw

Attachment 1

Draft Electoral Area Telecommunication Antenna System Consultation and Information Policy

REGIONAL DISTRICT OF NANAIMO P O L I C Y

SUBJECT:	<i>Electoral Area Telecommunication Antenna System Consultation and Information Policy</i>	POLICY NO:	B 1.23
		CROSS REF.:	
EFFECTIVE DATE:	October 25, 2016	APPROVED BY:	Board
REVISION DATE:		PAGE:	1 of 10

1. PURPOSE

The purpose of this protocol is to outline the Regional District of Nanaimo’s (RDN) role in the siting of Telecommunication Antenna Systems in the Electoral Areas, excluding Electoral Area ‘B’; communicate the RDN’s expectations of the proponent with regards to public consultation and application submissions; establish that Innovation, Science and Economic Development Canada (ISED) has exclusive authority over the approval of the siting and installation of telecommunication infrastructure in Canada; and provide the RDN Board with consistent procedures and information in which to evaluate the siting of a Telecommunication Antenna System.

2. OBJECTIVES

The objectives of the protocol are:

1. To acknowledge that ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;
2. To establish a harmonized RDN-wide process for reviewing, evaluating and considering Board comment on telecommunication structure proposals in Electoral Areas, Excluding Electoral Area ‘B’;
3. To set out an objective process, succinct criteria and clear expectations that are transparent, consistent and predictable for the evaluation of telecommunication antenna structure proposals that:

- | | |
|------|--|
| I. | Encourage efficient and effective Telecommunication Antenna System infrastructure siting within the RDN while minimizing the number of new antenna sites by encouraging Co-location and the construction of taller towers; |
| II. | Establishes when public consultation is required; and |
| III. | Assists the proponent in identifying potential land-use, siting, or design concerns with the RDN at an early stage in the process. |

4. To establish a local land use consultation framework that respects the authority of ISED in the approval of telecommunication infrastructure while ensuring the RDN and members of the public

contribute local knowledge that facilitates and influences the siting, location, and development of telecommunication infrastructure within the Regional District;

5. To advocate for the responsible siting of telecommunication infrastructure within the Regional District;

6. To inform Proponents that the Regional District supports the construction of taller towers over shorter towers for the reason of public safety and supporting Co-location; and

7. To recover costs from telecommunication proponents with consideration given to the costs to the RDN to evaluate and process telecommunication infrastructure proposals.

3. JURISDICTION AND ROLES

A. Role of Innovation, Science and Economic Development Canada

Under the Radiocommunication Act, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Telecommunication Antenna Systems is made only by ISED. All technical aspects and siting of telecommunication and broadcasting services are regulated by the Federal government under the *Radiocommunication Act*. ISED has an established procedure, *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*, which prescribes the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land-use authority and nearby residents. Moreover, the proponent is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process.

B. Other Federal Legislation

With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines outlined in Health Canada's *Safety Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz – Safety Code 6 (2009)*.² In addition to Health Canada's requirements, proponents must comply with the *Canadian Environmental Assessment Act* and any painting and lighting requirements for aeronautical safety prescribed by NAV Canada and Transport Canada.

C. Role of Local Government

Local governments are referred applications for proposed towers and are provided the opportunity to comment on the proposal. Ultimately, the role of the Regional District is to issue a statement of concurrence or non-concurrence to the Proponent and ISED.³ The statement considers the land-use compatibility of the antenna structure, the responses of the impacted residents and the proponent's adherence to this protocol. In addition, local government can communicate and provide guidance to the Proponent on the particular sensitivities, planning priorities, and characteristics of an area. Moreover, local government can establish siting guidelines, which includes reasonably augmenting the public

² The Regional District of Nanaimo does not assess any submission for an Antenna System with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (Safety Code 6) should be directed to Health Canada on-line at healthcanada.gc.ca and to the Proponent's representative.

³ Regardless of whether the Regional District issues a statement of concurrence or non-concurrence, ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada.

consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03).

4. INTERPERTATION

Definitions

Co-location means the placement of antennas and equipment operated by one or more Proponents on a Telecommunication Antenna System owned by a different party, thereby creating a shared facility;

Community Association means an active area or neighbourhood specific group or association within the Regional District;

Emergency Service Providers means any police, fire, ambulance or search and rescue organization with a typical response area within the Notification Distance of a proposed Telecommunication Antenna System;

Localized Content means any public consultation materials, supporting documentation and/or other relevant promotional material provided by a Proponent for a proposed Telecommunication Antenna System which has been tailored specifically to the context of the RDN;

Neighbouring Land-Use Jurisdiction means any land-use authority or First Nations within a Prescribed Distance of any proposed Telecommunication Antenna System;

Notification Distance means the prescribed horizontal distance measured from the base of a proposed Freestanding Antenna System or the base of any building or structure that a Building/Structure-Mounted Antenna System is mounted to;

Proponent means a company or organization, including contractors or agents undertaking work for telecommunication carriers, for the purpose of providing commercial telecommunication services;

Regional District means the Regional District of Nanaimo;

School District means an area created or constituted as a school district under the *School Act*;

Sensitive Community Locations means institutions and services, such as schools, daycares, recreation facilities, public parks, or other sensitive locations;

Telecommunication Antenna System means an exterior transmitting device – or group of devices – used to receive and/or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Telecommunications Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol refers to the following two types of Telecommunication Antenna Systems:

Freestanding Antenna System means a structure built from the ground for the expressed purpose of hosting transmitting devices; and

Building/Structure-Mounted Antenna System means a Telecommunication Antenna System mounted on an existing structure or building and for the purposes of height calculations, height shall be measured from the base of any building or structure to the most elevated portion of any antenna system.

5. INFORMATION AND CONSULTATION POLICY

A. Exemptions from Telecommunication Antenna System Proposal Review and Public Consultation

Activities exempt from public consultation requirements by ISED through its policies and procedures are also exempt from the Regional District's Telecommunication Antenna System proposal review and public consultation requirements. Exempt activities include the following:

1. Existing Freestanding Antenna Systems: where modifications are made, antennas added or the tower replaced, including facilitating Co-location, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation. No increase in height may occur within one year of completion of the initial construction;
2. Maintenance of existing radio apparatus including the Telecommunication Antenna System, transmission line, mast, tower or other antenna-supporting structure;
3. An addition to or modification of an existing Telecommunication Antenna System that does not result in an overall height increase;
4. Maintenance of a Telecommunication Antenna System's painting or lighting in order to comply with either Transport Canada or NAV Canada's requirements;
5. Installation, for a limited duration of not more than three months, of a Telecommunication Antenna System that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during an emergency, and is removed within three months after the emergency or event.

B. Site Investigation Meeting and Regional District Notification

Prior to submitting a Telecommunication Antenna System siting proposal, the Proponent will notify the Manager of Current Planning that locations in the community are being considered for potential siting options. At such time the proponent will initiate a site investigation meeting with the Regional District.

The Proponent will bring information pertaining to the following to the site investigation meeting:

- The proposed location;
- Potential alternative locations;
- The type and height of the proposed Telecommunication Antenna System and alternatives considered;
- Preliminary drawings or visual renderings of the proposed Telecommunication Antenna System superimposed to scale; and
- Documentation regarding the investigation of Co-location potentials on existing or proposed Telecommunication Antenna Systems within 1000 metres of the subject proposal.

The purpose of the site investigation meeting is to:

- Identify preliminary issues of concern;
- Give opportunity for the Proponent to outline the proposal to the Regional District;
- Give opportunity for the Regional District to provide initial feedback to the Proponent;

- Identify any potential Sensitive Community Locations as defined by this policy;
- Identify any potential Neighbouring Land-Use Jurisdictions, School Districts, Emergency Service Providers and Community Associations that may be required to provide comment on the proposal as outlined in this Policy;
- Guide the proponent on creating Localized Content for public notification and distribution; and
- Inform the Proponent of the Regional District's preference of taller towers over shorter towers for the reason of public safety and supporting future Co-location opportunities.

C. Following the Site Investigation Meeting

Following the site investigation meeting, the Regional District will provide the proponent with an information package that includes:

1. This Protocol, which outlines the approval process and requirements for public consultation; and
2. Proposal submission requirements.

D. Submission to the Regional District: Initial Application Proposal

The Proponent must include the following information when submitting a Telecommunication Antenna System siting proposal to the Regional District that does not meet the exemption criteria for the proposal review and public consultation requirement:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, a map of RF coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for Co-location potentials on existing or proposed Antenna Systems within 1000 metres of the subject proposal;
2. A written and signed attestation that there are no Co-location opportunities within 1000 metres of the proposed siting location;
3. Engineering plans of the proposed structure which includes information outlining the number of antennas proposed on the structure, the type of wireless service each antenna provides, and the structure's ability to accommodate future antennas (including Co-location);
4. Visual rendering(s) of the proposed Antenna System superimposed to scale;
5. A site plan showing the proposed development situated on the site;
6. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
7. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land;

8. A copy of Certificate of Indefeasible Title (dated within the past 30 days of proposal submission and any restrictions, restrictive covenants, easements or rights-of-way registered against the lands the Telecommunication Antenna System is proposed on;
9. A written and signed attestation that the Telecommunication Antenna System will respect Health Canada’s Safety Code 6 which sets safe radiofrequency emission levels for these devices including the cumulative effects of multiple Telecommunication Antenna Systems at the location and in the immediate area;

10. A map showing the maximum electromagnetic radiation power levels as watts per square metre, at ground level within 1000 metres of the proposed Telecommunication Antenna System. The map should include the cumulative effects of multiple Telecommunication Antenna Systems at the proposed location with any other existing Telecommunication Antenna Systems broadcasting in the area;

11. A preliminary geotechnical site investigation report where the potential for geotechnical hazards exist;
12. Any other documentation as identified by the Regional District following the site investigation meeting; and
13. The applicable application fee as required by Bylaw No. 1259, 2002.

E. Submission to the Regional District: Prior to Public Notification

Prior to public notification, the proponent must include the following information to the Regional District:

1. A draft of all public notices to be delivered by mail to the public, School Districts, Community Associations and Neighbouring Land-use Jurisdictions, which is to be approved by Regional District staff prior to mail out;
2. An address list and map indicating all properties which are to be notified by mail of the proposal;
3. A draft of newspaper advertisements indicating the time and date of any public information meeting, which is to be reviewed by Regional District staff prior to publication (if a public information meeting is required); and
4. A copy of written correspondence indicating that the Proponent has referred the proposal to local fire, police and ambulance services, and if given, any comments received from emergency services should be submitted to Regional District staff prior to mail out.

F. Submission to the Regional District: Request for Concurrence

Prior to submitting a formal request for siting concurrence, the proponent must include the following information to the Regional District:

1. A summary of and a copy of all public submissions and responses, as well as the proponent's response to public submissions as outlined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*;
2. A letter outlining any NAV Canada and Transport Canada requirements for lighting and painting on the proposed Telecommunication Antenna System;
3. A copy of all plans and studies (i.e. Environmental Review, Geotechnical Reports, etc.) required for the construction of the proposed Telecommunication Antenna System;
4. A package summarizing the results of the public information meeting containing at a minimum, the following:
 - i. The time, date, location and number of people in attendance of any public information meeting held;
 - ii. A List of attendees, including names, addresses and phone numbers (where provided voluntarily);
 - iii. Copies of all letters and other written communications received; and
 - iv. A letter outlining how all the concerns and issues raised by the public were addressed.

6. PUBLIC CONSULTATION PROCESS

In addition to ISED's public consultation requirements as prescribed in *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* the Regional District requests the applicant complete the following augmentations to the public consultation process.

A. Notification Requirements

1. The Proponent will provide written notice, sent by regular mail or hand delivered, to all property owners with a Notification Distance of:
 - i. 10 metres for every one metre in height for a Freestanding Antenna System; or
 - ii. 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System;
2. The Proponent will provide written notice, sent by regular mail or hand delivered, to all Neighbouring Land-Use Jurisdictions, Emergency Service Providers and School Districts with a Notification Distance of the greater of:
 - i. 500 metres; or
 - ii. 10 metres for every one metre in height for a Freestanding Antenna System or 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System;
3. The Proponent will provide notice to ISED's regional office;
4. The Proponent will provide written notification to Community Associations identified at the site investigation meeting;
5. The proponent will place notice of the Telecommunication Antenna System proposal in at least two editions of a local newspaper;

6. Where a public information meeting is to be held for a proposed Telecommunication Antenna System, a notice of the meeting shall be placed in at least two editions of a local newspaper and the proponent will provide written notice of the meeting sent by regular mail or hand delivered, to all property owners, Land-Use Jurisdictions, Emergency Service Providers and School Districts with a Notification Distance of:
 - i. 10 metres for every one metre in height for a Freestanding Antenna System; or
 - ii. 10 metres for every one metre in height for a Building/Structure-Mounted Antenna System.

B. Public Information Session

The Regional District requests the Proponent chair a public information meeting for all proposed Telecommunication Antenna Systems exceeding 15 metres in height or where there is significant public interest in the proposed Telecommunication Antenna System. The type of public meeting to be conducted is up to the discretion of the proponent, however:

- An appropriate date, time and location for the public information meeting will be determined in consultation with the Regional District's Current Planning Department;
- The Proponent will make available at the public information meeting an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site; and
- All information and materials presented should consist of Localized Content.

The Proponent shall not schedule a public information meeting less than seven days prior to the close of the public consultation period.

C. Notice Requirements

The Proponent shall include at a minimum the following information in any mailed or otherwise delivered public notice:

1. Information on the location, height, type, design and colour of the proposed Telecommunication Antenna System, including a copy of the site plan submitted with the application;
2. The rationale, including height and location requirements, of the proposed Telecommunication Antenna System;
3. Clear information on the role of ISED as the sole approving authority for the siting of Telecommunication Antenna Systems and that the Regional District only provides a statement of siting concurrence/non-concurrence at the request of the proponent;
4. Information that comments and responses should be directed to the proponent and that all submissions received by the proponent will be forwarded to ISED and the Regional District for their records;
5. The name and contact information of a contact person for the Proponent;
6. The name and contact information of ISED;

5. The name and contact information of the Regional Districts Current Planning department;
6. An attestation that the Telecommunication Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
7. The date, time and location of the public information meeting where required.

The notification shall be sent in an envelope addressed to the "Occupant" and/or "Tenants" and shall clearly show in bold type on the face of the envelope the statement: "NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER - INFORMATION IS ENCLOSED."

7. FEES

The Proponent must pay the applicable planning fee as required by Bylaw No. 1259, 2002.

The Proponent is responsible for securing applicable applications or permissions from all relevant Regional District departments and paying any applicable application fees or charges as required to the Regional District.

8. CLOSE OF CONSULTATION AND REQUEST FOR CONCURRENCE

The purpose of this protocol is to provide the RDN Board with consistent procedures and information in which to evaluate the siting of a Telecommunication Antenna System. Following the commencement of the consultation period, the Proponent may request a statement of concurrence from the RDN Board. Once a request is received, RDN staff will prepare a report, to be received first by the Electoral Area Services Committee, who will provide a recommendation to the Board. The staff report will include information on the proposed Telecommunication Antenna System, a site plan, the location of the proposal, an overview of the application and all public consultation materials submitted by the Proponent for the Board's review. It is the discretion of the Board to provide a statement of siting concurrence, non-concurrence or to provide no comment with respect to the Proponent's proposal.

A. Rescinding a Concurrence

The Regional District may rescind its concurrence if following the issuance of a concurrence statement, it is determined by the Regional District that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue. In such cases, the Regional District will provide notification in writing to the Proponent and to ISED and will include the reason(s) for the rescinding of its concurrence.

B. Duration of Concurrence

A concurrence statement remains in effect for a maximum period of three years from the date it was issued by the Regional District for a specific tower proposal. If construction has not commenced within this time period, the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring. In addition, the Regional District requests that the Proponent send a written notification of an intent to construct to the Regional

District's Current Planning Department once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

C. *Transfer of Concurrence*

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent without the need for further consultation provided that:

- All information gathered by the original Proponent in support of obtaining the concurrence from the Regional District is transferred to the current Proponent;
- The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- Construction of the structure is commenced within the duration of the concurrence period.

9. TERMS OF USE OF THIS POLICY

The Board of the Regional District of Nanaimo is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.

**Attachment 2
Planning Services Fees and Charges Amendment Bylaw**

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1259.11**

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
PLANNING SERVICES FEES AND CHARGES BYLAW NO. 1259, 2002**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002”:

THEREFORE IT BE RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled enacts as follows:

1. This Bylaw may be cited as "Regional District of Nanaimo Planning Services Fees and Charges Amendment Bylaw No. 1259.11, 2016".
2. The “Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002” is hereby amended as follows:

by adding the following immediately following Part 5 Section 9:

10. Telecommunication Antenna System Application

The fee for a Telecommunication Antenna System Application shall be \$4,000.

Introduced and read three times this ___ day of _____, 201_.

Adopted this ___ day of _____, 201_.

Chairperson

Corporate Officer

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JANUARY 10, 2017 AT 7:00 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director W. Veenhof	Chairperson
Director I. Thorpe	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director W. Pratt	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director B. Colclough	District of Lantzville
Director T. Westbroek	Town of Qualicum Beach

Regrets:

Director B. Yoachim	City of Nanaimo
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Also in Attendance:

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

CALL TO ORDER

The Chairperson called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

DELEGATIONS

Fraser Wilson and Gail Adrienne, Nanaimo and Area Land Trust, re Funding Request for 2017 Operational Uses.

Gail Adrienne and Fraser Wilson provided details of the accomplishments of Nanaimo Area Land Trust showcasing how Regional District of Nanaimo grant funds have been utilized and asked the Board for continued grant funding of \$30,000 for 2017.

Maeve O'Byrne, Dr. William Johnston, Odai Sirri, re Island Health – Long Surgical Waits.

Maeve O'Byrne, Dr. William Johnston, and Odai Sirri shared their vision of creating a community operated and built surgical centre in response to Island Health's Request for Proposal to provide publically funded surgical services in a private clinic in the Central Island region, and asked for the Board to provide a letter of support for the proposal.

COMMITTEE OF THE WHOLE MINUTES

Minutes of the Regular Committee of the Whole meeting held Tuesday, November 22, 2016.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the minutes of the Regular Committee of the Whole meeting held Tuesday, November 22, 2016, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Sarah E. Ross, City of Parksville, re 2017 Council Appointments to Board of Directors.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Sarah E. Ross, City of Parksville, regarding 2017 Council Appointments to the Board of Directors be received.

CARRIED

Arlene Paton, Ministry of Health, re Meeting at the 2016 UBCM Convention.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Arlene Paton, Ministry of Health, regarding a meeting at the 2016 Union of BC Municipalities Convention be received.

CARRIED

Denise Conway, Haven Society, re Donation Thank You.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Denise Conway, Haven Society, regarding a donation thank you be received.

CARRIED

Robin Campbell, Manna Homeless Society, re Request for Assistance.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Robin Campbell, Manna Homeless Society, regarding a request for assistance be received.

CARRIED

Stephanie Tipple, INfilm, re Functional Based Regional Funding.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Stephanie Tipple, INfilm, regarding a request for functional based regional funding be received.

CARRIED

Tauseef Waraich, Cowichan Valley Regional District, re Cowichan Valley Regional District Request for Waste Disposal Contingency Agreement.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Tauseef Waraich, Cowichan Valley Regional District, regarding Cowichan Valley Regional District request for a Waste Disposal Contingency Agreement be received.

CARRIED

Director Rogers, Regional District of Nanaimo, and Ross Peterson, re RDN State of Sustainability.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Director Rogers, Regional District of Nanaimo, and Ross Peterson, regarding Regional District of Nanaimo State of Sustainability be received.

CARRIED

Vancouver Island Economic Alliance, re Conference Board of Canada Event – January 25, 2017.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the correspondence from Vancouver Island Economic Alliance regarding the Conference Board of Canada Event – January 25, 2017, be received.

CARRIED

ADMINISTRATIVE REPORTS

2017 Regional Services Review.

MOVED Director Westbroek, SECONDED Director Houle, that staff be directed to meet with Board Directors, and senior staff from the City of Nanaimo, City of Parksville, Town of Qualicum Beach and District of Lantzville to explore services that may benefit from being reviewed at a regional level and use the information obtained to report back to the Board on Terms of Reference for engaging a consultant to perform a service review.

After debate the mover withdrew the motion with consent of the assembly.

MOVED Director Westbroek, SECONDED Director Stanhope, that staff review the Regional Parks and Trails service funding allocations and bring back a report on options of funding the service in the future.

MOVED Director Westbroek, SECONDED Director Stanhope, that the Board amend the main motion by adding the words “and that staff have discussions with member municipalities and have a Director’s seminar to narrow down the preliminary list of services that may be considered for inclusion in a service review.

CARRIED

The vote was taken on the main motion as amended:

That staff review the Regional Parks and Trails service funding allocations and bring back a report on options of funding the service in the future, and that staff have discussions with member municipalities and have a Director’s seminar to narrow down the preliminary list of services that may be considered for inclusion in a service review.

CARRIED

Association of Vancouver Island and Coastal Communities Resolution Victim Services Programs.

MOVED Director Stanhope, SECONDED Director Thorpe, that the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at their annual meeting:

WHEREAS Victim Services Programs provide support and assistance to victims of crime;

AND WHEREAS the Ministry of Public Safety has the ultimate responsibility for the Victim Services Programs and yet does not fully fund these programs;

THEREFORE BE IT RESOLVED that the Province of British Columbia fully fund all Victim Services Programs.

CARRIED

FINANCE

2017 Budget External Funding Requests.

MOVED Director Houle, SECONDED Director Stanhope, that the 2017 Budget include funding to the Coastal Invasive Species Committee (CISC) in the amount of \$16,500.

CARRIED

MOVED Director Thorpe, SECONDED Director Kipp, that the 2017 Budget include funding to the Island Roots Market Co-op in the amount of \$25,000.

CARRIED

2017 to 2021 Financial Plan Outstanding Items.

MOVED Director Stanhope, SECONDED Director Lefebvre, that the Board reallocate the Provincial Grant in the amount of \$136,000 previously directed to the Island Corridor Foundation agreement to be used for evaluations and analysis related to the establishment of services or the review of existing services.

CARRIED

MOVED Director Stanhope, SECONDED Director Lefebvre, that District 69 Search and Rescue requisition funding and transfer to the Arrowsmith Search and Rescue Society be maintained at existing levels.

CARRIED

MOVED Director Stanhope, SECONDED Director Lefebvre, that the Board requisition funds under the Feasibility Service to be held in a Regional District Feasibility Reserve fund or in specific Electoral Area Feasibility Reserve funds for service review requests, and for feasibility studies for new amenities.

MOVED Director McPherson, SECONDED Director Rogers, that the Board amend the main motion by adding the word "referendums" after "service review requests,".

CARRIED

The vote was taken on the main motion as amended:

That the Board requisition funds under the Feasibility Service to be held in a Regional District Feasibility Reserve fund or in specific Electoral Area Feasibility Reserve funds for service review requests, referendums and for feasibility studies for new amenities.

CARRIED

2017 Community Works Funded Projects Update.

MOVED Director Stanhope, SECONDED Director Rogers, that the Community Works Funds program project lists included in Attachment 1 be approved and that staff be authorized to continue work on the projects as needed.

CARRIED

REGIONAL AND COMMUNITY UTILITIES AND SOLID WASTE SERVICES

WATER AND ASSET MANAGEMENT

Union of BC Municipalities Asset Management Planning Program – Grant Application 2017.

MOVED Director Rogers, SECONDED Director Stanhope, that the Board support an Asset Management Planning Program grant application to the Union of British Columbia Municipalities to complete a Condition Assessment Plan and Implementation Framework.

CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

Regional Growth Strategy Bylaw 1615.01, 2016.

MOVED Director Lefebvre, SECONDED Director Westbroek, that the Board agree to the revision to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" as proposed by the Town of Qualicum Beach.

CARRIED

MOVED Director Lefebvre, SECONDED Director Westbroek, that second reading of "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" be rescinded.

CARRIED

MOVED Director Lefebvre, SECONDED Director Westbroek, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" be read a second time as amended and as outlined in Attachment 2.

CARRIED

MOVED Director Lefebvre, SECONDED Director Westbroek, that "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" be referred to member municipalities and adjacent regional districts for acceptance.

CARRIED

MOVED Director Lefebvre, SECONDED Director Westbroek, that the Regional District of Nanaimo notify the Minister of Community, Sport and Cultural Development with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016" that alternative wording has been formulated for consideration of acceptance by affected local governments.

CARRIED

MOVED Director Lefebvre, SECONDED Director Westbroek, that the section on minor amendments be reviewed as part of the next Regional Growth Strategy Review.

CARRIED

Response to Request for Support for the Proposed Year-Round Indoor Farmers' Market in Nanaimo.

MOVED Director Thorpe, SECONDED Director Houle, that the Board direct staff to provide some input on draft grant applications prepared by Island Roots Cooperative and/or its partners in support of the year-round indoor farmers' market project.

CARRIED

BUILDING AND BYLAW

Association of Vancouver Island and Coastal Communities Resolution (2017) Hazardous Property Clean-ups and Environmental Remediation Costs.

MOVED Director McPherson, SECONDED Director Pratt, that the Board endorse the attached resolution requesting that the Province honour any outstanding charges or lien(s) on a property in favour of a regional district that are the result of a hazardous property clean up or environmental remediation and that the resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at the 2017 Annual General Meeting and Convention.

CARRIED

ADVISORY, SELECT COMMITTEE AND COMMISSION

Minutes of the Agricultural Advisory Committee meeting held Friday, November 25, 2016.

MOVED Director Fell, SECONDED Director McPherson, that the minutes of the Agricultural Advisory Committee meeting held Friday, November 25, 2016 be received for information.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Nanaimo and Area Land Trust, re Funding request for 2017 Operational Uses.

MOVED Director Pratt, SECONDED Director Young, that the 2017 Budget include funding to the Nanaimo and Area Land Trust in the amount of \$30,000.

CARRIED

Island Health – Long Surgical Waits.

MOVED Director Stanhope, SECONDED Director Pratt, that the Regional District of Nanaimo endorse the proposal by Dr. Johnston and Maeve O'Byrne and send a letter with response to BC Bid Request for Proposal 868.

CARRIED

Manna Homeless Society – Request for Assistance.

MOVED Director Fell, SECONDED Director Westbroek, that the 2017 Budget include a one-time \$5,000 cash donation to the Manna Homeless Society from the District 69 Grants-in-Aid Service.

CARRIED

INfilm, re Functional Based Regional Funding.

MOVED Director Hong, SECONDED Director Pratt, that the request from INfilm be referred to staff to provide a report to the Board on their regional funding request.

CARRIED

Cowichan Valley Regional District Request for Waste Disposal Contingency Agreement.

MOVED Director McPherson, SECONDED Director Westbroek, that correspondence from Tauseef Waraich, Cowichan Valley Regional District (CVRD) requesting a Waste Disposal Contingency Agreement allowing use of the Regional District of Nanaimo's landfill be referred to the Solid Waste Management Select Committee (SWMSC) and that staff prepare an accompanying report for consideration at the SWMSC.

CARRIED

Regional District of Nanaimo State of Sustainability.

MOVED Director Rogers, SECONDED Director Westbroek, that Ross Peterson's letter regarding Regional District of Nanaimo state of sustainability be referred to the Sustainability Select Committee for their consideration.

CARRIED

NEW BUSINESS

Regional District of Nanaimo Name Change.

MOVED Director Westbroek, SECONDED Director Lefebvre, that the Board direct staff to provide initiative to determine the process that would allow the Regional District of Nanaimo to consider a change of name.

CARRIED

Potential Impact of Log Sorting and Storage on Gabriola and Mudge Island Residents.

MOVED Director Houle, SECONDED Director Stanhope, that the Board direct the Chair to write a letter to the Ministry of Forests, Lands and Natural Resource Operations requesting the Ministry consider the potential impact that log sorting and storage (file No. 14145505) may have on Gabriola and Mudge Island residents' transportation to and from Green's Landing Wharf.

CARRIED

Notice of Motion – Skogdag or Forest Day

Director Rogers noted that the following motion will be brought forward to the January 24, 2017 Board Agenda:

That the Regional District of Nanaimo facilitate a Skogdag or Forest Day sometime in the Spring as an opportunity for members of the forest community and forest industry to update the Regional District on current forestry activity and forest economics.

Directors' Roundtable

Directors provided updates to the Board.

IN CAMERA

MOVED Director Houle, SECONDED Director Thorpe, that pursuant to Sections 90 (1) (a), (f), (k), and (m) of the *Community Charter* the Committee proceed to an In Camera Meeting for discussions related to Board appointments, law enforcement, a proposed service, and intergovernmental relations.

CARRIED

TIME: 9:26 PM

ADJOURNMENT

MOVED Director McKay, SECONDED Director Westbroek, that this meeting be adjourned.

CARRIED

TIME: 9:41 PM

CHAIRPERSON

CORPORATE OFFICER

TO: Regional District of Nanaimo
Committee of the Whole

MEETING: January 10, 2017

FROM: Dennis Trudeau
General Manager of Transportation and
Emergency Services

FILE: 0360 01 RSR

SUBJECT: 2017 Regional Services Review

RECOMMENDATION

That staff be directed to meet with Board Directors, and senior staff from the City of Nanaimo, City of Parksville, Town of Qualicum Beach and District of Lantzville to explore services that may benefit from being reviewed at a regional level and use the information obtained to report back to the Board on Terms of Reference for engaging a consultant to perform a service review.

SUMMARY

The Board directed that a report be prepared on conducting a Regional Services Review prior to the next Financial Plan adoption. The original motion resulted from, in part, concerns related to funding allocations for the Regional Parks and Trails function. Staff has provided additional information and alternatives to the Board on this issue but there have been no changes to the funding allocations. Any further work on this service would likely require the use of a consultant specializing in this type of review.

There has also been general discussion at the Board that other services be included in the review. A review involving additional services requires external resources and as such a contingency \$100,000 has been included in the 2017 budget.

To ensure a well-scoped review, it is advisable that preliminary staff meetings be held with member municipalities to explore services which could be considered by the Board for inclusion in the review. Individual input from Board Directors will ensure a fulsome future report to the Board on the proposed terms of reference.

BACKGROUND

At the April 26, 2016 Regular Board meeting, the following motion was passed:

That staff prepare a report with regard to conducting a Regional Services Review prior to the next Financial Plan adoption.

The motion was a result of discussion related to how the Regional Parks and Trails service was funded. As part of the 2016 Annual Budget and Five Year Financial Plan approval process, the Regional Board was considering annual parcel tax increases to the Regional Parks Acquisition and Capital Development Fund. Through this process the Regional Board increased the parcel tax from \$13.00 to \$14.00 for 2016.

During these deliberations by the Board, additional information was requested on April 26, 2016 for staff to bring forward a report on other forms of taxation that could be considered as an alternative to the parcel tax approach for this service area.

The report was then presented to the Board on October 4, 2016 which provided alternatives including that taxation for Regional Parks Acquisition and Capital Development Fund continue to be collected by way of a parcel tax; by way of a property assessment tax; based on per capita (population); by way of a tax based 50% Assessment and 50% per capita (population); or by way of land improvements.

The report noted contributions from each jurisdiction would vary depending on the form of taxation. The Board received the report and the following resolution was approved:

“That the Board maintain the parcel taxation at its current level and the use of Parcel Tax for the Regional Parks Acquisition and Development Fund be deferred to the Regional Services Review and budget discussions.”

Regional Districts have been undertaking service reviews since Regional Districts came into being in the mid-1960s. Legislative changes, introduced through Bill 14 in June of 2000, outline two forms of service reviews:

1. Statutory Review – This review is outlined in Division 4.5 of Part 24 of the *Local Government Act*. It is initiated by any one participant in any regional service and is subject to strict timelines and direction from the Minister.
2. Bylaw based Review – This review results from language in an existing Bylaw. The legislation allows this type of review to be a more customized review process that is more flexible for the participants and allows them to design a fair process to address any service concerns in the service establishing bylaw

There is a third form of review local governments may select; a less formal, non-legislative review, which is not stipulated in the legislation

Service reviews present an opportunity for a local government to examine how their service is provided and the method for allocating costs. While reviews can be complex and costly exercises they can also address concerns, develop new services or improve the service for those that participate in the function. Reviews do not always have to be complex, lengthy undertakings but can be limited to a single service which can be resolved fairly quickly and easily. It will depend upon which services are selected by the Board for review.

Service reviews are not to be confused with Core reviews. Core reviews are mainly seen in the municipal realm. Municipal services have a single taxpayer and reviewing whether or not or how they should provide or fund the service is an easier exercise as there is only one participant.

The Regional District of Nanaimo (RDN) has completed three service reviews since 2001, which were all of the non-legislative review type mentioned earlier. In contrast, in 2015 RDN staff completed a “Core” Operational and Efficiency review of all RDN services which resulted in cost avoidance and savings.

Past service reviews have generally followed the following commitments:

1. Usage as a primary measure, where applicable;
2. Gather data and update usage figures on an agreed upon timeframe;
3. Phase in large increases over multiple years;
4. Undertake appropriate public consultation and review processes; and
5. Address key services as a package.

Past service reviews have looked carefully on how costs are distributed to the participants which has been based upon a user pay philosophy. The subtle changes to funding formulas that have been implemented over the years have improved how services are financed. Future service review requests may result of a change in the Strategic Plan of the Board or a type of the services the RDN provides.

If the Board motion relates only to funding allocations for the Regional Parks and Trails function then an internal examination using existing resources with limited budget implications could be achieved. The review of other services requires external resources.

The following is a preliminary list of services that are either regionally delivered or could provide a regional benefit and therefore may be considered for inclusion in a service review:

1. Regional Parks and Trails
2. Oceanside Place
3. Ravensong Aquatic Centre
4. Economic Development (Southern Community)
5. Economic Development (Northern Community)
6. Water Services
7. Drinking Water/Watershed Protection
8. Liquid Waste Management
9. Solid Waste Management
10. Garbage & Recycling
11. Transit
12. Emergency Planning
13. Fire Services
14. Regional Growth Service
15. Building Inspection
16. Port Theatre
17. Bylaw Services (Noise, Dog, Unsightly Premises, etc.)
18. Social Planning – not currently a RDN service
19. Transportation (Roads, – not currently a RDN service
20. Qualicum Beach Airport – not currently a RDN service
21. Nanaimo Airport – not currently a RDN service
22. Tourism– not currently a RDN service
23. Filming – not currently a RDN service
24. Labour Relations– not currently a RDN service
25. Cultural Services – not currently a RDN service
26. Business licencing– not currently a RDN service

If the Board directs that the review expand beyond the Regional Parks and Trails service, staff meetings with member municipalities will be arranged to explore services that the Board could consider for

review. Input from Board Directors will also be requested to ensure their specific comments regarding services are addressed in the review.

ALTERNATIVES

1. That staff be directed to meet with Board Directors and senior staff from the City of Nanaimo, City of Parksville, Town of Qualicum Beach and District of Lantzville to explore services that may benefit from being reviewed at a regional level and use that information to prepare a report for the Board on Terms of Reference for engaging a consultant to perform a service review.
2. That staff review the Regional Parks and Trails service funding allocations and bring back a report on options of funding the service in the future.
3. That the Board provide alternate direction to staff.

FINANCIAL IMPLICATIONS

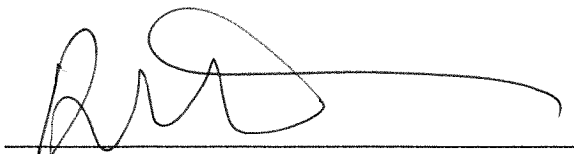
Alternative 1 may have significant cost implications depending on the number and type of services that are recommended for review. Staff have checked with other regional districts that regularly do service reviews to help determine costs for this type of review. The Regional District of Central Okanagan recently completed a Dog Licensing Service review at a cost of \$75,000 for the consultant's portion of the work.

Alternative 2 could likely be accomplished with a smaller budget since it has been studied previously and has a restricted scope. Staff would recommend that a consultant be hired to assist in the development of options for the Board.

The RDN's 2017 budget contains \$100,000 for consulting fees for service review. Raising \$100,000 through the Legislative Services function will result in a cost of \$0.30 per \$100,000 of residential assessment across the RDN. Any additional costs would be the subject of a further report to the Board.

STRATEGIC PLAN IMPLICATIONS

Performing service reviews is well aligned with the Board's established Strategic Plan. Part of the intent, and expected outcome, of a service review is to ensure that existing services, service levels, and resourcing are all strongly linked to the established strategic priorities.



Dennis Trudeau
dtrudeau@rdn.bc.ca
January 3, 2017

Reviewed by:

- P. Carlyle, Chief Administrative Officer
- Corporate Leadership Group

TO: Regional District of Nanaimo
Committee of the Whole

MEETING: January 10, 2017

FROM: Phyllis Carlyle
Chief Administrative Officer

FILE: 7400

SUBJECT: AVICC Resolution Victim Services Programs

RECOMMENDATION

That the following resolution be forwarded to the Association of Vancouver Island Coastal Communities (AVICC) for consideration at their annual meeting:

WHEREAS Victim Services Programs provide support and assistance to victims of crime

AND WHEREAS the Ministry of Public Safety has the ultimate responsibility for the Victim Services Programs and yet does not fully fund these programs

THEREFORE BE IT RESOLVED that the Province of British Columbia fully fund all Victim Services Programs.

SUMMARY

In British Columbia, the 160 police-based and community-based Victim Services Programs are jointly funded by municipalities and the Province but increased provincial financial support is required for the Programs. An AVICC and a UBCM resolution would assist in ensuring that the Province is aware of the growing demand that exists in the RDN community and across the province for this service.

BACKGROUND

For many years, the provision of Victim Services Programs has been only partially funded by the Province. The Programs assist victims of crime to obtain the services they need to address the consequences of the criminal activity and provides the victims with the necessary support to participate in the criminal justice system. As such, the program actually decreases costs, for social service agencies, health care systems and the administration of justice that would otherwise be borne by the Province. As well, the work of Victim Services staff and volunteers assists by permitting frontline police officers to address fundamental policing responsibilities at crime scenes. Referrals to Victim Services Programs are typically made by the police officers on scene but individuals can also self-refer through a 24/7 provincial help line.

The Victim Services program has traditionally been delivered by municipally funded staff seconded to the RCMP or working for another policing agency. To minimize costs, the program is heavily supplemented by volunteers who respond to the calls for assistance on a 24/7 basis. As with any volunteer program of this nature, there is the challenge of recruiting, training and motivating people to respond to extremely challenging situations on a regular basis.

In 2015, the Province provided over \$70 million for services to support victims of crime: \$12 million for the Crime Victim Assistance Program; \$16 million for violence against women programs and \$32 million for transition house services¹. The Province also provides:

1. VictimLinkBC - a phone service that refers crime victims to help 24-hours a day
2. Crime Victim Assistance Program - assists victims, immediate family members and some witnesses in coping with the effects of violent crime
3. Victim Safety Unit - provides victims with information about the accused or offender
4. Victim Travel Fund - provides funds for a family or victim to attend justice-related proceeding in B.C.
5. Protection Order Registry - a database of all civil and criminal protection orders that is designed to reduce violence against vulnerable people

The issue of funding the Programs has been the subject of previous resolutions at the UBCM from 2003 to 2015². In 2008, the RDN submitted a similar resolution, *“that the Province of BC and the Government of Canada provide additional and adequate funding to fully support Restorative Justice and Victim Services Programs in BC.”* The funding of this service has been a long standing topic of discussion between the municipal sector and the Province.

In July 2016, the Government of Canada, Department of Justice, announced funding of \$3,411,450 over 5 years to *“enhance and support services to victims and survivors of crime in British Columbia”*. The funding will be used by the Province of British Columbia to:

1. provide enhanced information, supports and services to family members of homicide victims;
2. implement responsive victim services in four remote and/or First Nations communities in British Columbia;
3. establish provincial networks for Child Advocacy Centres and for Domestic Violence Units;
4. provide multi-disciplinary trauma-informed practice training, education and awareness curriculum for the justice and public safety sector, in response to recommendations from British Columbia's Fifth Justice Summit;
5. develop training initiatives to strengthen the knowledge and capacity of victim service workers and other front-line service providers working with victims of crime in British Columbia; and
6. undertake various activities and training to support the implementation of the Canadian Victims Bill of Rights, including the provision of new testimonial accommodations.

