

**REGIONAL DISTRICT OF NANAIMO
REGULAR BOARD MEETING
AGENDA**

Tuesday, December 12, 2017

7:10 P.M.

RDN Board Chambers

This meeting will be recorded

Pages

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. ADOPTION OF MINUTES**
 - 3.1 Inaugural Board Meeting - November 14, 2017** 12

(All Directors - One Vote)

That the minutes of the Inaugural Board meeting held November 14, 2017, be adopted.
- 4. PRESENTATION**
 - 4.1 Regional District of Nanaimo Recognition – Government Finance Officers Association Canadian Award for Financial Reporting**
- 5. DELEGATIONS - AGENDA ITEMS**
- 6. CORRESPONDENCE**

(All Directors - One Vote)

That the following correspondence be received for information:

 - 6.1 Kathy Code, Ecoforestry Institute Society, re Electoral Area 'A' Community Works Fund Request** 20
 - 6.2 Sean Hern, Farris, Vaughan, Wills & Murphy LLP, re Bowser Village Centre Wastewater Project - Noonday Road Outfall** 24
- 7. UNFINISHED BUSINESS**

8. COMMITTEE MINUTES

(All Directors - One Vote)

That the following minutes be received for information:

- | | | |
|------------|--|-----------|
| 8.1 | Electoral Area Services Committee - November 28, 2017 | 27 |
| 8.2 | Committee of the Whole - November 28, 2017 | 34 |
| 8.3 | Transit Select Committee - November 16, 2017 | 40 |

9. COMMITTEE RECOMMENDATIONS

9.1 Electoral Area Services Committee

- | | | |
|--------------|---|-----------|
| 9.1.1 | Parks Update Report - Spring and Summer 2017 | 43 |
|--------------|---|-----------|

(All Directors - One Vote)

That repairs to Little Qualicum Hall be considered following the completion and review of the engineering study on the facility that is being conducted by Herold Engineering, the integrity of the structure is confirmed and consultation with the local community has been conducted.

- | | | |
|--------------|--|-----------|
| 9.1.2 | Meadowood Community Park Washroom Vandalism | 56 |
|--------------|--|-----------|

(All Directors - One Vote)

That the washroom and surround be temporarily removed from Meadowood Community Park.

- | | | |
|--------------|--|-----------|
| 9.1.3 | Development Permit Application No. PL2017-058, Electoral Area 'E' | 59 |
|--------------|--|-----------|

(Electoral Area Directors, except EA 'B' - One Vote)

That the Board approve Development Permit No. PL2017-058 to permit the construction of a 35 unit townhouse development subject to the conditions outlined in Attachments 2 to 5.

- | | | |
|--------------|---|-----------|
| 9.1.4 | Development Permit Application No. PL2016-013 - 1000 Gold Road, Electoral Area 'G' | 78 |
|--------------|---|-----------|

(Electoral Area Directors, except EA 'B' - One Vote)

That the Board deny Development Permit No. PL2016-013 to permit the construction of a dwelling unit, land alteration, vegetation removal, and the construction of a number of accessory buildings as the application is not consistent with the applicable Development Permit Area guidelines as shown on Attachment 3.

9.1.5 Development Variance Permit Application No. PL2017-174 - 3036 Bay Road, Electoral Area 'H' 101

Delegations Wishing to Speak to Development Variance Permit Application No. PL2017-174 - 3036 Bay Road, Electoral Area 'H'

(Electoral Area Directors, except EA 'B' - One Vote)

That the Board approve Development Variance Permit No. PL2017-174 to increase the maximum permitted floor area and increase the maximum permitted height to allow the construction of an accessory building subject to the terms and conditions outlined in Attachments 2 to 4.

9.1.6 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2017-134 - Columbia Drive and Viking Way, Electoral Area 'G' 110

(Electoral Area Directors, except EA 'B' - One Vote)

That the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2017-134.

9.1.7 Electoral Area 'F' Official Community Plan Review Project 116
Please note: The original recommendation was varied by the Committee

(Electoral Area Directors, except EA 'B' - One Vote)

That the Board direct staff to include into the Electoral Area 'F' Official Community Plan Review process, scheduled to commence in 2018:

1. A land use analysis of parcels in Electoral Areas 'F' and 'G' in the vicinity of Church Road to prepare an electoral area boundary amendment assessment; and
2. Clarify Commercial/Industrial land use policies within the Bellevue - Church Road Rural Separation Area designation.

9.1.8 Gathering for an Event in the Agricultural Land Reserve – Proposed Zoning Amendments 119

(All Directors - One Vote)

1. That the Board receive the Gathering for an Event in the Agricultural Land Reserve – Proposed Zoning Amendments report for information.

(Electoral Area Directors, except EA 'B' - One Vote)

2. That the Board direct staff to refer proposed amendments to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285, 2002” to the Agricultural Advisory Committee and farming community for comment.

(All Directors - One Vote)

3. That the Board direct staff to develop an information brochure for “Gathering for an Event in the Agricultural Land Reserve”.

9.1.9 Implications of Cannabis Legalization to the Regional District of Nanaimo 136
Please note: The original recommendation was varied by the Committee (Item 1 amended)

(All Directors - One Vote)

1. That the Board of the Regional District of Nanaimo make the following recommendations to the Province of BC with respect to provincial regulation of non-medical cannabis:

- i. That the Province establish a hybrid government and private distribution and warehousing model for non-medical cannabis and permit local governments to regulate and/or prohibit cannabis warehousing, distribution and sale through zoning bylaws;
- ii. That the Province establish a retail model that consists of a hybrid government and private model and permit local governments to regulate the location and density of retailers through zoning bylaws;
- iii. That the minimum age to buy, grow and publicly possess non-medical cannabis in British Columbia be established at 19 years;
- iv. That the maximum public possession limit of dried cannabis for a person of legal age be established at 30 grams;
- v. That the personal possession limit of dried cannabis for youths without being criminally charged be established at 5 grams;
- vi. That public smoking of cannabis be restricted in the same manner as tobacco smoking and vaping;
- vii. That the Province launch a public education and awareness campaign to inform British Columbians about the risks and potential consequences of cannabis-impaired driving and set a

zero-tolerance standard in respect of blood THC content for drivers in the Graduated Licensing Program with an “L” or “N” designation and/or drivers under a specific age threshold; and

- viii. That the maximum home cultivation of non-medical cannabis limit for an adult be established at 4 plants per household and prohibit outdoor cultivation and do not set restrictions regarding where and how non-medical cannabis can be grown and stored at home.

2. That the Board request regular updates from the Province through the Union of BC Municipalities to ensure local governments are aware of any and all progress in the development of provincial regulations related to non-medical cannabis.

3. That the Board request additional regional district representation on the Joint Provincial-Local Government Committee on Cannabis Regulation.

4. That the Board request the provision of adequate provincial funding to cover any responsibilities and increase in administrative burden of any provincial framework that requires local government participation.

5. That the Board request equitable sharing of tax revenues from cannabis between all orders of government.

(Electoral Area Directors, except EA 'B' - One Vote)

6. That the Board direct staff to amend “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” to reflect federal legislation on production of cannabis and make further necessary amendments once a provincial regulatory framework for the legalization of non-medical cannabis is developed.

(All Directors - One Vote)

7. That the Board request the Province to ensure that the rights of landlords are protected by having property owners able to choose whether to allow the personal cultivation of cannabis by tenants.

9.1.10 Nanoose Place Lease Agreement Renewal

156

(All Directors - Weighted Vote)

That the Board approve the Lease Agreement between the Nanoose Bay Activities and Recreation Society and the Regional District of Nanaimo for the property legally described as: Lot 2, District Lot 6, Nanoose District, Plan 50996 for a ten year term expiring on December 15, 2027.

9.1.11 Animal Control Services Agreement 173

(All Directors - Weighted Vote)

That the Board approve the Animal Control Services Agreement between the Regional District of Nanaimo and Coastal Animal Control Services of BC Ltd. for a three (3) year term beginning January 1, 2018 and ending December 31, 2020, at an annual rate of \$121,800.

9.1.12 Electoral Area 'A' Recreation and Culture Grant Approval

Please note: Committee recommendation has no accompanying staff report

(All Directors - One Vote)

That the Electoral Area 'A' Recreation and Culture grant application from the Yellow Point Drama Group, for theatre lighting replacement in the amount of \$4,800, be approved.