¹ Ministry of Public Safety and Solicitor General 2015 response to UBCM resolution 2015 B4; UBCM resolution 2014 B4

² UBCM 2003, 2006-B9; 2008-B4; 2010-B12, 2014 B4; 2015 B4

The provincial Minister of Public Safety and Solicitor General commented on the federal announcement “...*With a five-year funding commitment now in place, services provides working with victims of crime can access targeted education and training opportunities ensuring we have a responsive system of supports in British Columbia...*”.

The above initiatives will not likely see the municipal sector’s costs reduced but may assist with the training of the victim service responders.

ALTERNATIVES

1. The Association of Vancouver Island Coastal Communities be requested to consider the resolution to again request that the Province fully fund the Victim Services Programs; or,
2. The Province fund the Victim Services Programs at historic levels which necessitates continued Regional District of Nanaimo funding.

FINANCIAL IMPLICATIONS

In 2016, the RDN funded the Nanaimo RCMP Victim Services (\$10,000), the Oceanside Victim Services (\$64,342) and the Ladysmith Victim Services (\$3,500) programs.

STRATEGIC PLAN IMPLICATIONS

The report supports the Board’s Strategic Priority of viewing emergency services as core elements of community safety.



P. Carlyle
pcarlyle@rdn.bc.ca
December 30, 2016

Reviewed by:

- Corporate Leadership Group

TO: Committee of the Whole **MEETING:** January 10, 2017
FROM: Manvir Manhas, Manager Capital **FILE:**
 Accounting & Financial Reporting
SUBJECT: 2017 Budget External Funding Requests

RECOMMENDATION

1. That the Board provide direction on the requests for funding from the Coastal Invasive Species Committee (CISC) in the amount of \$16,500 and the Island Roots Market Co-op in the amount of \$25,000 .

SUMMARY

The RDN Board has referred requests for funding from the Island Coastal Invasive Species Committee in the amount of \$16,500 and the Island Roots Market Co-op in the amount of \$25,000 to the 2017 to 2021 Financial Plan discussion. Summary information on the requests and related costs are included below and the Board direction is requested on whether to include all or any portion of the grant requests in the 2017 budget under the Grants-In-Aid service.

BACKGROUND

The following are summaries of the funding requests received by the Board at December 31, 2016 and referred to the 2017 to 2021 Financial Plan discussions. These items have not been included in the preliminary budget summaries presented to date.

1. Coastal Invasive Species Committee (CISC) – At the October 25, 2016 Board meeting Rachelle McElroy from CISC presented a funding request totaling \$16,500. Attachment 1 provides information from CISC on their program including their 2016 budget and 2015 financial summaries. Their request includes the following:
 - \$1,000 - \$1,500: to update the 2010 Invasive Plant Management Strategy – meeting in February.
 - \$10,000: to retreat Knotweed and Giant Hogweed sites and wait list sites.
 - \$5,000: to work in partnership with key land managers along French Creek to contain infestation.

The Coastal Invasive Species Committee was provided with a \$10,000 grant in 2016 for their program which includes invasive species removal on private and crown lands and highways but does not include RDN parks and trails.

2. Island Roots Market Co-op – At the December 6, 2016 Board meeting Larry Whaley from Island Roots presented a funding request for \$25,000, as well as a request for assistance with grant applications, a letter of support from the RDN Board and for the RDN to accept donations on behalf of their organization and issue donation receipts for tax purposes. Their funding request of \$25,000 can be considered for inclusion in the 2017 budget. The RDN is not able to provide donation receipts for the Island Roots Market Co-op as the land and future building they wish to develop a public market on are not RDN property.

ALTERNATIVES

1. That the Board provide direction to staff on including partial, full or no funding for the requests received to date in the 2017 budget.

FINANCIAL IMPLICATIONS

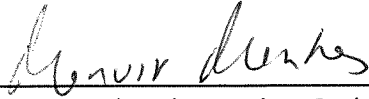
The two requests received to date could be funded through the Grants-In-Aid Service with the Coastal Invasive Species Committee funded by all participants at \$0.052 per \$100,000 and the Island Roots Market funded by District 68 participants at \$0.12 per \$100,000 of assessment. The total by participant is as follows:

	Coastal Invasive Species \$16,500 grant	Island Roots Market Co-op \$25,000 grant
City of Nanaimo	\$8,813	\$20,100
Lantzville	\$415	\$948
Parksville	\$1,399	
Qualicum Beach	\$1,120	
Electoral Area 'A'	\$623	\$1,420
Electoral Area 'B'	\$592	\$1,349
Electoral Area 'C'	\$519	\$1,183
Electoral Area 'E'	\$974	
Electoral Area 'F'	\$664	
Electoral Area 'G'	\$858	
Electoral Area 'H'	\$523	

STRATEGIC PLAN IMPLICATIONS

The 2016 to 2020 Strategic Plan recognizes the importance of agriculture, resource conservation and partnering with community groups to advance our region. As well the governing principles include to “show fiscal restraint” requiring the Board to balance the needs

of the community with prudent fiscal planning. Support to community focused groups through grants supports these priorities.



Manvir Manhas (mmanhas@rdn.bc.ca)
December 16, 2016

Attachments

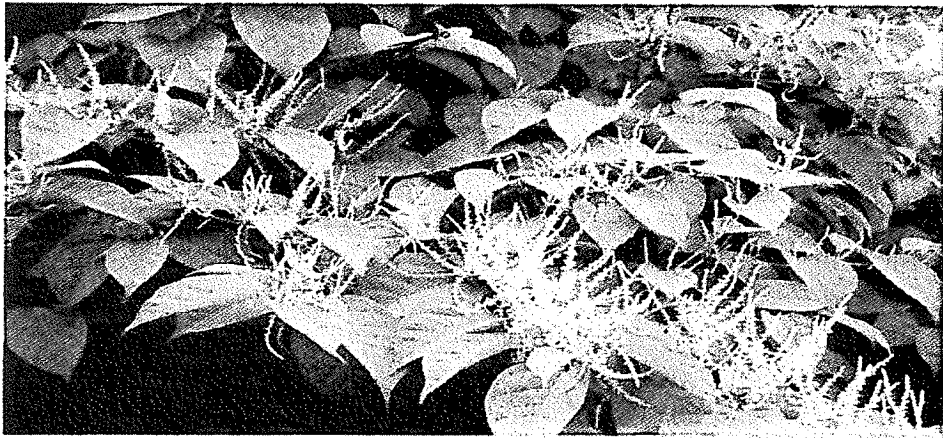
1. Coastal Invasive Species Committee Background Information

Reviewed by:

- W. Idema, Director of Finance
- T. Moore, Manager, Accounting Services
- P. Carlyle, Chief Administrative Officer

Attachment 1

"KNOT ON MY PROPERTY" NANAIMO REGIONAL PARTNERSHIP
PROGRAM 2016, SUMMARY REPORT



Prepared by: Coastal Invasive Species Committee Society

Prepared for: Rob Lawrence, City of Nanaimo, Warren Payne, City of Parksville, Allen Cameron, Town of Qualicum Beach and The board members of the Nanaimo Regional District

Executive Summary

While prevention is the first line of defense, even the best programs can't stop all invasive species. Early Detection and Rapid Response (EDRR) program, ensures that invasive species that are introduced are reported early and responded to rapidly using effective treatment methods. The "Knot on My Property" program's aim is to do just that, create a regional reporting and responding systems ensuring rapid response to newly introduced or existing priority species impacting this region. Species targeted include invasive Knotweed species (Giant, *Giant Fallopia schalinensis*, Bohemian, *Fallopia x bohemica* and Japanese, *Fallopia japonica*) and toxic Giant Hogweed (*Heracleum mantegazzianum*).

Coastal Invasive Species Committee (Coastal ISC), a local non-profit organization, who's mandate is to "support collaborative and ecologically sound invasive species management through efficient use of available resources" provide coordination and on-the-ground treatment expertise.

The "Knot on My Property" program began in 2014 with the Town of Qualicum Beach and has since expanded to include Parksville and Nanaimo in 2015, and its recent addition, the Nanaimo Regional District in 2016, marking this year a truly regional program.

The program consists of a media campaign, to generate awareness of the negative impact of invasive species and to encourage landowners to report Knotweed species and Giant Hogweed on their property.

Full cost subsidy to landowners dealing with these plants, provided by local government and professional treatment by the Coastal ISC's certified invasive plant technicians, provides incentive to participate.

Highlight of 2016 regional program accomplishments include:

- Effective control: All previously treated (2015) sites showing minimum 80% die-back, with 13 sites showing no regrowth in 2016. Control of 84 Knotweed sites and 12 Giant Hogweed sites in the region
- Record of treated sites in the BC Invasive Alien Plant Program (IAPP) Database for planning and continued cooperation with adjacent Crown land owners.
- Engage over 3000 people through public outreach events, social media, radio, print media and assistance. Directly engaged 100 land owners.

Given that weeds know no boundaries and persistence is the key in controlling invasive species, it is recommended that the program continue in 2017 and for the next 2-3 years. Program launch proposed for May with BC Invasive Species Month. Priority to re-treat 2016 sites.

It is recommended that partnership representatives participate in the Coastal ISC regional invasive plant management strategy workshop, targeted to key land managers in the region, proposed for February 2017 in Nanaimo to enhance existing efforts and create new opportunities.

Develop a long-term realistic program that targets Giant Hogweed in sensitive ecosystems like the French Creek watershed. Host a field tour and strategy meeting, in partnership with Coastal ISC and seek participation with key land owners along French and Romney Creek in developing a cohesive plan.

The Nanaimo region and its partners are recognized for their exemplary leadership and commitment to reducing the negative impacts of invasive species on coastal communities through their participation in invasive species management and ongoing success of "Knot on My Property" program.

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Introduction

Knotweed (*Fallopia spp.*) and Giant Hogweed (*Heracleum mantegazzianum*) species are listed by the Coastal Invasive Species Committee (Coastal ISC) as Priority Invasive Plants, due to the infrastructure, human health and ecosystem impacts associated with these plants.

The Coastal Invasive Species Committee (Coastal ISC) was formed in 2005 and has been steadily building support and partnerships for a coordinated approach to managing invasive species within its service area that includes all Vancouver Island, the Gulf Islands and the Sunshine Coast.

Given the threat and the boundless nature of invasive species and the opportunity to do something about it - before controlling Knotweed is no longer an option - a regional approach was identified as the most cost effective and time sensitive option for the region. Building on the successful Coastal ISC 'Knot on My Property' program rolled out in the Town of Qualicum Beach in 2014 and following successful years of Knotweed control, the City of Nanaimo and Parksville joined forces and welcomed the Nanaimo Regional District in 2016 for a truly regional approach.

The epicenter for Giant Hogweed on Vancouver Island is French Creek, a sensitive ecosystem located in the Nanaimo Regional District. The volunteers from the Friends of French Creek have been systematically targeting the lower, more public, reaches between the trestle bridge and the highway 19a. Given Giant Hogweed spreads by seeds, the key is to target the upper reaches, however a mishmash of land owners exist and their engagement is necessary to cull the spread.

The 'Knot on My Property' program includes Identification of Knotweed and Giant Hogweed infestations in both public and private lands in the regional District of Nanaimo, the City of Nanaimo, Town of Qualicum Beach, and City of Parksville through a regional media campaign and reporting system. Coordination with landowners to collect treatment permissions, verify sites prior to treatment and create a planning schedule with Coastal ISC contractor. Control services by a Coastal ISC professional invasive plant technician (certified pesticide applicator), data entry into the Invasive Alien Plant Program (IAPP) database and a final summary report and recommendation for a successful multi-year program are provided.

This report outlines the deliverables met, the methodology used and the recommendations for on-going regional invasive plant management in the Nanaimo invasive plant partnership area.

Deliverables

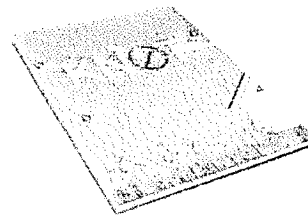
Education and Awareness

“Knot on My Property” and “Get to Know Invasive Species” pamphlets and brochures were delivered to local government partners for distribution, to provide Knotweed specific information and more general invasive species information. Refer to figure 1. Treatment contractors were also equipped with these resources to provide further education and awareness opportunities.

Video and other media savvy resources aimed at landowners, specifically dealing with Knotweed across BC, (www.knotonmyproperty.com) program. This site is funded by the Real Estate Foundation in partnership with regional invasive species committees. Included on this site are highly dynamic and accessible videos targeted to the landowner and providing information on Knotweed identification, threats of the plant to property value, infrastructure and the environment; and the necessity of specialized treatment approach.

The invasive species toll-free hotline (phone and email), available year round, Monday to Friday, provides further education opportunities for the public to ask questions and be provided with assistance in dealing with invasive species. Together with the provincial Report-A-Weed app, web and phone service allows for rapid response to high priority species reported.

New Giant Hogweed Alert developed to complement the existing Knotweed Alert sheet highlighting the partnership and providing scientific information to the public about these priority species.



Administration & Coordination

A press release was developed to raise awareness of the impact of invasive species and notify the public about how to report infestations. Coastal ISC staff worked with each region's communication department to craft a press release with each partner's logo in the header, celebrating the partnership. The press release was distributed to local media contacts with the goal of providing the public ample time to respond. Press releases were also posted on the Coastal ISC website and social media sites; and municipal websites.

Coastal ISC staff followed up on Knotweed and Giant Hogweed reports received. Photos were used to confirm the identification of the plant. Once confirmed, information is gathered from each report include: name of reporter and contact details, jurisdiction and size of the infestation and proximity to water. A spreadsheet of reports was created and maintained throughout the program.

Outreach events attended by Coastal ISC Staff provide an opportunity to further promote the program through live plant samples, face to face communication and outreach materials.

Site Verification

Verification of new public reports achieved using photo identification in most instances and on-the-ground assessments, as required. Verification of Knotweed and Giant Hogweed sites on private lands with the landowners' permission and on public lands. Site visits were not conducted for re-treated sites since the contractors were already familiar with the site locations. If the property owner was unknown, a formal letter and a program brochure was left at their door for follow-up.

Permission to Treat

Candidates were notified that the site they reported was selected for treatment by phone or email; if the site was on private lands; landowners were asked to confirm ownership and release liability to Coastal ISC to apply herbicides on their land, through an electronic form. Once permission forms were gathered, sites were grouped by geographic location and passed on to the contractor for treatment.

Data Entry and Treatment

All field data for treated sites was entered into the provincial IAPP (Invasive Alien Plant Program) database including a survey, mechanical and chemical treatment.

For 2016, selective foliar application method using a backpack sprayer or pump sprayer was used for applying Vantage XRT (active ingredient glyphosate) as stem injection methods was no longer an approved method as determined by the Pesticide Management Regulatory Agency. Giant Hogweed was mechanically removed where feasible and select foliar sprayed where manual removal was difficult due to ground conditions or size.

Results

Media and Outreach

A summary of media providers is outlined in the table below and outreach events attended during the program below. As you can tell that the Coastal ISC continues to promote the Nanaimo regional program year round.

2016 Regional Program in the News				
Date	Media	Type	Region	Topic
February 25	Coast FM (Sechelt and Nanaimo); Juice FM (Cowichan Valley)	Radio	Sechelt, Cowichan Valley and Nanaimo	Invasive species priorities for Sechelt, Cowichan V and Nanaimo; events; what can people do?
March 17	The Wave	Radio	Central: Nanaimo, Parksville and Qualicum Beach	Knotweed Program/Giant Hogweed
May 16	Wire Service	online	RDN	Media Release: The Nanaimo Region Unites in the Battle Against Aggressive Knotweed and Toxic Giant Hogweed
May 25	The Wave	Radio	Nanaimo, Parksville and Qualicum Beach + new partner RDN	Knotweed Program/Giant Hogweed
June 23	The Parksville Qualicum News	online	Parksville	Alien Invasion in Parksville

Program Reach:

- An estimated 3000 people engaged through traditional and social media and websites (recorded through website and facebook/twitter analytics)
- Phone calls received: 100+ E-mails received: 75+
- Craig street Market in Parksville (June 28) 1,000 people; 200 "PlantWise" wallet cards and 100 "Get to Know Invasive Species" brochures distributed
- Nanaimo Earth Day/ Wild Food Festival (Apr. 23rd), 250 people; 50 "PlantWise" wallet cards and 35 "Get to Know Invasive Species" brochures distributed

Treatment Overview

A total of 53 new candidate sites and 42 second year treatment sites for the Nanaimo regional partnership area were managed using integrated pest management techniques by the Coastal ISC contract crew. The certified applicator made the final decision on whether a site met legal requirements (under the Provincial Pesticide Management Plan) for treatment, and met growth conditions suitable for successful control. A few knotweed sites could not be treated due to their proximity to riparian ecosystems under the integrated pest management regulations. In the city of Nanaimo and the Nanaimo Regional District some sites added to the treatment list for 2017, as the number of sites to be treated exceeded available treatment budgets in some areas.

Treatment Summary by Local Government Partner

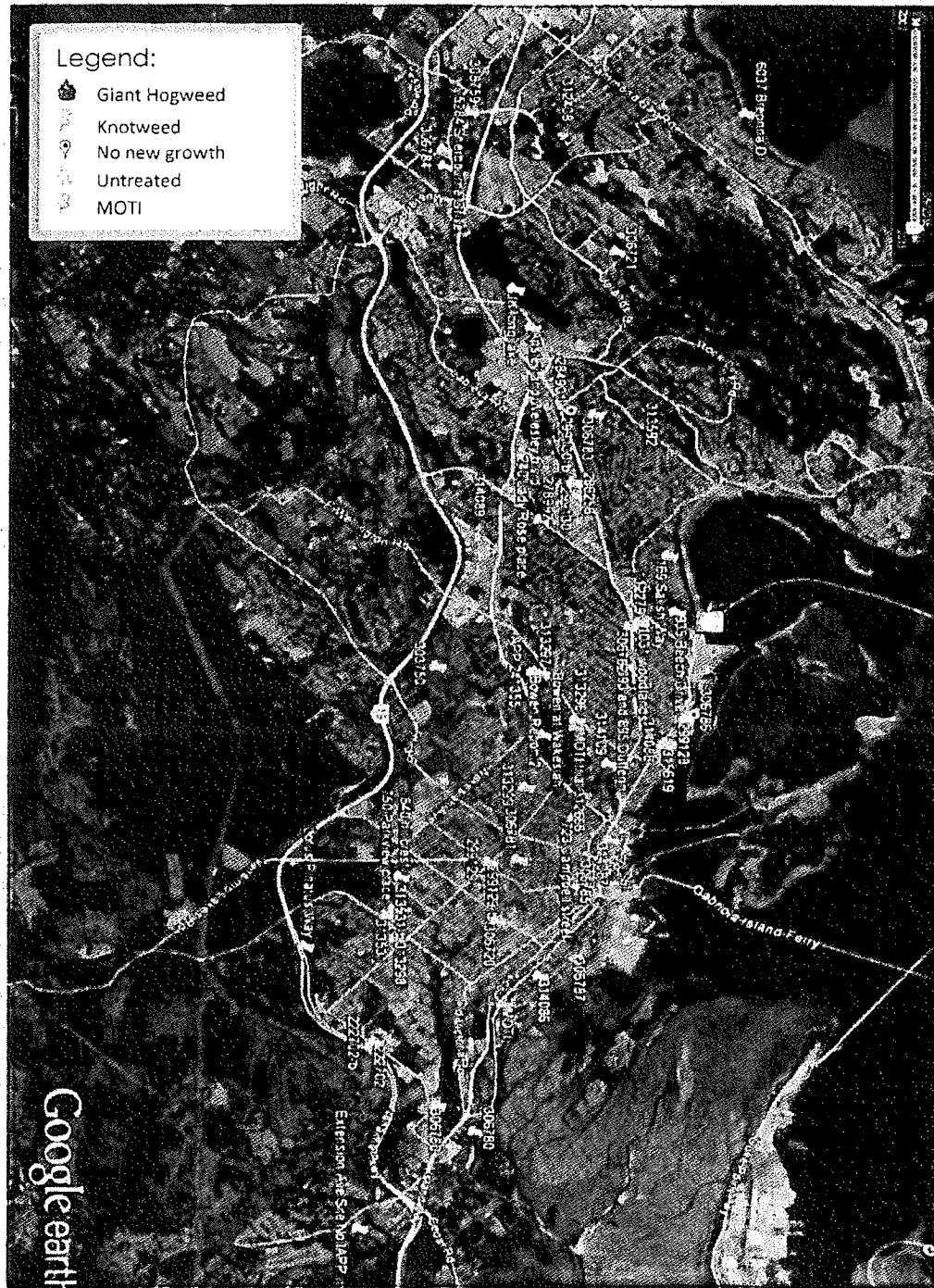
A summary of the number of sites treated by partner is outlined in this section. Detailed site and contact information and mapping details are not included in this report but provided to each local government partner to protect public privacy.

Efficacy of treatment is measured by presence and absence of the infestation the following year and a minimum of 80% die-back. A total of 13 out of a total of 42 sites treated (31%) in 2015, had no new growth, but will continue to be monitored in 2017. Knotweed can stay dormant for a period of five years underground.

City of Nanaimo

Re-treated sites within the City of Nanaimo showed significant die-off, with seven sites in total showing no regrowth this year. Refer to Treatment Summary for Nanaimo table below and the map on the next page. Six new sites have been added to the 2017 treatment list due to insufficient funding in the current year of the program.

Treatment Summary for Nanaimo	
Total re-treatments	24 sites. (10 private, 9 public and 5 plants with no regrowth)
Total new sites	15 Knotweed/ 2 Giant Hogweed sites. (10 private, 7 public)
New Private sites not treated due to budget constraints	4 sites
New public sites not treated due to budget constraints	2 sites
Total site with no regrowth	3 private and 4 public sites



Map 1. City of Nanaimo Treatments 2016. Yellow pins are sites treated, Green are eradicated, Red sites are Giant Hogweed, Blue pins are sites treated by MOTI and White require further follow up

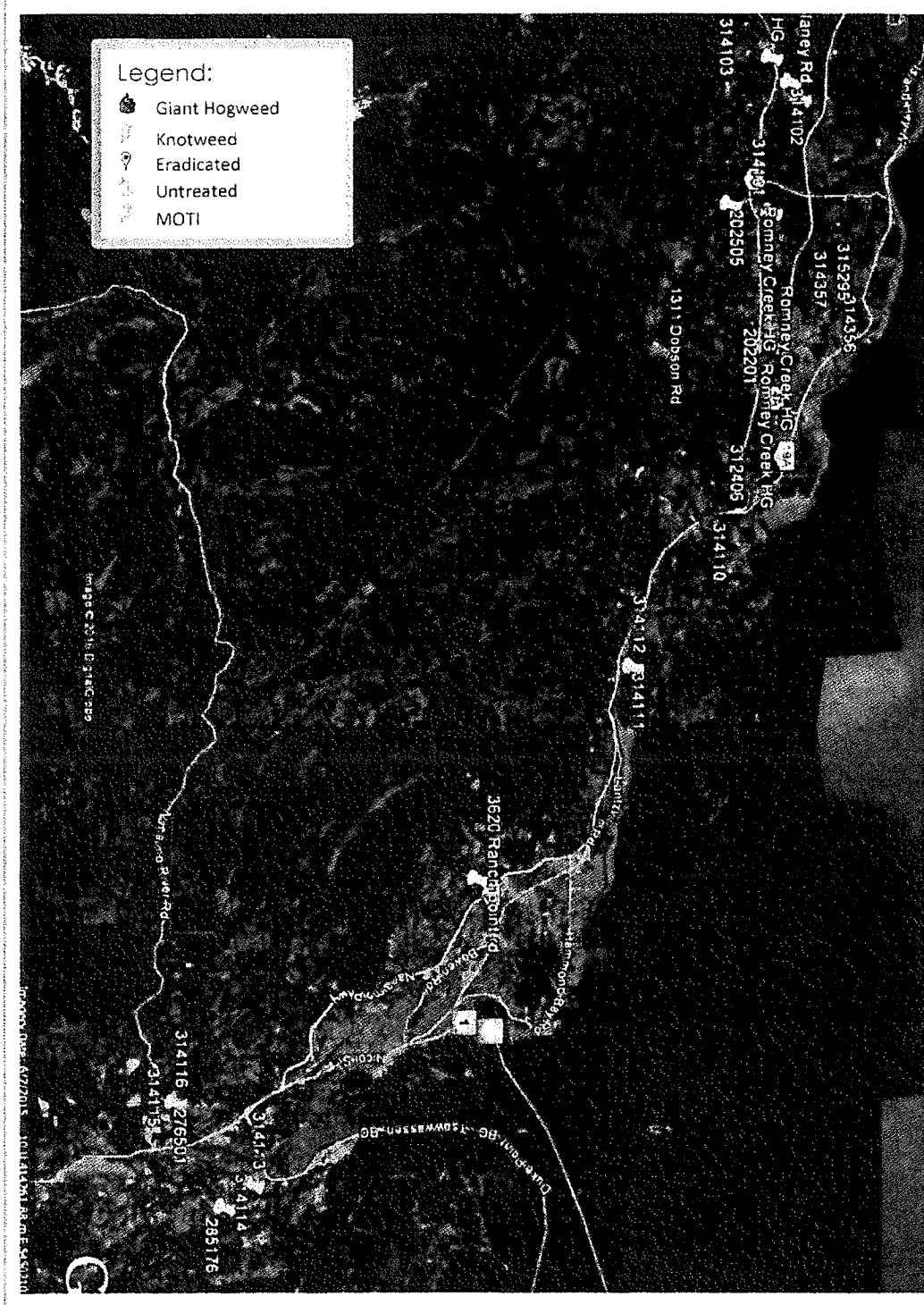
Regional District of Nanaimo

Uptake and support of the program in the Nanaimo Regional District (RDN) was overwhelming. Homeowners were happy to receive a full subsidy to tackle invasive Knotweed and Giant Hogweed. Due to limited budget, three homeowners are on a wait list for 2017.

Treatment Summary for the Regional District of Nanaimo	
Total sites treated	9 Knotweed, 6 Hogweed sites. (plus, 2 surveyed sites for 2017)
Outstanding sites (limited funding)	3 sites
Riparian setback (not treated)	2 sites



Live potted invasive plants, Nanaimo Wild Foods Festival, Earth day



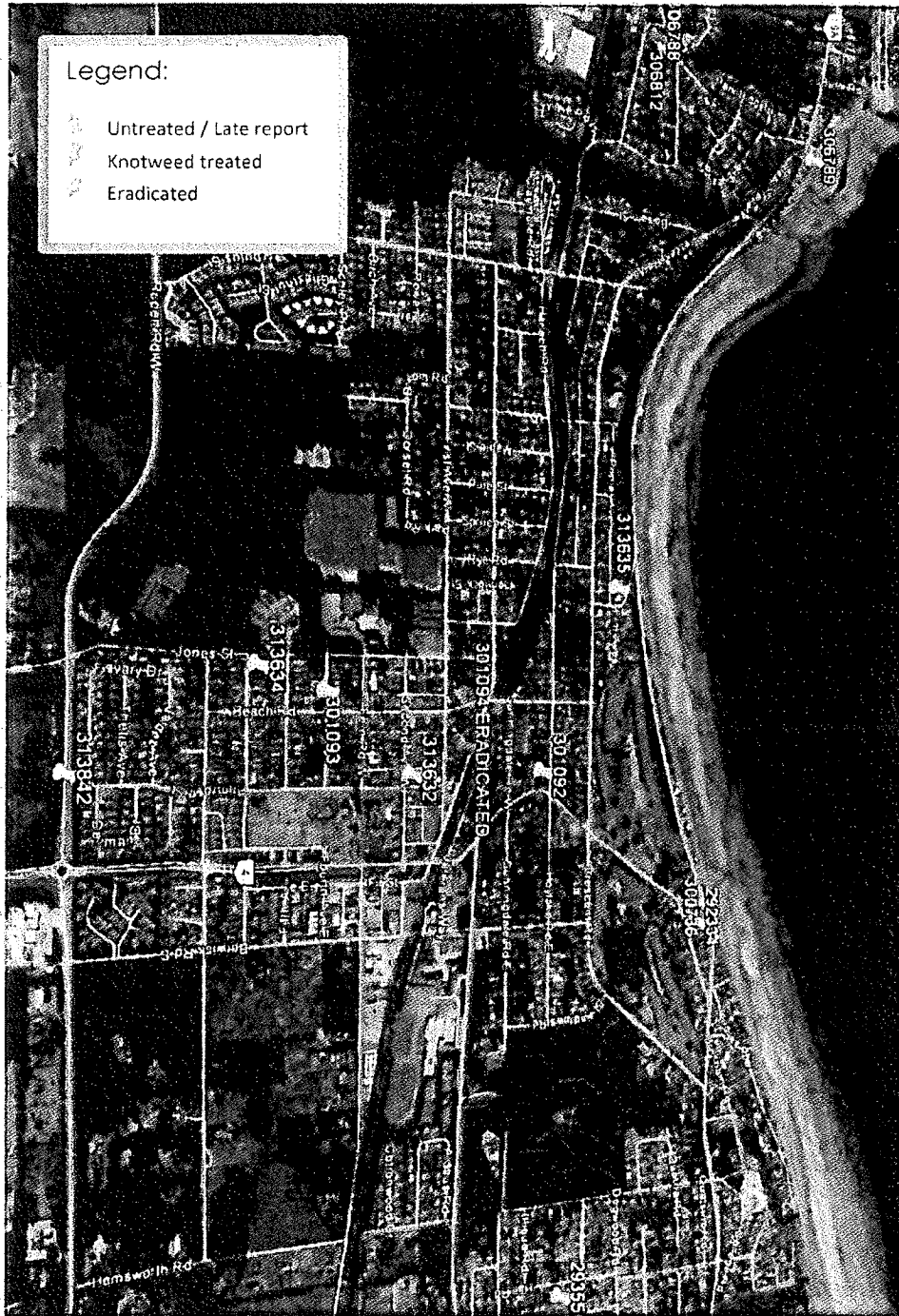
Map 2. Regional District of Nanaimo 2016 treatments. Yellow pins are treated Knotweed, Red pins are treated Giant Hogweed, white pins are unconfirmed and blue are MOTI sites.

Town of Qualicum Beach

All retreat sites show significant die-off with three Knotweed sites showing no regrowth. One site on Elizabeth Street was only partially treated due to riparian zone set back.

Treatment Summary for Qualicum Beach	
Total retreats	9 sites
Total new sites	3 sites
No regrowth	3 sites



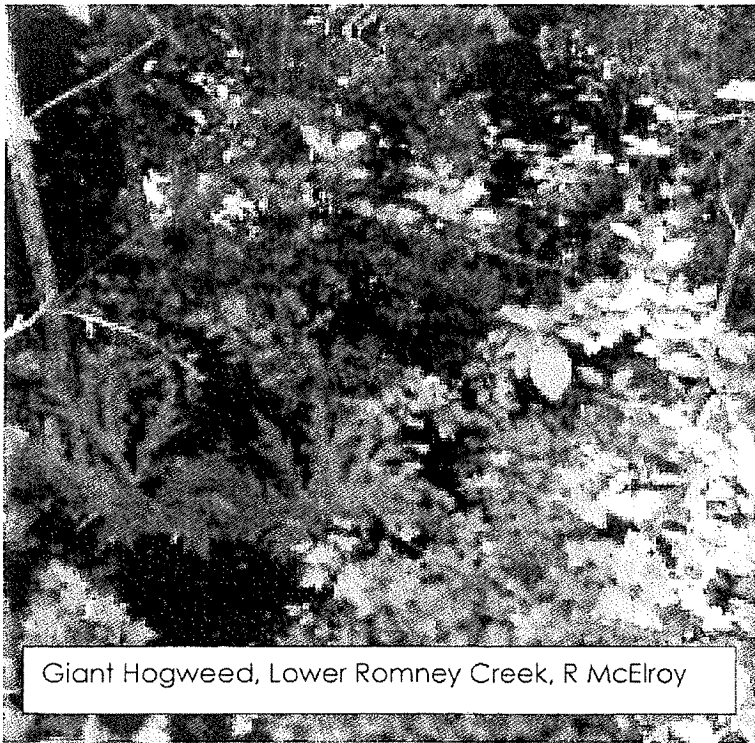


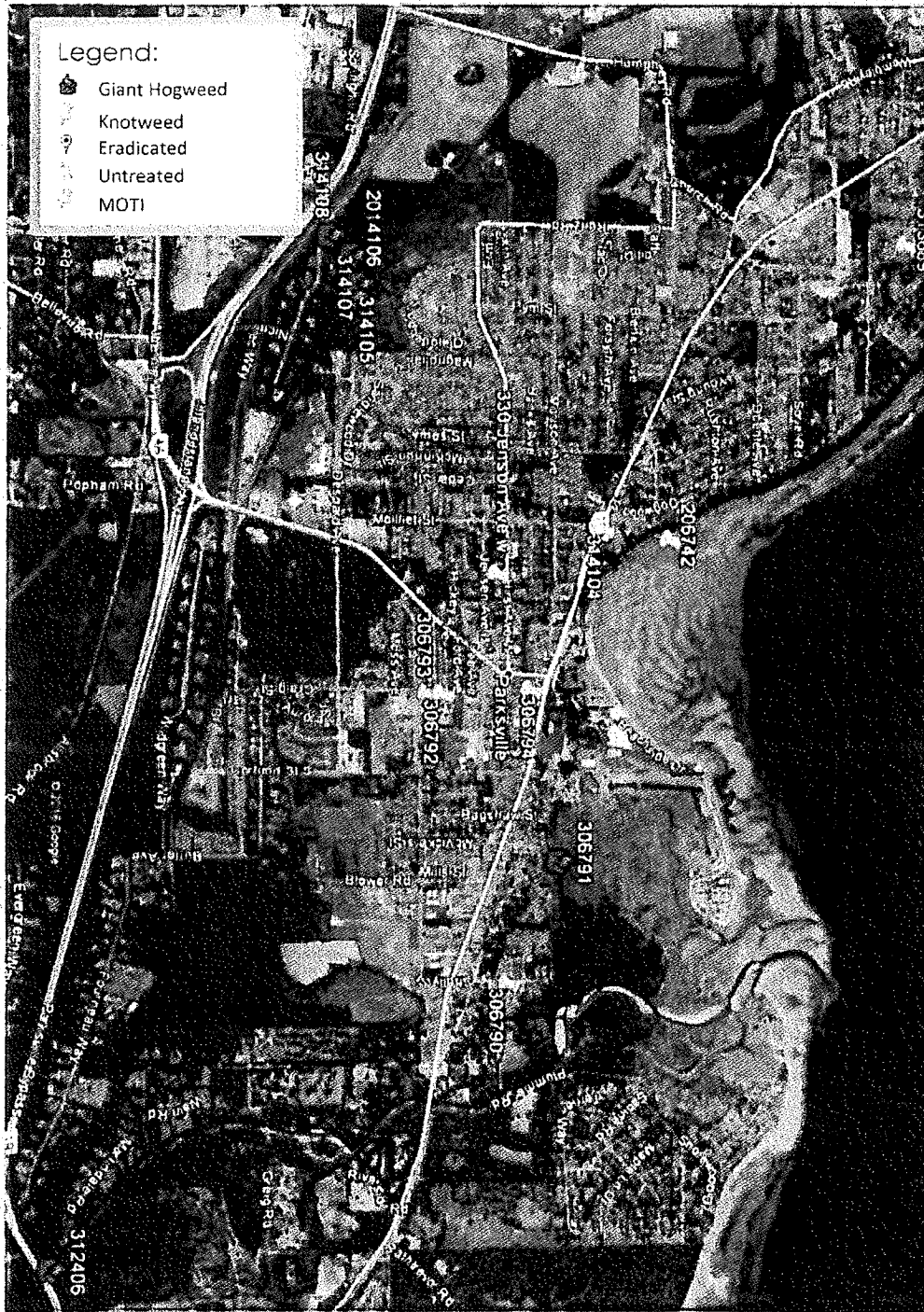
Map 3. 2016 Qualicum Beach treated sites. Yellow pins are treated, and blue are sites showing no regrowth.

City of Parksville

Treatments in Parksville for 2016 all show limited regrowth where previously treated. Of note is the Giant Hogweed infestation between Coldwater and Despard road, the infestation is large and has been treated but will need continued monitoring. While the upstream section within the RDN was not treated this year due to budget constraints, it has been added for treatment next year.

Treatment Summary for Parksville	
Total retreats	7 sites (2 surveyed only)
Total new sites	4 Knotweed/ 4 Hogweed
Eradicated	3 sites





Sensitive Ecosystems: French Creek Watershed

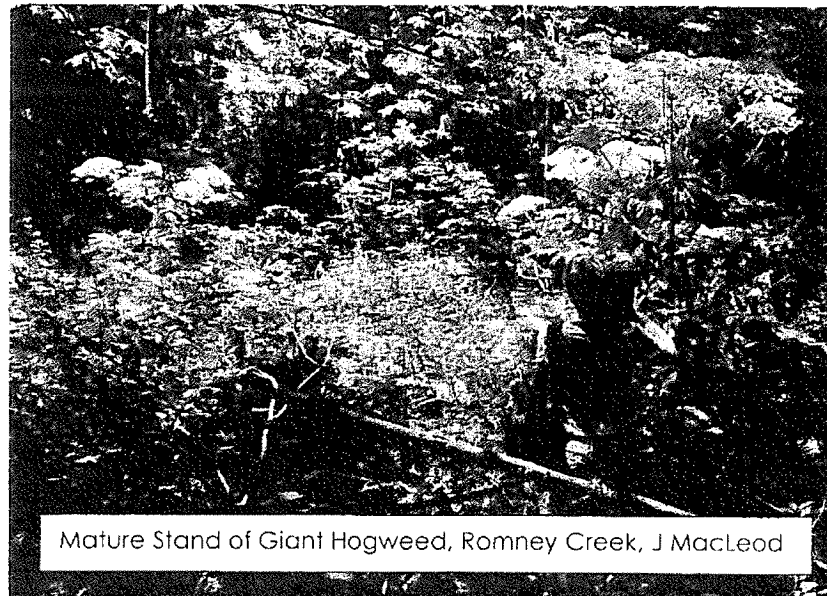
French creek is located between the City of Parksville and the Town of Qualicum Beach in the Nanaimo Regional District, draining a watershed of approximately 68 km². French creek is considered a sensitive stream under the Fisheries Protection Act, and the watershed is a designated community watershed¹. Land ownership is predominantly private at its lowlands with patches of private with crown managed forests in its upper reaches. Infestations occur throughout the 17 km of this stream and throughout Romney Creek, a tributary of French Creek.

The Friends of French Creek Conservation Society ("the Friends") hardy volunteers has been "hogweeding" Giant Hogweed along French creek for the past seven years under the leadership of Michael Jessen. The Coastal ISC contacted and met with a few members of the Friends to gain a better picture of the extent of the infestations and to put a plan to target and map giant hogweed along French and Romney Creek.

Although budget constraints limited the ability for the Coastal ISC to match the scale of the infestation, treatment gaps were identified and a few have been addressed. The Friends and some residents living along the creek have primarily been working with sites downstream from the train trestle and have identified areas of concern in Qualicum beach and the Nanaimo Regional District. The partnership with the Friends instrumental in future treatments within the area due to their wealth of knowledge of infestation locations and existing partnership with key land managers.

Island Timberlands are working to control a substantial area upstream between Hodges Road and Coombs, refer to Map 6 below and are interested in collaborating for the 2017 treatment season.

The Ministry of Transportation through a letter of agreement with Coastal ISC covered the costs for professional treatment of Giant Hogweed at two sites in the French Creek Watershed, sites include where Romney Creek crosses HWY 4a and at Englishman River crossing with HWY 19.



Mature Stand of Giant Hogweed, Romney Creek, J MacLeod

Gaps continue to exist and further investigation is required in areas upstream of Coombs, as well as several problem areas below the trestle where participation from key land owners is lacking, including Airport lands, Drew Road, Lee Road and Mason Trail.