9.2 Committee of the Whole

9.2.1 Youth Recreation Grants

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

That the following District 69 Youth Recreation Grant applications be approved:

- Arrowsmith Community Recreation Association - free youth sport programs - \$2,500
- Oceanside Track and Field Club - storage container - \$2,500
- Qualicum Beach Elementary School - Bike Club equipment - \$2,500
- Qualicum & District Curling Club - junior program helmets - \$1,200

Total - \$8,700

9.2.2 Community Recreation Grants

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

That the following District 69 Community Recreation Grant applications be approved:

- Arrowsmith Agricultural Association - Family Day Celebration - \$437
- Corcan Meadowood Residents Association - Halloween Event 2018 - \$2,313
- Errington War Memorial Hall Association - concert series facility rental and printing - \$1,425
- Julian Packer and Players - travelling theatre production - \$2,314
- Oceanside Floor Curling Club - equipment maintenance, insurance, facility rental - \$1,200
- Parksville Curling Club - footwear cleaners - \$2,314
- Qualicum Weavers and Spinners Guild - cupboards, tables, canopy tent - \$1,120
- Forward House Community Society - recreation outings - \$1,500

Total - \$12,623

9.2.3 District 69 Recreation Grant Funding

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

That the District 69 Recreation Grant funding be increased to \$75,000 per year and that any surplus be transferred to the following year's total.

9.2.4 2018 Proposed Budget Overview

176

(All Directors - Weighted Vote)

1. That the proposed 2018 budget be approved as presented and that staff be directed to proceed with projects included in the 2018 proposed budget.
2. That direction be provided to staff on the outstanding budget items for 2018.
3. That staff be directed to proceed to finalize the 2018 to 2022 Financial Plan.

9.2.5 Quarterly Financial Report – Third Quarter – 2017

208

(All Directors - One Vote)

That the financial report for the period January 1, 2017 to September 30, 2017 be received for information.

- 9.2.6 Bylaw 1766 to Authorize Preparation of 2018 Parcel Tax Rolls** 221
- (All Directors - Weighted Vote)
1. That the “2018 Parcel Tax Assessment Roll Bylaw No. 1766, 2017”, be introduced and read three times.
- (All Directors – 2/3 Weighted Vote)
2. That the “2018 Parcel Tax Assessment Roll Bylaw No. 1766, 2017” be adopted.
- 9.2.7 Board Strategic Plan Update 2017** 226
- (All Directors - One Vote)
- That the Regional District of Nanaimo Board reaffirm support for the 2016-2020 Board Strategic Plan.
- 9.2.8 Gabriola Recreation Society Agreement Renewal (2018-2020)** 234
- (All Directors - Weighted Vote)
- That the Recreation Services Agreement with the Gabriola Recreation Society be renewed for a three year term from January 1, 2018 through to December 31, 2020.
- 9.2.9 RDN Parks Funding Service Review** 253
- Please note: The original recommendation was varied by the Committee (Item 2 amended)*
- (All Directors - One Vote)
1. That the Regional District of Nanaimo Parks and Trails Funding Service Review conducted by Neilson-Welch Consulting be received.
- (All Directors - Weighted Vote)
2. That the Regional District of Nanaimo Parks and Trails Funding Service Review recommendations be referred back to staff.
3. That the existing Regional Parks Parcel tax be utilized for the 2018 budget year.
- 9.2.10 Renewal of AECOM Engineering Consultancy Agreement** 312
- (All Directors - Weighted Vote)
- That the Board authorize staff to exercise the optional 2 year extension with AECOM Canada Ltd. for the provision of consulting engineering services for the Wastewater Services department.

9.3 Transit Select Committee

9.3.1 September 2018 Conventional Transit Expansion 314

(Nanaimo, Lantzville, Electoral Areas 'A', 'C' - Weighted Vote)

That a 5,000 hour conventional transit annual expansion for September 2018 be approved and staff be directed to work with BC Transit to develop an implementation plan for the Board's approval.

10. REPORTS

10.1 Bowser Sewer Service Bylaws 319

(All Directors - Weighted Vote)

1. That the RDN enter into the DCC Front-ender Amendment Agreement dated December 12, 2017.

(All Directors - One Vote)

2. That "Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017", be adopted.

(All Directors - Weighted Vote)

3. That "Bowser Village Sanitary Sewer Loan Authorization Bylaw No. 1761, 2017", be adopted.

(Electoral Area Directors, except EA 'B' - One Vote)

4. That "Bowser Village Sanitary Sewer Service Development Cost Charge Bylaw No. 1765, 2017", be adopted.

(All Directors - One Vote)

5. That the Board authorize staff to negotiate revised fees with Stantec and GreatPacific consulting Inc. for engineering, tender preparation, and permitting for the Bowser Village Centre Wastewater Project within the approved project budget, and not to exceed \$400,000.

- 10.2 Electoral Area 'H' Official Community Plan Review - Amendment Bylaw 1335.06, Third Reading and Adoption** 352
- (Electoral Area Directors, except EA 'B' - One Vote)
1. That the report of the Public Hearing held on December 6, 2017 for “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be received.
 2. That “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be amended as outlined in Attachment 5 of this Report.
 3. That “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be read a third time as amended.
- (Electoral Area Directors, except EA 'B' - One Vote / 2/3)
4. That “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be adopted.
- 10.3 ESS Grant Application – UBCM Community Emergency Preparedness Fund** 561
- (All Directors - One Vote)
- That the grant application for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund to purchase and equip a mobile Emergency Support Services trailer in the Regional District of Nanaimo for south (District 68) Emergency Social Services be endorsed.
- 10.4 Zoning Amendment Application No. PL2015-172 - 846 Island Highway West, Electoral Area 'G' - Amendment Bylaw 500.404, 2017 - Third Reading** 568
- (Electoral Area Directors, except EA 'B' - One Vote)
1. That the Board receive the report of the Public Hearing held on October 30, 2017 for “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.404, 2017”.
 2. That the Board give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.404, 2017”.
 3. That the conditions set out in Attachment 2 of the staff report be completed prior to Amendment Bylaw No. 500.404 being considered for adoption.

10.5 Board Remuneration

593

That in order to implement the independent consultant's recommendations for the Director's remuneration:

(All Directors - One Vote)

1. The Regional District of Nanaimo Board Remuneration, Expenses and Benefits Bylaw No. 1770, 2017 be introduced and read three times.

(All Directors - One Vote / 2/3)

2. The Regional District of Nanaimo Board Remuneration, Expenses and Benefits Bylaw No. 1770, 2017 be adopted.

(All Directors - One Vote)

3. The Board Policy entitled A1.31 Board Equipment and Expenses be approved and that Policy A1.15 and A2.1 be repealed.

11. BUSINESS ARISING FROM DELEGATIONS

12. NEW BUSINESS

13. IN CAMERA

(All Directors - One Vote)

That pursuant to Sections 90 (1) (a), (c), (i) and (j) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to board appointments, employee relations, solicitor-client privilege and third party business interests.

14. ADJOURNMENT

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE INAUGURAL BOARD MEETING**

**Tuesday, November 14, 2017
7:00 P.M.
RDN Board Chambers**

In Attendance:	Director W. Veenhof	Chair
	Director I. Thorpe	Vice Chair
	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 D. Brennan	City of Nanaimo
	Director G. Fuller	City of Nanaimo
	Director J. Hong	City of Nanaimo
	Director J. Kipp	City of Nanaimo
	Director M. Lefebvre	City of Parksville
	Alternate	
	Director M. Beil	City of Parksville
	Director B. Colclough	District of Lantzville
	Director T. Westbrook	Town of Qualicum Beach
Regrets:	Director B. Yoachim	City of Nanaimo
	Director K. Oates	City of Parksville
Also in Attendance:	G. Garbutt	A/Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	W. Idema	A/Gen. Mgr. Corporate Services
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Pearce	Director of Transportation & Emergency Services
	J. Hill	Mgr. Administrative Services
	C. Golding	Recording Secretary

CALL TO ORDER

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

Confirmation of Appointment of Municipal Directors to the Board from the Member Municipalities

17- 568

It was moved and seconded that confirmation of appointment of municipal Directors to the Board from the City of Nanaimo, City of Parksville, Town of Qualicum Beach, and District of Lantzville be received.

CARRIED UNANIMOUSLY

ELECTION OF BOARD CHAIR

The Corporate Officer called for nominations for the position of Chair.

Director Westbroek nominated Director Veenhof, and Director Lefebvre seconded the nomination.

Director Veenhof accepted the nomination.

There being no further nominations, the Corporate Officer declared Director Veenhof elected by acclamation as Chair of the Regional District of Nanaimo for the following year.

The Chair claimed his seat and expressed his thanks.

ELECTION OF VICE CHAIR

The Chair called for nominations for the position of Vice Chair.

Director Fell nominated Director Thorpe, and Director Houle seconded the nomination.

Director Thorpe accepted the nomination.

There being no further nominations, the Chair declared Director Thorpe elected by acclamation as Vice Chair of the Regional District of Nanaimo for the following year.

The Chair welcomed Director Brennan and Alternate Director Beil to the meeting.

APPROVAL OF THE AGENDA

17- 569

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Regular Board Meeting - October 24, 2017

17- 570

It was moved and seconded that the minutes of the Board meeting held October 24, 2017, be adopted.

CARRIED UNANIMOUSLY

INVITED PRESENTATIONS

Dr. Paul Hasselback, Island Health, and Earle Plain, Ministry of Environment and Climate Change Strategy, re Health at the Local Level, and Air Quality Related Health Concerns Due to Domestic Wood Burning

Dr. Hasselback provided an overview of the Local Health Area Profiles which provides comparisons of data which is collected across the region and offers the ability to measure trends regarding health related concerns and directs attention on economic wellbeing, and service utilization where needed.

Dr. Hasselback and Earle Plain provided information regarding impacts to health from exposure to wood smoke, and other contributing factors that have the capacity to compromise air quality, and the monitoring and assessment of air quality in the region.

Erik Krogh, Vancouver Island University, re Gathering and Use of Environmental Data

Erik Krogh introduced the 2018 Regional Air Quality Mapping Pilot Project which utilizes a mobile air monitoring lab to identify and map air quality across the central island and asked the Board to support the project and support student learning by providing \$5,000 in funding for the project.

It was moved and seconded that the Regional District of Nanaimo provide \$5,000 from the Regional Growth Strategy service to the Vancouver Island University Regional Air Quality Mapping Pilot Project.

17- 571

It was moved and seconded that the funding request for \$5,000 for the Vancouver Island University Regional Air Quality Mapping Pilot Project be deferred to the 2018 Budget deliberations.

CARRIED UNANIMOUSLY

DELEGATIONS

Brenda Kent and Sharon Welch, Oceanside Health and Wellness Network, re Activities of Oceanside Health and Wellness Network including Top Priorities for Collective Action

Sharon Welch thanked the Board for their support and provided an update of activities over the past year which include a Community Forum held in the fall of 2017, and the priorities of the network identified as child wellness, mental health, and further development of the Oceanside Health and Wellness Network.

CORRESPONDENCE

17- 572

It was moved and seconded that the following item of correspondence be received for information:

Selina Robinson, Minister, Ministry of Municipal Affairs and Housing, re Request for Amendment to the Letters Patent to change the Voting Unit of the Regional District of Nanaimo.

CARRIED UNANIMOUSLY

Business Arising from Communications

17- 573

It was moved and seconded that the correspondence from Selina Robinson, Minister, Ministry of Municipal Affairs and Housing, be referred to staff to follow up with Ministry staff, and report back to the Board.

CARRIED UNANIMOUSLY

COMMITTEE MINUTES

17- 574

It was moved and seconded that the following minutes be received for information:

Community Grants Committee - October 10, 2017

Arrowsmith Water Service Management Board - November 2, 2017

Englishman River Water Service Management Board - November 2, 2017

CARRIED UNANIMOUSLY

COMMITTEE RECOMMENDATIONS

Community Grants Committee

Applications for Community Grants

It was moved and seconded that the following Community Grants be included in the 2018 Budget:

1. BC SPCA – Parksville-Qualicum Beach & District Branch – low cost Spay/Neuter Program – \$200
2. Coastal Invasive Species Committee Society – "Knot on My Property" Program – (Subject to entering into a monitoring agreement) – \$17,000
3. ECHO Players Society – replacement of HVAC system – \$7,500
4. Forward House Community Society – Phase II ‘Moving Forward with Accessibility’ – bathroom renovation – \$7,000
5. Habitat for Humanity Mid-Vancouver Island Society – print and stationery materials, projector and screen for homeownership program – \$3,000
6. Inclusion Parksville Society – permanent picnic table with pad, food, beverage, marketing for Summer Barbeque and Community Inclusion Month Dance – \$2,500
7. Island Futures Society – thermal imaging camera – \$1,000
8. Lighthouse Country Marine Rescue Society – night vision binoculars – \$3,000
9. Mount Arrowsmith Pipe Band Association – Phase I of band equipment and uniform replacement – \$2,000

10. Mudge Island Citizen's Society – purchase of 6 VHF radios, chargers, microphones and radio channels – \$3,100
11. Nanaimo Disability Resource Centre – Seniors Resource Card – \$1,300
12. Nanaimo Foodshare Society – Food Security Assessment and Action Initiative – region wide project to assess food security in the region – \$2,500
13. Nanaimo Women's Resources Society – "Small Ghosts" theatre production – \$2,500
14. People for a Healthy Community on Gabriola Island Society – Staying in Touch Program – \$1,500
15. People In Pain Network Society – office equipment and tablets for leaders and assistants – *tbd
16. Qualicum Beach Streamkeepers Society – Faye Smith Memorial Interpretive Centre – \$2,500
17. Royal Canadian Legion – Bowser and Area Branch #211 – Canada Day Celebration – \$490
18. Royal Canadian Legion – Qualicum Beach Branch #76 – replace food cooler – \$1,500
19. Royal Canadian Legion – Mount Arrowsmith Branch #49 – purchase and installation of refrigerator – \$2,000
20. The HOPE Centre – gymnastic mats – \$750
21. Tozan Cultural Society – improving and expanding small kiln – \$1,000

Total **\$62,340

* pending information from Island Health

** plus grant amount awarded to People In Pain Network Society – pending Board direction

It was moved and seconded that the Community Grant award to the People in Pain Network Society be \$2,000.

CARRIED UNANIMOUSLY

17- 575

The vote was taken on the main motion as amended.

CARRIED UNANIMOUSLY

Arrowsmith Water Service Management Board

Arrowsmith Water Service 2018 - 2022 Financial Plan

17- 576

It was moved and seconded that the Regional District of Nanaimo adopt its portion of the Arrowsmith Water Service 2018 – 2022 Financial Plan as outlined in Table 2 attached to the October 25, 2017 report.

CARRIED UNANIMOUSLY

Englishman River Water Service Management Board

Englishman River Water Service 2018 - 2022 Financial Plan

17- 577

It was moved and seconded that the Englishman River Water Service 2019 – 2023 Financial Plan include a budget amount for Aquifer Storage and Recovery study.

CARRIED UNANIMOUSLY

17- 578

It was moved and seconded that the Regional District of Nanaimo adopt its portion of the Englishman River Water Service 2018 – 2022 Financial Plan as outlined in Table 2 attached to the October 25, 2017 report.

CARRIED UNANIMOUSLY

REPORTS

2018 Board and Standing Committee Regular Meeting Schedule

17- 579

It was moved and seconded that the 2018 Board and Standing Committee regular meeting schedule be approved as presented.

CARRIED UNANIMOUSLY

Corporate Communications Updates

Staff provided a presentation to the Board introducing the new look of the Regional District of Nanaimo website, the 'Get Involved RDN!' site, and the About the Regional District of Nanaimo Video.

17- 580

It was moved and seconded that the Corporate Communications Updates report be received for information.

CARRIED UNANIMOUSLY

Bylaws No. 1767 and 1768 – Reserve Fund Establishment Bylaws

17- 581

It was moved and seconded that "Barclay Crescent Sewer Service Reserve Fund Establishment Bylaw No. 1767, 2017" be introduced and read three times.

CARRIED UNANIMOUSLY

17- 582

It was moved and seconded that “Barclay Crescent Sewer Service Reserve Fund Establishment Bylaw No. 1767, 2017” be adopted.