¹ http://www.env.gov.bc.ca/van-island/es/french_creek/index2.htm

The property at the end of River Crescent, historically a gap in the treatment regime and a prime source of viable seed, from the large flowering Giant Hogweed present at this open site, has now received a commitment and the participation from the landowner to work in partnership with Friends and the Coastal ISC under this program for 2017.

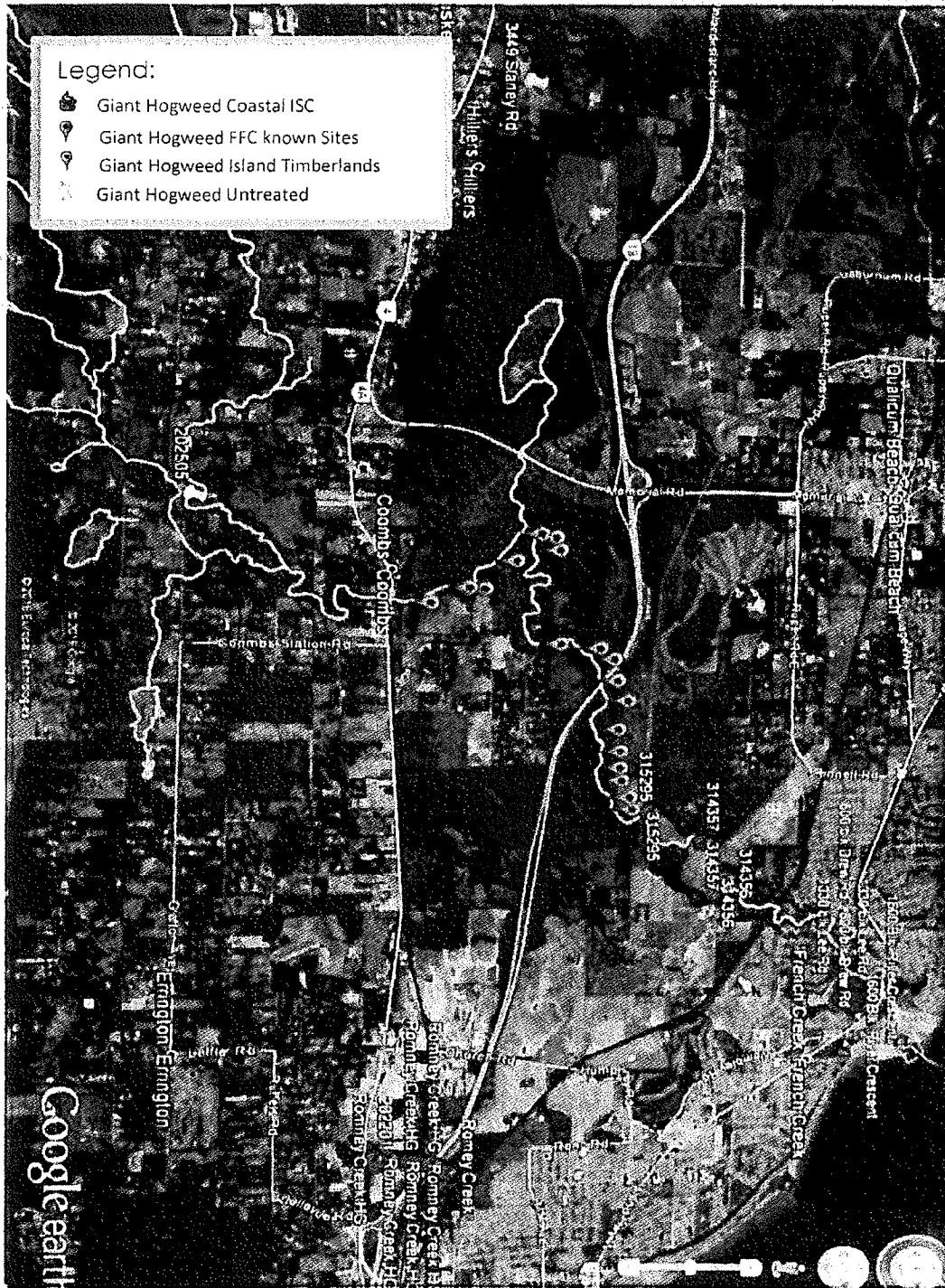
Romney Creek, a tributary of French Creek hold sporadic infestations of Giant Hogweed from where the creek crosses HWY 4a to the mouth. Refer to Map 5 for further details. Large mature stands exist at its mouth where it fans out in a City of Parkville park sandwiched between Coldwater and Despard Avenue. Following a public report, the Coastal ISC was able to mechanically remove the large flowing stands. However, the section between Coldwater Road and the Alberni highway, in the Regional District, was not treated due to budget constraints. However, this site, slated for sale and development, has been added to the 2017 treatment list after receiving written permission from the landowner.

The management goal in the French Creek Watershed is to control all Giant Hogweed starting at the upper reaches and working down in partnership with key land managers and the Friends. To achieve this goal cost effectively, it is recommended that all key land manager dealing with Giant Hogweed in the French Creek watershed, identified in this report, collaborate on developing a long-term, realistic program for undertaking any works. The timing for this meeting is proposed for the end of March, early April of 2017 following confirmation of funds form the RDN.





Map 5. Romney Creek Giant Hogweed infestation across Jurisdictional boundaries. Yellow pins are known sites and green are known Giant Hogweed sites, however not plant was found at the time of the survey.



Map 6. Giant Hogweed Sites along the French Creek Watershed. Red and black pins denote areas under treatment by Island Timberlands, Purple and black represent know problem areas identified by The Friends of French Creek and Red "fire" pins indicate the section treated in 2016 by the Coastal ISC.

Discussion

The Coastal ISC set to accomplish the following goals in 2016, progress in meeting these goals are discussed in this section

- **Control more infestations by pooling funds and gaining resource efficiencies**

Pooling funds and resources for efficient and effective co-operative invasive plant management is a strategic and fiscally responsible way of managing invasive species. From a local government perspective valuable and costly staff time is saved by undertaking a partnership approach requiring only one press release, one Knotweed Alert, one coordinator, one treatment contractor, one data entry expert and one person to summarize the findings, instead of four.

Communicating one regional message to the public results in less confusion, better public understanding and uptake of the program and signals a united front on an issue that can seem daunting and unachievable.

- **To identify Knotweed (and Giant Hogweed) infestations in both public and private lands in the Regional District of Nanaimo, Town of Qualicum Beach, and City of Parksville through a regional “Knot on My Property” media campaign and reporting system.**

Now in the second year of the program, more effort is required to identify new Knotweed sites compared to Giant Hogweed sites that are newly being reported. The coordinator surveyed neighborhoods for infestations, knocked on doors or delivered a letter and outreach material, encouraging home owners to participate in the program. All site information has been collected and recorded into a single excel document that includes: BC IAPP site number, location, land-owner contact and site information.

- **Effective control**

Typically, to successfully control Knotweed a 3-5-year commitment is required; however, some sites show success after one treatment. For the Nanaimo Regional Invasive Plant Partnership program, a total of 13 sites appear to have been effectively eradicated since last year. With a total of 95 sites effectively treated this year in the Nanaimo Region.

Knotweed treatment by a certified and trained professional means effective control and assurance that environmental and regulatory safeguards have been followed. Hiring the same contractor, year after year, allows for time savings, increase customer service and more sites treated.

With the 2016 move to select foliar application, as opposed to stem injection method, we see a similar efficacy (at this point) and less herbicide in the environment. Other benefits include the material can stay on site, instead of transporting and paying tipping fees for disposal. Foliar is a quicker application. However, in some cases such as high traffic public areas, the stem injection method may still be preferred, as it minimizes overspray and looks more esthetically pleasing.

- **Safeguard Human Health and Safety**

When it comes to Giant Hogweed the concern is less about the safe handling of herbicides, because mechanical control is effective, instead the concern is with the human health risks. All parts of the plant contain toxic compounds, which when in contact with human skin can lead to third degree burns. Taking the health risks away from the homeowner or the public and putting it in the hands of trained professional is the key in safeguarding public health. Half of the sites treated this year were found on private land and mostly in the French Creek watershed (including Romney Creek).

- **Efficient cooperative action on Giant Hogweed in the French Creek watershed**

As discussed previously in this report, 2016 marked a significant year of getting a better sense of the distribution and density of Giant Hogweed in the French Creek watershed. The Friends played a key role by passing on their knowledge following seven years of 'hogweeding' in the area. Inroads were made with Island timberlands and contributions from the Ministry of Transportation supported the cooperative action.

- **Enter treated sites into the BC Invasive Alien Plant Program database (IAPP)**

Survey and treatment data is now available in IAPP. Capturing invasive plant data in the IAPP allows for easy public access from the Report-A-Weed Map Display function. Local government staff can get access to the data-module in IAPP by contacting the Ministry of Forest Lands and Natural Resource Operations and requesting a user name and password. Having access to IAPP data entry module allows for greater functionality and the ability to extract provincial invasive plant data for effective planning and invasive plant management. Private contact information is not included in this database due to privacy protection regulations. Separate spreadsheets with corresponding paper file identification data allow for a link between both databases.

Any provincial department or agency has access to IAPP facilitating planning in the partnership areas. In particular, the Ministry of Transportation, the Ministry of Environment and the Ministry of Forests, Lands and Natural Resource Operations and providing them with tools to make budget requests for invasive plant management on Vancouver Island and the province.

- **Raise awareness of the issue, preventing the introduction and spread of invasive species**

Community action projects like the "Knot on My Property" program provides participants with an 'action', a concrete way to reducing the negative impacts of invasive species in their community and gain a better understanding of how to prevent the introduction and spread of invasive species.

Recommendations:

Proposed activities for the cooperative management of priority species in the Nanaimo Region in 2017, are outlined below.

- In mid-April 2017, monitor sites treated in 2016 through site visits and contacting landowners
- Follow up with the pesticide management regulatory agency regarding future use of the stem injection method.
- Modify the online permission form to be adequate for follow up treatments over multiple seasons
- Target Giant Hogweed in early May to avoid the plant going to seed and spreading further
- Re-treat 2016 sites, as a priority, in 2017 and subsequent sites be prioritized for treatment based on potential of spreading to riparian areas.
- Media campaign launch proposed for May to fit in with BC Invasive Species Month
- Participate in the Coastal ISC Regional Invasive Plant Strategy meeting in February and provide input on priority species and containment areas for the Nanaimo Region in partnership with other key land managers in the region. Funding request to the RDN already submitted.
- Develop a long-term, realistic program to systematically target Giant Hogweed, along with key land managers and stakeholders in the French Creek watershed. Host a French Creek Giant Hogweed strategy meeting in April to take steps in developing this plan and further engage key players in taking action for 2017 field season.

Conclusion

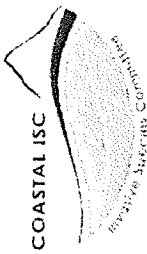
The “Knot on My Property” program was successful in increasing public awareness about the impact of invasive species and inspire action demonstrated by the sizeable response from the public.

Given the number of new reports and treatments within the partnership area, it can be concluded that the EDRR system was effectively tested allowing for any new invasive plant to be responded to in a timely and cost effective way. With new Knotweed and Giant Hogweed now identified, land managers should have better understanding of where infestations are and the scope of the local situation

This program is offered with a full subsidy provided by partner agencies, adding extras incentive for the public to participate. Coupled with professional treatment ensures ecologically sound and safe treatment of priority species.

As effective management of Knotweed and Giant Hogweed can often take several years and persistence is the key, it is advised that this program continue.

It is evident that the regional partnership approach is an effective means to address ‘high risk’ invasive species in a strategic and cost-effective way. The Coastal ISC hopes to continue to play a coordination role and offer collaboration tools to realize cost effective, efficient management of invasive species on Vancouver Island.



	Parksville	Qualicum Beach	City of Nanaimo	Nanaimo RD
KOMP PROGRAM - NANAIMO REGION				
EDUCATION/Coordination				
Coordination and communications (media release, media requests, promotion and partner engagement)	750.00	750.00	750.00	700.00
GH Alert - Regional Look with logos	200.00	200.00	200.00	100.00
250 KOMP Booklet (deliver 2015 KOMPS)	50.00			
Plantwise wallet cards (25 each), cost \$0.25	50.00	50.00	50.00	50.00
Get to Know Invasive Species Brochure	600.00	600.00	600.00	
Earth Day Event (April 23th) (staff time, booth and resources at)	500.00	500.00	500.00	500.00
Hotline: Public Assistance on managing invasives on their land	2,150.00	1,500.00	2,100.00	1,350.00
TOTAL				
	2,950.00			
	600.00			
	100.00			
	50.00			
	200.00			
	1,200.00			
	2,000.00			
	7,100.00			
TREATMENT				
Public Land Treatment	yes	yes	yes	yes
Private Land Treatment	yes	yes	yes	yes
Treatment sites and data entry (Re-treat) (\$ 150/site)	1,050.00	1,350.00	3,750.00	300.00
Treatment sites and data entry (New Sites) (\$300/site)	2,700.00	900.00	5,100.00	4,200.00
Mullesy Creek Site Visit: Plan and Treatment			900.00	
Project Coordination and site selection	1,000.00	1,000.00	2,535.00	2,035.00
Mileage	200.00	200.00	400.00	300.00
Summary report	350.00	350.00	900.00	400.00
Knotweed and GH disposal				
TOTAL				
	5,300.00	3,800.00	13,585.00	7,235.00
	29,920.00			
Education/Communication + Treatment TOTAL				
	7,450.00	5,300.00	15,685.00	8,585.00
15% Administration fee	1,117.50	795.00	2,352.75	1,287.75
Sub-total	8,567.50	6,095.00	18,037.75	9,872.75
GST (5%)	428.38	304.75	901.89	493.64
FINAL TOTAL	8,995.88	6,399.75	18,939.64	10,366.39

**Coastal Invasive Species Committee
Balance Sheet As at 12/31/2015**

ASSET

Current Assets

Coast Capital High Interest	33.99	
Coast Capital Shares	5.00	
Coast Capital Gaming	9,782.01	
COAST CAPITAL CHEQUING	<u>12,336.21</u>	
Total Cash		22,157.21
Accounts Receivable	<u>36,701.39</u>	
Total Receivable		<u>36,701.39</u>
Total Current Assets		<u>58,858.60</u>

TOTAL ASSET 58,858.60

LIABILITY

Current Liabilities

HST Charged on Sales	3,615.59	
HST Paid on Purchases	<u>-4,623.83</u>	
HST Owing (Refund)		<u>-1,008.24</u>
Total Current Liabilities		<u>-1,008.24</u>

TOTAL LIABILITY -1,008.24

EQUITY

Surplus/Deficit

Surplus/Deficit - Previous Year	40,891.08	
Surplus/Deficit Current	<u>18,975.76</u>	
Total Surplus/Deficit		<u>59,866.84</u>

TOTAL EQUITY 59,866.84

LIABILITIES AND EQUITY 58,858.60

Generated On: 04/15/2016

**Coastal Invasive Species Committee
Income Statement 01/01/2015 to 12/31/2015**

REVENUE

Sales Revenue

Sales	275.00
Sales Revenue Total	<u>275.00</u>

Government Funding

Canada Government	4,863.00
Ministry of Environment	2,647.70
Ministry of Forests and Range	29,512.00
Ministry of Transportation	109,660.00
BC Hydro	15,460.00
Regional Districts	30,673.13
Local Governments	49,250.44
BC Gaming	8,600.00
Total Government Funding	<u>250,666.27</u>

Private Funding

Invasive Plants Council of BC	320.00
Non-profit	24,274.58
Corporations and Businesses	106,766.00
Fortis BC	<u>26,187.50</u>
Total Corporations and Businesses	<u>26,187.50</u>
Total Private Funding	<u>157,566.08</u>

Other Income

Donations	100.00
Donations: Unreceived	<u>499.47</u>
Donations: Subtotal	499.47
Registrations Fees	1,193.12
Fees for Service	334.88
Interest Revenue	78.06
Bookkeeping adjustment	-0.10
Project Transfer	<u>27,206.83</u>
Total Other Income	<u>29,414.26</u>

TOTAL REVENUE 437,923.63

EXPENSE

Project Expenses - Fees for Service

FFS Contractors	82,186.00
FFS Program Management & Coord.	3,495.00
FFS Other Labor	8,610.96
Field Expenses	487.89
Field: Herbicide	2,367.82
Field Equipment	307.40
Field: Travel/Mileage	4,403.07
Field: Disposal	575.50
Field Exp: Food, Accom, Room Rental	1,073.75
Field Exp: Office allow. & supplies	<u>138.66</u>

**Coastal Invasive Species Committee
Income Statement 01/01/2015 to 12/31/2015**

Total Field Expenses	8,866.20
Total Project Expenses	<u>103,846.05</u>
Events	
Board Meetings	406.42
Rent	3,684.00
Catering/Rentals	1,777.00
Workshops/Community Events	164.99
Outreach Materials	1,429.93
Total Event Expenses	<u>7,462.34</u>
Payroll Expenses	
Wages & Salaries	80,348.70
WCB Expense	179.08
Employee Benefits	1,120.90
Payroll Expenses - Payworks	478.73
Total Payroll Expense	<u>82,127.41</u>
General & Administrative Expenses	
Accounting & Legal	1,631.68
Bookkeeping balancing	-0.10
Business Fees & Licenses	170.00
Educ & Outreach Coord	6,314.00
Project Coordinator	742.00
Contractors	178,331.57
Courier & Postage	529.71
Insurance	3,520.00
Interest & Bank Charges	49.36
Office Supplies	464.10
Computers, software, & maintenance	296.36
Website	1,391.94
Prof Dev & Conferences	339.25
Telephone & Internet	664.20
Travel: Mileage	2,091.65
Travel: Parking & Ferries	925.85
Travel: Food & Lodging	1,041.67
Total General & Admin Expenses	<u>198,503.24</u>
Other	
Project Clearing	27,208.83
Total Other Expenses	<u>27,208.83</u>
TOTAL EXPENSE	<u>418,947.87</u>
NET INCOME	<u>18,975.76</u>

Generated On: 04/15/2016

TO: Committee of the Whole **MEETING:** January 10, 2017
FROM: Wendy Idema, Director of Finance **FILE:**
SUBJECT: 2017 to 2021 Financial Plan Outstanding Items

RECOMMENDATION

1. That the Board reallocate the Provincial Grant in the amount of \$136,000 previously directed to the Island Corridor Foundation agreement to be used for evaluations and analysis related to the establishment of services or the review of existing services.
2. That District 69 Search and Rescue requisition funding and transfer to the Arrowsmith Search and Rescue Society be maintained at existing levels.
3. That the Board requisition funds under the Feasibility Service to be held in a Regional District Feasibility Reserve fund or in specific Electoral Area Feasibility Reserve funds for service review requests and for feasibility studies for new amenities.

SUMMARY

There are three outstanding items, other than external funding requests related to the 2017 to 2021 Financial Plan (1) Direction is required on the use of the \$136,000 previously held in reserves for the Island Corridor Foundation agreement; (2) an analysis of the comparative funding between District 68 and 69 Land Search and Rescue Services as requested by Board motion December 6, 2016 and (3) a recommendation that Feasibility Service funds be raised to provide for new service and amenity planning.

BACKGROUND

The following are summaries of the outstanding items related to the 2017 budget at December 31, 2016.

1. \$136,000 received under the Province's Strategic Community Investment Fund grants from 2013/14 has been held in reserve pending the outcome of the Island Corridor Foundation agreement. As that agreement has been terminated, the reallocation options are:
 - Maintain the funds in a reserve to be used for evaluations and analysis related to the establishment of services or the review of existing services.
 - Apply the funds to other services such as parks or grants-in-aid.
 - Apply the funds directly to the Legislative Services and Electoral Areas 2017 budgets.

As there were no specific Provincial criteria for use of the Strategic Community Investment Funds other than to use them to benefit the community, reallocation to any of the above areas would be consistent with their purpose.

2. District 69 Search & Rescue Funding – at the December 6, 2016 Board meeting, the following motions were passed:

MOVED Director Fell, SECONDED Director Rogers, that the Arrowsmith Search and Rescue be funded at the same mill rate as the Nanaimo Search and Rescue.

MOVED Director Stanhope, SECONDED Director Westbroek, that this motion be referred to staff to prepare a report to compare the two search and rescues in Districts 68 and 69.

The District 69 Search and Rescue funding was confirmed as a new service in 2016 with an annual operating transfer of \$10,000 to the Arrowsmith Search and Rescue Society (ASAR). As well, ASAR built an addition to the Coombs-Hilliers fire hall in 2003 for their training headquarters and for storage of their equipment and vehicles. There is a long-term agreement with ASAR at no charge for use of this RDN property and it is difficult to establish an equivalent rental value as if ASAR had to rent property. The requisition for this service is allocated based on population at an amount of \$0.228 per capita which results in a mil rate of between \$0.07 and \$0.13 per \$100,000 of assessment depending on area population.

The Nanaimo Search and Rescue Society is provided with two amounts annually. RDN pays \$24,000 annually for their City of Nanaimo owned rental space and provides a \$5,975 operating grant to the Society. The requisition for this service is allocated based on population at an amount of \$0.294 per capita resulting in a mil rate of between \$0.09 and \$0.17 per \$100,000 of assessment.

3. Feasibility Service funding – Electoral areas individually and the RDN as a whole can requisition funds to be held for feasibility studies or voter approval processes related to new or existing services and amenities. Also, because Community Works funds and other grant funded projects do not allow for certain costs such as legal fees to be paid from that funding, feasibility funds can be used to assist with costs not covered by grant funding. For example, \$15,000 was raised for Electoral Area 'B' in 2015 for the review and establishment of the Gabriola Taxi-Saver Service and the Gabriola Transit Contribution service. For 2017, \$5,000 will be raised for Electoral Area 'G' Feasibility related to water services planning.

Staff recommend that the Board consider raising funds regionally to provide some base funding should there be a request for new amenities or a service review. As well, should an Electoral Area wish to develop feasibility service funds for new services or elector approval processes that may arise specific to their area, funds could be raised for this purpose through the 2017 or future requisitions. Feasibility Service funds are held in reserve until needed.

ALTERNATIVES

1. That the Board reallocate the Provincial Grant in the amount of \$136,000 previously directed to the Island Corridor Foundation agreement be used for evaluations and analysis related to the establishment of services or the review of existing services.
2. That District 69 Search and Rescue requisition funding and transfer to the Arrowsmith Search and Rescue Society be maintained at existing levels.
3. That the Board requisition funds under the Feasibility Service to be held in a Regional District Feasibility Reserve fund or in specific Electoral Area Feasibility Reserve funds for service review requests and for feasibility studies for new amenities.

FINANCIAL IMPLICATIONS

Alternative 1

There are no additional direct financial implications to holding the \$136,000 in reserve for service review purposes. Alternatively the funds could be provided to another service for a specific regional park project or for general grants-in-aid should requests arise from community groups over 2017. If the funds were applied directly to the Legislative Services and Electoral Areas budget for 2017, they could be used to reduce the requisition impacts of the planned Regional Service Review.

Alternative 2

Revising the District 69 requisition to be equivalent to the District 68 mil rate is complex.

If the cost per capita in District 69 was set at the same \$0.294 amount as in District 68, it would result in an additional \$3,145 raised for the service in District 69. However if rent was charged to ASAR for the space at Coombs-Hilliers Fire Hall, the cost would likely be more than the \$3,145 difference between the current \$10,000 they receive for operations and a total of \$13,145. Staff are not recommending a change to the District 69 transfer at this time as the combination of space at no cost and the \$10,000 in operational funding likely matches or exceeds the value provided to the Nanaimo Land Search and Rescue Society.


Alternative 3

Raising \$50,000 to hold in a regional reserve for feasibility studies across the RDN results in a cost of \$0.20 per \$100,000 of residential assessment. For Electoral Areas, raising \$5,000 toward an Electoral Area specific Feasibility Reserve for example results in a cost per \$100,000 as follows:

- | | | | |
|----------------------|--------|------------------|--------|
| • Electoral Area 'A' | \$0.41 | Electoral Area F | \$0.39 |
| • Electoral Area 'B' | \$0.44 | Electoral Area G | \$0.30 |
| • Electoral Area 'C' | \$0.50 | Electoral Area H | \$0.49 |
| • Electoral Area 'E' | \$0.26 | | |

STRATEGIC PLAN IMPLICATIONS

The 2016 to 2020 Strategic Plan includes a number of governing principles that reflect the discussion items noted above including to “show fiscal restraint” and “to be fair and equitable”. Providing funding for services in a justifiable and fair manner can be challenging in a Regional District where participants in a service vary across jurisdictions and sometimes within jurisdictions. The Board is required to balance the demands for new and additional services and amenities with the impacts to the tax requisition while also trying to support future growth for the community.


for Wendy Idema, widema@rdn.bc.ca
December 16, 2016

Reviewed by:

- T. Moore, Manager, Accounting Services
- M. Manhas, Manager Capital Accounting & Financial Reporting
- P. Carlyle, Chief Administrative Officer

TO: Committee of the Whole **MEETING:** January 10, 2017
FROM: Wendy Idema, Director of Finance **FILE:** 1855-04- COWO
SUBJECT: 2017 Community Works Funded Projects Update

RECOMMENDATION

1. That the Community Works Funds program project lists included in Attachments 1 be approved and that staff be authorized to continue work on the projects as needed.

SUMMARY

The renewed Gas Tax Agreement (GTA) between Canada, British Columbia and UBCM, and the 2014-2024 Community Works Fund (CWF) agreement between the RDN and UBCM took effect April 1, 2014. Under these agreements, local governments receive annual transfers which may be used for local priorities to improve public infrastructure. This report updates the status of CWF projects and ensures spending approvals are in place. The per capita amount received is based on rural area population with \$1,676,565 before interest expected for the RDN in 2017. Attachment 1 provides a list of current CWF funded projects by area, Attachment 2 is a list of future projects that are currently being discussed and Attachment 3 provides a list of eligible project categories.

BACKGROUND

The projects listed provide a broad range of outcomes including the development of community water and sewer systems, walking/cycling trails, recreation infrastructure, building upgrades and the implementation of official community plan initiatives.

Some of the projects 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. Costs such as land purchases, legal costs and operating/administrative costs remain ineligible under the gas tax funding program. There is an expectation under the program that the ultimate recipients (local governments and other eligible entities) are required to “work to strengthen” asset management during the term of the agreement.

Each municipality within the Regional District receives funds separately for the same purposes. This program is separate from the application based Strategic Priorities Fund which provides funding for projects that are larger in scale, regional in impact, or innovative in nature.

ALTERNATIVES

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

FINANCIAL IMPLICATIONS

Alternative 1

In 2017, the RDN will receive a minimum of \$1,676,565 in CWF base funding before interest. A base funding of \$50,000 is received as floor funding and is allocated to cross-area projects and the remaining \$1,626,565 is allocated to electoral areas on a per capita basis. Allocations will be updated when 2016 census results are known.

The following table sets out estimated balances available by area. However, the 2016 final costs are pending and several of the project amounts are unknown or based on rough estimates only at this time. This information will continue to be updated.

	Dec 31, 2016 Preliminary Balance	2017 Estimated Allocation	2017 Projected Spending	Estimated Remainder Available
Base funding	\$96,800	\$50,000	\$20,000	\$126,800
Electoral Area A	\$1,652,975	\$307,790	\$337,875	\$1,622,890
Electoral Area B	\$942,355	\$170,900	\$830,000	\$283,255
Electoral Area C	\$761,170	\$131,860	\$330,000	\$563,030
Electoral Area E	\$640,355	\$248,345	\$670,000	\$218,700
Electoral Area F	\$1,464,210	\$313,575	\$1,023,860	\$753,925
Electoral Area G	\$1,498,830	\$302,420	\$50,000	\$1,751,250
Electoral Area H	\$538,895	\$151,675	\$113,200	\$577,370
Total	\$7,595,590	\$1,676,565	\$3,374,935	\$5,897,220

Under this alternative, \$4,664,511 will be used from CWF as outlined in Attachment 1. \$3,374,935 is projected to be spent in 2017 and \$1,289,576 of this budget was spent in prior years. Use of Community Works Funds for these projects allows us to fund projects and provide funding to external agencies to undertake projects which would not otherwise be feasible without significant tax increases.

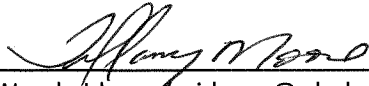
The use of Community Works Funds can be authorized at any time. Should the Board identify new projects during 2017 to be incorporated in workplans, they can be authorized to proceed at that time.

Alternative 2

The financial implications of alternative 2 would be dependent on the amended plan.

STRATEGIC PLAN IMPLICATIONS

The use of CWF funds to support capital and asset planning projects is strongly supported by the 2016 to 2020 Strategic Plan Focus Areas for Economic Health, Environment, Relationships and Service and Organizational Excellence. The funds are used to support volunteer organizations, improve water and wastewater infrastructure, provide recreation and park facilities and move towards a strong long-term community asset planning focus for the Regional District.

for 
Wendy Idema (widema@rdn.bc.ca)
December 12, 2016

Attachments

1. Community Works Projects Listing
2. Potential Community Works Projects
3. Community Works Funds Eligible Project Categories

Reviewed by:

- R. Alexander, General Manager, Regional & Community Utilities
- T. Osborne, General Manager, Parks & Recreation
- D. Trudeau, General Manager, Transportation & Emergency Services
- G. Garbutt, General Manager, Strategic & Community Development
- J. Harrison, Director of Corporate Services
- P. Carlyle, Chief Administrative Officer

**ATTACHMENT 1
 COMMUNITY WORKS PROJECTS COMPLETED, UNDERWAY or PLANNED**

ELECTORAL AREA A Projects		Previously Approved	For Current Approval	Description
Snuneymuxw First Nations Sport Court – EA A	\$300,000 budget	\$300,000	\$0	Capital funding agreement for sport court upgrades, agreement completed
Morden Colliery Bridge & Trail Design – EA A	\$80,000 budget \$17,875 carried to 2017	\$80,000	\$0	Community consultation & development of detailed design plan and costing, pending ALC review
Cedar Community Hall HVAC Upgrade – EA A	\$21,182 spent, project complete	\$21,182	\$0	Capital funding agreement
Community Busing Review – EA A	\$20,000 budget	\$0	\$20,000	Provision of report providing alternatives and cost estimates for EA A
Cranberry Community Hall Capital Upgrades	\$146,000 spent, project complete	\$146,000	\$0	Capital funding agreement with Cranberry Improvement District
ELECTORAL AREA B				
Gabriola Village Trail Design Phase – EA B	\$100,000 budget \$2,800 carried to 2017	\$100,000	\$0	Development of detailed design plan incorporating surveys, environmental studies, landowner, community and MoTI consultation
Gabriola Village Trail Construction Phase – EA B	\$TBD	\$0	\$TBD	To be brought forward to the Board for approval pending final design and cost estimates.
Gabriola Commons Solar Array – EA B	\$16,035 spent, project complete	\$16,035	\$0	Funding agreement for Installation of solar array for power generation
Huxley Park Recreation Infrastructure – EA B	\$70,000 preliminary estimate	\$0	\$70,000 preliminary estimate	Sport Court & Playground upgrades pending grant funding
Gabriola Rollo Centre Capital Upgrades – EA B	\$19,959 spent, project complete	\$19,959	\$0	Funding agreement with Gabriola Seniors Citizens Association

ELECTORAL AREA B (continued)		Previously Approved	For Current Approval	Description
Gabriola Museum Accessibility Upgrade – EA B	\$5,000 spent, project complete	\$5,000	\$0	Funding agreement with Gabriola Historical & Museum Society
Gabriola Island Community Hall Upgrades – EA B	\$17,500 budget	\$17,500	\$0	Funding agreement with Community Hall Association, 2017 project
Gabriola Golf Club Capital Equipment – EA B	\$28,500	\$28,500	\$0	Funding agreement with Golf Club for capital equipment funding
ELECTORAL AREA C				
Extension School Historic Site Upgrades - EA C	\$300,000 preliminary budget	\$250,000	\$50,000	Pending Funding agreement with Extension Recreation Society for redevelopment of historic school
EA C Water Services Planning	\$30,000 budget	\$0	\$30,000	Initial infrastructure plan for area water
ELECTORAL AREA E				
Community Signage Program – EA E	\$34,300 spent, project complete	\$34,300	\$0	Integrated wayfinding and community signage program for Nanoose Bay
Claudet Community Park Trail – EA E	\$100,000 spent, project complete	\$100,000	\$0	Trail design & construction
Blueback Community Park – EA E	\$50,000 spent, project complete	\$50,000	\$0	Park and trail infrastructure upgrades
Oakleaf Community Park – EA E	\$30,000 budget, \$10,000 carried to 2017	\$30,000	\$0	Park and trail infrastructure upgrades
Nanoose Bay Water Quality/Quantity Monitoring – EA E	\$330,000 budget, \$130,000 carried to 2017	\$330,000	\$0	Development & capital infrastructure for well monitoring program over 2015 - 2018
Urban Interface Firefighting Water Storage Tanks – EA E	\$235,000 budget	\$105,000	\$130,000	Installation of infrastructure for water storage in urban interface areas

ELECTORAL AREA E (Continued)		Previously Approved	For Current Approval	Description
Nanoose Place Capital Upgrades – EA E	\$215,000 budget, \$120,000 carried to 2017	\$215,000	\$0	Agreement with Nanoose Bay Activities & Recreation Society for HVAC and other building upgrades
Nanoose Bay Peninsula Water Service Pump Station – EA E	\$600,000 budget	\$600,000	\$0	Contribution to \$1.8 million capital project over 2016-2018
Nanoose Bay Fire Hall HVAC optimization – EA E	\$9,000 budget	\$0	\$9,000	Programming and capital improvements to optimize system & energy savings
ELECTORAL AREA F				
Westerne Heights Water System Upgrades – EA F	\$40,000 budget	\$40,000	\$0	Engineering & construction of upgrades to water system taken over by RDN to meet VIHA requirements
Whiskey Creek Water System Upgrades – EA F	\$450,000 budget \$424,000 remaining	\$450,000	\$0	Engineering and construction of treatment facility for Whiskey Creek Water System in response to order from Island Health
Meadowood Community Rec Centre – EA F	\$450,000 preliminary budget	\$450,000 preliminary budget	\$0	Pending final site selection, design and costing
Arrowsmith Community Trails – EA F	\$18,835 spent, project complete	\$18,835	\$0	Cranswick Road trail development/upgrades
E&N Rail Trail contribution – EA F	\$400,000 budget	\$400,000	\$0	Contribution to French Creek to Coombs trail development project

ELECTORAL AREA G		Previously Approved	For Current Approval	Description
E&N Rail Trail contribution – EA G	\$125,000 budget	\$125,000	\$0	Contribution to French Creek to Coombs trail development project
Water Service Infrastructure Planning – EA G	\$50,000 budget	\$50,000	\$0	EPCOR water system purchase review
ELECTORAL AREA H				
Spider Lake Broadband – EA H	\$90,000 budget	\$0	\$90,000	Partnering project underway with Telus to expand coverage-project previously Board approved but dollars now known until now
OCP Review Plans – EA H	\$75,000 budget	\$60,000	\$15,000	Active Transportation Plan & ALR Boundary Scoping (\$30,000 each largely complete 2016), Archeological Overview Assessment (\$15,000 underway)
Bowser Sewer Servicing Design – EA H	\$15,000 budget	\$0	\$15,000	Contribution to comprehensive design & costing project
Lighthouse Community Centre Upgrades – EA H	\$85,000 spent, project complete	\$85,000	\$0	Agreement with Lighthouse Community Centre for upgrade funding
Bowser Legion Capital Upgrades – EA H	\$58,200 spent, project complete	\$50,000	\$8,200	Agreement with Ladies Auxiliary of Bowser Legion for upgrade funding
Tulnuxkw Lelum Bowser Cultural Learning Space	\$30,000 budget	\$30,000	\$0	Agreement with Bowser Elementary School PAC for capital funding
ALL ELECTORAL AREAS				
Green Building Best Practices Guidebook Series – all EAs	\$20,000 budget	\$20,000	\$0	Continue to review and develop compendium of guidebooks. 2017 = Onsite Grey Water Reuse – pending Provincial guidance being completed
TOTAL BUDGET All Projects	\$4,664,511	\$4,227,311	\$437,200	

**ATTACHMENT 2
 POTENTIAL COMMUNITY WORKS PROJECTS**

	Budget	Previously Approved	For Current Approval	Description
Gabriola Cycling Plan – EA B	\$50,000 budget	\$50,000	\$0	Plan design
Gabriola Island Recycling Centre – EA B	\$TBD	-	\$TBD	Capital equipment funding, pending additional information
Jack Bagley Field Improvements – EA E	\$TBD	-	\$TBD	Shared project with School District 69
Errington Community Park Playground – EA F	\$150,000	\$150,000	\$0	Capital upgrades and equipment purchase
French Creek Community Path & Trail – EA G	\$100,000	\$100,000	\$0	Detailed design plans incorporating surveys, environmental studies, landowner, community and MoTI consultation
Deep Bay to Shaw Hill Roadside Trail – EA H	\$TBD	\$TBD	\$0	Project in conjunction with MOTI

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.

ATTACHMENT 3 COMMUNITY WORKS FUNDS ELIGIBLE PROJECT CATEGORIES

- **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. Limited to projects/costs that are for mitigation, not response related infrastructure.

TO: Regional District of Nanaimo Board **MEETING:** January 10, 2017
FROM: Jeff Ainge **FILE:** 1025-01
Asset Management Coordinator
SUBJECT: UBCM Asset Management Planning Program – Grant Application 2017

RECOMMENDATION

That the Board support an Asset Management Planning Program grant application to the Union of British Columbia Municipalities to complete a *Condition Assessment Plan and Implementation Framework*.

SUMMARY

An organization-wide approach to determining and documenting asset condition is required in order to implement the Regional District of Nanaimo's (RDN) strategic asset management program.

In October 2016, the UBCM Asset Management Planning Program announced a grant funding opportunity for 2017 with an application deadline of November 18, 2016. Staff submitted an application to fund a *Condition Assessment Plan and Implementation Framework*. The application has been approved in-principle, pending a Board resolution in support of the application. Following submission of a Board resolution supporting the project, the work will be incorporated into asset management plans to be developed over 2017.

BACKGROUND

In October 2016, the UBCM Asset Management Planning Program announced a funding opportunity for 2017 with an application deadline of November 18, 2016. An application was submitted to the UBCM in order to meet that deadline with an explanatory note indicating that a Board resolution would follow. The application has since been approved in-principle, pending receipt of a Board resolution supporting the project (see Attachment 1).

Condition assessments are an essential asset management tool designed to detect and quantify asset degradation over time, and provide an evidence-based means of quantifying remaining useful life. This provides information necessary to identify infrastructure related risks, prioritize asset maintenance and renewal programs, and reduce uncertainty in medium to long-term financial planning for infrastructure.

At present, condition assessments are undertaken at the departmental level. The benefits of an organization-wide framework for determining and documenting asset condition are consistency in estimating the remaining useful life of assets currently in service and reduced risk of service interruption due to unanticipated early failure of infrastructure assets.

To ensure these benefits are optimized across the RDN, implementation of a condition assessment framework will rely on reviewing current practices, identifying gaps as well as best practices currently in

place; and incorporating the results and recommendations from the project into departmental asset registries and asset management plans.

ALTERNATIVES

1. That the Board support an Asset Management Planning Program grant application to the Union of British Columbia Municipalities to complete a *Condition Assessment Plan and Implementation Framework*

Under this alternative, the RDN would provide the Board resolution required to complete the grant application already approved in-principle, submitted on November 18, 2016.

2. That the Board not support an Asset Management Planning Program grant application to the Union of British Columbia Municipalities.

Under this alternative, staff would withdraw the application.

FINANCIAL IMPLICATIONS

The Asset Management Planning Program grant provides up to 50% of total project costs to a maximum of \$10,000. A detailed budget has been prepared in support of the application (see Attachment 2), which if successful would require an estimated in-kind contribution of \$5,000 (RDN staff time) and up to \$5,000 allocated to professional fees from the Asset Management function.