CARRIED UNANIMOUSLY

17- 583

It was moved and seconded that “Westurne Heights Water Service Reserve Fund Establishment Bylaw No. 1768, 2017” be introduced and read three times.

CARRIED UNANIMOUSLY

17- 584

It was moved and seconded that “Westurne Heights Water Service Reserve Fund Establishment Bylaw No. 1768, 2017” be adopted.

CARRIED UNANIMOUSLY

Professional Engineering Services for the Nanoose Bay Peninsula Pump Station Replacement Project

17- 585

It was moved and seconded that the Engineering Services contract for the Nanoose Bay Peninsula Pump Station Replacement Project be awarded to McElhanney Consulting Services Ltd. for \$230,432 (excluding GST).

CARRIED UNANIMOUSLY

Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06 – Consideration in Conjunction with Financial Plan and Waste Management Plans

17- 586

It was moved and seconded that the Board consider “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, in conjunction with the current Financial Plan, Liquid Waste Management Plan, and Solid Waste Management Plan.

CARRIED UNANIMOUSLY

BYLAWS - WITH NO ACCOMPANYING REPORT

Regional District of Nanaimo Economic Development Service Establishment Bylaw No. 1769, 2017

It was moved and seconded that “Regional District of Nanaimo Economic Development Service Establishment Bylaw No. 1769, 2017”, be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

It was moved and seconded that the bylaw be amended by adding the following text at the end of the description of the service under Section 2: "by providing funds in support of the film industry which will provide funding to INfilm."

Opposed (1): Director Westbroek

CARRIED

17- 587

The vote was taken on the main motion as amended:

That "Regional District of Nanaimo Economic Development Service Establishment Bylaw No. 1769, 2017", be introduced and read three times, as amended, and forwarded to the Inspector of Municipalities for approval.

Opposed (1): Director Westbroek

CARRIED

NEW BUSINESS

Electoral Area 'B' Community Works Funds - Gabriola Community Bus Foundation

17- 588

It was moved and seconded that staff be directed to enter into an agreement with the Gabriola Community Bus Foundation for up to \$10,000 of the Electoral Area 'B' Community Works Funds allocation for the purchase of a bus.

CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved and seconded that this meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 9:30 PM

CHAIR

CORPORATE OFFICER



November 23, 2017

Board of Directors
Regional District of Nanaimo

Via email: corpsrv@rdn.bc.ca

Cc: Alec McPherson, Area A Director, RDN, alecmcpherson@shaw.ca
Wendy Idema, Director of Finance and Accounting, RDN, widema@rdn.bc.ca
Geoff Garbutt, General Manager, Strategic Development & Planning, RDN,
ggarbutt@rdn.bc.ca
Jeremy Holm, Manager of Current Planning, RDN, jholm@rdn.bc.ca

COMMUNITY WORKS FUND REQUEST

Dear RDN Board of Directors:

First, please allow me to introduce myself. My name is Kathy Code and I'm writing to you as Vice Chair of the Ecoforestry Institute Society (EIS), the registered non-profit society that holds Wildwood Ecoforest in trust for the people of British Columbia. Please accept this letter as an application to the Community Works Fund for a \$150,000 grant to cover costs related to the Wilkinson Heritage Homestead Restoration.

EIS is dedicated to honouring and continuing the ecoforestry legacy of Merv Wilkinson, who won the Orders of Canada and British Columbia for his pioneering work in ecoforestry. Wildwood is an iconic property, the oldest continuously managed ecoforest on the west coast of North America and located in Yellowpoint, Area A of the Regional District of Nanaimo. Merv purchased the property in 1935 and logged it in a manner that retains a fully functioning ecosystem while providing economic benefit within ecological parameters. In 2016, backed by strong community support and financial donations, EIS was able to acquire Wildwood under court order, saving it from a private sale and protecting it in the public domain for generations to come.

In the course of the acquisition, EIS was obligated to take on a \$450,000 mortgage. To repay the debt and ensure Wildwood's long-term financial sustainability, EIS has developed an economic plan to ensure Wildwood is able to generate its own ongoing revenue. A significant element of this plan is the restoration of the Wilkinson Heritage Homestead, the log and stone structure built by Merv and where thousands of people came to visit him and Wildwood over the decades. The Home will now serve as an educational facility and a domestic and global ecotourist accommodation, where people of all ages and backgrounds can come to learn about ecoforestry and experience Wildwood.

The Restoration has the support of the community, including Merv's remaining family and many supporters who are contributing a range of in-kind donations, such as furniture, construction skills, and energy assessment expertise.

While the Homestead log and stone structure is sound, the rest of the building requires a complete update. We will be incorporating a full energy efficiency program, from solar to new insulation, water on demand, windows, and a hot water heat pump. We'll be integrating a rain water harvesting system, and are in the process of gathering quotes to improve our septic, gray and potable water systems. It is our intent that the Homestead will be viewed as a prime example of energy and construction innovation. Please find enclosed a Budget Proposal for the Restoration.

The Restoration project offers significant economic stimulus to the community and region. A key principle is that local contractors and trades people are hired and that we purchase products from local suppliers and businesses. Once completed, the Homestead will increase job opportunities for tour, workshop and guest speakers for a wide range of topics for audiences from school children to seasoned professionals.

The Homestead will also require ongoing caretaking, cleaning, and repair and maintenance services. There will be spinoffs to local businesses such as the Crow and Gate, the Cranberry Farm, members of the Cedar Yellow Point Artisans Society, and Country Beyond as ecotourists explore the area beyond Wildwood. Partnerships with local artists, woodcrafters and the Stz'uminus First Nations will also provide economic stimulus through the production of value-added wood products. We are collaborating with Vancouver Island University on several educational and research initiatives. We are also working with several local partners to incorporate Wildwood into a regional Green Belt Zone, an economic and conservation initiative also designed to attract ecotourists and local nature lovers to the region.

Our vision and mandate is that EIS will continue to build on Merv Wilkinson's legacy, developing Wildwood into a significant ecoforestry education facility. Expanding our capacity as an accommodation destination allows us to attract the domestic and global ecotourist to Cedar and the surrounding region. People will come to understand that ecoforestry principles and practices are essential to developing a sustainable relationship with nature.

In conclusion, we would respectfully request an RDN grant of \$150,000 to help cover Restoration costs. EIS has received donations and in-kind assistance to cover the remainder of the total budget of \$184,800. We can assure you that we will be accountable for every penny of the \$150,000 grant used in the restoration of the Homestead. We can also assure you that Wildwood will serve as a significant economic stimulus to Cedar and beyond for generations to come.

We look forward to hearing your comments and response.

Regards,

Kathy Code
EIS Vice Chair
250 418-5313
Codekat999@gmail.com

Wilkinson Homestead Restoration Project

Description	Estimated Cost	Contractor	Notes
Energy Assessment & Structural Review	0.00	Ian Gartshore; Timber Framers Guild of B.C.	Donated services by Ian Gartshore and Timber Framers Guild of B.C.
Permits	1,000.00	RDN	Electrical & Deck
Engineering	2,500		Deck review
Interior Demolition	5,500.00	Unlearn Industries	To prepare for new insulation and rat proofing
Volunteer supplies	1200.00	EIS	Gloves, ladder, rakes etc.
Debris removal & recycle	1,000.00	Volunteers	
Insulation, Vapour Barrier	4,500.00	Unlearn Industries	
Drywall	5,600.00	Unlearn Industries	
Flooring	10,000.00	Demxx & Unlearn Ind.	
Electrical	15,000.00	TR Trades Electrical	
Plumbing	5,000.00	John Goodman Plumbing	includes 3 new low flush toilets
Doors	2,000.00	Unlearn Industries	Wescon Cedar Products on deep discount
Windows	20,000.00	Cascade	Replace single pane with energy efficient type
Trim	1,000.00	local finish carpenter	Dustin Temple
Millwork & Countertops	6,000.00	Victor Woods	General Carpenter
Tile	3,000.00	Coastal King Tile	Nanaimo contractor
Plaster & Painting	2,500.00	Anne Bonner, Pat Amos	Local individual contractors
Appliances	5,000.00		All bought on Kijiji
Furniture	7,000.00		Shawnigan Vintage Barn, Union 22, Craigs List, and yard sales
Fixtures	2,000.00		Kijiji, Craigs list, Habitat for Humanity Restore, McLarens Lighting
Fire Protection	3,000.00		Pump from lake, system distribution, extinguishers

Description	Estimated Cost	Contractor	Notes
Utilities - HVAC conversion from oil	20,000.00		Air to water heat pump using existing radiant water piping, on demand water tanks
Utilities - Water Supply & Treatment	10,000.00	Drillwell	New well
Utilities - Water Harvesting & Storage	5,000.00	ABC Water	Rain water collection and Cistern
Utilities - Septic	12,000.00		Eljen compact field
Utilities - Solar	20,000.00		Roof panels
Roofing & Skylight Repair	3,000.00	First Shot Contracting	
New Front Deck and stairs	4,000.00	Timber Framers Guild of B.C.	
Exterior Log Refinishing	2,000.00	Timber Framers Guild of B.C.	Linseed oil
Landscaping	1,000.00		Volunteers
Road Repair	5,000.00		
Total	184,800.00		

3rd Floor	Victoria, BC	Tel 250 382 1100	farris.com
1005 Langley Street	Canada V8W 1V7	Fax 250 405 1984	

Reply Attention of: Sean Hern
 Direct Dial Number: (250) 405-1982
 Email Address: shern@farris.com

Our File No.: 40768-0001-0000

December 5, 2017

BY EMAIL (bill.veenhof@shaw.ca)

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

Attention: Bill Veenhof, Board Chair

Dear Sir:

**Re: Bowser Village Centre Wastewater Project – Noonday
 Road Outfall**

We write further to our letter dated August 17, 2017 (copy enclosed) concerning the Bowser Village Centre Wastewater Project (the “Project”) to which we have not yet received a response.

As you are aware, our clients, Stop Bowser Ocean Sewage and a number of property owners whose lands will be affected by the Regional District’s proposed sewage outfall near the Noonday Road public beach access (the “Outfall”), have serious and unaddressed concerns regarding the severe detrimental effects that the Outfall will have on their properties and neighbourhood, including, but not limited to, the negative effects on property values and on the environment. We understand that our clients have raised these concerns with the Regional District without a satisfactory response to date.

We write to advise that our clients intend to commence proceedings against the Regional District in the event that the Project is developed in such a way so as to have a negative impact on our client’s interests. In that regard, we request that you inform us and our clients immediately upon finalization of the Project specifications so that we may provide notice as required under s. 736 of the *Local Government Act*, R.S.B.C. 2015, c. 1 if so required.

Yours truly,

FARRIS, VAUGHAN, WILLS & MURPHY LLP

Per:



per Sean Hern

BDR/jf
 Enclosure

3rd Floor | Victoria, BC | Tel 250 382 1100 | farris.com
1005 Langley Street | Canada V8W 1V7 | Fax 250 405 1984

Reply Attention of: Sean Hern
Direct Dial Number: (250) 405-1982
Email Address: shern@farris.com

Our File No.: 88888-0001-0000

August 17, 2017

BY EMAIL (bill.veenhof@shaw.ca)

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

Attention: Bill Veenhof, Board Chair

Dear Sirs/Mesdames:

**Re: Bowser Village Centre Wastewater Project – Noonday
Road Outfall**

We are solicitors for Stop Bowser Ocean Sewage and a number of property owners whose lands will be affected by the Regional District's proposed sewage outfall near the Noonday Road public beach access (the "Outfall"). We understand that the Regional District is taking steps to obtain support for the Outfall and in doing so is informing people either that land-based solutions are not available, or that the Outfall is a cheaper alternative to land-based solutions.

From our review of the available reports, it appears that Stantec has made only a preliminary desk-review of the geotechnical characteristics of the potential area where a land deposit could be made, and based on that cursory review, has focused its attention on a marine solution. An earlier report from Chatwin Engineering contained a more detailed consideration of potential land-based solutions and those engineers appear to have thought it was an available option. In our view, the proposed Outfall will give rise to claims of nuisance and injurious affection by nearby property owners and tenure holders whose property interests will be negatively affected by the Outfall. Part of the analysis of the nuisance claims will be whether the Outfall was the only available option, and to date that has not been established from the materials we have reviewed.

With regard to the suggestion that the Outfall is a cheaper alternative to a land-based solution, taking into account the resulting nuisance or injurious affection claims, which may be brought within a class

August 17, 2017

- 2 -


F A R R I S

action framework, we expect the Outfall proposal is likely to be far more expensive than the land-based alternatives. Our clients therefore strongly urge you to reconsider this matter and fully explore the viability of land-based solutions.

Yours truly,

FARRIS, VAUGHAN, WILLS & MURPHY LLP

Per:

A handwritten signature in black ink, appearing to read "S-H", with a horizontal line extending to the right.

Sean Hern

cc. A. Macpherson, Chair of Solid Waste
Management Select Committee (alecmcpherson@shaw.ca)

RDN Corporate Services (corpsrv@rdn.bc.ca)

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday, November 28, 2017

1:30 P.M.

RDN Board Chambers

In Attendance:	Director J. Stanhope	Chair
	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
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	W. Idema	A/Gen. Mgr. Corporate Services
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Pearce	Director of Transportation & Emergency Services
	T. Armet	Mgr. Building and Bylaw Services
	J. Hill	Mgr. Administrative Services
	J. Holm	Mgr. Current Planning
	P. Thompson	Mgr. Long Range Planning
	B. Ritter	Recording Secretary

CALL TO ORDER

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

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved, as amended, to include the delegation on the addendum.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Electoral Area Services Committee Meeting - October 10, 2017

It was moved and seconded that the minutes of the Electoral Area Services Committee meeting held October 10, 2017, be adopted.

CARRIED UNANIMOUSLY

DELEGATIONS

Doug Thomasson, re Development Permit Application No. PL2016-013 - 1000 Gold Road, Electoral Area 'G'

Doug Thomasson provided an overview of his efforts to meet the requirements for a Development Permit and requested the Committee members visit his property so they can make an informed decision about his application.

COMMITTEE MINUTES

It was moved and seconded that the following minutes be received for information:

Electoral Area 'G' Parks and Open Space Advisory Committee - November 1, 2017

East Wellington / Pleasant Valley Parks and Open Space Advisory Committee - October 23, 2017

Electoral Area 'F' Parks and Open Space Advisory Committee - October 11, 2017

CARRIED UNANIMOUSLY

Director Fell requested that the Electoral Area 'F' Parks & Open Space Advisory Committee minutes be amended to remove reference to Ammonite Falls as it is not part of Electoral Area 'F'.

COMMITTEE RECOMMENDATIONS

Electoral Area 'G' Parks and Open Space Advisory Committee

Parks Update Report - Spring and Summer 2017

It was moved and seconded that repairs to Little Qualicum Hall be considered following the completion and review of the engineering study on the facility that is being conducted by Herold Engineering, the integrity of the structure is confirmed and consultation with the local community has been conducted.

CARRIED UNANIMOUSLY

Electoral Area 'F' Parks and Open Space Advisory Committee

Meadowood Community Park Washroom Vandalism

It was moved and seconded that the washroom and surround be temporarily removed from Meadowood Community Park.

CARRIED UNANIMOUSLY

PLANNING

Development Permit

Development Permit Application No. PL2017-058, Electoral Area 'E'

It was moved and seconded that the Board approve Development Permit No. PL2017-058 to permit the construction of a 35 unit townhouse development subject to the conditions outlined in Attachments 2 to 5.

CARRIED UNANIMOUSLY

Development Permit Application No. PL2016-013 - 1000 Gold Road, Electoral Area 'G'

It was moved and seconded that the Board deny Development Permit No. PL2016-013 to permit the construction of a dwelling unit, land alteration, vegetation removal, and the construction of a number of accessory buildings as the application is not consistent with the applicable Development Permit Area guidelines as shown on Attachment 3.

CARRIED UNANIMOUSLY

Development Variance Permit

Development Variance Permit Application No. PL2017-174 - 3036 Bay Road, Electoral Area 'H'

It was moved and seconded that the Board approve Development Variance Permit No. PL2017-174 to increase the maximum permitted floor area and increase the maximum permitted height to allow the construction of an accessory building subject to the terms and conditions outlined in Attachments 2 to 4.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to complete the required notification for Development Variance Permit No. PL2017-174.