STRATEGIC PLAN IMPLICATIONS

Included in the 2016 - 2020 Board Strategic Plan is the Strategic Priority to Focus on Organizational Excellence. That Strategic Priority commits the RDN to deliver efficient, effective and economically viable services that meet the needs of the Region; and to focus on organizational excellence in all aspects of our daily actions and service delivery to our customers. One of the elements identified in the Strategic Plan to achieve this priority is to “fund infrastructure in support of our core services employing an asset management focus.” Having a formal Condition Assessment framework to implement as part of an organization-wide approach to asset management represents strong action in support of this Board Strategic Priority.



Jeff Ainge

jainge@rdn.bc.ca

December 16, 2016

Attachments

1. UBCM Notification of Approval in Principle
2. Proposed Project Budget

Reviewed by:

- C. Midgley, Manager, Water Services & Asset Management
- R. Alexander, General Manager, Regional & Community Utilities & Solid Waste
- P. Carlyle, Chief Administrative Officer

Local Government Program Services

...programs to address provincial-local government shared priorities



Administration provided
by UBCM

Funding provided by
Province of B.C.



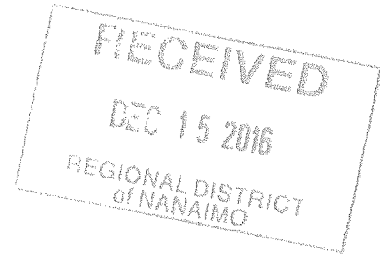
For program
information, visit the
Funding Programs
section at:

www.ubcm.ca

LGPS Secretariat

Local Government House
525 Government Street
Victoria, BC, V8V 0A8

E-mail: lgps@ubcm.ca
Phone: (250) 356-2947



December 13, 2016

Chris Midgley, Manager
Water Services and Asset Management
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Re: 2017 Asset Management Planning Program – Approval in Principle

Dear Mr. Midgley,

Thank you for submitting an application for the 2017 Asset Management Planning grant program.

I am pleased to inform you that your project, *Condition Assessment Plan – Preparing an Implementation Framework*, has been approved in principle for funding.

Pending satisfactory receipt of the following item, your application will be eligible for full approval:

- Local government resolution indicating support for the proposed project and willingness to provide overall grant management.

On behalf of the Evaluation Committee, I would like to congratulate you for responding to this opportunity to advance asset management in your local government.

If you have any questions, please contact Local Government Program Services at (250) 356-2947 or by email at lgps@ubcm.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ronald".

Peter Ronald
Programs Officer

Asset Management Planning Program (2017)

Regional District of Nanaimo Application

Condition Assessment Plan - Preparing a Plan and Implementation Framework

Project Budget

Task	RDN Funding	UBCM Funding	Total
Contract Administration and Project Coordination	\$ 1,500.00	-	\$ 1,500.00
Identify & prioritize asset groups requiring condition assessments	\$ 1,000.00	\$ 1,500.00	\$ 2,500.00
Define condition assessment procedures for each asset group	\$1,000.00	\$ 2,500.00	\$ 3,500.00
Document and implement methods for rating asset condition	\$ 1,500.00	\$ 2,000.00	\$ 3,500.00
Establish electronic records of condition ratings	\$ 1,500.00	\$ 1,000.00	\$ 2,500.00
Establish a method to indicate confidence of the condition rating	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00
Establish a framework to evaluate condition assessments and apply results to Asset Management Plans, plus financial and strategic planning processes.	\$ 2,000.00	\$ 1,500.00	\$ 3,500.00
TOTALS	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00

TO: Regional District of Nanaimo
Committee of the Whole

MEETING: January 10, 2017

FROM: Paul Thompson
Manager, Long Range Planning

FILE: 6780 30 MA

SUBJECT: Regional Growth Strategy Bylaw 1615.01, 2016

RECOMMENDATIONS

1. That the Board agree to the revision to “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” as proposed by the Town of Qualicum Beach.
2. That the second reading of “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” be rescinded.
3. That “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” be read a second time as amended and as outlined in Attachment 2.
4. That “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” be referred to member municipalities and adjacent regional districts for acceptance.
5. That the Regional District of Nanaimo notify the Minister of Community, Sport and Cultural Development with respect to “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” that alternative wording has been formulated for consideration of acceptance by affected local governments.
6. That the section on minor amendments be reviewed as part of the next Regional Growth Strategy Review.

SUMMARY

The Regional District of Nanaimo initiated a process to amend the Regional Growth Strategy (RGS) to clarify when an amendment may be considered a minor amendment. The amendment bylaw was given first and second reading on March 22, 2016. A Public Hearing was held for the proposed amendment on April 13, 2016 in the RDN Board Chambers. The bylaw was then referred to affected local governments for acceptance. All of the adjacent regional districts and three of the four member municipalities accepted the RGS amendment. The Town of Qualicum Beach did not accept the RGS amendment.

Following the non-acceptance of the RGS amendment by Qualicum Beach (the Town), the RDN notified the Minister of Community, Sport and Cultural Development. The Minister has directed the RDN and Town to reach acceptance using a non-binding resolution process. Prior to developing a formal dispute resolution process the Town developed alternative wording for the RGS bylaw amendment for

consideration by the RDN Board (see Attachment 1 Proposal by Qualicum Beach for Revisions to Bylaw 1615.01). Staff from the RDN and the member municipalities have reviewed the proposed revision and agree that it is supportable and should be considered by the RDN Board. Should the Board agree that the proposed revisions to Bylaw 1615.01 are acceptable then the process to adopt Bylaw 1615.01 can proceed.

As there is a revision to the bylaw amendment the bylaw must be given an amended second reading and then sent out again to all affected local governments for acceptance. Staff recommend proceeding with revisions to Bylaw 1615.01 as submitted by the Town of Qualicum Beach. The process is to rescind second reading and give the bylaw amended second reading as per Attachment 2 Amended Second Reading for Regional District of Nanaimo Regional Growth Strategy Bylaw 1615.01. Following approval of amended second reading for Bylaw 1615.01 it will need to be referred to affected local governments for acceptance. The process for completing the RGS bylaw amendment can be seen in Attachment 3 Process For Adopting RGS Bylaw Amendment.

BACKGROUND

The Regional District of Nanaimo (RDN) Board gave “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” first and second reading on March 22, 2016. The purpose of the bylaw amendment is to clarify what type of Regional Growth Strategy (RGS) amendments may be considered as a minor amendment. This bylaw clarifies that the list of amendments not considered minor in Section 1.5.1.2 do not apply if a full Official Community Plan (OCP) review has been conducted. The bylaw also clarifies that the list of amendments not considered minor must be contemplated as part of the full OCP review process for the proposed change.

For a RGS bylaw, the bylaw adoption process requires that the bylaw be accepted by affected local governments. Affected local governments are the member municipalities and the adjacent regional districts. The bylaw cannot be adopted unless all of the affected local governments accept the bylaw.

All three of the adjacent regional districts and three of the four member municipalities accepted the RGS bylaw amendment. The Town of Qualicum Beach did not accept the RGS bylaw amendment. In accordance with provincial legislation the Minister of Community Sport and Cultural Development was notified. The Minister replied on October 6, 2016 and directed the parties to use a non-binding resolution process.

Prior to commencing the formal dispute resolution process the Town of Qualicum Beach developed a three part proposal with alternative wording for the bylaw amendment (see Attachment 1). This alternative wording was presented to the staff of the regional district and the member municipalities. After the alternative wording was presented, staff agreed that the revision was supportable and should be taken to the RDN Board and that the RDN should proceed with the bylaw approval process. The revised wording is intended to be an interim measure and a full review of the section on minor amendments should occur during the next RGS review.

Intergovernmental Implications

The reason for initiating the amendment to the RGS was to address two concerns related to the criteria for minor amendments. The first concern was a perceived conflict between amendments that are considered minor and amendments not considered minor. The second concern is that it is not clear

what is meant by a full OCP review process. The proposed amendment that was not accepted by the Town attempted to address these concerns by clarifying that the list of amendments not considered minor do not apply if a full OCP review has been conducted and that all of the types of amendments not considered minor must be contemplated as part of an OCP review process.

The Town did not accept RGS Bylaw 1615.01 as it believed that the proposed amendment did not clarify what constitutes a “full OCP review Process” and it would expand the types of amendments that qualify as minor amendments. The Town also believed that the proposed amendment would expand the scope of minor amendments beyond what was intended in the *Local Government Act*.

If an affected local government does not accept the RGS bylaw amendment then the next step is for the regional district and the municipality that did not accept the bylaw to jointly develop a dispute resolution process. However, discussions between the RDN and the Town can continue while the process for a formal dispute resolution process is developed. Further, a revision to the original bylaw amendment can be developed prior to entering into a formal dispute resolution process which can then be considered by the RDN Board for referral for acceptance.

After the Town notified the RDN about not accepting the RGS bylaw amendment the Town developed an alternative to the proposed RGS amendment. In addition to revised wording for the bylaw amendment, the Town is recommending two other actions for the RDN and the other member municipalities (see Attachment 2). To gauge support for the Town’s proposal, it was presented to staff from the RDN and the other member municipalities. Staff from the RDN and the member municipalities are in agreement that the proposal does provide a viable alternative to the original bylaw amendment and is worthy of consideration by the Board.

The proposal from the Town is comprised of three parts:

The first part is to encourage all regional partners to define what is meant by a “full Official Community Plan review”. Each partner could define what they consider to be a full OCP review. If the RDN and the member municipalities each provided a definition this would address the concern of what is meant by a full OCP review. This addresses one of the original concerns with the current wording in the RSG which is that it is not clear what is meant by a full OCP review.

The second part is to thoroughly review the entire section in the RGS on Minor Amendments as part of the RGS Review which is scheduled for consideration by the Board in 2017. A thorough review of the section on minor amendments would allow for revisions that would clearly outline the types of RGS amendments that should be considered through the minor amendment process. The language must be clear on what does and what does not qualify as a minor amendment.

The third part is to revise the wording for the RGS Bylaw amendment. The revised wording for the bylaw amendment is intended as an interim measure and may change again after a comprehensive assessment of the section on minor amendments during the next RGS Review.

The proposed revision to the Bylaw amendment is different from the one that was not accepted by the Town in one key aspect. The wording in the original RGS Bylaw amendment 1615.01 maintained the statement that amendments are not considered minor “that include land in the Agricultural Land Reserve”. The change of wording proposed by the Town is amendments are not considered minor “that will negatively impact agricultural lands or land in the Agricultural Land Reserve”.

This would mean that an OCP review can include lands in the Agricultural Land Reserve and provided there is no negative impact to those lands as a result of changes to the OCP then an OCP amendment can be considered minor. The main difference between the current wording and the revised wording is that if the OCP does not propose any changes that will have a negative impact on lands in the ALR and continues to support agriculture then it can still qualify as a minor amendment. This is in contrast to the current wording in the minor amendment criteria which states that OCP reviews that include land in the ALR do not qualify as a minor amendment. This addresses the other original concern which was a perceived conflict between amendments that are considered minor and amendments and that are not considered minor.

The process is to now give RGS bylaw amendment 1615.01 an amended second reading and refer it out to the affected local governments for acceptance.

ALTERNATIVES


1. To proceed with the process for adopting “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016”.
2. To not proceed with the process for adopting “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” and instead proceed to a non-binding resolution process with the Town of Qualicum Beach and the other member municipalities.
3. Abandon the bylaw amendment and consider revisions to the section on minor amendments at the next Regional Growth Strategy Review.

FINANCIAL IMPLICATIONS

There are no financial implications for alternatives one and three. The 2017 Regional Growth Management budget includes staff time to complete the bylaw amendment. Initiating a review of the RGS is on the Long Range Planning work plan for 2017 and funding has been allocated to support the RGS review process.

STRATEGIC PLAN IMPLICATIONS

The Strategic Plan 2016-2020 recognizes that the RDN will cooperate and advocate as a region while recognizing the uniqueness of each community. The proposed revision to the amendment to the RGS is consistent with this strategic priority as it maintains the provision that a change to the RGS, resulting from a full OCP review, can be considered through the minor amendment process. The amendment also supports the strategic priority to focus on relationships as the revision to the amendment was developed with input from the RDN and presented to the municipal members.


Paul Thompson
pthompson@rdn.bc.ca
December 16, 2016

Reviewed by:

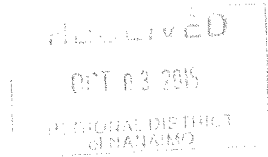
G. Garbutt, General Manager, Strategic and Community Development
P. Carlyle, Chief Administrative Officer

Attachments

1. Proposal by the Town of Qualicum Beach for Revisions to Regional Growth Strategy Bylaw 1615.01
2. Amended Second Reading for Regional District of Nanaimo Regional Growth Strategy Bylaw 1615.01
3. Process For Adopting RGS Bylaw Amendment

Attachment 1

Proposal by the Town of Qualicum Beach for Revisions to Regional Growth Strategy Bylaw 1615.01



TOWN OF QUALICUM BEACH
INCORPORATED 1942

201 - 660 Primrose St
P.O. Box 130
Qualicum Beach, B.C.
V9K 1S7

Telephone: (250) 752-6921
Fax: (250) 752-1243
E-mail: qbtown@qualicumbeach.com
Website: www.qualicumbeach.com

September 27, 2016

Geoff Garbutt, General Manager
Strategic & Community Development
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC, V9T 6N2

E-MAILED

Dear Mr. Garbutt

Proposed Changes to Regional Growth Strategy Bylaw No. 1615.01

This correspondence is a follow-up to the letter from Town of Qualicum Beach Mayor Westbrook to Chair Veenhof sent on June 20, 2016 in which it was mentioned that the Town has not accepted the above noted bylaw. I am writing to propose several next steps toward the resolution of this matter.

1. Encourage regional partners to clarify community expectations for a "full OCP review"

As per the letter from June 20, 2016, the Town is concerned about the lack of clarity about what constitutes a full OCP review process. However, it is not a simple matter to define a full OCP review process, since different jurisdictions will conduct OCP reviews in different ways that may vary from one OCP review to the next. The Town is currently preparing for a full OCP review, and will be engaging the public in a discussion about community expectations for this and future OCP reviews. One possible outcome is that the Town will include language clarifying the process for OCP reviews in the bylaw itself. While it is not suggested that this be regulated through the regional growth strategy, it may be appropriate for other partnering jurisdictions to undertake a similar process.

2. Thoroughly review the section on minor amendments during the next RGS review

Revising this section would clarify ambiguities and ensure that it meets the original intent. Minor changes to the wording may be suitable as an interim measure; however, the entire section should be reviewed.

.../2

National 'Communities in Bloom' & 'Floral' Award Winner

Regional Growth Strategy – Proposed Changes to Bylaw 1615.01
September 27, 2016
Page 2

3. Reduce the potential conflict between RGS Sections 1.5.1 (1) and 1.5.1 (2) as an interim measure

The attached document shows a change to the amendment bylaw that would be a reasonable compromise until a full RGS review can be completed.

Please contact me directly if there are any questions, concerns or suggestions for the resolution of this matter.

Regards



Luke Sales, MCIP, RPP
Director of Planning and Community Development

attachment

cc Mayor & Councillors
D. Sailland, CAO

file: 6430-02-rgs
N:\6400-6999 PLANNING AND DEVELOPMENT\Letters\2016\RDN.RevisionsToRGSAmendment.ls.docx

Regional Growth Strategy – Proposed Changes to Bylaw 1615.01
September 27, 2016
Page 3

Proposed Amendment to RGS Minor Amendment Criteria
As revised by the Town of Qualicum Beach
September 27, 2016

1.5.1 Criteria for Minor Amendments

The following outlines the criteria for considering minor amendments to the RGS.

1. Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

- Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process;
- Text and map amendments required to correct errors or as a result of more accurate information being received;
- Amendments to incorporate changes to tables, figures, grammar, or numbering that do not alter the intent of the Regional Growth Strategy; and
- Addition or deletion, or amendment to Section 5.4 Key Indicators.

2. Although not considered as an exhaustive list, the following types of amendments are not considered minor, unless they have been contemplated as a part of a full official community plan review process:

- Those that lead to adverse changes to the health and ongoing viability of sensitive ecosystems and water sources;
- ~~Those that include land in the Agricultural Land Reserve or will negatively impact agricultural lands;~~
- Those that will negatively impact agricultural lands or land in the Agricultural Land Reserve;
- Those related to a development that would require significant works to address a natural hazard;
- Those that require the provision of new community water and sewer systems outside the Growth Containment Boundary; and,
- Those that are not consistent with measures and or policies to reduce greenhouse gas emissions and improve air quality.

Attachment 2

Amended Second Reading for Regional District of Nanaimo Regional Growth Strategy Bylaw 1615.01

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1615.01, 2016
A Bylaw to Amend
Regional District of Nanaimo
Regional Growth Strategy Bylaw No. 1615, 2011**

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 Regional Growth Strategy Bylaw No. 1615.01, 2016”.
- B. The “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011”, is hereby amended as follows:
1. Under **Schedule A, Part 1.5.1(2) Criteria for Minor Amendments** by deleting:
- Those that include land in the Agricultural Land Reserve or will negatively impact agricultural lands;

And replacing it with the following:

- Those that will negatively impact agricultural lands or land in the Agricultural Land Reserve;

The Regional Growth Strategy Bylaw was Introduced and read two times on the 22nd day of March 2016

The Board conducted a Public Hearing on the Regional Growth Strategy Bylaw on the 13th day of April 2016

“Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615.01, 2016” was accepted by resolution as follows:

- City of Nanaimo on the 16th day of May 2016
- District of Lantzville on the 9th day of May 2016
- City of Parksville on the 16th day of May 2016
- Comox Valley Regional District Board on the 28th day of June 2016
- Alberni Clayoquot Regional District Board on the 11th day of May 2016
- Cowichan Valley Regional District Board on the 8th day of June 2016
- The Town of Qualicum Beach did not accept the bylaw on the 16th day of May 2016

Second reading was rescinded and the Bylaw was amended on the ____ day of ____ 20XX

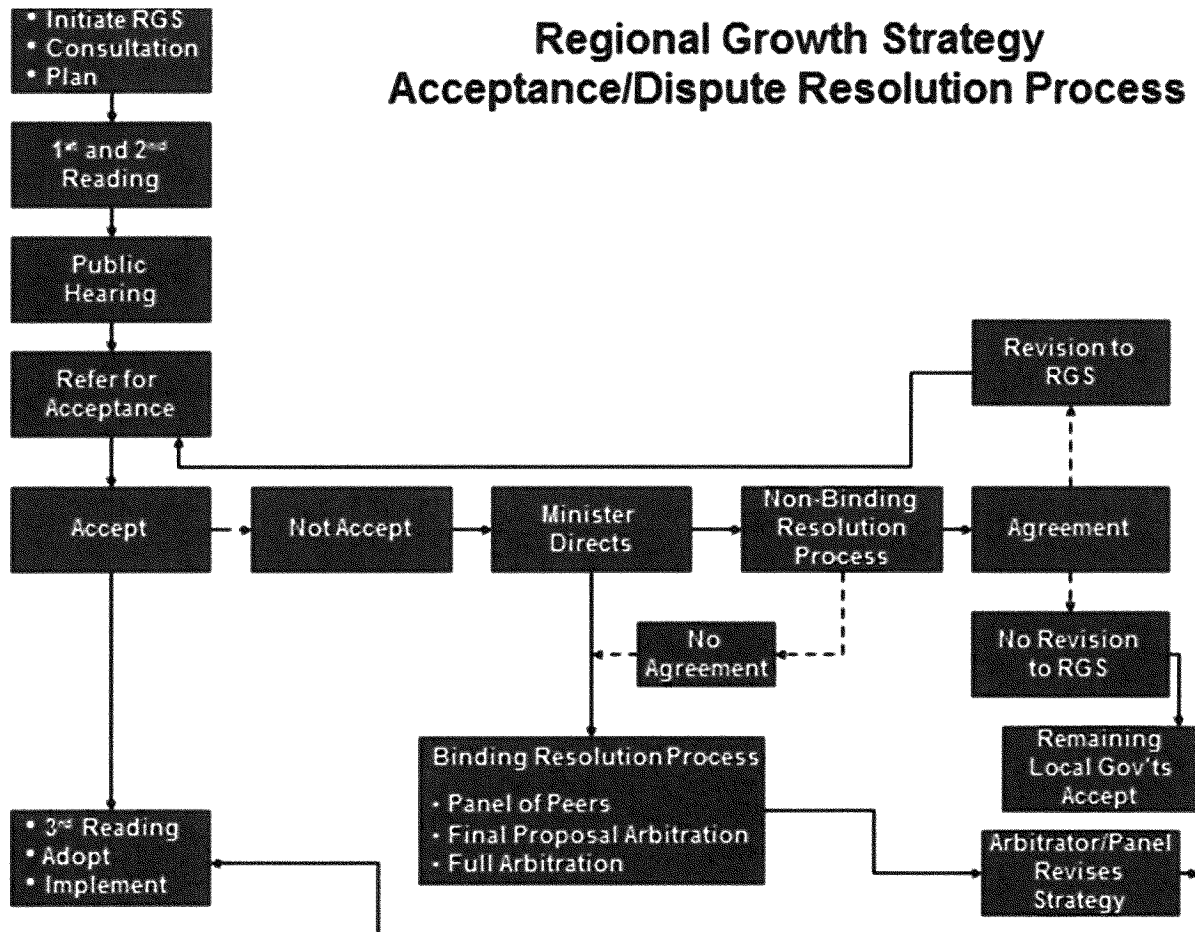
Read a third time this ____ day of _____ 20XX

Adopted this ____ day of _____ 20XX

Chairperson

Corporate Officer

Attachment 3
Process For Adopting RGS Bylaw Amendment



TO: Regional District of Nanaimo
Committee of the Whole

MEETING: January 10, 2017

FROM: Jamai Schile
Senior Planner

FILE: 6780-30 - MA

SUBJECT: **Response to Request for Support for the Proposed Year-Round Indoor
Farmers' Market in Nanaimo**

RECOMMENDATIONS

1. That the Board directs staff to provide some input on draft grant applications prepared by Island Roots Cooperative and/ or its partners in support of the year-round indoor farmers' market project.

SUMMARY

The Island Roots Market Cooperative (IRMC) is seeking support from the Regional District of Nanaimo (RDN) to develop an indoor, year-round farmers' market located at the Vancouver Island Exhibition (VIEX) grounds within Beban Park in the City of Nanaimo. The concept of a year-round indoor farmers' market is a recommended action for implementation within the RDN's Agriculture Area Plan (AAP), where the RDN may play a supporting role.

In accordance with the AAP, support in terms of a Letter of Support and some assistance with drafting grant applications would help the project move forward. A related request for the RDN to provide funding, accept donations and provide tax receipts is included in the report on the 2017 budget.

BACKGROUND

On December 6, 2016 at the regularly scheduled meeting of the RDN Board, Larry Whaley of Island Roots Market Cooperative (IRMC) appeared as a delegation to the Board regarding the year-round indoor farmers' market which is proposed to be located at the Vancouver Island Exhibition (VIEX) grounds within Beban Park in the City of Nanaimo. The delegation provided an overview of the proposed market including confirmation of a commitment of land from the City of Nanaimo, estimated total project cost of \$2,174,000, and anticipated sources for funding, such as the City of Nanaimo (land and services), grants & donations, members' shares and vendors.

With this commitment of land, the IRMC is able to initiate the pre-development phase of the project in terms of commissioning qualified professionals in the preparation of architectural plans, land survey, engineering study and geotechnical and landscaping studies, if required. The estimated costs of the listed components for the "feasibility study" is \$25,000.

To advance this project the co-operative is seeking both in-kind and funding support from the RDN, specifically:

- provide a Letter of Support for inclusion in external grant applications;
- accept donations for the project and provide donors with a tax receipt;
- assist with grant applications for other external sources; and
- consider a \$25,000 grant for the cost of the proposed feasibility study, as outlined above.

Following the delegation, the Board passed the following resolution:

That the Board provide a letter of support for the Island Roots Market Co-operative, refer their request for a \$25,000 grant to pay the cost of a feasibility study to budget discussions, and direct staff to prepare a report on funding options and financial implications regarding their requests for the Regional District to accept donations for the project from members of the public, and to provide assistance with writing grant applications.

As directed, staff have prepared a Letter of Support for the IRMC. The request for funding has been referred to the 2017 RDN Budget discussions. This report provides information on the request for assistance with grant applications.

ALTERNATIVES

1. To direct staff to assist with grant applications prepared by Island Roots Market Cooperative and/or its partners in support of the year-round farmers’ market project.
2. To direct staff to not assist with grant applications prepared by Island Roots Market Cooperative and/or its partners in support of the year-round farmers’ market project.
3. To take alternative action as directed by the Board.

PLANNING IMPLICATIONS

The Regional Growth Strategy and Official Community Plans recognize agriculture and aquaculture as important contributors to the local landscape, culture, and economy. These community values are further reflected in the “Regional District of Nanaimo Agricultural Area Plan: Growing Our Future Together” (AAP), where the concept of a year-round farmers’ market has been identified as a possible action to be undertaken to enhance local market opportunities:

Goal #2 - Strengthen the Local Agriculture and Aquaculture Economy

Objective 2.2 - Evaluate opportunities to market local agriculture and aquaculture

Action 2.2B - Support a year-round farmers’ market, possibility at the VIEX grounds.

According to the AAP, this initiative is to be led by the City of Nanaimo, BC Association of Farmers’ Markets and local farmers’ market within the RDN providing support. Within the AAP, this action is

considered a priority item, which requires additional funding and may be supported by grants or in-kind contributions or a combination of both.

Given this information, staff recommend that both a Letter of Support and assistance with grant applications be supported. The Letter of Support should identify the relationship between the AAP and the proposed year-round indoor farmers’ market as well as include the Board’s endorsement of the project. In addition, some staff time can be allocated to identifying possible sources of funding for the project and in providing comment on draft grant applications prepared by IRMC. This approach is recommended to ensure that the Co-op retains full oversight of the project and it enables the RDN to efficiently direct and manage staff resources.

FINANCIAL IMPLICATIONS

There are some financial implications related to the use of staff time to assist Island Roots cooperative with grant applications. Staff resources will be allocated in consideration of RDN operational priorities.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposal for a year-round indoor farmers’ market and note that the proposal is aligned with the 2016 – 2020 Board Strategic Plan, in terms of the focus on the local economy and the importance of the agriculture and aquaculture to the region.



Jamai Schile
jschile@rdn.bc.ca
December 21, 2016

Reviewed by:

- P. Thompson, Acting General Manager Strategic and Community Development
- T. Moore, Manager, Accounting Services
- P. Carlyle, Chief Administrative Officer

TO: Committee of the Whole **MEETING:** January 10, 2017

FROM: Tom Armet, Manager **FILE:**
Building & Bylaw Services

SUBJECT: **AVICC Resolution (2017)**
Hazardous Property Clean-ups and Environmental Remediation Costs

RECOMMENDATION

That the Board endorse the attached resolution requesting that the Province honour any outstanding charges or lien(s) on a property in favour of a regional district that are the result of a hazardous property clean up or environmental remediation and that the resolution be forwarded to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at the 2017 Annual General Meeting and Convention.

SUMMARY

Staff have been requested to draft a resolution for consideration by the Board that requests the Province to honour any costs or lien(s) on a property in favour of a regional district as a result of the clean-up of a property to remediate hazardous conditions or environmental contamination. The deadline for submission of resolutions to Association of Vancouver Island and Coastal Communities is February 21, 2017.

BACKGROUND

In situations where there are significant community concerns, hazardous conditions or environmental risks associated with the condition of a property, a regional district may direct a property owner(s) to remediate a property in accordance with the *Community Charter* or other enactments. When an owner fails to mitigate the concern or hazardous condition, a regional district may undertake the work and recover the costs from the owner. Should an owner default on payment, the outstanding amount is then transferred to the Surveyor of Taxes for collection of the debt through payment of taxes by the owner or from the proceeds of the sale of the property.

If after a period of two years a tax debt remains unpaid, the property is absolutely forfeited to the Province and all charges and liens are cleared from the title in accordance with the *Taxation (Rural Area) Act*. The only recourse remaining for a regional district to recover the debt is through adjustments to the tax requisition for that service.

The Regional District of Nanaimo (RDN) has remediated several hazardous properties in recent years pursuant to Section 73 of the *Community Charter*. The following are examples of properties where the ability of the RDN to recover the costs of remediation have been or may be impacted by current

provincial legislation that extinguishes that ability upon forfeiture of a property to the Province under the *Taxation (Rural Area) Act*.

1. An abandoned house on Gabriola Island was being frequented by youth and transients and was in such a dilapidated condition that it posed a significant risk to the public. The property owner refused to take steps to make it safe therefore, the Board authorized its removal at the owner's expense. The owner failed to pay the costs and the RDN completed the process to transfer the outstanding amount of \$36,000 to the Surveyor of Taxes for recovery upon the sale of the property or payment of outstanding taxes by the owner. The property was eventually forfeited to the Province and the title was cleared of all outstanding charges and debt in accordance with the *Act*. The outstanding costs were subsequently assigned back to the hazardous property service for multi-year recovery through increased taxes.
2. A large property in Electoral Area 'H' had a significant accumulation of debris and equipment, prompting community concerns about safety and environmental damage to the land and aquifer due to contaminants stored on the property. The owner failed to comply with Board direction to clean up the property and the RDN subsequently undertook the work at a cost of approximately \$38,000. The owner is refusing to pay the costs and the amount will be transferred to the Surveyor of Taxes.
3. An abandoned hotel in Electoral Area 'A' was being used by transients and was deemed a hazard by the local fire department and RDN staff. Additionally, the property had several unprotected ground openings that posed a risk of injury to persons accessing the property. Shortly after the owner was directed by the Board to remove the building and secure the property, the building was destroyed by fire. The owner has failed to remove the contaminated debris or properly secure the property to prevent injury and environmental damage. Remediation work is underway by the RDN contractor at a cost of approximately \$90,000. If the owner does not pay the costs owing to the RDN, the outstanding debt will be assigned to taxes.

In the foregoing example # 1, the Province acquired a property that was free of hazardous conditions, due to the actions and payment of costs by the RDN. In examples #2 and #3, the Province could also acquire properties that are free of hazardous conditions. In the latter example, the RDN consulted with Ministry of Forests, Lands and Natural Resource Operations staff to seek "pre-approval" of cost reimbursement prior to undertaking the remediation work. A formal acknowledgement of that request has not been received however the work is proceeding in the interests of public and environmental safety.

As illustrated by these examples, staff is proposing that reimbursement of hazard remediation costs incurred at a regional district level is warranted for the following reasons and it is recommended that the Board supports the attached resolution:

- Significant and pressing safety and environmental issues with a property need to be dealt with promptly with assurances that service area tax payers are not bearing the remediation costs should the property owner default on payment.
- If a regional district were to refrain from remediating hazardous properties and a property subsequently forfeited to the Province in default of taxes, the Province would be inheriting a significant liability and potential obligation to remediate the property.

- If the Province does not reimburse a regional district that undertakes a hazardous property remediation, it would be the beneficiary of a substantial asset that would have been a significant liability were it not for the actions of a regional district.

ALTERNATIVES

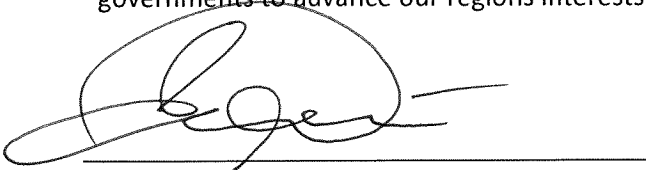
1. That the Board endorse and forward the attached resolution to AVICC.
2. That the Board provides alternate direction.

FINANCIAL IMPLICATIONS

Under current legislation, when a property is forfeited to the Province, all outstanding liens, notices on title and unpaid amounts become null and void pursuant to the *Taxation (Rural Area) Act*. This includes any outstanding costs incurred by a regional district for the remediation of hazardous conditions, which are typically expensive undertakings. In such cases, there is no alternative for a regional district but to assign those costs back to the service area participants. Changes to provincial legislation that would permit a regional district to recover remediation costs after property forfeiture would lessen the burden on the regional district taxpayer.

STRATEGIC PLAN IMPLICATIONS

The preparation of draft resolutions for consideration of the Board and submission to the AVICC aligns with the Board's key focus area within the Strategic Plan of 'Relationships'. Through the AVICC resolutions process, the Board is provided with opportunities for the RDN to partner with other governments to advance our regions interests.



Tom Armet
tarmet@rdn.bc.ca
2016.12.23

Reviewed by:

- J. Hill, Manager, Administrative Services
- P. Thompson, Acting General Manager
- P. Carlyle, Chief Administrative Officer

Attachments:

1. AVICC Resolution

Attachment No. 1 – AVICC Resolution

Hazardous Properties Remediation Costs

WHEREAS regional districts exercise their legislated authority to remediate properties of hazardous conditions and/or environmental contamination, the cost of which may be recovered from the property owners or added to taxes in arrears if unpaid on December 31st in the year in which the work is done;

AND WHEREAS if the taxes and debts remain unpaid, pursuant to the *Taxation (Rural Area) Act* a property may be forfeited to the Province and the Province is under no obligation to reimburse a regional district for the cost of remediating properties of hazardous conditions and/or environmental contamination;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities urges the Province to enact legislation or provisions that enables regional districts to be reimbursed for the costs of remediating properties of hazardous conditions and/or environmental contamination that are subsequently forfeited to the Province on default of payment of the costs by the property owner.

REGIONAL DISTRICT OF NANAIMO

**MINUTES FROM THE EMERGENCY MANAGEMENT SELECT COMMITTEE
HELD ON THURSDAY, DECEMBER 8, 2016 AT 1:00 PM
IN THE RDN COMMITTEE ROOM**

Present:

Chairperson B. Rogers	Electoral Area E
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director J. Stanhope	Electoral Area G
Director B. Veenhof	Electoral Area H
Director B. Colclough	District of Lantzville

Regrets:

Director J. Fell	Electoral Area F
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Also in Attendance:

P. Carlyle	Chief Administrative Officer
D. Trudeau	General Manger, Transportation, Emergency Planning & Fire Services
D. Pearce	A/ Director, Transportation and Emergency Planning Services
D. Marshall	Manager, Fleet, Projects & Emergency Planning Services
N. Hewitt	Senior Secretary

CALL TO ORDER

Meeting was called to order at 1:00 pm.

MINUTES

MOVED Director Stanhope, SECONDED Director Houle, that the minutes of the regular Emergency Management Select Committee meeting held on July 25, 2016 be adopted.

CARRIED

REPORTS

Emergency Management Select Committee – Revised Terms of Reference.

Staff provided a verbal update regarding the Terms of Reference for the Emergency Management Select Committee.

Electoral Area 'B' Incident Report.

MOVED Director Houle, SECONDED Director Veenhof, that the Board accept the report for information.

CARRIED

Post Emergency Event Debrief Procedures.

MOVED Director Stanhope, SECONDED Director Veenhof, that the Board accept the report for information.

CARRIED

Emergency Program Gap Analysis Priority Projects.

MOVED Director Veenhof, SECONDED Director McPherson, that the Board direct staff to implement the identified priority projects in 2017.

MOVED Director Veenhof, SECONDED Director McPherson, that the description for Item #7 Appendix 'A' be amended to read "*revitalized the Neighborhood Emergency Preparedness Program and the Emergency Social Services program*".

CARRIED

MOVED Director Veenhof, SECONDED Director Colclough, that Item #4 Appendix 'A' be removed from the Emergency Program Gap Analysis and referred to the Information Technology department to research off island data storage options.

CARRIED

MOVED Director Veenhof, SECONDED Director McPherson, that Item #17 Appendix 'A' be amended to include the Policy Group in the tabletop exercise.

CARRIED

MOVED Director Veenhof, SECONDED Director Colclough, that the description for Item #16 Appendix 'A' be amended to read "*Review and Update Emergency Planning Website and Regional District of Nanaimo Publications/ Communications Policy*".

CARRIED

MOVED Director Veenhof, SECONDED Director Houle, that the Board direct staff to implement the identified priority projects in 2017 as amended.

CARRIED

NEW BUSINESS

Emergency Operation Centre Signage.

MOVED Director Veenhof, SECONDED Director Houle, that staff be directed to prepare a report back to the Committee regarding the signage at the Emergency Operations Centre.

CARRIED

Emergency Management Select Committee.

Staff are looking at coordinating quarterly meetings and aligning with the Fire Services Meetings.

ADJOURNMENT

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

CARRIED

Time 2:50 pm

CHAIRPERSON

TO: Emergency Management Select Committee **MEETING:** December 8, 2016
FROM: Daniel Pearce **FILE:** 7130-03
A/Director, Transportation & Emergency
Planning Services
SUBJECT: Electoral Area 'B' Incident Report

RECOMMENDATION

That the Board accept the report for information.

SUMMARY

On September 27, 2016, a barge carrying a fully extended crane cut through the overhead electrical cables which hang over Dodd Narrows. This left Gabriola, Mudge and Decourcey islands without power and telephone (landline) services, which meant that emergency 911 services were unavailable. After the incident, it was determined that an official procedure was needed.

BACKGROUND

The key aspects of the incident and response are included below:

- Power to Gabriola, Mudge and Decourcey Islands was severed as well as the Telus main fibre optic line that provides internet, landlines and cell towers.
- Emergency 911 services were unavailable.
- Emergency Program staff provided public information, ongoing Board email updates and attended Gabriola Island to meet with key stakeholder and community groups to determine immediate needs and options.
- First responders were able to ensure that they had communications capacity with their various dispatch agencies.
- Neighborhood Emergency Preparedness Program (NEPP) volunteers, and staff were able to determine there were no vulnerable persons or immediate needs on Mudge Island.
- Emergency Social Services (ESS) volunteers stood by in case a reception center needed to be activated and the Electoral Area Director provided updated information directly to residents in central locations.
- After power and Telus service was restored, an onsite debrief was held that included staff, Emergency Program volunteers, first responders, key health agencies as well as the Area Director.

After the incident concluded, it was determined that an official debrief procedure was needed. Included in the Agenda package for the December 8, 2016 EMSC meeting is a report with a formal debrief procedure.

ALTERNATIVES

1. That the Board accept the report for information.
2. That the Board provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There were no financial implications related to the Board's Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The Electoral Area 'B' incident outlined the importance of formalizing a post emergency procedures. Included in the December 8, 2016 EMSC Agenda package is a Procedure which will enable staff to directly apply the Board's vision of "*emergency services as core element of community safety.*"



Daniel Pearce
dpearce@rdn.bc.ca
November 28, 2016

Reviewed by:

- D. Trudeau, General Manager, Transportation, Emergency Planning & Fire Services
- P. Carlyle, Chief Administrative Office

TO: Emergency Management Select Committee **MEETING:** December 8, 2016
FROM: Daniel Pearce
A/Director, Transportation & Emergency **FILE:** 7130-03
Planning Services
SUBJECT: Post Emergency Event Debrief Procedure

RECOMMENDATION

That the Board accept the report for information.

SUMMARY

Staff has prepared a Post Emergency Event Debrief Procedure intended to formalize and expand existing processes. The Procedure will capture feedback and lessons learned from involved parties and communicate actions taken to Elected Officials, stakeholders and the public within set timeframes.

BACKGROUND

Included in this report is a formal procedure (attached as Appendix 'A') that staff will undertake once emergency response operations have concluded. The procedure will address:

- Who will be involved in the overall debrief process;
- When the hot wash (*the immediate after action discussion and evaluation of a single agency's performance following an emergency event or training exercise*) phase will be conducted with direct participants;
- After the debrief process, an After Action Report will be created that documents lessons learned ways that process could be improved;
- When Elected Officials will be informed and how and when the public will be informed and;
- Reports will be filed as per RDN protocol.