CARRIED UNANIMOUSLY

Request for Frontage Relaxation in Relation to a Subdivision

Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2017-134 - Columbia Drive and Viking Way, Electoral Area 'G'

It was moved and seconded that the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2017-134.

CARRIED UNANIMOUSLY

Other

Electoral Area 'F' Official Community Plan Review Project

It was moved and seconded that the Board direct staff to include into the Electoral Area 'F' Official Community Plan Review process, scheduled to commence in 2018:

1. A land use analysis of parcels in Electoral Areas 'F' and 'G' in the vicinity of Church Road to prepare an electoral area boundary amendment assessment; and
2. Clarify Commercial/Industrial land use policies within the Bellevue - Church Road Rural Separation Area designation.

CARRIED UNANIMOUSLY

Gathering for an Event in the Agricultural Land Reserve – Proposed Zoning Amendments

It was moved and seconded that the Board receive the Gathering for an Event in the Agricultural Land Reserve – Proposed Zoning Amendments report for information.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to refer proposed amendments to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285, 2002” to the Agricultural Advisory Committee and farming community for comment.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to develop an information brochure for “Gathering for an Event in the Agricultural Land Reserve”.

CARRIED UNANIMOUSLY

Implications of Cannabis Legalization to the Regional District of Nanaimo

Staff provided a presentation on the implications to the Regional District of Nanaimo in the advent of cannabis legalization in 2018.

It was moved and seconded that the Board of the Regional District of Nanaimo make the following recommendations to the Province of BC with respect to provincial regulation of non-medical cannabis:

- i. That the Province establish a hybrid government and private distribution and warehousing model for non-medical cannabis and permit local governments to regulate and/or prohibit cannabis warehousing, distribution and sale through zoning bylaws;
- ii. That the Province establish a retail model that consists of a hybrid government and private model and permit local governments to regulate the location and density of retailers through zoning bylaws;

- iii. That the minimum age to buy, grow and publicly possess non-medical cannabis in British Columbia be established at 19 years;
- iv. That the maximum public possession limit of dried cannabis for a person of legal age be established at 30 grams;
- v. That the personal possession limit of dried cannabis for youths without being criminally charged be established at 5 grams;
- vi. That public smoking of cannabis be restricted in the same manner as tobacco smoking and vaping;
- vii. That the Province launch a public education and awareness campaign to inform British Columbians about the risks and potential consequences of cannabis-impaired driving and set a zero-tolerance standard in respect of blood THC content for drivers in the Graduated Licensing Program with an “L” or “N” designation and/or drivers under a specific age threshold; and
- viii. That the maximum home cultivation of non-medical cannabis limit for an adult be established at 4 plants per household and prohibit outdoor cultivation and do not set restrictions regarding where and how non-medical cannabis can be grown and stored at home.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board request regular updates from the Province through the Union of BC Municipalities to ensure local governments are aware of any and all progress in the development of provincial regulations related to non-medical cannabis.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board request additional regional district representation on the Joint Provincial-Local Government Committee on Cannabis Regulation.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board request the provision of adequate provincial funding to cover any responsibilities and increase in administrative burden of any provincial framework that requires local government participation.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board request equitable sharing of tax revenues from cannabis between all orders of government.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board direct staff to amend “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” to reflect federal legislation on production of cannabis and make further necessary amendments once a provincial regulatory framework for the legalization of non-medical cannabis is developed.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board request the Province to ensure that the rights of landlords are protected by having property owners able to choose whether to allow the personal cultivation of cannabis by tenants.

CARRIED UNANIMOUSLY

COMMUNITY PARKS

Nanoose Place Lease Agreement Renewal

It was moved and seconded that the Board approve the Lease Agreement between the Nanoose Bay Activities and Recreation Society and the Regional District of Nanaimo for the property legally described as: Lot 2, District Lot 6, Nanoose District, Plan 50996 for a ten year term expiring on December 15, 2027.

CARRIED UNANIMOUSLY

BYLAW ENFORCEMENT

Animal Control Services Agreement

It was moved and seconded that the Board approve the Animal Control Services Agreement between the Regional District of Nanaimo and Coastal Animal Control Services of BC Ltd. for a three (3) year term beginning January 1, 2018 and ending December 31, 2020, at an annual rate of \$121,800.

CARRIED UNANIMOUSLY

NEW BUSINESS

Electoral Area ‘A’ Recreation and Culture Grant Approval

It was moved and seconded that the Electoral Area ‘A’ Recreation and Culture grant application from the Yellow Point Drama Group, for theatre lighting replacement in the amount of \$4,800, be approved.

CARRIED UNANIMOUSLY

Directors' Forum

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

ADJOURNMENT

It was moved and seconded that this meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 3:01 PM

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING

Tuesday, November 28, 2017

3:10 P.M.

RDN Board Chambers

In Attendance:	Director W. Veenhof	Chair
	Director I. Thorpe	Vice Chair
	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 D. Brennan	City of Nanaimo
	Director G. Fuller	City of Nanaimo
	Director J. Hong	City of Nanaimo
	Director J. Kipp	City of Nanaimo
	Director B. Yoachim	City of Nanaimo
	Director M. Lefebvre	City of Parksville
	Director K. Oates	City of Parksville
	Director B. Colclough	District of Lantzville
	Director T. Westbroek	Town of Qualicum Beach
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	S. De Pol	A/Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	W. Idema	A/Gen. Mgr. Corporate Services
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Pearce	Director of Transportation & Emergency Services
	J. Hill	Mgr. Administrative Services
	C. Golding	Recording Secretary

CALL TO ORDER

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

The Chair welcomed Director Oates to the meeting.

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved, as amended, to include correspondence on the addendum.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

It was moved and seconded that the following minutes be adopted:

Regular Committee of the Whole Meeting - October 10, 2017

CARRIED UNANIMOUSLY

CORRESPONDENCE

It was moved and seconded that the following correspondence be received for information:

Association of Vancouver Island and Coastal Communities re 2018 Association of Vancouver Island and Coastal Communities Convention Resolutions and Nominations

Rosemary Bonanno, Vancouver Island Regional Library, re Appointment to the 2018 Vancouver Island Regional Library Board

Marijke Edmondson, Ministry of Municipal Affairs and Housing, re Corrected 2016 Census Population Figures

CARRIED UNANIMOUSLY

COMMITTEE MINUTES

It was moved and seconded that the following minutes be received for information:

Liquid Waste Management Plan Monitoring Committee - November 2, 2017

District 69 Recreation Commission - October 19, 2017

Drinking Water and Watershed Protection Technical Advisory Committee - October 18, 2017

Drinking Water and Watershed Protection Technical Advisory Committee - March 21, 2017

CARRIED UNANIMOUSLY

COMMITTEE RECOMMENDATIONS

District 69 Recreation Commission

Youth Recreation Grants

It was moved and seconded that the following District 69 Youth Recreation Grant applications be approved:

- Arrowsmith Community Recreation Association - free youth sport programs - \$2,500
- Oceanside Track and Field Club - storage container - \$2,500
- Qualicum Beach Elementary School - Bike Club equipment - \$2,500
- Qualicum & District Curling Club - junior program helmets - \$1,200

Total - \$8,700

CARRIED UNANIMOUSLY

Community Recreation Grants

It was moved and seconded that the following District 69 Community Recreation Grant applications be approved:

- Arrowsmith Agricultural Association - Family Day Celebration - \$437
- Corcan Meadowood Residents Association - Halloween Event 2018 - \$2,313
- Errington War Memorial Hall Association - concert series facility rental and printing - \$1,425
- Julian Packer and Players - travelling theatre production - \$2,314
- Oceanside Floor Curling Club - equipment maintenance, insurance, facility rental - \$1,200
- Parksville Curling Club - footwear cleaners - \$2,314
- Qualicum Weavers and Spinners Guild - cupboards, tables, canopy tent - \$1,120
- Forward House Community Society - recreation outings - \$1,500

Total - \$12,623

CARRIED UNANIMOUSLY

District 69 Recreation Grant Funding

It was moved and seconded that the District 69 Recreation Grant funding be increased to \$75,000 per year and that any surplus be transferred to the following year's total.