ALTERNATIVES

1. That the Board accept the report for information.
2. That the Board provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Staff have reviewed the Procedure and note that it has no implications related to the Board's Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the Post Emergency Event Debrief Procedure and noted that it aligns with the 2016 – 2020 Board Strategic Plan. Formalizing post emergency event procedures ensures that stakeholder and community concerns are heard and that Elected Officials are informed of actions taken and lessons learned; with the goal of improving future response outcomes and increasing public safety. The Procedure enables staff to directly apply the Board's vision of *"emergency services as core element of community safety."*



Daniel Pearce
dpearce@rdn.bc.ca
November 28, 2016

Attachments

1. Appendix 'A' – Post Emergency Event Debrief Procedure

Reviewed by:

- D. Trudeau, General Manager, Transportation, Emergency Planning & Fire Services
- P. Carlyle, Chief Administrative Officer

Appendix 'A'

REGIONAL DISTRICT OF NANAIMO

PROCEDURE

SUBJECT:	POST EMERGENCY EVENT DEBRIEF PROCEDURE	
EFFECTIVE DATE:	xxxx	APPROVED BY: General Manager
REVISION DATE:	xxxx	PAGE: 1

After an emergency event, several stages of debriefing must take place to ensure a multi-agency perspective to ensure performance improvement.

1. **Hotwash - within 24 hours:**

The hotwash is the immediate after action discussion and evaluation of a single agency's performance following an emergency event or training exercise. The main purpose of the hotwash is to identify strengths and weaknesses of response actions and identifies 'lessons learned' and intended to guide future response actions. A summary of the hotwash will be provided to senior staff and Elected Officials once conducted.

2. **Debrief – within 2 weeks:**

The debrief process involves representatives from all various groups or agencies involved and is a straightforward analysis of performance. The debrief facilitator will set the expectations for participation – that it be a safe, open and supportive environment for all members. The debrief is based on 4 basic questions: 1) What was expected to happen? 2) What actually occurred? 3) Why was there a difference? 4) What can be learned? A summary of the multiple agency debrief will be shared with each participating agency, senior staff and Elected Officials.

3. **After Action Report – within one month:**

The after action report involves each party telling their perspective of the event and the gathering of facts. The after action report is a formal way to analyze the execution and identify the probable causes of any identifiable errors. Action items to improve performance are identified and shared with participants, senior staff and Elected Officials. In some cases After Action items may influence procedural changes or have budget implications.

The report will be filed as per RDN protocol.

Agency Debrief Form

Name(s):	Date:	Agency
What went well? (Both internal and external operations to the EOC)		
What needs improvement? (Both internal and external operations to the EOC)		
What were your expectations of the system and other personnel in this operation?		
Anticipated Actions:	Responsibility	
Additional Comments:		
Distribution: EOC Director / Deputy <input type="checkbox"/>	Elected Officials <input type="checkbox"/>	Corporate Planning Comm. <input type="checkbox"/>
Emergency Coordinator <input type="checkbox"/>	Emergency Program Volunteers <input type="checkbox"/>	Stakeholder Agencies <input type="checkbox"/>

TO: Emergency Management Select Committee **MEETING:** December 8, 2016
FROM: Daniel Pearce **FILE:** 7130-03-01-EMSC
A/Director, Transportation & Emergency
Planning Services
SUBJECT: Emergency Program Gap Analysis Priority Projects

RECOMMENDATION

That the Board direct staff to implement the identified priority projects in 2017.

SUMMARY

An Emergency Program Gap Analysis was presented at a Directors Seminar, resulting in an information report to the Emergency Management Select Committee (EMSC) that outlined current service levels and identified areas to expand or improve. Staff have identified priority projects from the action item list that are recommended for the 2017 budget and work plan.

BACKGROUND

At the April 15, 2016, Directors Seminar, an Emergency Program Gap Analysis was presented and staff were directed to provide further details in an information report to the EMSC held July 14, 2016. That report reviewed the current Emergency Program scope and activities and identified areas to expand or improve. A list of fifteen action items (Appendix A) was provided which reflected the priorities Directors indicated during the April 15, 2016 seminar. The action items will take significant resources to complete and will have to be a multi-year project.

Staff have reviewed the project list and have prioritized the following projects for 2017.

1. **Update Community Wildfire Protection Plans (CWPPs) (Item #1 Appendix 'A')**: A CWPP defines risk areas within the community for Wildland Urban Interface (WUI) fires; it identifies measures to mitigate those risks and outlines recommendations. To update the RDN's CWPPs staff are preparing an application for the next Strategic Wildfire Interface Protection Initiative grant intake in January 2017.
2. **Review best practices regarding WUI fire mitigation through land use/development processes (Item #2 Appendix 'A')**: Staff will collaborate with Strategic and Community Development on a report that identifies examples of natural hazard mitigation carried out through the Official Community Plan and Development Permit processes.
3. **Determine the feasibility of off island data storage and associated financial impacts (Item #4 Appendix 'A')**: Staff will research data storage options and methods to ensure business continuity and will identify initial and maintenance costs.

4. **Update the Neighborhood Emergency Preparedness Program (NEPP) (Item #7 Appendix 'A')**: Staff will review and update the existing NEPP, materials and methodologies. Streamlining the NEPP will encourage more volunteers to participate, thereby increasing community disaster resilience at the grass roots level.
5. **Create a multi-year year incremental training plan for EOC staff (Item #11 Appendix 'A')**: Staff will prepare a multi-year plan based on best practices. The plan will be presented to the Corporate Planning Committee to allow advance notice so department managers can forecast staff scheduling needs.
6. **Review and Update Emergency Planning Website (Item #16 Appendix 'A')**: Staff will research best practices to increase public awareness and engagement while reviewing existing web content, design, and outreach.
7. **Tabletop exercise for EOC (Item #17 Appendix 'A')**: Staff will prepare a tabletop exercise wherein EOC staff will participate in a discussion based simulated emergency situation. This ensures EOC staff are current in their roles and identifies potential areas of improvement.

The remaining Action Items (attached as Appendix 'B') will be carried out in subsequent years as budget and staffing permit. Staff will be working together with the RDN's newly appointed Fire Coordinator for a comprehensive cohesive approach in fire mitigation and emergency planning.

ALTERNATIVES

1. That the Board direct staff to implement the identified priority projects in 2017.
2. That the Board provide alternative direction to staff.

FINANCIAL IMPLICATIONS

Staff have reviewed the action items that involve hard cost and approximated amounts:

Action Item #	Description	Approximate Cost
1.	Update CWPPs (10)	\$ 5,000 per plan with CWPP program funding
2.	Review best practices of WUI natural hazard mitigation through land use/development process	Staff time (including Special Projects position)
3.	Determine feasibility of off island data storage	To be determined
4.	Update the NEPP	Staff time (including Special Projects position)
5.	Multiyear incremental EOC training plan for EOC staff	Staff time
6.	Review and Update Emergency Planning Website	Staff time (including Special Projects position)
7.	Tabletop exercise for EOC (certification through Justice Institute of BC)	Staff time + \$7,000 (\$6,500 cost of course and \$500 for training support materials)

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposal and noted the action items reflect the RDN's Strategic Priorities:

1. *Focus on Relationships*: accomplished through collaboration with First Nations and municipal partners on various studies, projects and planning processes. Developing and supporting Emergency Program volunteers reflects the Boards' recognition of volunteers as an essential component of service delivery.
2. *Focus on the Environment*: by conducting studies to identify hazards, risks and climate change impacts in the region.
3. *Focus on Service and Organizational Excellence*: increased staffing and updating existing practices and plans enhances emergency services contributions to community safety.



Daniel Pearce
dpearce@rdn.bc.ca
November 28, 2016

Attachments

1. Appendix 'A' - Emergency Program Gap Analysis
2. Appendix 'B' - Balance of Projects Beyond 2017

Reviewed by:

- D. Trudeau, General Manager, Transportation, Emergency Planning & Fire Services
- P. Carlyle, Chief Administrative Officer

APPENDIX 'A'
Emergency Program Gap Analysis

	Description	Department	Action	Comments
1	Update Community Wildfire Protection Plans (CWPPs)	Transit & Emergency Planning Services (TEPS)	apply for funding through Strategic Wildfire Interface Protection Initiative to update each CWPP	prioritize plans oldest to newest
2	Review best practices regarding Wildland Urban Interface (WUI) fire mitigation through land use/development processes	Strategic & Community Development (SCD) and TEPS	produce information report describing best practices of natural hazard mitigation that are applicable within the RDN	In consultation with SCD staff, compile an information report outlining how natural hazard mitigation can be carried out in the OCP, development permit process
3	Conduct a natural hazard mitigation study in anticipation of Emergency Program Act changes	TEPS & SCD	identify areas of natural hazards, and potential avenues of mitigation within RDN existing regulatory practices	Phase 1: identify hazard areas within RDN (Year 1) Phase 2: identify strategies available through the land use/development process Phase 3: prioritize action items and put plan into action
4	Determine the feasibility of off island data storage and associated financial impacts	Information Technology (IT) & TEPS	research off island data storage options and methods to ensure business continuity; identify initial as well as maintenance costs	IT is project lead; need to account for both start up and ongoing costs for offsite data maintenance
5	Prepare application to Investment Agriculture Foundation, Livestock Waste Tissue Initiative to begin Phase 3 of the mass carcass disposal planning process	TEPS	complete grant application for Phase 3 funding	requires Board approval, intake is ongoing
6	Investigate the feasibility of creating a disaster debris disposal plan	Solid Waste (SW) & TEPS	Phase 1: determining best practices examples Phase 2: create a regional working group & hire a consultant Phase 3: produce a plan	Phase 2: 2018 - establish working group, perform feasibility studies Phase 3: 2020 - complete RFP to determine successful consultant to establish plan
7	Update the Neighborhood Emergency Preparedness Program (NEPP)	TEPS	review and update existing program, materials, & methodologies	
8	Determine the feasibility of a bulk emergency kit purchase for Regional District of Nanaimo Electoral Area residents	TEPS	market assessment for bulk purchase	
9	Conduct a review of Emergency Planning website design, content and social media outreach	TEPS	review of existing emergency planning web material & design; research best practices to increase social media outreach	
10	Arrange a level 2 Rapid Damage Assessment course for Building Inspectors	TEPS	contact BC Housing and coordinator regional building inspector participation	requires coordination of building inspectors
11	Create a multi-year incremental training plan for EOC staff	TEPS	compile a multi year plan based on best practices and increasing complexity	needs to be presented and approved to the Corporate Planning Committee. Department managers can then forecast staffing needs.
12	Attend external emergency related training and deployment opportunities for Emergency Planning Services staff	TEPS	explore external training opportunities	to increase operational readiness and extend knowledge
13	Explore potential emergency reception center sites that meet the required criteria	TEPS	following established processes, identify suitable facilities	work in conjunction with Emergency Social Services (ESS) volunteers
14	Explore options to increase onsite emergency communications capacity	TEPS	consult with regional partners to determine optimal equipment to remain consistent within the RDN	work in conjunction with the City of Nanaimo, District of Lantzville, Emergency Communications volunteers
15	Prepare a report regarding best practices examples of inter-regional emergency management agreements	TEPS	explore Canada-wide best practices	
16	Update and review Emergency Planning Website	TEPS	Review current Emergency Planning website, and identify any areas in need of improvement	to make the website up to date and user friendly
17	Emergency Operations Centre (EOC) Tabletop Exercise	TEPS	Execute an EOC tabletop exercise	

Appendix 'B'
Balance of Projects Beyond 2017

1. **Explore options to increase on site emergency communications capacity:** staff, in conjunction with regional partners, will determine optimal equipment and practices. In subsequent years, a proposed purchase of a trailer will be put forward to ensure consistent emergency communications from the EOC or at site.
2. **Conduct a review of the Emergency Planning website design, content and social media outreach:** staff will review existing emergency planning web material and design and research best practices to increase public awareness and engagement.
3. **Conduct a natural hazard mitigation study in anticipation of *Emergency Program Act* changes:** staff will identify natural hazards in the region, potential mitigation strategies, and best practices available. Using National Disaster Mitigation Program funding, staff will conduct a flood risk analysis in 2017. As funding becomes available, staff will collaborate with First Nations and municipalities to conduct a regional hazard vulnerability risk analysis. The final phase will prioritize recommendations and outline an action plan.
4. **Explore potential emergency reception centre sites that meet the required criteria:** following processes established by Emergency Management BC (EMBC), staff, in conjunction with key Emergency Social Services volunteers will identify suitable facilities and determine equipment needs and associated costs.
5. **Prepare an application to the Investment Agriculture Foundation, Livestock Waste Tissue Initiative to begin Phase 3 of the mass carcass disposal planning process:** Phase 1 (2012) included an investigative process into planning for animal carcass disposal, table top exercise and a GIS study to identify potential mass carcass burial/disposal sites. Phase 2 (2013) involved a geology suitability analysis to determine suitable soil sites for emergency disposal of infected and non-infected livestock. Phase 3 for this project would involve drilling and taking samples from each of the suitable sites identified in the analysis. At present, funding remains available.
6. **Investigate the feasibility of creating a disaster debris disposal plan:** in conjunction with Solid Waste staff, in 2018 establish a working group and perform feasibility studies. Subsequent phases would involve a request for proposals to determine the successful consultant to create the plan.
7. **Arrange advanced Rapid Damage Assessment training for Building Inspectors:** Training has been arranged for 2016 and staff will continue to coordinate annual training with regional partners to increase capacity for this critical function.
8. **Prepare a report regarding best practices examples of inter-regional emergency management agreements:** staff will explore Canada-wide best practices examples and prepare an information report.
9. **Attend external emergency related training and deployment opportunities for Emergency Planning Services staff:** in order to increase operational readiness and extend knowledge, staff will seek out external training opportunities.
10. **Determine the feasibility of a bulk emergency kit purchase for Electoral Area residents:** staff will conduct a market assessment for bulk purchasing opportunities.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE TRANSIT SELECT COMMITTEE
HELD ON TUESDAY, DECEMBER 13, 2016 AT 11:00 AM
IN THE COMMITTEE ROOM**

Present:

Director T. Westbroek	Chairperson
Director A. McPherson	Electoral Area 'A'
Director M. Young	Electoral Area 'C'
Director B. Rogers	Electoral Area 'E'
Director J. Stanhope	Electoral Area 'G'
Director B. Veenhof	Electoral Area 'H'
Director B. Colclough	District of Lantzville
Director M. Lefebvre	City of Parksville
Director B. McKay	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director J. Hong	City of Nanaimo

Also in Attendance:

D. Trudeau	General Manager, Transportation, Emergency Planning & Fire Services
D. Pearce	A/Director of Transportation & Emergency Planning Services
D. Marshall	Manager, Fleet, Projects & Emergency Planning Services
E. Beauchamp	Supt., Transportation Planning & Scheduling, RDN
M. Moore	Senior Regional Transit Manager, BC Transit
M. Lockley	Senior Transit Planner, BC Transit
N. Hewitt	Recording Secretary

Regrets:

P. Carlyle	Chief Administrative Officer, RDN
Director B. Yoachim	City of Nanaimo

CALL TO ORDER

The Chairperson called the meeting to order at 11:00 am.

MINUTES

MOVED Director Stanhope, SECONDED Director McKay, that the minutes of the regular Transit Select Committee meeting held October 13, 2016 be adopted.

CARRIED

REPORTS

BC Transit Custom Registration Process.

MOVED Director Rogers, SECONDED Director Lefebvre, that staff be directed to work with BC Transit to implement the enhanced Custom Transit Registration Process for new handyDART applications.

CARRIED

Inter-Regional Transit to Comox Valley via Fanny Bay.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the Board directs staff to continue to work with BC Transit to evaluate the viability of local transit initiatives as well as inter-regional transit between the Regional District of Nanaimo & Comox Valley Regional District as part of the 2018/2019 Annual Operating Agreement.

CARRIED

NEW BUSINESS

Director Bestwick requested that staff bring forward a resolution for consideration of the Regional District of Nanaimo Board towards the AVICC requesting that there be a Vancouver Island Transportation Master Plan.

ADJOURNMENT

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

CARRIED

Time 11:30 am

CHAIRPERSON

TO: Transit Select Committee
FROM: Erica Beauchamp
Superintendent, Transit Planning & Scheduling
SUBJECT: BC Transit Custom Registration Process

MEETING: December 13, 2016
FILE: 8600 20 CUS REG

RECOMMENDATION

That staff be directed to work with BC Transit to implement the enhanced Custom Transit Registration Process for new handyDART applications.

SUMMARY

In light of the process clarification, RDN transit suggests moving forward with the implementation of BC Transit Enhanced Custom Registration process for new handyDART applications.

BACKGROUND

BC Transit has provided clarification to the Regional District of Nanaimo (RDN) Transit department regarding the proposed enhanced client registration process for Custom Transit. While this enhanced registration process is unchanged from previous reports, the new information clarifies that as well as an applicant's physical abilities being assessed, their cognitive abilities are also assessed during the process, using the Functional Assessment of Cognitive Transit Skills (FACTS) test methodology.

Thus, RDN Transit staff is satisfied that with the full assessment methodology outlined by BC Transit, applicants for Custom Transit will be comprehensively assessed in both cognitive and physical abilities.

Rationale

BC Transit, the Comox Valley Regional District (CVRD) and Vernon Regional (VR) handyDART implemented a *handyDART Registration Pilot Project*. The revised process applies to new handyDART registrants and added to the previous paper-only approach, including an in-person assessment with a mobility coordinator (contracted third-party occupational therapists). The objective of this process was to determine if the applicant was more suitable for handyDART or Conventional transit service.

The in-person assessment takes into account an individual's travel needs in addition to their cognitive and physical abilities with regard to using the accessible conventional transit system. Mobility coordinators also:

- inform applicants about the accessible transit options available in their community;
- assess their ability to travel safely;
- ensure their mobility aids are appropriate for transport; and
- make recommendations to BC Transit as to the applicants' handyDART eligibility category (unconditional, conditional, temporary, ineligible).

If an applicant does not agree with the eligibility outcome, they have the right to appeal the decision with BC Transit staff.

BC Transit Pilot Project Eligibility Outcomes

In the CVRD, the pilot project resulted in:

- 14 of the 235 applicants did not continue with the handyDART enhanced registration process
- 8 people were no-shows for their in-person assessment.
- 18 applicants were determined to be conventional transit capable and thus, ineligible for handyDART services.
- In total, this reduced the number of handyDART users by 40 people.

In Vernon, the same pilot project resulted in:

- 30 of the 225 applicants not continuing the application process
- 11 applicants failed to appear for the in-person assessment.
- In total, this reduced the number of handyDART users by 41 people.

ALTERNATIVES

1. That the Board directs staff to work with BC Transit to implement the enhanced Custom Transit Registration Process for new handyDART applications.
2. That the Board provides alternative direction to staff.

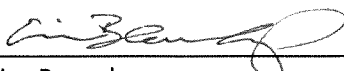
FINANCIAL IMPLICATIONS

The cost for the proposed custom transit enhanced application process has been estimated at \$35,000 annually, cost shared with BC Transit. This cost is primarily due to the use of third-party contracted occupational therapists (mobility coordinators), as well as the cost to transport applicants, free-of-charge, to their mobility assessment.

BC Transit indicates that the use of a third-party contracted occupational therapists, (mobility coordinators), will make handyDART more financial efficient since handyDART has a higher cost per ride than conventional transit.

STRATEGIC PLAN IMPLICATIONS

Staff has reviewed the enhanced Custom Transit application process and determines that it aligns with the 2016-2020 Board Strategic Plan. Continuously improving the viability and efficiency of handyDART services aligns with the priority to focus on service and organizational excellence.


Erica Beauchamp
ebeauchamp@rdn.bc.ca
December 5, 2016

Reviewed by:

- D. Pearce, A/ Director, Transportation & Emergency Planning Services
- D. Trudeau, General Manager, Transportation, Emergency Planning & Fire Services
- P. Carlyle, Chief Administrative Officer

expansion ideas; however a more prudent decision would be to work these services into future service expansion proposals. With regards to the current transit service hours, diluting these hours would contradict the goal of providing frequent service to higher density communities within the region in the short-term.

At the Transit Select Committee meeting on October 13, 2016, a Director commented to see if the #7 Cinnabar/Cedar route expansion could be solely paid for by the City of Nanaimo, without BC Transit funding and outside of the RDN Transit function. BC Transit responded to this comment in their letter dated November 28, 2016 (Appendix 'A'), stating that providing service without BC Transit but using a BC Transit bus is not permitted as it would contravene sections of the Master Operating Agreement.

Inter-Regional Transit

The development of inter-regional transit between the RDN and CVRD are an important part of the Transit Future Plan, which was developed through robust community consultation and key stakeholder input processes. Further, BC Transit stated in their letter (Appendix 'A') that they have engaged in discussions with CVRD staff and confirmed that it is not a priority for the CVRD to connect with RDN transit at this time.

The inter-regional service is best viewed as an option for future expansion in 2018/2019, once ridership along the Deep Bay route is more established and both RDN Transit and CVRD have a mutual goal of co-developing this type of transit system.

ALTERNATIVES

1. That the Board directs staff to continue to work with BC Transit to re-evaluate the feasibility of local transit initiatives as well as inter-regional transit between the Regional District of Nanaimo & Comox Valley Regional District as part of the 2018/2019 Annual Operating Agreement.
2. That the Board provides alternative direction to staff.

FINANCIAL IMPLICATIONS

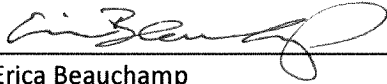
Staff estimates that 3500 annual hours of conventional service would be needed to provide service to the #7 Cinnabar/Cedar, Electoral Area 'F' and the RDN & Comox Valley Regional District. Further, an additional 1500 annual hours would be needed to ensure that expanded services would tie into existing services.

As per the BC Transit 3-Year Expansion Memorandum of Understanding (MOU) that was adopted by the Board on May 24, 2016 (Appendix 'B'), a 5000 hour annual conventional transit expansion in 2018, that would accommodate the previously mentioned expansions, would cost approximately \$549,172 prior to cost sharing with BC Transit. With BC Transit cost sharing (46.69%) and estimated revenues included, the cost to the RDN would be an estimated \$257,136.

The Future Plan identifies future upgrades to RDN transit exchanges which will improve transit efficiencies and may provide opportunities to reallocate service hours without additional costs. These savings will not be fully realized until the exchanges are upgraded; however the savings could offset any additional costs for implementing the expansions mentioned above. The timing of the exchange upgrades is dependent on the ongoing planning with the City of Nanaimo.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the letter from BC Transit dated November 28, 2016 (Appendix 'A') and note that it aligns with the 2016 – 2020 Board Strategic Plan priority to focus on service and organizational excellence. By reviewing and analyzing costs and benefits, RDN Transit is ensuring effective and efficient operation of the transit department.



Erica Beauchamp
ebeauchamp@rdn.bc.ca
December 8, 2016

Reviewed by:

- D. Pearce, A/ Director, Transportation & Emergency Planning Services
- D. Trudeau, General Manager, Transportation, Emergency Planning & Fire Services
- P. Carlyle, Chief Administrative Officer



November 28th, 2016

Daniel Pearce
A/ Director, Transportation and Emergency Planning
Regional District of Nanaimo

Re: Regional District of Nanaimo (RDN) Board Motions – October 25, 2016

Dear Daniel,

Please find our comprehensive letter report as a follow up to the October 25, 2016 RDN Board Motions and your subsequent two letters dated November 23rd, 2016 where you are requesting BC Transit to:

- (1) provide information as to when additional service on each of the respective routes (#7, and a future route to Electoral Area 'F') would be recommended within the RDN Transit Future Plan expansion framework; and
- (2) provide the RDN with a report on the feasibility of the Inter-regional services and also include any alternative service models that exist.

Comprehensive community and stakeholder consultation were major contributors to developing the future service priorities completed as part of the recently endorsed Regional District of Nanaimo Transit Future Plan (TFP). This Plan sets the platform for short-, medium-, and long-term transit service and infrastructure changes. The focus of the plan is to develop the core transit system and deliver more frequent and direct services to the dense urban areas of the regional district. The plan also acknowledges the importance and the challenges in providing targeted transit service to the sparsely populated rural communities within the Regional District.

The importance of a 25 Year strategic plan is to provide the community, elected officials, and transportation and land use planning staff with a clear actionable plan to help optimize the sequence of transit investment and deliver a robust efficient network over time.

The transit actions that have ensued since the endorsement of the TFP maintain the key objectives of continuing to address planning, funding and implementation strategies that will advance the short- term priorities of the Plan. These actions include:

- Restructuring existing routes to establish the Rapid and Frequent Transit corridors
- Restructuring transit routes to better serve the new Downtown Nanaimo Transit Exchange
- Enhancing service on the Local Transit Network
- Introducing Inter-regional Transit Services south to the Cowichan Valley Regional District and north to the Comox Valley Regional District
- Exploring service options to connect Electoral Area 'H' with the Comox Valley Regional District.

The implementation of service and infrastructure improvements is funded in partnership between the provincial government and the RDN. Changes are facilitated through expansion funding when available or reallocation of service within the system. For example the proposed relocation and redevelopment of the downtown Prideaux Street Transit Exchange to the Port Drive Waterfront is anticipated to provide substantial operational savings. Savings could be reinvested into additional route service options, including the Route 7 Cinnabar/ Cedar or the extension of service to Area 'F'.

The following information is provided with respect to (1) when additional service to the Route 7 Cinnabar/Cedar and extension of service to Area 'F' would be recommended within the RDN Transit Future Plan expansion framework, as well as (2) the feasibility of the Inter-regional services to neighbouring Regional Districts as well as alternate transit models within the RDN system.

Route #7 Cinnabar/Cedar

The Route 7 Cinnabar/Cedar operates from downtown Nanaimo through Cinnabar and Cedar. There are several competing requests for expansion of this route service. Cinnabar residents require additional service to better facilitate commuter service primarily for students attending Vancouver Island University (VIU), John Barsby Secondary (JBS) and Nanaimo District Senior Secondary (NDSS) schools. Cedar residents are looking for increased service levels and extension of the existing route coverage to residents beyond Woodbank Road.

Service planning, as directed by the TFP, explores the opportunity for improved service delivery within Cedar as an extension of Rapid Bus service, which is proposed to be developed from South Parkway Plaza in the next five years. This would deliver improved commuter services to the residents of Cedar and explore the additional development of community bus services for the growing senior population in this community, similar to that being developed in Qualicum for September 2017.

In collaboration with BC Transit, RDN staff presented a staff report at the June 2016 Transit Select Committee (TSC) to discuss considerations around the additional service options for the Route7 pertaining to the Cinnabar area, this included:

- Augmenting the existing service to facilitate immediate improvements for students travelling to school at JBS and NDSS. This minor service improvement was implemented by staff through the reallocation of existing hours.
- An expansion of service to include an express trip. This would include a limited morning and afternoon express service between Cinnabar and VIU, with stops on Extension Road, Cranberry Ave, JBS and NDSS. It was noted in the report that in order to provide this additional express service expansion funding would need to be available.

Subsequent to the June staff report, discussions at the TSC have occurred about the ability for the City of Nanaimo to implement the expansion of the route 7 transit service outside of the Annual Operating Agreement (i.e. the express transit trip option being 100% funded by the local government, but with the use of BC Transit vehicles). It was determined that funding the service without BC Transit, but utilizing the fleet to perform the service, is not permitted, as it contravenes sections 1.1 (p), 3.3 (c), 4.1 (a), 8.3, 13.2.1, and 13.2.4 (a) of the Master Operating Agreement. Essentially, BC Transit assets must be utilized in coordination with a valid Annual Operating Agreement which captures all applicable Schedule B hours as determined and informed by the Schedule C. Additionally, Comprehensive General Liability Insurance would not extend to activities outside of the Master Operating Agreement or Annual Operating Agreements Section 5.1 and 6.2.

To reconfirm, BC Transit is supportive of providing the expanded services on Route 7 Cinnabar/Cedar. The RDN can choose to reallocate service within the system in order to introduce expanded services on the Route 7 Cinnabar/Cedar and BC Transit will work with RDN staff to enact this service change; otherwise, options can be explored to determine how it can be worked into the 2018/19 service expansion proposal.

Electoral Area F

Electoral Area 'F' includes the rural communities of Errington, Hilliers and Coombs. Transit service does not exist in this locality and is not specified as an expansion area for the short- term priorities of the Transit Future Plan. BC Transit suggests expansion of service to this area would therefore be best considered in the medium- to long-term (5+years), once the community shuttle services and expanded regional connections for

Parksville, Qualicum and Area 'H' have been implemented, as proposed in September 2017. Diluting the available 2017 service expansion hours to facilitate a larger coverage area contradicts the goal of delivering expanded service to the more dense communities in the region over the short-term.

A service strategy delivering a base level of service similar to the one day per week Route 99 Deep Bay service would be the recommended service delivery model for this community, upon expansion funding availability. Service would likely address a key origin in Coombs and deliver customers to the downtown Parksville Transit Exchange, offering the opportunity to transfer to other RDN services operating from the Exchange. This service expansion is expected to require additional annual hours and operating costs for the Area 'F' community. A more comprehensive service planning exercise may also determine the need for an additional vehicle, adding increased costs to the RDN system.

Inter-Regional Transit Connections

Transit Future Plans have been completed for the major regional areas of Vancouver Island including, Victoria, Cowichan Valley, Nanaimo, Comox Valley and Campbell River. A key strategy of each of the plans includes the introduction or expansion of inter-regional services.

The inter-regional strategic priorities within each of the Transit Future Plans vary in priority of delivery. The implementation time frame for each of the inter-regional services was determined through robust community consultation and key stakeholder input (including elected officials) processes as to when the inter-regional strategy should be implemented over the next 25 years. Each Transit Future Plan includes the implementation and/or expansion of Inter-regional travel opportunities between the following regions:

- Campbell River to Comox Valley Regional District
- Comox Valley Regional District to Regional District of Nanaimo
- Regional District of Nanaimo to Cowichan Valley Regional District
- Cowichan Valley Regional District to the area of the Victoria Regional Transit System

The variability in the need for inter-regional services is primarily driven by the existing and expected future need for travel by residents to a range of key services located outside their region of origin. Often residential areas located in proximity to the north or south of their regional boundary may have less travel distance to services in a neighboring region. Inter-regional services can provide the important links to multiple activity centres and communities for medical, educational, recreational or employment services. In order to gauge the potential for each proposed inter-regional service, BC Transit, in 2015, commissioned a high-level Market Feasibility Report to determine the viability of introducing and/or expanding services across regional boundaries.

The disconnect in the timing of the inter-regional priorities within the Transit Future Plans, makes the Market Research Report (MRR) a significant part of the prioritization and decision making process. The results of the study were intended to be order-of-magnitude only, separating the hopeful cases from the hopeless cases. From this study a more detailed service analysis of the hopeful cases would be required to confirm the ridership estimates, and the practicality of implementing a new service. Table 5.1 below from the MRR summarizes the potential markets by corridor.

Subsequent to the completion of the MRR a detailed service discussion document was provided to the RDN and the Cowichan Valley Transit Select Committees to explore the service options for the delivery of inter-regional connections between Ladysmith and VIU. Despite the reasonable ridership that could be expected, the majority of the customers would likely be Cowichan Valley residents, predominantly VIU students travelling into the RDN. Both TSC's motioned not to support further staff actions to explore implementation of an inter-regional service, as it was not considered feasible at this time. Instead, staff was directed to focus available expansion on the other TFP short-term priorities.

Table 5.1: Potential Transit Markets by Corridor

Corridor	Market Potential		Comment
	Commuter	Captive	
CwVRD to RDN (southbound)	Med/High	Medium (Ladysmith to Nanaimo)	<ul style="list-style-type: none"> Most of the commuter demand comprises students attending the VIU campus in Nanaimo. One third of the commuter demand originates from Ladysmith.
RDN to CwVRD (northbound)	Low	Low	
RDN to CxVRD (northbound)	Low	Low	<ul style="list-style-type: none"> The existing captive ridership travelling between Deep Bay/Bowser and Nanaimo (Route 99) may be better served by diverting that service toward Courtenay/Comox instead of Nanaimo.
CxVRD to RDN (southbound)	Med/Low	Low	<ul style="list-style-type: none"> Commuter market is estimated to be in the range of 60 per day. Practically all the commuter demand is generated by travel to VIU.
CxVRD to Campbell River (northbound)	Further investigation required of the short distance inter-regional market. Need more refined dataset.		<ul style="list-style-type: none"> The smaller communities within the Comox Valley Regional District, but close to Campbell River, may benefit from a direct 'local service' to Campbell River.
Campbell River to CxVRD (southbound)	Low	Low	

Furthermore, the MRR indicates the propensity for a feasible transit market between the RDN and the Comox Valley Regional District would be low. Potential for a coverage-type route (low frequency does not focus trips on commuters) from Area 'H' was also examined microscopically, and by nature of distance it was determined that customers within the Area 'H' communities of Deep Bay and Bowser would want to travel to the nearest services. The introduction or expansion of service to connect with Comox Valley Regional District would therefore direct existing transit customers away from the Route 99 Deep Bay service which connects to Qualicum, Parksville, and Woodgrove.

Successful alternate Inter-regional public transit models in operation throughout the Province generally focus on a one seat, one fare journey (i.e. no transfer between regional service routes) with limited stops. A focus on commuter peak times is a requirement of this service type in order to ensure good ridership and cost effectiveness.

Inter-regional service examples include:

- Route 90 Vernon to Kelowna primarily a student based service which has grown in popularity with service levels reduced when UBCO is not in session.
- Cowichan to Victoria a unique commuter style service with limited stops
- The more recently introduced Fraser Valley Express

Less successful Inter-regional service options include the Comox Valley/Campbell River services where individual low frequency coverage routes from each transit service connect at Oyster River. This service has low ridership and requires coordination between scheduling of services limiting and adding service complexity for customers.

Service expansion options in the RDN exploring the extension of the 99 Deep Bay route to connect with the Comox Valley Regional District Route 10 at Fanny Bay would require an addition of approximately 350 plus service hours to be added to the Area H service levels above the 900 hours proposed for 2017 to extend

existing service from one day to five days of operation. BC Transit has engaged in discussions with the Comox Valley Regional District transit manager to confirm that there is no short-term priority to extend the Comox Valley Regional District route services from Fanny Bay to meet RDN services at Deep Bay.

In the event service expansion of the RDN 99 Deep Bay route is to be facilitated, the greatest challenge will be in aligning the 99 Deep Bay trips at Fanny Bay with the Comox Valley Route 10. Risks include late running services, which could result in passengers being stranded and additional costs to the customer which may deter ridership. BC Transit recommends further RDN community outreach with the objective of determining the likelihood of customer-usage of a transfer system, including the costs and impact to the community.

In Summary

Transit service delivery to rural areas such as Cedar, Cinnabar and Area 'F' tends to be less cost effective, generating low ridership over longer time and distance intervals. If it is the desire of the RDN to invest resources into low ridership, coverage style routes, BC Transit will work with RDN staff to implement this. BC Transit is also supportive of developing Inter-regional service where the feasibility for a cost effective service would be viable, such as in areas with reasonable ridership levels and where connections for the customer are direct.

In the event the RDN would like to consider fast tracking additional local transit initiatives within Cinnabar, Cedar, Area 'F', and Inter-regional service between the Cowichan Valley Regional District, Comox Valley Regional District and the RDN, it is recommended that the future service hour expansion request is increased to meet these objectives for the near future. In order to accommodate all of the local transit initiatives as discussed in this letter, an expansion greater than the planned 5000 hours would be required.

If you have any immediate questions please feel free to contact:

Myrna Moore
Senior Regional Transit Manager
BC Transit
Myrna_moore@bctransit.com
(250) 514 3019

Maria Lockley
Senior Transit Planner
BC Transit
Maria_lockley@bctransit.com
(250) 580 1674

April 20, 2016

Attn: Daniel Pearce,
A/Director, Transportation and Emergency Planning Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Re: 3 Year Expansion Initiatives

Dear Daniel,

Last month, the Provincial Government announced their commitment to \$12.7 million in funding over the next three years to support transit expansion initiatives throughout the province. Because your transit system has been identified as a candidate for potential expansion, the attached Memorandum of Understanding (MOU) is provided to formalize the process of securing appropriate expansion funding on your behalf. Preliminary interactions with partners indicate there is a possibility that expansion requests may exceed the available funding.

The MOU lists the specific initiatives for the Annual Operating Agreement periods of 2017-2018 through to 2019-2020 derived primarily from recent service plans approved by your local government. Order-of-magnitude costing is provided to define the scope of transit service initiatives based on the proposed annual expansion hours. If the proposed expansion is dependent on other infrastructure investment, this dependency will be identified in a separate table.

If your proposed expansion requires additional vehicles in 2017-2018, a signed commitment from your Board is required by mid-June to ensure sufficient time for BC Transit to procure buses. Please keep in mind that should your plans change after this date and you determine that expansion is no longer desired, you will be billed the lease fees related to the new buses for a minimum of a one year period.

Upon confirmation of your Board's commitment to the expansion initiatives, we will include your request in BC Transit's draft Service Plan to the Province to seek the matching funding required for operating and capital costs. Following confirmation of the provincial budget, BC Transit will inform you of allowable funding and initiate an implementation plan, including the development of more detailed costing based on routing and schedules.

By communicating proposed expansion initiatives as far in advance as possible we are trying to achieve three important goals:

1. Ensure 3 year expansion initiatives are aligned with the expectations of local governments
2. Attain a commitment from local governments that allow BC Transit to proceed with the procurement and management of resources necessary to implement transit service expansions
3. Provide local government partners with enhanced 3 year forecasts that identify longer term funding requirements.

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,



Myrna Moore
Senior Regional Transit Manager
BC Transit

Expansion Memorandum of Understanding

Date	April 20, 2016
Expiry	June 15, 2016
System	Regional District of Nanaimo

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.

PROPOSED CONVENTIONAL EXPANSION INITIATIVES						
AOA Period	In Service Date	Annual Hours	Vehicle Requirements	Revenue	Total Costs*	Net Municipal Share
2017/18	Sept 2017	5,000	3	\$32,430	\$549,603	\$305,665
		Description	Transit Future Plan recommendations – General service increases to the routes that make up the local transit network. This would include expanded local bus service in Parksville and Qualicum Beach.			
2018/19	Sept 2018	5,000	2	\$72,067	\$549,172	\$257,136
		Description	TFP recommendations focus on Frequent Transit Network route 40 and Rapid Transit Route 50 expansions. These proposed service expansions require relocation and expansion of the Downtown Exchange and improvements to the Woodgrove Mall Exchange.			
2019/20	Mar 2020	5,000	2	\$83,493	\$570,576	\$258,316
		Description	Transit Future Plan Recommendations			

* Vehicle costs do not reflect Standardized Lease Fees

PROPOSED CUSTOM EXPANSION INITIATIVES						
AOA Period	In Service Date	Annual Hours	Vehicle Requirements	Revenue	Total Costs*	Net Municipal Share
2019/20	Sept 2019	1,700	1	\$7,784	\$132,639	\$49,727
		Description	Increased handyDART service based on TFP			

* Vehicle costs do not reflect Standardized Lease Fees

Approval

On behalf of the Regional District of Nanaimo, 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.

Signature: 

Date: June 24, 2016

Name: Daniel Pearce

Position: A/Director, Transportation and Emergency
Planning Services

On behalf of BC Transit, prepared by

Signature: 

Date: April 20, 2016

Name: Myrna Moore

Position: Senior Regional Transit Manager

TO: Regional District of Nanaimo Board **MEETING:** January 24, 2017
FROM: Jacquie Hill, Manager
Administrative Services **FILE:** 5340-01-JAN
SUBJECT: Trucked Liquid Waste Servicing and Bylaw Enforcement Ticket Regulation Bylaws

RECOMMENDATIONS

1. That the Board rescind third reading of “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”.
2. That the Board amend “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016” by deleting the repeal of “Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995” [Section 38(1)] and “Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001” [Section 38(3)], and renumbering the remaining subsections accordingly.
3. That the Board give third reading to “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”, as amended.
4. That the Board adopt “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”.
5. That the Board adopt “Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016.”
6. That the Board introduce and give three readings to “Regional District of Nanaimo Pump & Haul Local Service Establishment Repeal Bylaw No. 1752, 2017”, and forward the bylaw to the Inspector of Municipalities for approval.
7. That the Board introduce and give three readings to “Horne Lake Pump and Haul Service Establishment Repeal Bylaw No. 1753, 2017”, and forward the bylaw to the Inspector of Municipalities for approval.