Opposed (2): Director Rogers, and Director Stanhope

CARRIED

CORPORATE SERVICES

2018 Proposed Budget Overview

Staff presented an overview of the Regional District of Nanaimo 2018 Proposed Budget.

It was moved and seconded:

1. That the proposed 2018 budget be approved as presented and that staff be directed to proceed with projects included in the 2018 proposed budget;
2. That direction be provided to staff on the outstanding budget items for 2018; and
3. That staff be directed to proceed to finalize the 2018 to 2022 Financial Plan.

It was moved and seconded that the acquisition of the Notch be funded by Electoral Area 'E'.

Opposed (14): Director Veenhof, Director Thorpe, Director McPherson, Director Houle, Director Young, Director Rogers, Director Fell, Director McKay, Director Bestwick, Director Brennan, Director Fuller, Director Lefebvre, Director Oates, and Director Colclough

DEFEATED

The vote was taken on the main motion:

1. That the proposed 2018 budget be approved as presented and that staff be directed to proceed with projects included in the 2018 proposed budget;
2. That direction be provided to staff on the outstanding budget items for 2018; and
3. That staff be directed to proceed to finalize the 2018 to 2022 Financial Plan.

CARRIED UNANIMOUSLY

Quarterly Financial Report – Third Quarter – 2017

It was moved and seconded that the financial report for the period January 1, 2017 to September 30, 2017 be received for information.

CARRIED UNANIMOUSLY

Bylaw 1766 to Authorize Preparation of 2018 Parcel Tax Rolls

It was moved and seconded that the “2018 Parcel Tax Assessment Roll Bylaw No. 1766, 2017”, be introduced and read three times.

CARRIED UNANIMOUSLY

It was moved and seconded that the “2018 Parcel Tax Assessment Roll Bylaw No. 1766, 2017” be adopted.

CARRIED UNANIMOUSLY

STRATEGIC AND COMMUNITY DEVELOPMENT

Board Strategic Plan Update 2017

It was moved and seconded that the Regional District of Nanaimo Board reaffirm support for the 2016-2020 Board Strategic Plan.

CARRIED UNANIMOUSLY

RECREATION AND PARKS

Gabriola Recreation Society Agreement Renewal (2018-2020)

It was moved and seconded that the Recreation Services Agreement with the Gabriola Recreation Society be renewed for a three year term from January 1, 2018 through to December 31, 2020.

CARRIED UNANIMOUSLY

RDN Parks Funding Service Review

Allan Neilsen, Neilson-Welch Consulting Inc., presented an overview on the purpose of the Regional District of Nanaimo Parks and Trails Funding Service Review as well as the assessment and findings outlined in the report.

It was moved and seconded that the Regional District of Nanaimo Parks and Trails Funding Service Review conducted by Neilson-Welch Consulting Inc., be received.

CARRIED UNANIMOUSLY

It was moved and seconded that the Regional District of Nanaimo Parks and Trails Funding Service Review recommendations be implemented for 2018/2019 work plans and the 2019 to 2023 Financial Plan.

It was moved and seconded that the Regional District of Nanaimo Parks and Trails Funding Service Review recommendations be referred back to staff.

Opposed (1): Director Rogers

CARRIED

It was moved and seconded that the existing Regional Parks Parcel tax be utilized for the 2018 budget year.

CARRIED UNANIMOUSLY

REGIONAL AND COMMUNITY UTILITIES

Renewal of AECOM Engineering Consultancy Agreement

It was moved and seconded that the Board authorize staff to exercise the optional 2 year extension with AECOM Canada Ltd. for the provision of consulting engineering services for the Wastewater Services department.

CARRIED UNANIMOUSLY

NEW BUSINESS

Directors' Roundtable

Directors provided updates to the Board.

IN CAMERA

It was moved and seconded that pursuant to Sections 90 (1) (a), (c), (j) and (i) of the *Community Charter* the Committee proceed to an In Camera meeting for discussions related to board appointments, employee relations, third party business interests and solicitor-client privilege.

CARRIED UNANIMOUSLY

TIME: 6:34 PM

ADJOURNMENT

It was moved and seconded that this meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 8:27 PM

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE TRANSIT SELECT COMMITTEE MEETING

Thursday, November 16, 2017

12:00 P.M.

RDN Board Chambers

In Attendance:	Director T. Westbroek	Chair
	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
Regrets:	Director B. Yoachim	City of Nanaimo
Also in Attendance:	G. Garbutt	A/Chief Administrative Officer
	D. Pearce	Director, Transit & Emergency Services
	E. Beauchamp	Superintendent, Transit Planning & Scheduling
	M. Moore	Senior Regional Transit Manager, BC Transit
	D. Marshall	Mgr. Transit Operations
	J. Wadsworth	Mgr. Transit Planner, BC Transit
	K. Laidlaw	Transit Planning Coordinator
	A. Freund	Transportation Planner, City of Nanaimo
	N. Hewitt	Recording Secretary

CALL TO ORDER

The Chair called the meeting to order.

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved as amended to include the following BC Transit Updates: Kids Ride the Bus Program, Santa Bus Program and the Seniors Connect Program.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Transit Select Committee Meeting - September 14, 2017

It was moved and seconded that the minutes of the Transit Select Committee meeting held on September 14, 2017, be adopted.

CARRIED UNANIMOUSLY

DELEGATIONS

Philippe Lucas, Vice President, Tilray re: Transit Service to Duke Point

Mr. Lucas provided a verbal overview in support of the Duke Point transit expansion.

CORRESPONDENCE

Mr. Nachtegaele, re: Cassidy Transit Services

It was moved and seconded that the correspondence from Mr. Nachtegaele, re: Cassidy Transit Service be received.

CARRIED UNANIMOUSLY

BC TRANSIT UPDATES

Local Area Transit Plan - South Nanaimo

It was moved and seconded that the Local Area Transit Plan - South Nanaimo update be received.

CARRIED UNANIMOUSLY

RDN Transit Updates

D. Pearce provided a verbal update to the Committee regarding Kids Ride the Bus Program, Seniors Connect and RDN Transit in the Public.

REPORTS

September 2018 Conventional Transit Expansion

It was moved and seconded that a 5,000 hour conventional transit annual expansion for September 2018 be approved and staff be directed to work with BC Transit to develop an implementation plan for the Board's approval.

Opposed (3): Director Young, Director Veenhof, and Director Bestwick

CARRIED

ADJOURNMENT

It was moved and seconded that this meeting be adjourned.

TIME: 1:45 PM

CHAIR

TO: Parks Committees and Commissions **MEETING:** October 17, 2017

FROM: Wendy Marshall
Manager of Parks Services

SUBJECT: Parks Update Report - Spring and Summer 2017

RECOMMENDATION

That the Parks Update Report - Spring and Summer 2017 be received as information.

SUMMARY

Parks staff continue to work on projects identified in the 2017 Parks Work Plan and the RDN 2017 Operational Plan. Two new staff positions were recently added to the parks team. A new Parks Planner started during the last week of June and is currently working on projects in Electoral Areas F and G in addition to designing new signs and kiosks throughout the RDN parks and trails system.

Planning and Capital Projects – Key Highlights

E & N Finishing and Opening Event R+P-100A-2014

Prime contractor, David Stalker Excavating, returned to site in April to complete works delayed by winter weather, and to address minor deficiencies identified in January by the project engineer. A final 'grate and roll' of the trail surface was also undertaken. Pedestrian controlled beacons have been designed and were installed during the summer. The temporary ban on horses, issued by the Board in April, was lifted June 2nd once primary trail development was finished. Work has begun on trail etiquette, way marking and kiosk signs.

The opening will now be held on Saturday, October 14, 2017 at 10:30 a.m.

Blueback Community Park Development

Park construction is complete with final planting scheduled for this fall. Improvements to this waterfront park in Electoral Area E included the removal of blackberries that covered 100% of the property; addressing the problematic drainage issues that were revealed; improvements to the parking lot to create two new parking spaces; two gravel paths to the beach to improve kayak/canoe launching capabilities; the installation of a cedar port-a-potty surround and change room; construction of a rock retaining wall with seating nooks; seating boulders in the lower lawn area; and cedar split rail fencing.