SUMMARY

Trucked Liquid Waste Rates and Regulations Bylaw No. 1732 was forwarded to the Inspector of Municipalities for approval following third reading as it proposes to repeal two service establishment bylaws. Ministry staff have since advised that, as the Inspector of Municipalities does not have a role in reviewing and approving regulation bylaws, the repeal of the service establishment bylaws be done by separate repeal bylaws. Accordingly, staff recommend that Bylaw No. 1732 be amended to remove the repeal of the service establishment bylaws so the Board can move forward with adoption of Bylaws No. 1732 and No. 1418.07, and the introduction and three readings of Repeal Bylaws No. 1752 and No. 1753.

BACKGROUND

The Board, at its October 4, 2016 regular Board meeting, introduced and gave three readings to Trucked Liquid Waste Rates and Regulations Bylaw No. 1732 (Attachment 1), and Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07 (Attachment 2). Bylaw No. 1732 proposes to repeal and replace five of the existing trucked liquid waste bylaws to simplify and update RDN trucked liquid waste servicing (see Attachment 3 - Background Report), and was forwarded to the Inspector of Municipalities for approval following third reading as it proposes to repeal two service establishment bylaws.

Ministry staff have since advised that, as the Inspector of Municipalities does not have a role in reviewing and approving regulation bylaws, the repeal of the service establishment bylaws be done by separate repeal bylaws. Accordingly, staff recommend that Bylaw No. 1732 be amended to remove the repeal of the service establishment bylaws so the Board can move forward with adoption of Bylaw No. 1732 without the requirement for Inspector approval, as well as adoption of Bylaw No. 1418.07 which was being held pending adoption of Bylaw No. 1732. Pump & Haul Local Service Establishment Repeal Bylaw No. 1752 (Attachment 4) and Horne Lake Pump and Haul Service Establishment Repeal Bylaw No. 1753 (Attachment 5) are also provided for consideration of three readings and referral to the Inspector of Municipalities for approval per Ministry advice.

ALTERNATIVES


1. Amend and provide readings to the Bylaws as recommended.
2. Provide alternative direction to staff.

FINANCIAL IMPLICATIONS

Separating the repeal sections out and including as separate bylaws does not change the financial implications as stated in the original report - "There are no financial implications as trucked liquid waste treatment is a user-pay service. The proposed bylaws do not change trucked liquid waste user-rates. Some administrative fees were reduced to reflect the reduced staff time required to administer the service."

STRATEGIC PLAN IMPLICATIONS

As per the report dated August 22, 2016, "the proposed Bylaws align with the 2016 - 2020 Strategic Plan as they make an essential service efficient and transparent. The bylaws also help protect workers, infrastructure, and receiving environments by regulating the use of and the types of waste that can be discharged at RDN trucked liquid waste receiving facilities."



Jacquie Hill
jhill@rdn.bc.ca
January 5, 2017

Reviewed by:

- J. Harrison, Director of Corporate Services
- R. Alexander, General Manager, Regional & Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachments

1. Trucked Liquid Waste Rates and Regulations Bylaw No. 1732
2. Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07
3. Background Report (attachments provide separately)
4. Pump & Haul Local Service Establishment Repeal Bylaw No. 1752
5. Horne Lake Pump and Haul Service Establishment Repeal Bylaw No. 1753

Attachment 1

REGIONAL DISTRICT OF NANAIMO

Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1732

**A BYLAW TO REGULATE AND IMPOSE CHARGES FOR
THE CONVEYANCE, TREATMENT, AND DISPOSAL OF
TRUCKED LIQUID WASTE AT FACILITIES OPERATED BY
THE REGIONAL DISTRICT OF NANAIMO**

WHEREAS the Regional District of Nanaimo owns and operates the service of the conveyance, treatment, and disposal of trucked liquid waste at its sewage facilities under “Regional District of Nanaimo Southern Community Sewer Local Service Conversion Bylaw No. 888, 1993” and “Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993”;

AND WHEREAS under section 397 of the *Local Government Act*, the Regional Board may impose fees or charges payable for the use of the service, and those fees or charges may be structured to provide different fees or charges to different classes of persons, property, businesses, and activities;

AND WHEREAS under section 335 of the *Local Government Act*, the Regional Board may regulate and prohibit in relation to the service and may provide for a system of licences, permits, or approvals in relation to a Regional District service;

AND WHEREAS under section 30 of the *Environmental Management Act*, the Regional Board may make bylaws respecting the direct or indirect discharge of wastes into any sewer or drain connected to a sewage facility operated by the Regional District;

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

PART I: INTERPRETATION

1. APPLICATION

This Bylaw applies to:

- (1) any waste discharges at a trucked liquid waste receiving facility that is owned and operated by the Regional District; and,
- (2) the use of any trucked liquid waste receiving facility that is owned and operated by the Regional District.

2. CITATION

This Bylaw may be cited for all purposes as “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”.

3. DEFINITIONS

The following terms, words and phrases when used in this Bylaw shall have the meanings set forth in this section, whether appearing in capital or lower case form. If not defined below, the

words and phrases used in this Bylaw shall have their common and ordinary meanings to the degree consistent with the technical subjects in this Bylaw.

ADMINISTRATIVE CHARGE

means a charge issued to a Hauler who submits incorrect information regarding the source or type of waste discharged at a trucked liquid waste receiving facility, as set in Schedule 'D'.

AFTER HOUR CHARGES

means a charge issued to any person who uses a trucked liquid waste receiving facility at any time other than regular operating hours, as set in Schedule 'D'.

AIR

means the atmosphere but, except in a sewer, on-site sewage system, or a sewage facility or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

AIR CONTAMINANT

means any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:

- (1) injures or is capable of injuring the health or safety of a person,
- (2) injures or is capable of injuring property or any life form,
- (3) interferes or is capable of interfering with visibility,
- (4) interferes or is capable of interfering with the normal conduct of business,
- (5) causes or is capable of causing material physical discomfort to a person, or
- (6) damages or is capable of damaging the environment.

APPROVAL

means the consent, in writing, of the Sewage Control Manager.

AUTHORIZED PERSON

has the same meaning as defined in the *Sewerage System Regulation*.

BETX

means benzene, ethyl benzene, toluene, xylenes

BIOMEDICAL WASTE

has the same meaning as defined in the *Hazardous Waste Regulation*.

BIOSOLIDS

means stabilized sewage sludge resulting from a wastewater treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the requirements of the *Organic Matter Recycling Regulation*.

BOARD

means the Board of Directors of the Regional District of Nanaimo.

BOD

means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic substances under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in Standard Methods.

BUSINESS

means:

- (1) carrying on a commercial or industrial activity or undertaking of any kind, and
- (2) providing professional, personal or other services for the purpose of gain or profit,

but does not include any activity carried on by the Regional District or a municipality.

CHASE RIVER PUMP STATION

means the trucked liquid waste receiving facility owned and operated by the Regional District, located at 1174 Island Highway, Nanaimo BC.

CHLORINATED PHENOLS

means the chlorinated derivatives of phenols and as determined by the appropriate procedure described in Standard Methods.

COD

means Chemical Oxygen Demand, being a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidation, as determined by the appropriate procedure in Standard Methods.

COMPOSITE SAMPLE

means a sample of waste which is composed of equivalent portions of a specified number of grab samples collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

CONTAMINANT

means any substance, whether gaseous, liquid, or solid, whether dissolved or suspended, or any sewage quality parameter that, when present above a certain concentration in sewage:

- (1) injures or is capable of injuring the health or safety of a person;
- (2) injures or is capable of injuring property or any life form;
- (3) interferes or is capable of interfering with the proper operation of a sewer or sewage facility;
- (4) causes or is capable of causing material physical discomfort to a person; or
- (5) damages or is capable of damaging the environment.

CONTROL WORKS

means any device, equipment, process, or method used to separate, treat, remove, or otherwise prevent restricted or prohibited waste from entering or forming part of a load or discharge, including, but not limited to, traps, interceptors, filters, and separators.

DISCHARGE

noun. means any substance that is directly or indirectly introduced into a sewer, trucked liquid waste receiving facility, or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;

verb. means to directly or indirectly introduce a substance into a sewer, trucked liquid waste receiving facility, or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

DOMESTIC SEWAGE

means sewage produced on a residential premise, or sanitary waste and wastewater resulting from the ordinary use of showers and restroom washbasins produced on a non-residential property.

EMERGENCY

means any unexpected event or circumstance that poses immediate and significant harm to human health, safety or welfare, damage to property or harm to the environment.

ENACTMENT

means any act, regulation, bylaw, order, or authorization, including any amendments or replacements, by a federal, provincial, regional, or municipal government or their authorized representatives.

FRENCH CREEK POLLUTION CONTROL CENTRE

means the sewage facility owned and operated by the Regional District that has trucked liquid waste receiving facilities on site, located at 957 Lee Road, Parksville BC.

GRAB SAMPLE

means a sample of waste collected at a particular time and place.

GREATER NANAIMO POLLUTION CONTROL CENTRE

means the sewage facility owned and operated by the Regional District that collects trucked liquid waste by way of interceptor from the Chase River Pump Station, and can accommodate trucked liquid waste disposal on site in the case of emergency, located at 4600 Hammond Bay Road, Nanaimo BC.

GROUND WATER

means water in a saturation zone or stratum beneath the surface of land or below a surface water body.

HAULER

means any person who owns or operates one (1) or more trucked liquid waste hauling trucks.

HAULER DISCHARGE LICENCE

means a Licence issued by the Regional District that permits a Hauler to enter upon and use trucked liquid waste receiving facilities.

HAZARDOUS WASTE

has the same meaning as defined in the *Hazardous Waste Regulation*.

HOLDING TANK

means a watertight container for holding sewage until the sewage is removed for treatment.

HOLDING TANK PERMIT

means a permit for a holding tank issued under the *Sewerage System Regulation*.

IMPROVEMENT DISTRICT

means an Improvement District incorporated under the *Local Government Act*.

LICENCE

see "HAULER DISCHARGE LICENCE"

LOAD

means any waste that is carried or to be carried by a trucked liquid waste hauling truck, or that is discharged at a trucked liquid waste receiving facility.

MARINA

means any dock, harbour, moorage, pier, or other facility where marine vessels are moored.

MARINE SEWAGE RECEPTION FACILITY

means any works or facilities at a marina that are for the purpose of collecting sewage from marine vessels.

MARINE VESSELS

means any boat, yacht, seaplane, ship, watercraft, submarine, or other vehicle for the purpose of transporting persons and goods across a body of water.

MONITORING POINT

means an access point to sewage or a sewage system for the purpose of:

- (1) measuring the rate of flow or volume of sewage being discharged;
- (2) collecting representative samples of sewage being discharged.

MUNICIPALITY

means any participating member city, town, district, or other incorporated area of the Regional District incorporated as a municipality or the Regional District itself.

NON-DOMESTIC SEWAGE

means all sewage except domestic sewage, storm water, ground water, trucked liquid waste, and uncontaminated water.

NUCLEAR SUBSTANCE

has the same meaning as defined in the *Nuclear Safety and Control Act*.

OFFICER

see "SEWAGE CONTROL OFFICER".

OIL AND GREASE

means *n*-Hexane extractable matter as described in Standard Methods and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high-molecular weight carboxylic acids.

ON-SITE SEWAGE SYSTEM

means any wastewater system that stores sewage on-site, including, but not limited to, holding tanks, septic tanks, and pit-toilets.

OCCUPIER

in respect of property has the same meaning as defined in the *Community Charter*.

ORDER

means an order issued by the Sewage Control Manager.

OWNER

means:

- (1) in respect of property, owner as defined in the *Community Charter*;
- (2) in respect of business, the owner, director, manager, president, or person who may otherwise act on behalf of a business;
- (3) in respect of waste, the person who produces, carries, possesses, or is otherwise responsible for that waste.

PCB

means any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

PESTICIDE

has the same meaning as defined in the *Integrated Pest Management Act*.

pH

means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in Standard Methods.

PHENOLS

means the hydroxy derivatives or aromatic hydrocarbons as determined by the appropriate procedure described in Standard Methods.

PIT-TOILET

means any container or pit that is for the purpose of collecting sewage that may or may not use chemicals to help the wastes decompose, typically designed with little to no plumbing features, including outhouses, privies, and composting toilets.

POLYCYCLIC AROMATIC HYDROCARBONS (PAH)

means the total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i,)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, methyl-naphthalene, naphthalene, phenanthrene, pyrene.

PREMISES

means any land or building or both or any part thereof.

PROHIBITED WASTE

means prohibited waste as defined in Schedule 'A' of this Bylaw.

RECREATIONAL VEHICLE WASTE

means sanitary sewage accumulated in a holding tank in a trailer, camper, transportable housing unit, bus, aircraft, boat, houseboat, long-haul truck with on-board personal lavatory fixtures, or similar vehicles, but specifically excludes wastes carried in trucked liquid waste hauling trucks.

REGIONAL DISTRICT

means the Regional District of Nanaimo.

RESIDENTIAL PROPERTY

means a property classified as “Class 1” by BC Assessment.

RESTRICTED WASTE

means restricted waste as defined in Schedule ‘B’ of this Bylaw.

SANITARY SEWAGE

means human excreta and waterborne waste from the non-commercial and non-industrial preparation and consumption of food and drink, dishwashing, bathing, showering, and general household cleaning and laundry.

SANITARY SEWER

means a sewer which carries sanitary sewage but which is not intended to carry storm water or uncontaminated water.

SEAWATER

means any water from a marine environment.

SEPTAGE

means any sewage collected in a septic tank or accumulated in wastewater lines and appurtenances.

SEPTIC TANK

means a watertight container for receiving, treating, and settling sewage.

SEWAGE

means the composite of water wastes and water-carried wastes from residential, commercial, industrial, or institutional premises or any other source.

SEWAGE CONTROL MANAGER

means the Sewage Control Manager appointed by the Board, or a person appointed by the Board as her or his deputy, under the *Environmental Management Act*.

SEWAGE CONTROL OFFICER

means a Municipal Sewage Control Officer appointed by the Board under the *Environmental Management Act*.

SEWAGE SLUDGE

means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of sewage.

SEWAGE FACILITY

means any works owned or operated by the Regional District to treat, store, utilize, or discharge sewage.

SEWER

means all pipes, conduits, drains, pumping stations, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Regional District or a Municipality for the purpose of providing sewage collection, conveyance, treatment, or disposal.

SHARPS

means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects which have acute rigid corners, edges or protuberances.

SLUDGE

means sewage containing more than 0.5% total solids.

STANDARD METHODS

means the latest edition of "Standard Methods for the Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

STORM SEWER

means a sewer for the collection and transmission of storm water.

STORM WATER

means water resulting from natural precipitation from the atmosphere, including water from inflow and infiltration.

SUBSTANCE

includes any solid, liquid, or gas.

SUSPENDED SOLIDS

means the portion of total solids retained by a filter, as determined by the appropriate procedure in Standard Methods.

TRUCKED LIQUID WASTE

means any waste that originates from any plumbing fixtures or works that are not directly and permanently connected to a sewer system, including, but not limited to, holding tank waste, septic tank waste, pit toilet waste, chemical toilet content, and other sludge of organic or inorganic origin, but specifically excludes recreational vehicle waste.

TRUCKED LIQUID WASTE HAULING TRUCK

means any vehicle that collects trucked liquid waste for the purposes of transporting and disposing of that waste.

TRUCKED LIQUID WASTE RECEIVING FACILITY

means a sewage facility that receives trucked liquid waste, or other sewer works that receive trucked liquid waste for conveyance to a sewage facility, that is owned and operated by the Regional District.

UNCONTAMINATED WATER

means any water excluding storm water but including cooling water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use or to modify its use by any person.

USER-FEE

means the total charge calculated for the use of a trucked liquid waste receiving facility based upon the user-rate per volume.

USER-RATE

means the price per volume of waste that is discharged a trucked liquid waste receiving facility.

WASTE

means any substance that is or is intended to be discharged or discarded, including sewage.

WASTEWATER

see "SEWAGE"

WATER

means any water including seawater, surface water, groundwater, and ice.

WATERWORKS

means any works owned or otherwise under the control or jurisdiction of the Regional District or one or more of its member municipalities or an Improvement District that collects, treats, transports, or stores drinking water.

WORKS

includes:

- (1) a drain, sewer, or waste disposal system including a sewage facility, pumping station, or outfall;
- (2) a device, equipment, land, or a structure that:
 - (a) measures, handles, transports, stores, treats, or destroys waste or a contaminant; or
 - (b) introduces waste or a contaminant into the environment;
- (3) an installation, plant, machinery, equipment, land or a process that causes or may cause a release of a contaminant into the environment or is designed or used to measure or control the introduction of waste into the environment or to measure or control a contaminant;
- (4) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a contaminant or waste.

4. ENACTMENTS

- (1) A reference in this Bylaw to an enactment includes a reference to the enactment as amended or replaced.
- (2) The following enactments are specifically referenced in this Bylaw and may be referred to as necessary. This list is for reference purposes only and in no way alters, limits, or enlarges the intent or scope of these and other enactments and their application to this Bylaw.

Title	Level	Reference
<i>Community Charter</i>	Provincial	[SBC 2003, c.26]
<i>Environmental Management Act</i>	Provincial	[RSBC 1996, c.118]
▫ <i>Hazardous Waste Regulation</i>		
▫ <i>Organic Matter Recycling Regulation</i>		
<i>Fertilizers Act</i>	Federal	[RSC 1985, c.F-10]
▫ <i>Fertilizers Regulations</i>		CRC c. 666
<i>Integrated Pest Management Act</i>	Provincial	[SBC 2003, c.58]
<i>Local Government Act</i>	Provincial	[2015 c.1]
<i>Nuclear Safety and Control Act</i>	Federal	[SC 1997, c.9]
<i>Public Health Act</i>	Provincial	[SBC 2008, c.28]
▫ <i>Sewerage System Regulation</i>		[B.C. Reg. 326/2004]
<i>Taxation (Rural Area) Act</i>	Provincial	[RSBC 1996, c.448]

PART II: ALL DISCHARGES TO TRUCKED LIQUID WASTE RECEIVING FACILITIES

5. RESTRICTIONS

No person shall directly or indirectly discharge or allow or cause to be discharged into a trucked liquid waste receiving facility:

- (1) any prohibited waste, in any volume, as described in Schedule 'A';
- (2) any restricted waste, in any volume unless specified, as described in Schedule 'B';

- (3) any uncontaminated water, in any volume greater than 2.0 m³/day;
- (4) any storm water or ground water, in any volume;
- (5) any waste that originates from outside the Regional District or Lasqueti Island;
- (6) any water or other substance for the purpose of diluting any sewage, septage, sewage sludge, or non-domestic wastes in any volume.

PART III: TRUCKED LIQUID WASTE RECEIVING FACILITIES

6. REGULATIONS

- (1) No person shall discharge any trucked liquid waste within the Regional District, except:
 - (a) at a trucked liquid waste receiving facility listed in Schedule 'C', or,
 - (b) at a privately owned or operated facility that accepts trucked liquid waste;
- (2) No person shall discharge waste except in accordance with this Bylaw.

7. USE OF TRUCKED LIQUID WASTE FACILITIES

- (1) No person shall discharge any trucked liquid waste at a trucked liquid waste receiving facility, unless that person:
 - (a) is an employee of the Regional District,
 - (b) is a Hauler with a Licence that is not suspended, revoked, or expired,
 - (c) is an agent of or is otherwise authorized by the Regional District to make use of the trucked liquid waste receiving facility;
- (2) Any person who uses a trucked liquid waste receiving facility must follow the rules for that facility as follows:
 - (a) as set out in Schedule 'D' of this Bylaw,
 - (b) as stated on any signage or materials published by the Regional District,
 - (c) as indicated by an employee or agent of the Regional District;
- (3) Any person making a discharge at a trucked liquid waste receiving facility shall immediately stop the discharge at the instruction of an employee of the Regional District if that employee has reasonable grounds to believe that the discharge does not meet the provisions of this Bylaw or any other applicable enactment.

8. AFTER HOURS

No person shall make use of a trucked liquid waste receiving facility at any time other than the regular hours and days of operation, unless:

- (1) that person is an employee, contractor or agent of the Regional District; or,
- (2) there is an emergency situation, and the person using the trucked liquid waste receiving facility pays the After Hour Charges as set out in Schedule 'D'.

9. MONITORING

- (1) Any waste being discharged at a trucked liquid waste receiving facility may be metered, monitored, or sampled at any time and in any manner by a Sewage Control Officer or other employee, agent or contractor of the Regional District authorized by the Regional District to do so;
- (2) A person using a trucked liquid waste receiving facility must provide complete and accurate information regarding the nature or source of the waste as reasonably requested by a Sewage Control Officer or other employee, agent or contractor of the Regional District;
- (3) A Sewage Control Officer or other employee, agent or contractor of the Regional District may, at the sole expense of the Hauler, require that a Hauler weigh a hauling truck before and after discharging a load and use the calculated weight to determine the volume of the load, as determined by the formula in Schedule 'F';
- (4) The Hauler must provide the information regarding the weight of the hauling truck obtained under subsection 9(3) to the Sewage Control Officer or other employee, agent or contractor of the Regional District.

PART IV: HAULER DISCHARGE LICENCES

10. HAULER DISCHARGE LICENCES

- (1) A person must submit an application for a Licence to the Regional District at least thirty (30) working days prior to the date for which a Licence is required;
- (2) All costs and expenses directly or indirectly incurred by any person to obtain, maintain, or amend a Licence, or resulting from meeting the terms of the Licence, or an amendment, suspension or termination of a Licence shall be borne by the person;
- (3) A person that submits an application for a Licence must not use a trucked liquid waste receiving facility until a Licence is issued by the Regional District;
- (4) All information provided in the Licence application must be complete and accurate to the knowledge of the person submitting the application;
- (5) One (1) Licence is required for each person or hauling business that uses or intends to use a trucked liquid waste receiving facility;
- (6) The Licence only applies to the vehicles described or listed in the application;
- (7) A Hauler must immediately inform the Regional District of any changes or updates to the information provided in the application including, without limiting the generality of the foregoing, the vehicles to be used by the Hauler;
- (8) An employee of the Regional District may require a person who has submitted an application under subsection (1) to submit any additional information or documentation at any time to assist the evaluation of the application;
- (9) An application under subsection (1) must be submitted substantially in the form and manner set out in Schedule 'E'.

11. HAULER DISCHARGE LICENCE CONDITIONS AND REQUIREMENTS

- (1) No Licence is effective until signed by the Sewage Control Manager;

- (2) The Sewage Control Manager may withhold consent or refuse to approve a Licence:
 - (a) if the information provided is insufficient to permit the Sewage Control Manager to be satisfied that the application complies with this Bylaw, or
 - (b) if the Hauler or any person involved in the management of the Hauler's business has in the past failed to comply with the terms and conditions or restrictions in a Licence or this Bylaw, or
 - (c) where the Sewage Control Manager has other grounds to reasonably believe that the Hauler or any person involved in the management of the Hauler's business will not comply with the terms, conditions or restrictions of this Bylaw or a Licence, or
 - (d) if the application includes false or materially misleading information.
- (3) A Hauler must immediately inform the Regional District of any changes or updates to the information provided in the Licence;
- (4) Unless otherwise stated or compromised, a Licence shall be effective for five (5) years from the date it is issued;
- (5) A Hauler may renew a Licence up to sixty (60) working days before the expiry date stated on the existing Licence;
- (6) An expired Licence is deemed ineffective;
- (7) The Sewage Control Manager may, at any time, impose any additional provisions, requirements, or restrictions on a Licence related to the purposes of this Bylaw that the Hauler must meet in order to obtain, maintain or renew the Licence;
- (8) Licences cannot be transferred or assigned without the Sewage Control Manager's written approval.

12. HAULER DISCHARGE LICENCE SUSPENSION AND TERMINATION

- (1) Without limiting the Sewage Control Manager's authority under the *Environmental Management Act*, the Sewage Control Manager may suspend a Licence where there has been a circumstance or event that results in a breach of this Bylaw, an event or circumstance that causes damage to any part of a trucked liquid waste receiving facility or Regional District property, or a spill, until the circumstance or event has been corrected, or remediation of a spill site is complete;
- (2) Before reinstating the Licence, the Sewage Control Manager may require that the Hauler provide documentation sufficient to show that the circumstance, event, or spill is corrected or remediated;
- (3) Without limiting subsection 12(1), the Sewage Control Manager may suspend or terminate a Licence if that Hauler:
 - (a) fails to comply with the terms, conditions, or restrictions of the Licence,
 - (b) fails to comply with this Bylaw, or any applicable enactment,
 - (c) provides or has provided any false, incorrect, or misleading information to the Regional District,

- (d) owes any monies to the Regional District under this Bylaw and fails to pay such monies within ten (10) days of a demand for such money mailed to the most recent address for the Hauler in Regional District records.
- (4) The Sewage Control Manager may, at any time, reconsider, amend, or cancel her or his decision with respect to the granting, refusal, suspension, amendment, or termination of a Licence.

13. TRANSITION: HAULERS

A Hauler who is hauling trucked liquid waste to a trucked liquid waste receiving facility at the date of adoption of this bylaw must submit an application for a Licence within six (6) months from the date that this Bylaw is adopted.

PART V: TRUCKED LIQUID WASTE RECEIVING FACILITIES USER-FEES AND USER-RATES

14. ALL USER-FEES

- (1) Any person disposing of waste at a trucked liquid waste receiving facility shall pay the user-fee in accordance with this Bylaw;
- (2) All user-fees shall be due within thirty (30) days of the date of invoice;
- (3) No complaint of an error in any user fee shall be considered and no adjustment of any such error shall be made after a period of one (1) year has elapsed since the end of the period for which such user fees imposed.

15. HAULER BILLING TO USERS

- (1) Any fees, charges, or user-rates established by the Regional District are separate from any service charges or fees charged by the Hauler;
- (2) It is a condition of use of the trucked liquid waste receiving facility that any invoice issued by a Hauler to a person regarding the discharge of waste at a trucked liquid waste receiving facility must clearly and separately state:
 - (a) the date that the load was pumped from the on-site sewage system,
 - (b) the date that the load was discharged at a trucked liquid waste receiving facility,
 - (c) the volume of the load discharged,
 - (d) the type of waste discharged,
 - (e) the Regional District user-rate that applied to the load,
 - (f) the total calculated user fee invoiced to the person,
 - (g) the full name of the person invoiced,
 - (h) the civic address from where the load originated, and
 - (i) the current contact information of the person invoiced.

16. REGIONAL DISTRICT BILLING TO HAULERS

- (1) The Regional District shall invoice any Hauler that discharges waste at a trucked liquid waste receiving facility;

- (2) If section 18 [*holding tank waste disposal user-rate*] or section 19 [*municipal step-system user-rate*] of this Bylaw applies to a load, a Hauler must submit all billing information regarding the discharge of that load at a trucked liquid waste receiving facility to the Regional District for each month on or before the last day of the following month, including a copy of any invoice described in subsection 15(2) and any trucked liquid waste disposal claim slips;
- (3) Upon the request of the Regional District, a Hauler must submit all billing information regarding the discharge of waste at a trucked liquid waste receiving facility to the Regional District within thirty (30) days of the request, including a copy of any invoice described in subsection 15(2) and any trucked liquid waste disposal claim slips;
- (4) Any invoice issued by the Regional District to a Hauler for the use of a trucked liquid waste receiving facility is separate from any other charges or fees imposed by the Regional District;
- (5) A Hauler must pay to the Regional District the full amount of the invoice within thirty (30) days of the invoice date;
- (6) Any amount outstanding thirty (30) days after the invoice date shall bear interest at the rate of one and one-quarter percent (1.25%) per month;
- (7) A person must not provide incorrect, false or misleading information to the Regional District regarding the characteristics of waste discharged at a trucked liquid waste receiving facility, including, the volume, strength, origin, and type of the discharge;
- (8) If a person provides incorrect, false or misleading information, as described in subsection 16(7), the invoice relating to the waste shall be re-calculated by the Regional District accordingly, and the Hauler must pay to the Regional District the amount owing as corrected within thirty (30) days of receiving the corrected invoice and the Hauler must pay the Administrative Charge as set in Schedule 'D' in addition to any amount owing;
- (9) The Regional District may retroactively invoice a Hauler for any corrections made to an invoice for up to one (1) year from the date that the billing information was first submitted by the Hauler to the Regional District;
- (10) A Hauler must retain all billing information regarding the use of a trucked liquid waste receiving facility for at least one (1) year from the date that the billing information was first submitted by the Hauler to the Regional District;
- (11) Subsections 16 (4), (5), and (6) of this Bylaw apply to any amount owing to the Regional District from the Hauler.

PART VI: USER-RATES

17. SEPTAGE DISPOSAL USER-RATE

Any person discharging waste at a trucked liquid waste receiving facility shall pay the Septage Disposal User-Rate for that waste, unless the property from which the waste originates is registered under the Holding Tank Registration or is listed in Schedule 'F' to receive the Municipal STEP-System User-Rate.

18. HOLDING TANK WASTE DISPOSAL USER-RATE

Any person discharging waste at a trucked liquid waste receiving facility from a property that is registered under the Holding Tank Registration shall pay the Holding Tank Waste Disposal User-Rate for that waste.

19. MUNICIPAL STEP-SYSTEM USER-RATE

Any person discharging waste from a property listed in Schedule 'F' at a trucked liquid waste receiving facility shall pay the Municipal Step-System User-Rate for that waste.

PART VII: HOLDING TANK REGISTRATION

20. HOLDING TANK REGISTRATION ELIGIBILITY

A property that is within the Regional District is eligible for Holding Tank Registration if:

- (1) the owner or occupier of that property has first obtained a holding tank permit in accordance with the Sewerage System Regulation, and each of the following apply:
 - (a) the property is within Electoral Area 'B', 'E', 'F', 'G', or 'H', the City of Nanaimo, or the District of Lantzville,
 - (b) the property is a parcel that is greater than 700m²,
 - (c) the property is for existing uses and the on-site sewage disposal system malfunctioned, or the property is currently vacant and will only be used for the construction of a single family residence,
 - (d) the property is a parcel that cannot be further subdivided, including subdivision under the *Strata Property Act*, according to existing zoning or a section 219 covenant under the *Land Title Act*,
 - (e) a community sewer system is not available,
 - (f) including the property will not facilitate development of any additional units on the property, and,
 - (g) the development conforms to zoning bylaws.
- (2) section 24 [*marine sewage reception facilities*] of this Bylaw applies; or,
- (3) section 25 [*temporary eligibility*] of this Bylaw applies.

21. AVAILABILITY OF COMMUNITY SEWER

The owner or occupier of a property that is included in the Holding Tank Registration under subsection 20(1) must, within a reasonable timeframe, connect the property to the community sewer system if a community sewer system is constructed and becomes available for connection adjacent to that parcel.

22. HOLDING TANK REGISTRATION FORM

To register a property under the Holding Tank Registration, the owner or occupier of an eligible property must submit a registration form to the Regional District, substantially in the form set out in Schedule 'G': and,

- (1) the registration form must be approved as complete by the Regional District before the owner or occupier of the property is qualified for the Holding Tank Waste Disposal User-Rate;
- (2) an employee of the Regional District may require that a person submit additional information or documentation at any time to assist the evaluation of the property's qualification for the Holding Tank Registration;
- (3) the Regional District may reject a registration form where it is incomplete or the property does not meet the criteria in section 20.

23. HOLDING TANK REGISTRATION FEE

Unless section 25 applies, any person submitting a registration form for the Holding Tank Registration must pay the registration fee, as set in Schedule 'G': and,

- (1) the registration fee must be paid in full at the time the registration form is submitted;
- (2) a registration form will not be considered if the registration fee is unpaid;
- (3) the registration fee is non-refundable.

24. MARINE SEWAGE RECEPTION FACILITIES

A property that has a marine sewage reception facility is eligible for Holding Tank Registration if:

- (1) no person using the marine sewage reception facility is directly or indirectly charged for the disposal of sanitary sewage from marine vessels; and
- (2) the marine sewage reception facility accepts only sanitary sewage from marine vessels.

25. TEMPORARY ELIGIBILITY

- (1) A property is eligible for the Holding Tank Registration for a temporary period of time if:
 - (a) the property's on-site sewage disposal system malfunctioned;
 - (b) the property's on-site sewage disposal system has been converted to a holding tank for the purpose of storing sewage until the on-site sewage disposal system is repaired;
 - (c) an Authorized Person inspected the site and confirms to the Regional District that the on-site sewage disposal system has failed and that the system can be repaired; and,
 - (d) an Authorized Person provides a date to the Regional District by which the failed on-site sewage disposal system shall be repaired, which date is not longer than ninety (90) days following the date of submission of a Registration form to the Regional District.
- (2) It is a condition of eligibility under section 25(1) that the Septage Disposal User-Rate shall apply to any load that accumulated in the on-site sewage disposal system prior to the malfunction, including but not limited to septage in a septic tank.

26. MAXIMUM TERM OF TEMPORARY ELIGIBILITY

- (1) The maximum term for temporary eligibility for Holding Tank Registration under section 25 is ninety (90) days from the date that the registration form is approved by the Regional District;

- (2) The Regional District may extend the term for up to an additional ninety (90) days if:
 - (a) the owner or occupier of the subject property requests an extension not less than ten (10) days prior to the expiry date first stated, and,
 - (b) an Authorized Person confirms to the Regional District that the on-site sewage system can be repaired within the extended term.

27. TERMINATION OR SUSPENSION OF HOLDING TANK REGISTRATION

The Regional District may remove a property from the Holding Tank Registration where the property ceases to meet the conditions for registration under section 20 of this Bylaw.

28. TRANSITION: SERVICE AREAS TO REGISTRATION SYSTEM

- (1) Any property that was previously:
 - (a) included in “Regional District of Nanaimo Pump and Haul Local Service Establishment Bylaw No. 975, 1995”, and its subsequent amendments, prior to its repeal, or,
 - (b) included in “Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001”, and its subsequent amendments, prior to its repeal, or,
 - (c) a marine sewage reception facility approved to receive a reduced rate under Bylaw 988, and its subsequent amendments, prior to the adoption of this Bylaw,shall automatically be transitioned to the Holding Tank Registration, and the owner or occupier of that property shall be exempt from paying the registration fee;
- (2) Where section 28(1)(a) or (b) applies to a property, the adoption of this Bylaw in no way limits, expands, or alters any restriction, covenant, or other requirement that was placed on that property for the purpose of including that property to the applicable bylaw;
- (3) Any person with temporary authorization for access to the equivalent Holding Tank Waste Disposal User-Rate at the time this Bylaw is adopted shall continue to be eligible to pay at that rate until the expiry date of such temporary authorization.

29. MULTIPLE PROPERTIES

If a person wishes to register more than one (1) property under the Holding Tank Registration, she or he must submit a separate application for each property.

PART VIII: OFFENCES AND PENALTIES

30. MAXIMUM FINE

A person who contravenes this Bylaw, or other requirements made or imposed under this Bylaw, commits an offence and is liable to a fine not exceeding \$2,000.00.

31. RECURRING OFFENCES

Where an offence is committed on or continues for more than one day, a person shall be deemed to have committed a separate offence for each day on or during which an offence

occurs or continues, and separate fines, each not exceeding \$2,000.00, may be imposed for each day on or during which an offence occurs or continues.

PART IX: GENERAL

32. OTHER ENACTMENTS

- (1) Nothing in the Bylaw shall be interpreted as relieving a person, business, or organization from complying with federal, provincial, and local government enactments;
- (2) Nothing in this Bylaw shall be interpreted as restricting the powers of the Regional District or its employees, the Sewage Control Manager, or Officers under the *Local Government Act*, *Environmental Management Act*, *Public Health Act*, or any other applicable enactments of the Province of British Columbia or the Government of Canada.

33. ENFORCEMENT

The Sewage Control Manager, an Officer, or a Bylaw Enforcement Officer may enforce the provisions of this Bylaw.

34. AUTHORITY OF THE BOARD

When the Board has authority to direct that a matter or thing be done by a person, the Board may also direct that, if the person fails to take the required action, the matter or thing shall be done at the expense of the person in default in accordance with the *Local Government Act*. If the action in default is taken, the Board may recover the expense from that person, together with costs and interests at the rate prescribed under the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.

35. SCHEDULES

- (1) The schedules attached to this Bylaw shall be deemed to be an integral part of this Bylaw;
- (2) An employee of the Regional District may update, re-format, or edit any application, registration, or other form that accompanies a schedule as necessary, including both paper and digital forms, without an amendment to this Bylaw provided that the changes or edits are not inconsistent with this Bylaw.

36. SEVERABILITY

If any provision of this Bylaw is found to be invalid by a court of competent jurisdiction, it may be severed from the Bylaw without affecting the interpretation or validity of any other provision of this Bylaw.

37. HEADINGS AND TABLE OF CONTENTS

The headings and the table of contents in this Bylaw are inserted for convenience of reference only and in no way limit, expand, or alter the contents of this Bylaw.

38. REPEAL

The following bylaws are hereby repealed:

- (1) "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995";
- (2) "Regional District of Nanaimo Trucked Liquid Waste Disposal Bylaw No. 988, 1995";
- (3) "Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001";
- (4) "Horne Lake Service Area Sewage Disposal Regulation Bylaw No. 1218, 2001"; and,
- (5) "Regional District of Nanaimo Sewage Disposal Regulation Bylaw No. 1224, 2000".

Introduced and read three times this 4th day of October, 2016.

Adopted this ____ day of _____, 201_.

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'A' to accompany "Trucked Liquid
Waste Rates and Regulations Bylaw No. 1732,
2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'A': PROHIBITED WASTES

Prohibited waste means any one (1) or more of the following, in any volume:

1. **HAZARDOUS WASTE** as defined by the *Hazardous Waste Regulation*;
2. **AIR CONTAMINANT WASTE**, meaning any waste, other than sanitary waste which, by itself or in combination with another substance is capable of creating, causing, or introducing an air contaminant outside any sewer or sewage facility or is capable of creating, causing, or introducing any air contaminant within any sewer or sewage facility which would prevent safe entry by authorized personnel;
3. **FLAMMABLE, COMBUSTIBLE, OR EXPLOSIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sewer or sewage facility including, but not limited to gasoline, naphtha, propane, diesel, fuel, oil, kerosene, or alcohol;
4. **OBSTRUCTIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of obstructing the flow of or interfering with the operation or performance of any sewer or sewage facility including, but not limited to, sludge, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, wipes, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish, or fowl, and solidified fat;
5. **CORROSIVE WASTE**, meaning any waste with corrosive properties which, by itself or in combination with any other substance, causes or may cause damage to any sewer or sewage facility or which may prevent safe entry by authorized personnel;
6. **HIGH TEMPERATURE WASTE**, meaning:
 - (1) any waste which, by itself or in combination with another substance, creates or will create heat in amounts which will interfere with the operation and maintenance of a sewer or sewage facility or with the treatment of waste in a sewage facility;
 - (2) any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
 - (3) any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. **BIOMEDICAL WASTE**, including, but not limited to, any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps, and untreated human blood and body fluids known to contain viruses and pathogens listed in “Risk Group 4” defined in “Laboratory Biosafety Guidelines” published by Health Canada;
8. **SPECIAL RISK ORGANIC WASTE**, meaning any substances that:
 - (1) are affected by bovine spongiform encephalopathy as defined by federal *Fertilizers Regulations*; or,
 - (2) are produced by the dissolving of remains;
9. **RADIOACTIVE WASTE**, meaning any waste containing nuclear substances that, at the point of discharge into a sewer, exceeds the limitations as established under the *Nuclear Safety and Control Act* and its Regulations.
10. **PCBs OR PESTICIDES**, meaning any waste containing PCBs or pesticides;
11. **PHARMACEUTICAL WASTE**, meaning any unused or unconsumed pharmaceutical substance, which, by itself or in combination with another substance, alters or may alter the chemical composition of treated effluent;
12. **CONTROL WORKS WASTE**, meaning any wastes accumulated in or collected by control works, including but not limited to oil and grease collected in grease traps;
13. **ODOUROUS WASTE**, meaning any waste which, by itself or in combination with another substance, may cause offensive odour to emanate from sewage works or facilities, including hydrogen sulphide, carbon disulphide, other sulphur compounds, amines, or ammonia;
14. **MISCELLANEOUS WASTE**, meaning any substance which, by itself or in combination with another substance:
 - (1) constitutes or may constitute a significant health or safety hazard to any person, animal or vegetation;
 - (2) causes or may cause damage, pollution, or harm to any property or environment;
 - (3) causes or may cause any conveyance or treatment process to not comply with any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the conveyance or treatment process;
 - (4) causes or may cause a discharge from a sewage treatment facility to contravene any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the quality of the discharge;
 - (5) causes or may cause biosolids to fail criteria for beneficial land application use in British Columbia under the *Organic Matter Recycling Regulation*, or to fail any requirement of or under any other applicable permits, laws, certifications, enactments, or regulation governing the quality of biosolids.

SCHEDULE 'B' to accompany "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'B': RESTRICTED WASTES

Restricted waste means any one (1) or more of the following, in any volume unless otherwise specified:

- CONTAMINATED WASTE**, meaning any waste which, by itself or in combination with another substance, contains contaminants at or above the limits identified as follows:

Item	Limit [mg/L]
Biochemical Oxygen Demand	20,000.00
Chemical Oxygen Demand	40,000.00
Oil and Grease, total	3,500.00
Total Suspended Solids	35,000.00
BETX	1.00
Chlorinated Phenols	0.05
Polycyclic Aromatic Hydrocarbons	0.05
Phenols	2.00
Petroleum Hydrocarbons	15.00
Arsenic	1.00
Cadmium	0.20
Chromium	4.00
Cobalt	5.00

Item	Limit [mg/L]
Copper	65.00
Cyanide	1.00
Iron	500.00
Lead	1.00
Manganese	8.00
Mercury	0.05
Molybdenum	1.00
Nickel	2.00
Silver	1.00
Sulphate	1,500.00
Sulphide	10.00
Zinc	71.00

- all concentrations expressed are total concentrations, which include all forms of the contaminant, whether dissolved or undissolved.
 - the concentration limits expressed apply to both grab and composite samples.
 - contaminant definitions and methods of analysis to determine concentration limits are outlined in Standard Methods, or, where the Sewage Control Manager considers that the methods prescribed in Standard Methods are insufficient or inappropriate, as specified by the Sewage Control Manager.
- ACIDIC OR ALKALINE WASTE** meaning any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 10.0, as determined by either a grab or a composite sample
- NON-DOMESTIC FOOD WASTE** meaning any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.50 centimetres in any dimension.

4. **DYES AND COLOURING MATERIALS** meaning any dyes or colouring materials which may pass through a sewage treatment facility and discolour the effluent from a sewage treatment facility except where the dye is used by the Regional District, or one of the municipalities, as a tracer.
5. **SEAWATER** meaning any water from a marine environment.

SCHEDULE 'C' to accompany "Trucked Liquid
Waste Rates and Regulations Bylaw No. 1732,
2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'C': TRUCKED LIQUID WASTE RECEIVING FACILITIES

1. Trucked liquid waste receiving facilities:

- (1) Chase River Pump Station
1174 Island Highway, Nanaimo BC.

- (2) French Creek Pollution Control Centre
957 Lee Road, Parksville BC.

2. Alternate trucked liquid waste receiving facility in case of emergency:

Greater Nanaimo Pollution Control Centre
4600 Hammond Bay Road, Nanaimo BC.

SCHEDULE 'D' to accompany "Trucked Liquid
Waste Rates and Regulations Bylaw No. 1732,
2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'D': RULES OF USE FOR FACILITIES AND APPLICABLE CHARGES

1. Rules of Use:

The rules of use for trucked liquid waste receiving facilities are as follows:

- (1) A vehicle transporting trucked liquid waste to a trucked liquid waste receiving facility must be of such width, length, height, and capacity so that the vehicle can enter the facility without blocking or hindering other traffic;
- (2) A hauling vehicle must have connection devices compatible with those of the facility;
- (3) A Hauler must ensure that all vehicles, tanks, and ancillary equipment are maintained and inspected to ensure a safe and spill free operation;
- (4) Vehicles with dripping or leaking hoses, valves, tanks, or other ancillary equipment are not allowed to enter or use the facilities;
- (5) A Hauler must not lift or cause to be lifted a vehicle's tank;
- (6) A Hauler is liable for any damage to a trucked liquid waste receiving facility or Regional District property caused by the Hauler or caused by the functioning or operation of a Hauler's vehicle, tank, or equipment.
- (7) A Hauler must only park a hauling vehicle while awaiting discharge or while discharging;
- (8) A Hauler must only discharge a load to an inlet intended for trucked liquid waste receiving, and a Hauler must not discharge a load to any other manhole or other sewer works;
- (9) A Hauler must notify the Regional District at least two (2) days before discharging any waste from a pit-toilet;
- (10) Priority of use of a trucked liquid waste facility shall be determined on a first-come-first-serve basis;
- (11) A Hauler must not wash or service a vehicle at a trucked liquid waste receiving facility or on Regional District property, except for required clean-up;
- (12) Office, telephone, and washroom facilities are for the use of Regional District employees only.

2. After Hour Charges

The After Hour Charges are set as follows:

AFTER HOUR CHARGES	
Minimum charge, up to one (1) hour	\$100.00
Every additional half (½) hour, or portion of, after the first hour	\$75.00

3. Administrative charge

The Administrative Charges are set as follows:

ADMINISTRATIVE CHARGE	
First submission of incorrect information	\$50.00
Each subsequent submission of incorrect information	\$75.00

SCHEDULE 'E' to accompany "Trucked Liquid
Waste Rates and Regulations Bylaw No. 1732,
2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'E': HAULER DISCHARGE LICENCES

1. Application form

The application form shall request from the applicant not less than the following:

- (1) Applicant information including her or his name and current contact information;
- (2) Emergency contact information for the applicant or designated emergency contact;
- (3) Business information including the business name and location;
- (4) Fleet description, including the number of hauling trucks, each licence plate, the size of each truck tank, and each truck's Commercial Vehicle Inspection Program decal number and expiry date;
- (5) Declaration, where the application must be signed by the owner of the business.

The application form shall also include:

- (1) The Regional District's current address and contact information;
- (2) Information on how to obtain a copy of this Bylaw.

2. Hauler Discharge Licence

An employee of the Regional District must prepare the Licence, and the Licence must include:

- (1) The Licence number issued to the Hauler or hauling business, in accordance with the current method of determining the Licence number;
- (2) The name and address of the Hauler or hauling business;
- (3) The date that the Licence is issued;
- (4) The date that the Licence shall expire;
- (5) Any additional terms, conditions, or restrictions imposed on the Licence;
- (6) A line for the signature of the Sewage Control Manager.

SCHEDULE 'F' to accompany "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'F': USER-RATES

The user-rates are set as follows:

USER-RATE CLASSIFICATION	USER-RATE	
	PER IMPERIAL GALLON	PER 100 LITRES*
SEPTAGE DISPOSAL USER-RATE	\$0.23	\$5.06
HOLDING TANK WASTE DISPOSAL USER-RATE	\$0.01	\$0.22
MUNICIPAL STEP-SYSTEM USER-RATE, which is for the following properties: -All properties on Protection Island -The following properties within the City of Nanaimo: 1323/1325 Fielding Road 1390 Fielding Road 1335 Fielding Road 1400 Fielding Road 1341 Fielding Road 1403 Fielding Road 1343 Fielding Road 1416/1420 Fielding Road 1350 Fielding Road 1417 Fielding Road 1357 Fielding Road 1421 Fielding Road 1373 Fielding Road	\$0.00	\$0.00

*User-rate per one-hundred (100) Litres is provided for reference only. The total user fee shall be based upon the price per imperial gallons.

The volume of a load discharged may be determined by the following weight to volume formula:

$$\left[\begin{array}{c} \text{TRUCK WEIGHT} \\ \text{BEFORE DISCHARGE} \\ \text{kilograms} \end{array} \right] - \left[\begin{array}{c} \text{TRUCK WEIGHT} \\ \text{AFTER DISCHARGE} \\ \text{kilograms} \end{array} \right] \times \frac{1 \text{ imperial gallon}}{4.59 \text{ kilograms}} = \begin{array}{c} \text{LOAD VOLUME} \\ \text{imperial gallons} \end{array}$$

SCHEDULE 'G' to accompany "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

CHAIRPERSON

CORPORATE OFFICER

SCHEDULE 'G': HOLDING TANK REGISTRATION

1. Registration form

The application form shall request from the applicant not less than the following:

- (1) A copy of the holding tank permit obtained under the Sewerage System Regulation, if applicable;
- (2) The full name of the property owner;
- (3) The property owner's phone number and email address;
- (4) The full address of the property for which the application is being made;
- (5) The full legal description of the property for which the application is being made;
- (6) The name and affiliation of the Authorized Person who installed, inspected, or otherwise maintained the on-site sewage system;
- (7) A place for the property owner's signature;
- (8) For temporary registration, a place for the Authorized Person's signature;
- (9) For temporary registration, the estimated date of repair for the on-site sewage system.

2. Registration fee

The registration fee is set as follows:

REGISTRATION FEE	
For a single-family residential property	\$100.00
For any property other than a single-family residential property	\$300.00

Attachment 2

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1418.07

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO BYLAW
ENFORCEMENT TICKET REGULATION BYLAW NO. 1418, 2005**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005" for the purpose of including fines for the contravention of "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016";

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 Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016."

2. Amendments

"Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Bylaw No. 1418, 2005" is amended as follows:

- (1) By replacing the words "Schedules 2-22" in section 4 to "Schedules 2-23";
- (2) By replacing the words "Schedules 2-22" in section 5 to "Schedules 2-23";
- (3) By replacing the words "Schedules 1-22" in section 6 to "Schedules 1-23";
- (4) By adding Schedule 23 as attached to and forming part of this Bylaw.

Introduced and read three times this 4th day of October, 2016.

Adopted this ____ day of _____, _____.

CHAIRPERSON

CORPORATE OFFICER

Schedule 23 to accompany Regional District of
Nanaimo Bylaw Enforcement Ticket Regulation
Amendment Bylaw No. 1418.07, 2016

 CHAIRPERSON

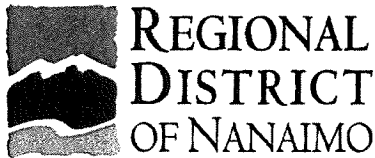
 CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO
BYLAW ENFORCEMENT TICKET REGULATION
BYLAW NO. 1418, 2005**

SCHEDULE 23

Column I	Column II	Column III
Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016	Section of Bylaw 1732	Amount of Fine
1. Discharge of prohibited waste	5(1)	\$1,000.00
2. Discharge of restricted waste	5(2)	\$750.00
3. Discharge of uncontaminated water over 2.0m ³ /day	5(3)	\$250.00
4. Discharge of storm water or ground water	5(4)	\$250.00
5. Discharge of waste from outside RDN or Lasqueti Island	5(5)	\$100.00
6. Discharge of substance for dilution	5(6)	\$250.00
7. Unauthorized use of trucked liquid waste receiving facility	7(1)	\$750.00
8. Failure to obey rules of trucked liquid waste receiving facility	7(2)	\$500.00
9. Failure to stop discharge at instruction of RDN employee	7(3)	\$500.00

Attachment 3



RDN REPORT		
CAO APPROVAL		
EAP		
CoW	✓	
AUG 26 2016		
RHD		
BOARD		

STAFF REPORT

TO: Sean De Pol
Manager, Wastewater Services

DATE: August 22, 2016

FROM: Jolene Jackson
Special Projects Coordinator

MEETING: CoW, Sept 13, 2016

FILE: 5340-01-SEPT

SUBJECT: To Introduce Trucked Liquid Waste Bylaw No. 1732 and Ticketing Bylaw No. 1418.07

RECOMMENDATIONS

1. That "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016" be introduced, read three times, and forwarded to the Inspector of Municipalities for Approval;
2. That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016" be introduced and read three times;
3. That "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016" be adopted.

PURPOSE

To introduce "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016" and "Regional District of Nanaimo Bylaw Enforcement Ticket Regulation Amendment Bylaw No. 1418.07, 2016" for the purpose of updating trucked liquid waste servicing bylaws.

BACKGROUND

Properties without sewer connections rely on on-site wastewater systems, like septic systems and holding tanks. The sewage or septage from these systems (collectively called "trucked liquid waste") is pumped out by hauling trucks and is then taken to one of two trucked liquid waste receiving facilities owned and operated by the Regional District of Nanaimo (RDN): one is located at the Chase River Pump Station and the other at the French Creek Pollution Control Centre.

As shown in Appendix A, trucked liquid waste servicing is currently administered by the RDN under seven bylaws. Generally, these bylaws establish the service of the treatment and disposal of trucked liquid waste and regulate and charge for the use of trucked liquid waste receiving facilities. These bylaws must be updated to improve their efficacy and efficiency, and to meet Liquid Waste Management Plan commitments.

Proposed Bylaw No. 1732

Proposed Bylaw No. 1732 (Attachment 1) repeals and replaces five of the existing trucked liquid waste bylaws, thereby simplifying and updating RDN trucked liquid waste servicing. Bylaw No. 1732 additionally introduces key changes to the administration and operation of trucked liquid waste servicing:

- Some properties with holding tanks are eligible for a reduced disposal rate, as sewage from holding tanks costs less to treat than septage from septic tanks. These properties are currently identified by separate service areas. Separate service areas are not required as the RDN is not providing a different or taxed service to these properties under these bylaws. The proposed Bylaw No. 1732 converts these service areas to a registration system, which has the following benefits:
 - The reduction in time required to administer the service,
 - The reduction in the application fee for residential properties (\$300 to \$100),
 - The removal of a \$50 annual administration fee for properties in the holding tank service area (Bylaw No. 975),
 - Properties currently receiving the reduced rate will be automatically transitioned to the registration system,
 - A bylaw amendment will not be required to add a property to the registration system,
 - The same restrictions to eligibility and development that are currently in place will continue to apply.
- Under the existing bylaws, the RDN has limited ability to enforce the rules of use of its trucked liquid waste receiving facilities. This causes on-going administrative and operational issues with billing and potential damage to infrastructure. Bylaw No. 1732 addresses these by introducing a hauler licencing program, whereby trucked liquid waste hauling companies will have to obtain a licence in order to use RDN facilities. The licencing program has the following benefits:
 - It ensures the proper use of facilities, which will help protect worker and public safety, infrastructure, and receiving environments,
 - It ensures that property owners receive the user-rate established by the RDN for use of the trucked liquid waste facilities,
 - There are no charges for obtaining a licence,
 - There is a six month transition period for hauling companies to obtain a licence.

Proposed Bylaw No. 1418.07

The proposed amendment to Bylaw No. 1418 includes the new provisions of Bylaw No. 1732 to the ticketing and enforcement bylaw. The proposed fines in Bylaw No. 1418.07 (Attachment 2) relate to the misuse of trucked liquid waste receiving facilities and are based on comparable contraventions to the sewer-use bylaw: for example, the discharge of prohibited waste to a trucked liquid waste receiving facility was set at \$1,000 to match the fine for the discharge of prohibited waste to the sewer system. Bylaw Nos. 1732 and 1418.07 update and simplify the administration and operation of an essential RDN service.

ALTERNATIVES

1. Give three readings to and adopt Bylaws Nos. 1732 and 1418.07;
2. Do not give three readings to and adopt Bylaws Nos. 1732 and 1418.07, and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

There are no financial implications as trucked liquid waste treatment is a user-pay service. The proposed bylaws do not change trucked liquid waste user-rates. Some administrative fees were reduced to reflect the reduced staff time required to administer the service.

STRATEGIC PLAN IMPLICATIONS

The proposed Bylaw Nos. 1732 and 1418.07 align with the 2016 – 2020 Strategic Plan as they make an essential service efficient and transparent. The bylaws also help protect workers, infrastructure, and receiving environments by regulating the use of and the types of waste that can be discharged at RDN trucked liquid waste receiving facilities.

LIQUID WASTE MANAGEMENT PLAN IMPLICATIONS


The proposed bylaws provide a comprehensive starting point for working toward related commitments made in the Liquid Waste Management Plan (LWMP): particularly the “Private Onsite Systems Program Commitments” and the “Source Control Program Commitments”. One LWMP goal includes limiting the number of holding tanks in the RDN by only allowing grandfathered properties and properties with failed onsite systems to access the reduced disposal rate. Proposed Bylaw No. 1732 supports this commitment by strengthening and clarifying bylaw language, structure, and interpretation. The adoption of Bylaw No. 1418.07 additionally supports the LWMP by improving enforcement abilities to keep contaminants out of sewage treatment plants.

INTERGOVERNMENTAL IMPLICATIONS


The adoption of Bylaw No. 1732 does not have any intergovernmental implications. Island Health is responsible for permitting holding tanks under the provincial Sewerage System Regulation. The RDN does not have any mandatory maintenance or pump-out programs for septic systems and holding tanks. Instead, the RDN’s role is to provide treatment of domestic trucked liquid waste at its plants and to offer educational programs like SepticSmart.

SUMMARY/CONCLUSIONS


The RDN treats trucked liquid waste at its wastewater treatment facilities. Currently, trucked liquid waste is administered under seven different bylaws. The proposed Bylaw No. 1732 repeals and replaces five of these bylaws, thereby simplifying and updating trucked liquid waste servicing. Two key changes made include the transition of the reduced rate holding tank service areas to a registration system, and introducing a hauler licencing program. Both of these changes support the LWMP as they strengthen and clarify the bylaws associated with trucked liquid waste servicing. Bylaw No. 1418.07 improves the RDN’s ability to protect sewage infrastructure by setting fines for contravention of Bylaw No. 1732. Bylaw Nos. 1732 and 1418.07 update and simplify the administration and operation of an essential RDN service.



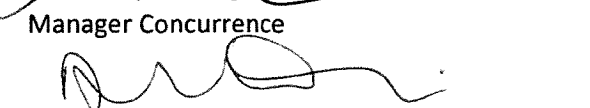
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

APPENDIX A: Summary of trucked liquid waste bylaws and proposed changes

Table 1: List of current trucked liquid waste bylaws

Bylaw No.	Description	Comments	Proposed Changes
888	Establishes trucked liquid waste receiving as a service at the Chase River Pump Station	Required to establish the service	No change
889	Establishes trucked liquid waste receiving as a service at the French Creek Pollution Control Centre	Required to establish the service	No change
975	Establishes a service area that identifies individual properties on holding tanks that receive the reduced disposal rate.	A separate service area is not required as the RDN is not providing a different or taxed service to these properties under this bylaw.	Transition this service area to a registration system under Bylaw No. 1732, and repeal Bylaw No. 975.
988	Provides the rates and regulations for use of RDN trucked liquid waste receiving facilities.	The provisions of this bylaw require updating so that the RDN can better regulate the use of its trucked liquid waste receiving facilities.	Update and incorporate provisions of this bylaw to Bylaw No. 1732, include fines to Bylaw No. 1418, and repeal Bylaw No. 988.
1217	Establishes a service area that identifies properties around Horne Lake that are on holding tanks and that receive the reduced disposal rate.	A separate service area is not required as the RDN is not providing a different or taxed service to these properties under this bylaw.	Transition this service area to a registration system under Bylaw No. 1732, and repeal Bylaw No. 1217.
1218	Provides regulations for holding tanks within the Horne Lake holding tank service area (Bylaw No. 1217), including provisions regarding the installation, inspection, and permitting of holding tanks.	The provisions of Bylaw No. 1218 are outdated as the RDN does not permit or inspect holding tanks.	Update and incorporate any required provisions of this bylaw to Bylaw No. 1732, and repeal Bylaw No. 1218.
1224	Provides regulations for holding tanks within the holding tank service area (Bylaw No. 975), including provisions regarding the maintenance of holding tanks and eligibility requirements for receiving the reduced rate.	The provisions of Bylaw No. 1224 are outdated as the RDN does not permit or inspect holding tanks.	Update and incorporate any required provisions of this bylaw to Bylaw No. 1732, and repeal Bylaw No. 1224.

Table 2: List of proposed trucked liquid waste bylaws

Bylaw No.	Description
888	Establishes trucked liquid waste receiving as a service at the Chase River Pump Station
889	Establishes trucked liquid waste receiving as a service at the French Creek Pollution Control Centre
1732	Provides rates and regulations for the use of trucked liquid waste receiving facilities, and identifies properties that receive the reduced rate for holding tank waste through a registration system. Repeals and replaces Bylaws No. 975, 988, 1217, 1218, and 1224.
1418.07	Amends ticketing bylaw to include provisions of Bylaw No. 1732

Attachment 4

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1752

**A BYLAW TO REPEAL REGIONAL DISTRICT OF NANAIMO PUMP &
HAUL LOCAL SERVICE ESTABLISHMENT BYLAW NO. 975, 1995**

WHEREAS the Board of the Regional District of Nanaimo wishes to repeal "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995";

AND WHEREAS the consent of the participants has been obtained in accordance with the *Local Government Act*;

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

1. Repeal of Bylaw

"Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995" is repealed in its entirety.

2. Citation

This bylaw may be cited for all purposes as "Regional District of Nanaimo Pump & Haul Local Service Establishment Repeal Bylaw No. 1752, 2017".

Introduced and read three times this ___ day of ___, 2017.

Received the approval of the Inspector of Municipalities this ___ day of ___, 2017.

Adopted this ___ day of ___, 2017.

CHAIRPERSON

CORPORATE OFFICER

Attachment 5

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1753

**A BYLAW TO REPEAL HORNE LAKE PUMP AND HAUL
SERVICE ESTABLISHMENT BYLAW NO. 1217, 2001**

WHEREAS the Board of the Regional District of Nanaimo wishes to repeal "Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001";

AND WHEREAS the consent of the participant has been obtained in accordance with the *Local Government Act*;

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

1. Repeal of Bylaw

"Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001" is repealed in its entirety.

2. Citation

This bylaw may be cited for all purposes as "Horne Lake Pump and Haul Service Establishment Repeal Bylaw No. 1753, 2017".

Introduced and read three times this ___ day of ___, 2017.

Received the approval of the Inspector of Municipalities this ___ day of ___, 2017.

Adopted this ___ day of ___, 2017.

CHAIRPERSON

CORPORATE OFFICER

TO: Regional District of Nanaimo Board **MEETING:** January 24, 2017
FROM: Wendy Idema, Director of Finance **FILE:** 0230-20-AVICC
SUBJECT: AVICC Proposed Resolution – *Bill C-15* Federal Banking “Bail-In” Legislation

RECOMMENDATION

That the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities for consideration at their annual meeting:

WHEREAS the *Canada Economic Plan (2014)* and *Bill C-15 (2016)* enact legislation for a Bail-in regime for “domestic - systemically important” banks (D-SIBs) providing power to the Canada Deposit Insurance Corporation to convert prescribed debt of a non-viable bank into common shares (Bail-in);

AND WHEREAS local governments in British Columbia accumulate large financial reserves through taxation to hold for future infrastructure development both directly with banks and through the Municipal Finance Authority investment program, the loss of which through a Bail-in program would widely harm all local governments;

THEREFORE BE IT RESOLVED that the Provincial Government take measures to reduce the risk of local government reserves being used for Bail-In conversion, either by promoting changes to federal legislation to specifically exclude local government reserves from Bail-in or by promoting legislation such as *Glass-Steagall* rules; or if unable to do this, by creation of a secure repository for reserve funds, and/or by providing advice to local governments to avoid Bail-In risk.

SUMMARY

Director Fell has advised of his concern relating to local government bank deposits and requested that the above motion be presented to the RDN Board for approval for submission to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at their annual meeting. Banking regulations and the particulars of *Bill C-15’s* Bail-in legislation are very complex and it is difficult to determine the specific impacts to local government reserves if one of the D-SIB banks was to fail and the Bail-in process was undertaken. Summary information is attached that provides background on *Bill C-15* and the Bail-in legislation. It should be noted there could be some future exposure for local government funds. The motion requests that the Province review the legislation and identify measures to ensure the safety of local government deposits.

BACKGROUND

Director Fell’s motion requires the RDN Board’s approval for submission to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at their annual meeting. Summary

documents provided by Director Fell, as well as some additional information that provides background on *Bill C-15* and the Bail-in legislation in included in Attachment 1.

The Budget Implementation Act 2016 (Bill C-15) amended the *Canada Deposit Insurance Corporation Act (CDIC Act)* and *Bank Act* to provide a legislative framework for a bail-in regime for Canada’s domestic systemically important banks (D-SIBs - i.e. Bank of Montreal, The Bank of Nova Scotia, Canadian Imperial Bank of Commerce, National Bank of Canada, Royal Bank of Canada, and The Toronto-Dominion Bank) and includes accompanying enhancements to CDIC’s authority to govern the banks in the event of failure.

The bail-in regime will allow the CDIC and other federal authorities to convert certain prescribed debt of a failing D-SIB into common shares in order to recapitalize the bank and allow it to remain open and operating. The CDIC information received indicates that only prescribed long-term debt would be subject to the bail-in power, and all deposits would be excluded. The CDIC also indicate the regulations required to bring these new legislative powers into effect have not yet been published, but the Department of Finance is drafting the guidelines and details for the legislation, which will be published in 6-8 weeks in the *Canada Gazette*. The publication will confirm what are bail-in and convertible investments and provide sufficient clarity around the 400 day rule (initial information is that only debt held for over 400 days would be included for possible conversion). The regulations will provide guidance for CDIC to manage and incorporate the regulations into their mandate. The legislation will only apply to prescribed debt instruments that are issued or amended after the regulations come into force.

Bail-in legislation is extremely complex and it is difficult to determine the impacts on local government reserves should a D-SIB be at risk of failure and be taken under the control of the CDIC. There are many different perspectives on the legislation’s potential impacts; however it should be noted that most G20 countries are enacting similar legislation the intent of which is to put responsibility for bank failure on investors rather than taxpayers. As well, the Canadian banking system is considered to be one of the safest in the world as seen after the 2008 financial crisis in comparison to the United States.

Staff have been in discussion with other local government finance staff to determine whether others have similar concerns. At this time all those contacted have indicated they are waiting for the regulations to be published and implementation notice provided before requesting any provincial response.

If there was a significant Canadian financial crisis as seen by the United States in 2008 including bank failures, there would likely be far reaching impacts that likely would include local governments. RDN Finance staff endeavor to ensure diversification of our financial portfolio in a broad range of investments in order to reduce systemic risk exposure as does the MFA. The Local Government Act and Community Charter limit where funds can be invested and our funds are held in senior debt instruments only as a result of this. It is possible that the Province will increase restrictions on what investments can be made in order to avoid risk related to any Bail-in impacts in response to this legislation.

The *Glass-Steagall* type legislation, suggested by Director Fell as an alternative, relates to U.S. banking legislation enacted during the 1930’s and subsequently repealed in 1999. A Wikipedia description of it is attached as well.

ALTERNATIVES

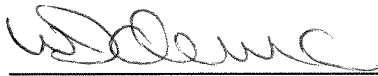
1. That AVICC be requested to consider the resolution requesting the Province review impacts to local government reserves as a result of the Bail-in component of *Bill C-15*.
2. That AVICC not be requested to consider the resolution requesting the Province review impacts to local government reserves as a result of the Bail-in component of *Bill C-15*.

FINANCIAL IMPLICATIONS

There are no current financial implications to the RDN related to this motion and it is very difficult to assess any future impacts resulting from potential bank failures.

STRATEGIC PLAN IMPLICATIONS

Director Fell’s concern for local government deposits and his corresponding request for a provincial review of impacts related to *Bill C-15* is supported by the Strategic Plan’s Governing Principle to Anticipate and Act and to be proactive to prevent problems before they arise.



Wendy Idema (widema@rdn.bc.ca)
January 6, 2017

Reviewed by:

- P. Carlyle, Chief Administrative Officer
- Corporate Leadership Group

Attachments:

1. Background Information regarding *Bill C-15* Bail-in provisions
2. Wikipedia extract regarding *Glass-Steagall* legislation

Attachment 1

Legislative Summary of Bill C-15: An Act to implement certain provisions of the budget tabled in Parliament on March 22, 2016 and other measures *

Copy of section on Bail-in only from this website

http://www.lop.parl.gc.ca/About/Parliament/LegislativeSummaries/bills_ls.asp?Language=E&ls=C15&Mode=1&Parl=42&Ses=1&source=library_prb

2.6.5 Bank Recapitalization Regime (Bail-in Regime)

Division 5 creates a bank recapitalization – or bail-in – regime that would attempt to restore a Canadian bank to viability in the event that it has reached or is approaching non-viability. Bail-in regimes aim to limit taxpayer exposure – known as "bail-out" exposure – by having a failing systemically important financial institution's shareholders and creditors absorb any losses. Domestic systemically important banks (D-SIBs) are said to be "too big to fail," meaning that they cannot be wound down using a conventional bankruptcy and liquidation process without imposing significant costs on the country's financial system and its economy.¹⁷

In particular, Division 5 contains three main components that establish and implement a bail-in regime for Canada:

- ☐ the maintenance, by D-SIBs, of a minimum capacity to absorb losses;
- ☐ the ability of the Canada Deposit Insurance Corporation (CDIC) to control a D-SIB on a temporary basis; and
- ☐ the ability of the CDIC to recapitalize a D-SIB by converting its non-common shares, subordinated debt and prescribed senior liabilities into common shares.

Clauses 156 to 162 comprise the first component of the regime. They amend the Bank Act to allow the Superintendent of Financial Institutions to designate or revoke a bank's status as a D-SIB; require D-SIBs to maintain a minimum capacity to absorb losses; and outline the measures that the superintendent may take in the event that a D-SIB does not maintain the required minimum capacity to absorb losses. The amount and type of capital that constitutes the required minimum capacity to absorb losses will be prescribed in forthcoming regulations.

Division 5 also amends the Canada Deposit Insurance Corporation Act. Clauses 127 to 129 provide the CDIC with the ability to assess and report on the capacity of a member institution – which may be a D-SIB – to absorb losses and on its legislative and regulatory compliance. They also enable the CDIC to assume a member institution's liabilities.

Clauses 133(4) and 142 relate to the second component of the regime. The clauses amend the Canada Deposit Insurance Corporation Act to broaden the CDIC's powers to control a D-SIB on a temporary basis when the Superintendent of Financial Institutions believes that the D-SIB has reached or is approaching non-viability. Following an order by the Governor in Council, the CDIC is appointed as receiver in relation

to the D-SIB during a stabilization process that can last up to five years. Clause 133(4) provides the CDIC with the power to remove or appoint directors to the D-SIB's board after the order for receivership has been made. Clause 142 sets out the compensation owed to the member institution that is under receivership in transactions that the CDIC carries out on the institution's behalf.

Finally, clauses 131(2), 131(3) and 139 are focused on the regime's third component. The clauses amend the Canada Deposit Insurance Corporation Act to allow the CDIC to recapitalize the D-SIB by converting non-common shares, subordinated debt and prescribed senior liabilities into common shares only when the Governor in Council has made a vesting or receivership order. These clauses also give the CDIC the power to convert the member institution's shares and liabilities into common shares.

Clauses 130, 131(1), 131(4) to 131(11), 132, 133(1) to 133(3), 133(5) to 133(7), 134 to 138, 143 to 145 and 149 relate to vesting, receivership or bridge institution orders. Once an order has been made, the following actions take place:

- ☐ The CDIC manages the shares and subordinated debt subject to the order, gives directions to the member institution's board of directors, makes or amends the member institution's bylaws, and recovers costs incurred in operating the member institution.
- ☐ The rights of the member institution's shareholders are suspended.
- ☐ The powers of any party that holds an interest in the member institution, including its directors, are limited so as not to interfere with the powers of the CDIC.

Clauses 131(5) to 131(11) identify the means by which the member institution's shareholders holding converted capital may seek compensation for financial loss occurring as a result of the conversion after a vesting, receivership or winding-up order has been issued.

Clause 137 specifies that a federal member institution that becomes a subsidiary or a bridge institution of CDIC as a result of an order is not an agent of CDIC or a Crown corporation.

Clause 138 sets out the monitoring and reporting roles of the Office of the Superintendent of Financial Institutions once an order has been made.

Clause 149 mandates the Treasury Board to assume liability for the financial loss that, acting lawfully or in good faith, the directors and officers of a CDIC member institution under a vesting or receivership order might suffer in any domestic or international civil or criminal action against them.

Clauses 141 and 142 set out the conditions, timing and compensation owed to shareholders, creditors and other interested parties with respect to the winding-up of a CDIC member institution.

UBCM 2016

ARE RESERVE DEPOSITS OF BC MUNICIPALITIES AT RISK IN BILL C-15 "BAIL IN" ACT?

In April of 2016 the Federal Liberal Government introduced Bill C-15 entitled *An Act to implement certain provisions of the budget tabled in Parliament on March 22, 2016 and other measures*. The bill concerns the potential of a domestically significant bank becoming insolvent and causing a collapse of the Canadian banking system. The six banks listed are: Bank of Montreal, Bank of Nova Scotia, Canadian Imperial Bank of Commerce, National Bank of Canada, Royal Bank of Canada, and Toronto-Dominion Bank. These banks have been so designated by the Office of the Superintendent of Financial Institutions ("OSFI") which under Bill C-15, is empowered to make a determination of near insolvency of such a bank. If that determination is made, the "OSFI" then instructs the government to appoint the Canada Deposit Insurance Corporation ("CDIC") as trustee with the power to convert certain debt and liabilities of such a bank into common shares to forestall insolvency.

What type of deposits, debt or liabilities of the failing bank that would be converted to common stock, "bail-in," has yet to be set out in Bill C-15. This feature, according to Bill C-15, is to be specified in regulations to the *Canada Deposit Insurance Corporation Act*, which have yet to be prescribed. What appears to be the case is that rather than engendering opposition over who will have their funds wiped out by a "bail-in," the specifics of implementation are being left open for when a bank crisis occurs. The main question then is, are the reserve deposits in banks of BC municipalities at risk in the event of a failing domestically significant bank? Yes, they are.

The most disturbing feature of Bill C-15 is that it does not specify whether deposits are exempt from conversion to worthless stock. There is a fundamental principle in banking which is being altered. Deposits are being put in the same category as investments. Traditionally when a bank fails, it is the depositors who are most protected and the investors less protected. This is because deposits are not investments, and are the basis of the day to day commercial lending activity vital to the community. In preventing the insolvency of a domestically systemically important bank, it is contracts on leveraged speculation, such as derivatives, which are the most protected and not the depositors. This is the case because when a major bank default occurs on leveraged speculation contracts, it does not just wipe out that one bank, it wipes out the whole banking system. In this context, regardless of the impact of the loss of municipal bank reserves on communities, the municipal bank reserves are not considered by either the banks, or the Federal government at this time to be "systemically important."

There is another way of dealing with this. That is to break up the domestically systemically important banks, such that there is once again a separation between commercial banking and

investment banking. In Canada this was called the “four pillars,” the same thing in the U.S. was called “Glass-Steagall.” The “four pillars” separation of investment and deposit laws were repealed in Canada in 1987 in order to help establish “universal banking.” In the U.S. the repeal of Glass-Steagall bank separation laws occurred in 1999. Restoring bank separation measures allows the investment part of the bank to fail, while the commercial part, the part dealing with the real economy, can remain in operation without converting deposits to worthless stock.

This is a vital issue for all communities. Reports abound of the Royal Bank of Canada being in trouble, or internationally, banks like Deutsche Bank, and many others being in trouble on a much larger scale. The question then is, what can the UBCM, the BC Provincial Legislative Assembly, and the BC government do to protect the Province and the its communities from the fall-out of a financial crisis “bail in?” This is a question that every participant at the 2016 UBCM conference needs to be considering. What follows are some ideas about how to approach this situation.

The political power of all BC institutions collectively on the Federal Level is quite considerable. Provisions either do exist for the Bank of Canada, or could easily be established, such that Bill C-15 could be overridden in a financial crisis, and instead of a “bail-in,” one could have sweeping bank separation instead. If other Provinces are brought into this with similar concerns for their communities, the combined political clout of the Provinces could impact the manner in which a financial crisis of the “too big to fail” is handled. As it stands now, the Federal Government of Canada has not made clear which way they will go in the event of such a bank crisis. This is a matter which will be politically determined, and the Provinces need to weigh in on the side of their interests, in the welfare and wellbeing of their communities, and not allow other interests to set the agenda and determine the outcome of who takes the hit in a bank crisis.

The other issue is, what measures could the Province adopt on their own to separate the depositors from the investors? What existing BC Provincial laws could help in doing so, and what potential Provincial laws could be passed to do so?

These are the questions that need to be seriously examined by all attendees of the 2016 UBCM Convention in Victoria. Proper forethought on these matters could save our communities in a banking crisis.

Paul Glumaz

International LaRouche Movement

BC Chapter

For further contact, email:

canadalarouche@gmail.com or paulglumaz@gmail.com

Idema, Wendy

From: Clarke Olsen <COlsen@cdic.ca>
Sent: Friday, December 16, 2016 12:58 PM
To: Idema, Wendy
Cc: CDIC Info - Info SADC
Subject: RE: Question re: your Jun 24 Media Release on Bail In

Dear Ms. Idema:

Thank you for your e-mail dated December 8, 2016.

Please note that info@cdic.ca is our address for public inquiries.

In addition to insuring deposits held in Canadian banks, trust companies, loan companies and cooperative credit associations, Canada Deposit Insurance Corporation (CDIC) is Canada's resolution authority for such entities. This means that CDIC takes the lead in handling failure of these member institutions – from smallest to largest – to protect eligible deposits.

Bill C-15, the Budget Implementation Act 2016 amended the *Canada Deposit Insurance Corporation Act (CDIC Act)* and *Bank Act* to provide a legislative framework for a bail-in regime for Canada's systemically important banks (i.e. Bank of Montreal, The Bank of Nova Scotia, Canadian Imperial Bank of Commerce, National Bank of Canada, Royal Bank of Canada, and The Toronto-Dominion Bank) and includes accompanying enhancements to CDIC's resolution toolkit. These amendments strengthen Canada's resolution authorities' ability to protect taxpayers and depositors in the unlikely event of a failure of a systemically important bank.

The bail-in regime will allow resolution authorities to convert certain prescribed debt of a failing systemically important bank into common shares in order to recapitalize the bank and allow it to remain open and operating. Only prescribed long-term debt would be subject to the bail-in power, and all deposits would be excluded. Bail-in would not change the insurance protection that CDIC offers to depositors – their deposits would remain protected.

To support authorities' ability to undertake a bail-in and resolve a failing bank, the legislative amendments will include the following:

- they permit the Superintendent of Financial Institutions to designate individual banks to which the bail-in regime would apply as "domestic systemically important banks";
- they provide new powers for CDIC to undertake a bail-in by converting prescribed debt of a non-viable domestic systemically important bank into common shares;
- they enhance CDIC's powers that are necessary to resolve a failed bank and to undertake a bail-in conversion—including powers for CDIC to take temporary control or ownership of a non-viable bank;
- they require domestic systemically important banks to maintain a minimum amount of regulatory capital and debt subject to the new bail-in conversion power; and,
- they authorize the Governor in Council to make regulations respecting the features described above.

The regulations required to bring these new legislative powers into effect have not yet been published, but are expected to clarify which debt of systemically important banks will be eligible for conversion under the new bail-in power. As noted above, bail-in is not meant to capture deposits and, as specified in the legislation, is not intended to be retroactive – in other words, it will only apply to prescribed debt instruments that are issued or amended after the regulations come into force.

Sincerely,

Clarke Olsen

Information Agent/Agente d'information

Canada Deposit Insurance Corporation/Société d'assurance-dépôts du Canada

Please Note: CDIC does not provide legal advice to third parties and does not issue rulings on the interpretation or application of the Canada Deposit Insurance Corporation Act ("CDIC Act"), its by-laws, or any related legislation. These are legal matters for which only the courts can provide decisive answers. This reply is subject to those caveats.

Veuillez Noter que la SADC ne fournit pas de conseils juridiques à des tiers. En outre, elle ne rend pas de décisions quant à l'interprétation ou à l'application de la Loi sur la Société d'assurance-dépôts du Canada (Loi sur la SADC), de ses règlements administratifs ou d'autres lois connexes. Seuls les tribunaux peuvent donner une réponse décisive à de telles questions de droit. La réponse qui suit est donnée sous bénéfice de cette mise en garde.

From: Idema, Wendy [mailto:WIdema@rdn.bc.ca]

Sent: Thursday, December 08, 2016 9:19 PM

To: Media <Media@cdic.ca>

Subject: Question re: your Jun 24 Media Release on Bail In

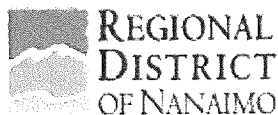
Hello

I'm hoping you can put me in touch with someone at the CDIC who can talk about what *Bill C-15, the Budget Implementation Act 2016* actually means in relation to the section on Bail In and Deposit Protection and whether the related regulation has been implemented. We have a Board member who believes the legislation will put our reserves and deposits at risk and that legislation similar to Glass-Steagall should be enacted in Canada. I have been tasked with obtaining additional information on what this section of Bill C-15 means and what liabilities of a bank would be considered at risk for conversion to common shares, etc.

Any and all help would be much appreciated.

Wendy

*Wendy Idema, CPA, CGA
Director of Finance
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May 3, 2016

Update on Canada's Bail-in Regime

Author(s): Victoria Graham, Kashif Zaman

On April 20th, the Canadian Federal Government introduced legislation to implement a bank recapitalization or “bail-in” regime for domestic systemically important banks (D-SIBs). The Office of the Superintendent of Financial Institutions (OSFI) has designated six Canadian institutions as D-SIBs: Bank of Montreal, Bank of Nova Scotia, Canadian Imperial Bank of Commerce, National Bank of Canada, Royal Bank of Canada, and Toronto-Dominion Bank of Canada. The draft legislation provides a framework for the conversion of certain eligible shares and liabilities of the D-SIB into common equity of the bank (or any of its affiliates) in the event the D-SIB becomes non-viable. The purpose of the conversion is to recapitalize the bank and allow it to continue operating without the need for a government bail-out. The initiative is consistent with international efforts to address the potential risks to the global financial system of institutions that are perceived as being “too-big-to-fail.”

BAIL-IN PROCESS

The legislation amends the *Canada Deposit Insurance Corporation Act (CDIC Act)* to, among other things, permit the Canada Deposit Insurance Corporation (CDIC) to be appointed as the receiver of the D-SIB and for the CDIC to convert certain shares and liabilities of the D-SIB into common shares of the bank (or any of its affiliates) where the Superintendent of the Office of the Superintendent of Financial Institutions is of the opinion that the bank has ceased, or is about to cease, to be viable, and that its viability cannot be restored through the exercise of the Superintendent's powers.

The types of shares and liabilities subject to the conversion will be set out in regulations to the *CDIC Act*. While these regulations have not yet been prescribed, in its previous consultation paper, the government had proposed that “long-term senior debt” (i.e., senior unsecured debt that is tradable and transferable with an original term to maturity of over 400 days) would be subject to conversion through the exercise of the statutory conversion power (consumer deposits are proposed to be excluded from the application of the bail-in regime). The terms and conditions of the conversion, including its timing, will also be set out in the regulations.

The proposed statutory conversion supplements the existing Non-Viable Contingent Capital (NVCC) regime which requires the contractual conversion of subordinated debt and preferred equity into common equity upon the occurrence of certain trigger events. As of January 1, 2013, all Canadian banks' newly issued non-common capital must be NVCC compliant in order to qualify as regulatory capital.

MINIMUM “LOSS ABSORPTION” CAPACITY

The draft legislation also amends the *Bank Act* to require D-SIBs to maintain a minimum capacity to absorb losses to be determined by the Superintendent in consultation with the other members of the committee established under Section 18(1) of the *Office of the Superintendent of Financial Institutions Act*. Loss absorption instruments for these purposes include regulatory capital as well as shares and liabilities subject to the statutory conversion power.

TIMING AND NEXT STEPS

There is no established timetable for the draft legislation and it will need to go through the normal parliamentary process before coming into force. Much of the detail of the proposed new Canadian bank bail-in regime will be set out in regulations which have yet to be established. The consequences of the mechanics, including tax consequences arising on the conversion of debt to common shares, will need to be examined carefully, including any impact on non-resident investors. For example, we expect that the bail-in regime would require changes to D-SIBs’ domestic and international funding programs. As well, a number of D-SIBs have traditionally issued senior notes in the Canadian market using simple term sheets and note documents and these documents would also need to be reviewed and revised. Osler has considered the implications of bail-in regime in the context of recent transactions and similar instruments.

CONTACT US

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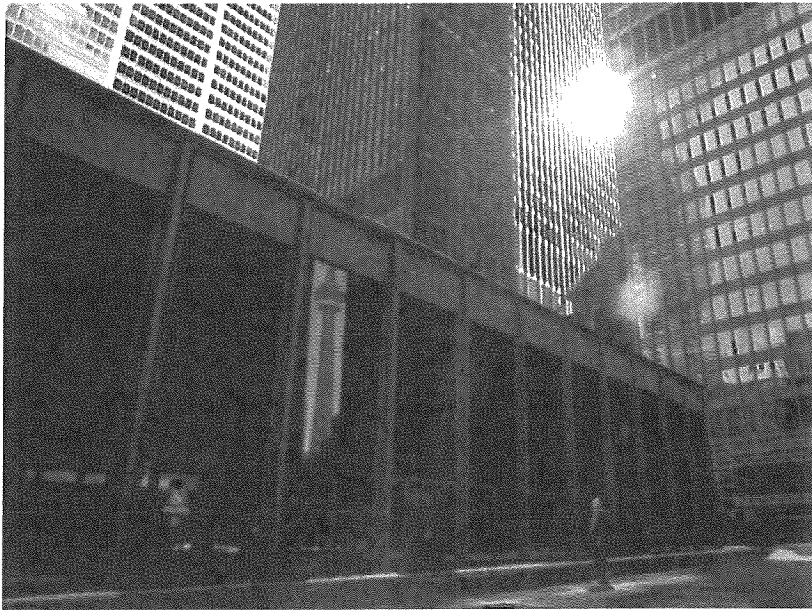
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Joe Oliver: How the budget's bank 'bail-in' changes could cost Canadian depositors



JOE OLIVER, SPECIAL TO FINANCIAL POST | April 20, 2016 2:32 PM ET
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Republic
Report



Joe Oliver: Bank customers have a right to know for certain that the government does not intend to undermine the safety of their unsecured deposits.

Tom Zupnik/Reuters/Photo

Customers have to pay an 'insurance' premium to keep our banks safe.

The arcane world of bank regulation is not everyone's cup of tea. However, it can have important implications for taxpayers, bank creditors and customers, which is to say most Canadians. One example is a "bail-in" regime for banks in financial trouble.

The story begins with the financial crisis of 2007–09. International banks "too big to fail" were bailed out by governments in order to avert financial contagion that could have had disastrous consequences for a global economy reeling from the Great Recession. Taxpayers ended up footing a bill in the trillions of dollars for imprudent risks assumed by the big banks, inadequate oversight of systemic risk by regulators, failure of rating agencies to properly evaluate credit, money laundering, insider trading and speculators who shorted the market.

Fortunately, not a single Canadian bank had to be bailed out because of conservative bank practices and prudent oversight by the Office of the Superintendent of Financial Institutions (OSFI). That prudence continues. Indeed, the World Economic Forum declared our banking system the soundest in the world, for the eighth year in a row.

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Alas, no good deed goes unpunished. As a participant in the international financial system Canada has to harmonize with other jurisdictions when they decide, however belatedly, to get their own houses in order. To reduce global systemic risk and not expose taxpayers to the cost of another bail-out, they came up with a bail-in process for non-viable banks.

The basic concept is that a failing domestic systemically important bank (D-SIB) could have its eligible contingent capital permanently converted into common shares to allow it to continue operating. Our six largest banks were designated as D-SIBs by OSFI. Last year's budget provided that only unsecured debt that is tradable and transferable and with an original term to maturity of 400 days or more would be subject to conversion. That would have excluded all deposits.

This year's budget says that responsibility for banks' risks will rest with shareholders and creditors who hold eligible long-term debt. It is curiously silent about depositors, who are also creditors. And remember that GICs can have a maturity up to 10 years. Subsequently, the Finance Department indicated that all deposits, including guaranteed deposits, would be exempt from a bail-in. Yet it did not specifically refer to unsecured deposits, i.e., those deposits in excess of the \$100,000 guaranteed by the Canada Deposit Insurance Corp. Assuming this is not studied ambiguity, it appears they are also exempt, which would be a good thing.

The implications of a different approach were dramatically illustrated in the spring of 2013 when desperate Cypriots lined up to withdraw their bank deposits. Ultimately, 47.5 per cent of bank deposits over 100,000 euros were converted into equity, for a loss of roughly 4 billion euros. Since confidence is absolutely central to any banking system, that scenario, however unlikely, should not even be a theoretical possibility here.

While the bail-in regimes elsewhere apply to uninsured deposits, we do not need to mimic their every detail. Also, their deposits are insured for more — US\$250,000 or roughly \$325,000 in the U.S. and 100,000 euros or almost \$150,000 in Europe. Furthermore, our sound banking system is arguably in less need of protection. Then there is the issue of fairness and confidence. Canadians deposit their savings in banks with the expectation of getting their money back. They certainly do not contemplate that their savings might be converted into common stock when a bank is in trouble. People may use banks for longer-term savings or to park money temporarily in a safe place, for example when they sell their home or a family business. Concern about the safety of bank deposits would erode confidence in the banking system.

The new system is not without cost. When a bank issues non-viable contingent bonds or preferred shares, it must pay investors a higher rate than for senior debt. The result is an increased cost of capital for the banking system, which will be transferred to consumers. So, while taxpayers are protected from an unlikely financial disaster, bank customers (which is to say, pretty much all of us) have to pay an "insurance" premium to keep our banks safe.

There is another unintended consequence. When the financial crisis hit Canada, several banks raised equity to bolster their capital. The recapitalization process will make that unlikely. After all, who would want to invest in a bank's common stock if its contingent capital is about to be converted into equity, with massive shareholder dilution?

Overall, Canadians will benefit from the greater safety of a bail-in regime. However, the Parliamentary Budget Office called this year's budget less transparent than previous Conservative and Liberal budgets. Unnecessary doubt about who can be bailed-in is another instance of that. Bank customers have a right to know for certain that the government does not intend to undermine the safety of their unsecured deposits.

Joe Oliver is Canada's former minister of finance.



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Attachment 2

Glass–Steagall legislation

From Wikipedia, the free encyclopedia

The **Glass–Steagall Act** describes four provisions of the U.S. Banking Act of 1933 that limited securities, activities, and affiliations within commercial banks and securities firms.^[1]

The Glass–Steagall Act also is used to refer to the entire Banking Act of 1933, after its Congressional sponsors, Senator Carter Glass (Democrat) of Virginia, and Representative Henry B. Steagall (D) of Alabama.^[2] This article deals with only the four provisions separating commercial and investment banking. The article 1933 Banking Act describes the entire law, including the legislative history of the Glass–Steagall provisions separating commercial and investment banking. A separate 1932 law also known as the Glass–Steagall Act is described in the article Glass–Steagall Act of 1932.

Starting in the early 1960s, federal banking regulators interpreted provisions of the Glass–Steagall Act to permit commercial banks and especially commercial bank affiliates to engage in an expanding list and volume of securities activities.^[3] Congressional efforts to "repeal the Glass–Steagall Act", referring to those four provisions (and then usually to only the two provisions that restricted affiliations between commercial banks and securities firms),^[4] culminated in the 1999 Gramm–Leach–Bliley Act (GLBA), which repealed the two provisions restricting affiliations between banks and securities firms.^[5]

By that time, many commentators argued Glass–Steagall was already "dead."^[6] Most notably, Citibank's 1998 affiliation with Salomon Smith Barney, one of the largest US securities firms, was permitted under the Federal Reserve Board's then existing interpretation of the Glass–Steagall Act.^[7] President Bill Clinton publicly declared "the Glass–Steagall law is no longer appropriate."^[8]

Many commentators have stated that the GLBA's repeal of the affiliation restrictions of the Glass–Steagall Act was an important cause of the financial crisis of 2007–08.^{[9][10]} Economists at the Federal Reserve, such as Ben Bernanke, have argued that the activities linked to the financial crisis were not prohibited (or, in most cases, even regulated) by the Glass–Steagall Act.^{[11][12][13]}

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Sponsors

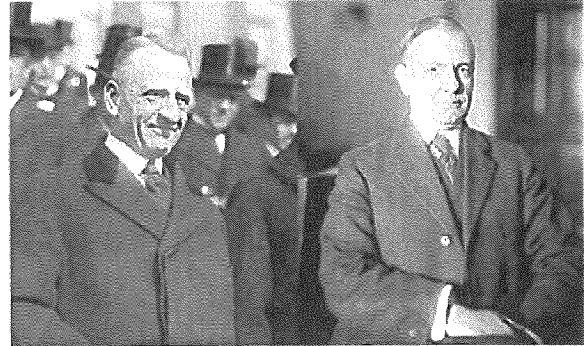
The sponsors of both the Banking Act of 1933 and the Glass–Steagall Act of 1932 were southern Democrats: Senator Carter Glass of Virginia (who in 1932 had been in the House, Secretary of the Treasury, or in the Senate, for the preceding 30 years), and Representative Henry B. Steagall of Alabama (who had been in the House for the preceding 17 years).

Legislative history

Between 1930 and 1932 Senator Carter Glass (D-VA) introduced several versions of a bill (known in each version as the Glass bill) to regulate or prohibit the combination of commercial and investment banking and to establish other reforms (except deposit insurance) similar to the final provisions of the 1933 Banking Act.^[14] On June 16, 1933, President Roosevelt signed the bill into law. Glass originally introduced his banking reform bill in January 1932. It received extensive critiques and comments from bankers, economists, and the Federal Reserve Board. It passed the Senate in February 1932, but the House adjourned before coming to a decision. The Senate passed a version of the Glass bill that would have required commercial banks to eliminate their securities affiliates.^[15]

The final Glass–Steagall provisions contained in the 1933 Banking Act reduced from five years to one year the period in which commercial banks were required to eliminate such affiliations.^[16] Although the deposit insurance provisions of the 1933 Banking Act were very controversial, and drew veto threats from President Franklin Delano Roosevelt, President Roosevelt supported the Glass–Steagall provisions separating commercial and investment banking, and Representative Steagall included those provisions in his House bill that differed from Senator Glass's Senate bill primarily in its deposit insurance provisions.^[17] Steagall insisted on protecting small banks while Glass felt that small banks were the weakness to U.S. banking.

Many accounts of the Act identify the Pecora Investigation as important in leading to the Act, particularly its Glass–Steagall provisions, becoming law.^[18] While supporters of the Glass–Steagall separation of commercial and investment banking cite the Pecora Investigation as supporting that separation,^[19] Glass–Steagall critics have argued that the evidence from the Pecora Investigation did not support the separation of commercial and investment banking.^[20]



Sen. Carter Glass (D–Va.) and Rep. Henry B. Steagall (D–Ala.-3), the co-sponsors of the Glass–Steagall Act.

This source states that Senator Glass proposed many versions of his bill to Congress known as the Glass Bills in the two years prior to the Glass–Steagall Act being passed. It also includes how the deposit insurance provisions of the bill were very controversial at the time, which almost led to the rejection of the bill once again.

The previous Glass Bills before the final revision all had similar goals and brought up the same objectives which were to separate commercial from investment banking, bring more banking activities under Federal Reserve supervision and to allow branch banking. In May 1933 Steagall's addition of allowing state chartered banks to receive federal deposit insurance and shortening the time in which banks needed to eliminate securities affiliates to one year was known as the driving force of what helped the Glass–Steagall act to be signed into law.

Separating commercial and investment banking

The Glass–Steagall separation of commercial and investment banking was in four sections of the 1933 Banking Act (sections 16, 20, 21, and 32).^[1] The Banking Act of 1935 clarified the 1933 legislation and resolved inconsistencies in it. Together, they prevented commercial Federal Reserve member banks from:

- dealing in non-governmental securities for customers
- investing in non-investment grade securities for themselves
- underwriting or distributing non-governmental securities
- affiliating (or sharing employees) with companies involved in such activities

Conversely, Glass–Steagall prevented securities firms and investment banks from taking deposits.

The law gave banks one year after the law was passed on June 16, 1933 to decide whether they would be a commercial bank or an investment bank. Only 10 percent of a commercial bank's income could stem from securities. One exception to this rule was that commercial banks could underwrite government-issued bonds.

There were several "loopholes" that regulators and financial firms were able to exploit during the lifetime of Glass–Steagall restrictions. Aside from the Section 21 prohibition on securities firms taking deposits, neither savings and loans nor state-chartered banks that did not belong to the Federal Reserve System were restricted by Glass–Steagall. Glass–Steagall also did not prevent securities firms from owning such institutions. S&Ls and securities firms took advantage of these loopholes starting in the 1960s to create products and affiliated companies that chipped away at commercial banks' deposit and lending businesses.

While permitting affiliations between securities firms and companies other than Federal Reserve member banks, Glass–Steagall distinguished between what a Federal Reserve member bank could do directly and what an affiliate could do. Whereas a Federal Reserve member bank could not buy, sell, underwrite, or deal in any security except as specifically permitted by Section 16, such a bank could affiliate with a company so long as that company was not "engaged principally" in such activities. Starting in 1987, the Federal Reserve Board interpreted this to mean a member bank could affiliate with a securities firm so long as that firm was not "engaged principally" in securities activities prohibited for a bank by Section 16. By the time the GLBA repealed the Glass–Steagall affiliation restrictions, the

Federal Reserve Board had interpreted this "loophole" in those restrictions to mean a banking company (Citigroup, as owner of Citibank) could acquire one of the world's largest securities firms (Salomon Smith Barney).

By defining commercial banks as banks that take in deposits and make loans and investment banks as banks that underwrite and deal with securities the Glass–Steagall act explained the separation of banks by stating that commercial banks could not deal with securities and investment banks could not own commercial banks or have close connections with them. With the exception of commercial banks being allowed to underwrite government-issued bonds, commercial banks could only have ten percent of their income come from securities.

The Glass–Steagall Legislation page specifies that only Federal Reserve member banks were affected by the provisions which according to secondary sources the act "applied direct prohibitions to the activities of certain commercial banks".

Decline and repeal

It was not until 1933 that the separation of commercial bank and investment bank was considered controversial. There was a belief that the separation would lead to a healthier financial system.^[21] As time passed, however, the separation became so controversial that in 1935, Senator Glass himself attempted to "repeal" the prohibition on direct bank underwriting by permitting a limited amount of bank underwriting of corporate debt.

In the 1960s the Office of the Comptroller of the Currency issued aggressive interpretations of Glass–Steagall to permit national banks to engage in certain securities activities. Although most of these interpretations were overturned by court decisions, by the late 1970s bank regulators began issuing Glass–Steagall interpretations that were upheld by courts and that permitted banks and their affiliates to engage in an increasing variety and amount of securities activities. Starting in the 1960s banks and non-banks developed financial products that blurred the distinction between banking and securities products, as they increasingly competed with each other.

Separately, starting in the 1980s Congress debated bills to repeal Glass–Steagall's affiliation provisions (Sections 20 and 32). In 1999 Congress passed the **Gramm–Leach–Bliley Act**, also known as the Financial Services Modernization Act of 1999,^[22] to repeal them. Eight days later, President Bill Clinton signed it into law.

Aftermath of repeal

After the financial crisis of 2007–08, some commentators argued that the repeal of Sections 20 and 32 had played an important role in leading to the housing bubble and financial crisis. Economics Nobel prize laureate Joseph Stiglitz, for instance, argued that "[w]hen repeal of Glass-Steagall brought investment and commercial banks together, the investment-bank culture came out on top," and banks which had previously been managed conservatively turned to riskier investments to increase their returns.^[10] Another laureate, Paul Krugman, contended that the repealing of the act "was indeed a mistake," however it was not the cause of the financial crisis.^[23]

Other commentators believed that these banking changes had no effect, and the financial crisis would have happened the same way if the regulations had still been in force.^[24] Lawrence J. White, for instance, noted that "it was not [commercial banks'] investment banking activities, such as underwriting and dealing in securities, that did them in."^[25]

At the time of the repeal, most commentators believed it would be harmless. Because the Federal Reserve's interpretations of the act had already weakened restrictions previously in place, commentators did not find much significance in the repeal, especially of sections 20 and 32.^[13] Instead, the five year anniversary of its repeal was marked by numerous sources explaining that the GLBA had not significantly changed the market structure of the banking and securities industries. More significant changes had occurred during the 1990s when commercial banking firms had gained a significant role in securities markets through "Section 20 affiliates."

Post-financial crisis reform debate

Following the financial crisis of 2007-08, legislators unsuccessfully tried to reinstate Glass–Steagall Sections 20 and 32 as part of the Dodd–Frank Wall Street Reform and Consumer Protection Act. Currently, bills are pending in United States Congress that would revise banking law regulation based on Glass–Steagall inspired principles. Both in the United States and elsewhere banking reforms have been proposed that also refer to Glass–Steagall principles. These proposals raise issues that were addressed during the long Glass–Steagall debate in the United States, including issues of “ring fencing” commercial banking operations and “narrow banking” proposals that would sharply reduce the permitted activities of commercial banks.

Please see the main article, Glass–Steagall in post-financial crisis reform debate, for information about the following topics:

- Failed 2009-10 efforts to restore Glass–Steagall Sections 20 and 32 as part of Dodd–Frank
- Post-2010 efforts to enact Glass–Steagall inspired financial reform legislation
- Volcker Rule ban on proprietary trading as Glass–Steagall lite
- Further financial reform proposals that refer to Glass–Steagall
 - UK and EU “ring fencing” proposals
 - Similar issues debated in connection with Glass–Steagall and “firewalls”
 - Limited purpose banking and narrow banking
 - Wholesale financial institutions in Glass–Steagall reform debate
 - Glass–Steagall references in reform proposal debate

See also

- American International Group
- Arthur H. Vandenberg
- Commodity Futures Modernization Act of 2000
- Corporate law

- Decline of the Glass–Steagall Act
- Financial crisis of 2007–08
- Subprime mortgage crisis
- Systemic risk

Notes

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2. Wilmarth 2008, p. 560.
3. CRS 2010a, p. 10
4. Reinicke 1995, pp. 104-105. Greenspan 1987, pp. 3 and 15-22. FRB 1998.
5. Macey 2000, p. 716. Wilmarth 2002, p. 219, fn. 5.
6. Wilmarth 2002, pp. 220 and 222. Macey 2000, pp. 691-692 and 716-718. Lockner and Hansche 2000, p. 37.
7. Simpson Thacher 1998, pp. 1-6. Lockner and Hansche 2000, p. 37. Macey 2000, p. 718.
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15. Kennedy 1973, pp. 72-73.
16. Patrick 1993, pp. 172-174. Kelly III 1985, p. 54, fn. 171. Perkins 1971, p. 524.
17. Patrick 1993, pp. 168-172. Burns 1974, pp. 41-42 and 79. Kennedy 1973, pp. 212-219.
18. Kennedy 1973, pp. 103-128 and 204-205. Burns 1974, p. 78.
19. Perino 2010
20. Bentson 1990, pp. 47-89. Cleveland and Huertas 1985, pp. 172-187.
21. "Banking Act of 1933, commonly called Glass-Steagall".
22. "Financial Services Modernization Act of 1999, commonly called Gramm-Leach-Bliley".
23. Krugman, Paul (2015-10-16). "Democrats, Republicans and Wall Street Tycoons". *The New York Times*. ISSN 0362-4331. Retrieved 2016-09-11.
24. *Gramm-Leach-Bliley Did Not Cause the Financial Crisis* (PDF), American Bankers Association, January 2010, retrieved July 13, 2012. *Who Caused the Economic Crisis?*, FactCheck.org, October 1, 2008, retrieved February 20, 2012 Bartiromo, Maria (September 23, 2008), "Bill Clinton on the banking crisis, McCain, and Hillary", *Bloomberg Businessweek Magazine*, retrieved October 11, 2012
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External links

- Glass–Steagall Act – further readings (<http://law.jrank.org/pages/7165/Glass–Steagall-Act.html>)

- On the systematic dismemberment of the Act from PBS's *Frontline* (<http://www.pbs.org/wgbh/pages/frontline/shows/wallstreet/weill/demise.html>)
- Full text of the Glass–Steagall Act followed by New York Federal Reserve Bank Explanation (https://fraser.stlouisfed.org/scribd/?item_id=15952&filepath=/docs/historical/ny%20circulars/1933_01248.pdf)
- Glass Subcommittee hearings (<https://fraser.stlouisfed.org/title/675>)
- Pecora Investigation hearings (<https://fraser.stlouisfed.org/title/87>)
- FDIC History: 1933-1983 (<http://www.fdic.gov/bank/analytical/firstfifty/>)
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- The Southeast Missourian, March 10, 1933 (<https://news.google.com/newspapers?id=LOsoAAAAIBAJ&sjid=39IEAAAAIBAJ&pg=6593%2C3084741>) details legislative debate when passing the bill

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TO: Regional District of Nanaimo Board **MEETING:** January 24, 2017

FROM: Kristy Marks
Planner **FILE:** PL2016-007

**SUBJECT: Zoning Amendment Application No. PL2016-007
District Lot 109, Newcastle District, Except That Part in Plan 30254
4660 & 4652 Anderson Avenue – Electoral Area ‘H’
Amendment Bylaw 500.405, 2016 – Third Reading**

RECOMMENDATIONS

1. That the Board receive the report of the Public Hearing held on January 12, 2017 for “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016”.
2. That the Board give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016”.

SUMMARY

The applicant proposes to rezone a portion of the subject property to facilitate a future subdivision into four rural residential lots. The amendment bylaw was introduced and given first and second reading on December 6, 2016, and proceeded to Public Hearing on January 12, 2017. 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 recommends “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016” be considered for third reading.

BACKGROUND

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd. on behalf of 0984958 B.C. Ltd., Inc. No. 0984958 to rezone a portion of the subject property from Rural 1 Zone (RU1), Subdivision District ‘A’ to Rural 1 Zone (RU1), Subdivision District ‘CC’ in order to facilitate a future four lot subdivision. Amendment Bylaw No. 500.405 was introduced and given first and second reading on December 6, 2016 (see Attachment 3). This was followed by a Public Hearing held on January 12, 2017. The summary of the minutes and submissions is attached for the Board’s consideration (see Attachment 1).

Following the close of the 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 minutes of the Public Hearing eligible Board members may vote on the Bylaw.

ALTERNATIVES

1. To receive the report of the Public Hearing and give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016”.
2. To receive the report of the Public Hearing and to not give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016”.



Kristy Marks
kmarks@rdn.bc.ca
January 13, 2017

Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Summary of the Public Hearing
2. Conditions of Approval
3. Proposed Amendment Bylaw No. 500.405, 2016

**Attachment 1
Summary of the Public Hearing
Held at Lighthouse Community Centre
240 Lion's Way
January 12, 2017 at 6:30 pm
To Consider Regional District of Nanaimo Land Use and Subdivision
Amendment Bylaw No. 500.405, 2016**

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:

Director Veenhof, RDN	Chair, Electoral Area 'H' Director
Kirsty Marks, RDN	Planner
Sarah Preston, RDN	Planning Technician
Helen Sims, Fern Road Consulting Ltd.	Agent

Six members of the public attended the meeting.

The Chair called the hearing to order at 6:47pm, introduced those present representing the Regional District, and outlined the procedures to be followed during the hearing.

Kristy Marks provided an explanation of the proposed amendment bylaw and application process.

The Chair called for formal submissions with respect to Bylaw 500.405, 2016.

No written submissions were received at the hearing. The following comments were received.

Steve Anderosov, 600 Cowland Road, expressed opposition to rezoning proposal – prefers to see the entire subject property be rezoned to a 4 ha minimum parcel size; feels that larger lots should be protected and maintained.

Dick Stubbs, 6920 West Island Highway (Bowser Waterworks District) – expressed concern over the drilling of new wells, historically, well drilling in the area has resulted in contamination of the Bowser Water Works District water supply. Asked why the Waterworks district did not receive a notice or referral regarding the re-zoning.

Helens Sims, Fern Road Consulting Ltd. asked to respond and she commented that referrals for the subdivision are sent out at the subdivision stage at the discretion of MOTI.

Dick Stubbs, 6920 West Island Highway expressed frustration with the number of subdivision districts within the plan area – would like to see one subdivision district for this area to streamline development process.

Georgina Timmerman, 4725 Anderson Avenue expressed no opposition to the zoning amendment application but expressed concern regarding the condition of Anderson Avenue and the impact of additional traffic on the road as well as decreased maintenance that has occurred over the years. She noted that she understands that roads and their maintenance are under the jurisdiction of MOTI.

Director Veenhof confirmed that road maintenance falls under the jurisdiction of the province and asked to defer discussing road maintenance concerns until after the close of the Public Hearing.

Dave Simpson, Deep Bay Improvement District noted that the Improvement District would also like to see referrals for subdivision in their area.

Helen Sims, commented that referrals regarding the future subdivision are at the discretion of MOTI.

Steve Anderosov, 600 Cowland Road also expressed concern regarding the poor level of maintenance for Anderson Avenue.

Director Veenhof asked to defer this discussion to after the hearing.

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 7:05 pm.

Certified true and accurate this 12 day of January, 2016.



Sarah Preston
Recording Secretary

Attachment 2
Conditions of Approval

The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016” being considered for adoption:

1. The applicant shall provide a voluntary community amenity contribution in the amount of \$3,000 towards park improvements in Electoral Area ‘H’.
2. The applicant is required to register, at the applicant’s expense, a Section 219 Covenant on the property title requiring that the development of the land occur in a manner consistent with the Preliminary Hydrogeological Assessment prepared by Lewkowich Engineering Associates Ltd. dated June 15, 2016.
3. The applicant is required to register, at the applicant’s expense, a Section 219 Covenant on the property title stating that the wells be constructed and tested, and a report from a Professional Engineer (registered in BC) be submitted to the Regional District of Nanaimo prior to final approval of subdivision in accordance with “Board Policy B1.21 Groundwater – Application Requirements for Rezoning of Un-Serviced Lands. No subdivision shall occur until such time that a report from a Professional Engineer (registered in BC) has been completed to the satisfaction of the Regional District of Nanaimo confirming that the wells have been pump tested and certified including well head protection, and that the water meets Canadian Drinking Water Standards.

Attachment 3
Proposed Amendment Bylaw No. 500.405, 2016

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.405**

**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. 500.405, 2016”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

- 1. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as

District Lot 109, Newcastle District, Except That Part in Plan 30254

from Rural 1 Zone (RU1), Subdivision District ‘A’ to Rural 1 Zone (RU1), Subdivision District ‘CC’

Introduced and read two times this 6th day of December, 2016.

Public Hearing held this 12th day of January 2017.

Read a third time this ___ day of _____ 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20XX.

Adopted this ___ day of _____ 20XX.

Chairperson

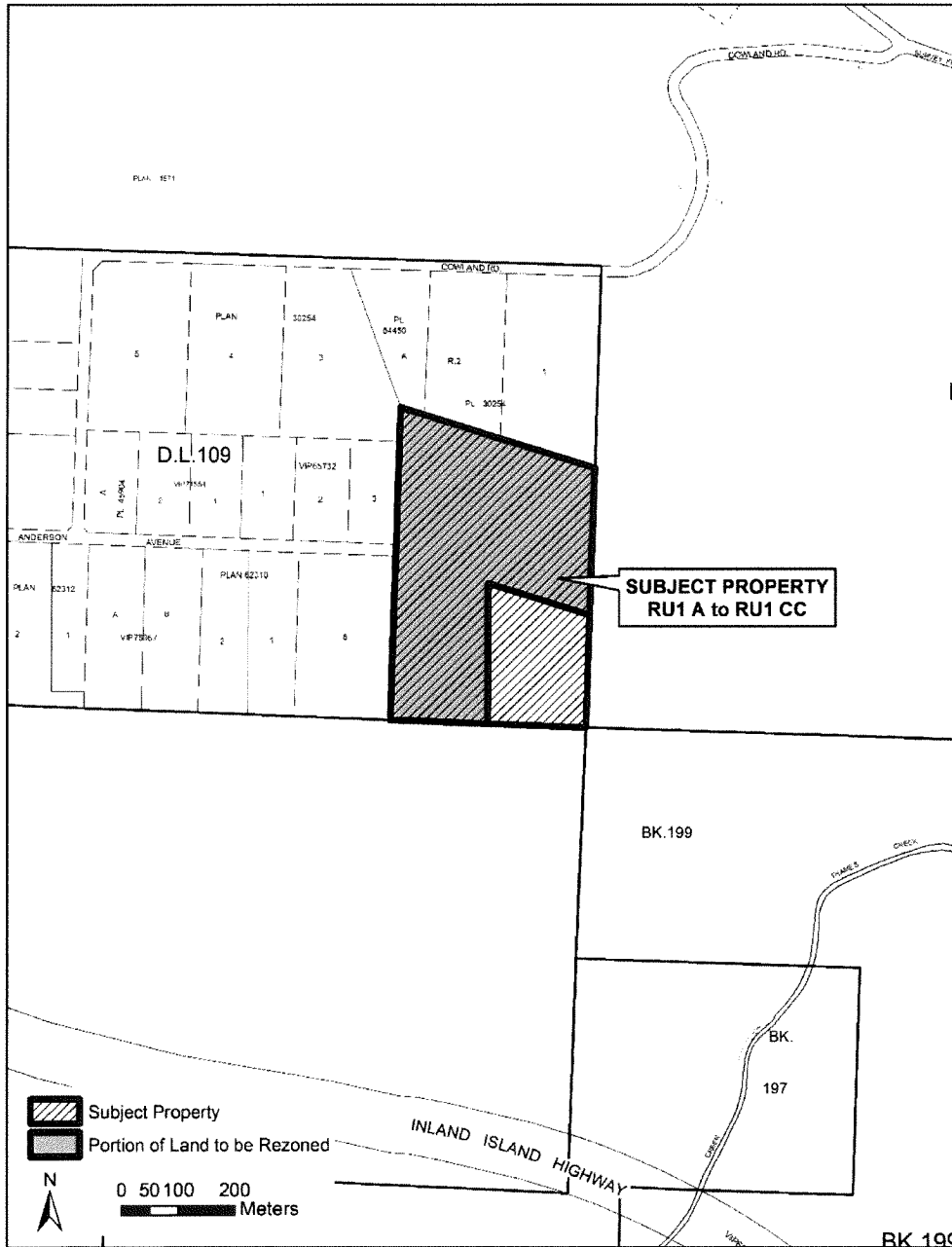
Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.405, 2016".

Chairperson

Corporate Officer

Schedule '1'



TO: Regional District of Nanaimo Board **MEETING:** January 24, 2017

FROM: Daniel Pearce **FILE:** 8620-01
A/General Manager, Transportation
and Emergency Services

SUBJECT: AVICC Resolution Vancouver Island Transportation Master Plan

RECOMMENDATION

That the following resolution be forwarded to the Association of Vancouver Island Coastal Communities for consideration at their annual meeting:

WHEAREAS a Vancouver Island Transportation Master Plan would outline Inter-Regional necessary improvement to the Islands transportation network

AND WHEREAS the Ministry of Transportation and Infrastructure has the ultimate responsibility for transportation planning on Vancouver Island

THEREFORE BE IT RESOLVED that the Province of British Columbia prepare a Vancouver Island Transportation Master Plan.

SUMMARY

In 2014, the Province of British Columbia created a 10 year Transportation Plan titled *B.C. on the Move*. This plan includes some areas of enhancement for Vancouver Island however, it does not specify the creation of inter-regional transportation plans for Vancouver Island. An Association of Vancouver Island Coastal Communities (AVICC) and Union of British Columbia Municipalities (UBCM) resolution would assist in ensuring that the Province is aware of the growing demands of transit and alternative travel choices on Vancouver Island.

BACKGROUND

Vancouver Island has never had an Inter-Regional Transportation Plan. The current B.C. Transportation Plan (*BC On The Move*) includes some areas of enhancement to transportation infrastructure for Vancouver Island however, there is no specific mention of enhancements to transit on Vancouver Island or creating an inter-regional transit plan to link Island communities together.

Vancouver Island’s population is growing, increasing 3% from 748,488 in 2012 to 773,282 in 2016. This growth coupled with increasingly important factors such as an aging demographics and climate change will continue to place even more pressure on the existing transportation and transit networks.

The importance of linking Vancouver Island communities together by inter-regional transit, as well as other modes of transportation, is crucial for Vancouver Island’s economic growth.

ALTERNATIVES

1. The Association of Vancouver Island Coastal Communities be requested to consider the resolution to request that the Province create a Vancouver Island Master Transportation Plan that includes inter-regional transit solutions.
2. The Board provide alternate direction.

FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC PLAN IMPLICATIONS

The report supports the Board’s Strategic Priority of viewing transportation as a core element of service and organizational excellence.



Daniel Pearce
dpearce@rdn.bc.ca
January 12, 2017

Reviewed by:

- P. Carlyle, Chief Administrative Officer
- Corporate Leadership Group

TO: Regional District of Nanaimo Board **MEETING:** January 24th, 2017

FROM: Erica Beauchamp **FILE:** 7320 20 SWPIF
Superintendent, Transit Planning &
Scheduling

SUBJECT: Application for UBCM Strategic Wildfire Prevention Initiative Funding

RECOMMENDATION

That the Regional District of Nanaimo submit an application to the Union of British Columbia Municipalities for Strategic Wildfire Prevention Initiative funding to update the Regional District of Nanaimo Community Wildfire Protection Plans.

SUMMARY

The Strategic Wildfire Prevention Initiative (SWPI) program provides funding to assist local governments and First Nations in identifying the risks of Wildland Urban Interface (WUI) fire to their community. The RDN has utilized SWPI funding since 2004 to create Community Wildfire Protection Plans (CWPP), identifying WUI risk and recommending prevention measures. Further funding has recently been made available to update the CWPPs to ensure they accurately reflect current risk levels and consider new development. Staff recommends submitting an application in order to ensure the continuing protection of public safety and property.

BACKGROUND

Wildland Urban Interface fires can have significant public safety and economic impacts. The *Firestorm 2003 Provincial Review*, a BC government publication, recommended that the Province take a lead role in cooperation with local government, in the development of strategic plans to improve fire prevention in interface areas thus, reducing the risk and economic impacts. The government SWPI program assists communities in plan development to improve both fire prevention and protection in interface areas, as well as community safety in order to reduce the risk of property damage.

From 2004 to 2013, the RDN utilized SWPI program funding to create initial CWPPs for electoral areas and communities within its jurisdiction. As of November 14th, 2016, a new SWPI grant program was announced, with intake on January 27, 2017. Original CWPPs need to be updated as WUI fire risk changes with expanded development, changes to forest health and fuel hazards and alterations to existing infrastructure.

Staff met with the BC Wildfire Fuels Management Specialist who confirmed that the RDN CWPP's qualify for updating due to new development. This supports item #1 from the Emergency Program Gap Analysis, '*Update Community Wildfire Protection Plans (CWPPs)*', indicating the action needed is to apply for funding through SWOPP initiative in order to update CWPPs for areas within the RDN.

ALTERNATIVES

1. That the Board direct staff to submit an application for provincial Strategic Wildfire Prevention Initiative funding to update existing Community Wildfire Protection Plans.
2. That the Regional District of Nanaimo Board provide further direction to staff.

FINANCIAL IMPLICATIONS

The SWPI program can contribute up to 75% of the cost of eligible activities to a maximum of \$22,500, with the remaining covered by staff time and community contributions.

STRATEGIC PLAN IMPLICATIONS

Updating the CWPPs supports the Service and Organizational Excellence Strategic Focus Area by being proactive, aiming to prevent problems in WUI areas before they arise thereby improving community safety and reducing the risk of property damage. As well, by working in conjunction with local municipalities, other branches of government and First Nations communities, we demonstrate our strategic mandate to Focus on Relationships. The RDN Strategic Priority of Focus on the Environment is also supported by this project, in that CWPP updates will protect the environment by identifying areas of WUI risk and exploring mitigation options.



Erica Beauchamp
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January 16, 2017

Reviewed by:

- D. Pearce, A/General Manager, Transportation and Emergency Planning Services
- P. Carlyle, Chief Administrative Officer