Huxley Park Projects R+P-34-2106

Playground

The construction of a new playground area is proceeding this fall, funded in part through grants from the Nanaimo Foundation and the Gabriola Lions Club. The works include site clearing and re-grading, the

installation of two new play structures, a bench and seating wall, a cedar port-a-potty surround, as well as improvements to an existing park path. The tender process for the project is complete and the contract has been awarded.

Sports Courts

Improvements to the existing sports courts are scheduled to be completed this fall, funded in part through a donation from the Gabriola Ball Hockey Association; additional grant funding is expected to be announced in the near future. The project includes tennis court resurfacing, which was completed by the end of August, and the installation of a new dasher board system surrounding the sport court which will be completed by the end of November.

Skatepark

Concept drawings and preliminary cost estimates are 95% complete and will be presented to the community for feedback at an open house on September 13, 2017.

Moorecroft Planning

A May 2017 planning workshop with key stakeholders to revisit some of the ideas presented in the 2012 Park Management Plan. At the conclusion the session, an updated concept was arrived at and over the next 5 years will help guide the future improvements in the park. Toilets, a picnic shelter, Ms. Moore's cabin removal, a First Nations gathering place, and the entry/parking area are among some of the projects that were discussed and sited during the workshop. A report will be prepared for the Fall 2017 Regional Parks and Trails Select Committee to prioritize the projects into the parks work plan.

Following Board approval, the website will be updated and a sign posted in the park.

Horne Lake Regional Trail and Heritage Designation R+P-31-2016

Staff met with the Horne Lake Strata to review the regional and heritage trail concepts and to clarify agreements made in 2001 regarding access to Strata lands above the Caves Rd for the purpose of regional trail. Approval was received from the Strata to issue a geological engineering review and assessment of the Mount Mark rock fall area for trail purposes. The Strata notes that any trail on their lands would likely be open to off-road vehicles.

Little Qualicum River Park Bridge R+P-29-2017

West Bridge Corporation was awarded the work for removal of the Little Qualicum River Bridge following a public tender process. Site work will commence in early September and complete removal is expected by September 15th, coinciding with the fisheries window. Environmental oversight is being provided by D.R. Clough Consulting.

Benson Creek Falls Facilities R+P-33-2017

Herold Engineering was awarded the Feasibility and Conceptual Design project for the improved descent to Ammonite Falls and an improved crossing of Benson Creek in the park. Part of the project will include a public questionnaire this fall to solicit feedback on the proposed improvements in the park. These projects were recommended in the 2014 Park Management Plan. Survey and conceptual design work for a new parking lot on Weigles Road will be underway this fall.

Potlach Development

A staff report was presented to the July 24th, 2017 Area B Parks and Open Space Committee regarding the Gabriola Island Local Trust Committee's referral request to review the amended draft rezoning Bylaw Nos. 289 and 290 and indicate if the RDN would accept the proposed 16.4-hectare parkland

dedication and the four public trail Statutory Right-of-ways (SRW) which would result from the future subdivision of the rezoned lands. The proposed 16.4 hectares of parkland addition and public trail connections would connect the village center with the waterfront at Descanso Bay Regional Park and would expand Cox Community Park to 50 hectares (123.5 acres). The Committee's recommendation for acceptance of the lands has been forwarded to the October 3, 2017 Board meeting for consideration.

Whalebone Stairs

The public water access stairs at Blue Whale, Hummingbird and Joyce Lockwood located in the Whalebone Community Parks have been temporarily closed since mid-June due to safety concerns owing to erosion, damage, and other site challenges. The stairs at Queequeg Community Park were also temporarily closed for a few weeks while drainage improvements were undertaken. The stairs at Blue Whale Community Park were replaced with new, pre-fabricated aluminum stairs. The 2017 Community Parks budget will not accommodate the replacement of the stairs at Hummingbird CP this year but the installation of removable/adjustable stairs for this site has been placed on the 2018 Area B Parks work plan. The stairs at Joyce Lockwood Community Park have been closed based on a Municipal Insurance Association inspection recommendation. Stair construction will involve a new bottom landing which requires additional approvals for foreshore work. A Registered Professional Biologist has been retained to assist with the foreshore work. The development of a design and costing for the stairs will be completed this fall/winter.

ACT Trails

Braddock-Leffler Community Trail construction was completed mid-June. The project involved re-routing and widening an existing narrow, unofficial footpath which was not contained within the undeveloped road right-of-way and trespassed on private property in some locations. This new, natural surface, type-2 trail provides an important east-west link between Leffler and Errington Roads and completes another piece of the Arrowsmith Community Trails network.

Es-hw Sme~nts Community Park Community Park Development

In consultation with Snaw-Naw-As (Nanose First Nation) the RDN's newest community park on Oak Leaf Drive in Nanose Bay has been named Es-hw Sme~nts Community Park. This name translates to Seal Rock and is pronounced Eshk-Sments Community Park. Final improvements in the park are to be completed this fall. A park opening is scheduled for October 4th.

Inventory and Mapping

In partnership with GIS staff, the park portfolio is being documented, described and mapped for record keeping, operational and inter-departmental purposes including asset management and for communication with advisory committees and the general public. Different maps will be created for different purposes. There will be internal maps with civic numbers and legal and jurisdictional information. A geo-referenced internal operational map will be created for each park that shows all GIS GPSed improvements, along with current operational arrangements for the property. Updated electoral area planning maps, important to the advisory committees, are being created that will show all parks, trails and open spaces under management by the RDN in a given area. Finally, a map showing accessible Crown lands and known recreational assets on other non-RDN lands, including the full inventory of water accesses, will be produced for the public's information.

Service Calls

The spring and summer of 2017 has been a busy time for staff responding to concerns and requests for service from the public. Many service calls pertain directly to the increased number of park users during

the nice weather and the increased demand on park amenities. Common complaints include; dog and animal issues, garbage and littering, ATV and motorbikes on trails, vandalism, parking issues, and port-a-potties permits

Area B – A permit for concession use at Rollo McClay CP during ball season was issued to the Gabriola 4-H Club. A permit to conduct a program of free guided walks May to August at various Gabriola regional and community parks and trails was issued to the Gabriola Land and Trails Trust. A permit was issued to Sheila Malcolmson MP to promote a petition regarding abandoned boats at the Oceans Day event at Descanso Bay RP.

Area C – A permit was issued to NALT and VIU for vegetation plot monitoring as part of the covenant monitoring of Mount Benson Regional Park.

Area E – A permit was issued to Quality Foods for the 26th annual Teddy Bear Picnic at Jack Bagley Field. A permit was issued to Ecole Ballenas Secondary for inter-tidal snorkeling at Moorecroft Regional Park as part of the Outdoor Pursuits program.

Area F – A permit was issued to the Corcan-Meadowood Residents' Association for a Canada Day family picnic lunch at Meadowood Community Park.

FINANCIAL IMPLICATIONS

The projects outlined in this report have funds identified in the 2017 Budget. Electoral Area projects are funded through the associated 2017 Community Parks Budget and in some cases are supplemented by Community Works Funds or grant funding. Regional Parks projects are funded through the 2017 Regional Parks Operational Budget or the Regional Parks Capital Budget.

STRATEGIC PLAN IMPLICATIONS

Projects in this report support the RDN's strategic priorities for Service and Organizational Excellence and Focus on the Environment:

- Delivering efficient, effective and economically viable services that meet the needs of the Region;
- We will fund infrastructure in support of our core services employing an asset management focus;
- As we invest in regional services we look at both costs and benefits — the RDN will be effective and efficient;
- We recognize community mobility and recreational amenities as core services; and
- We will have a strong focus on protecting and enhancing our environment in all decisions.



Wendy Marshall
wmarshall@rdn.bc.ca
September 29, 2017

Reviewed by:

- T. Osborne, General Manager of Recreation and Parks

Attachments

1. Parks Work Plan – *(Spring and Summer 2017)*

Parks Work Plan
August 2017 Update

PARK PROJECTS AND REQUESTS								
Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
A	15-568	2016-001	Cedar Plaza	Tipple construction	2016	2017 Q1	Completed	Construction has started but is delayed due to weather. Project now complete.
A	15-568	2017-001	Cedar Plaza	Sign boards for the Tipple Structure	2017	2017 Q1	Underway	Draft designs have been produced. Final draft underway with installation planned for Fall.
A	16-785	2017-002	Beach Accesses	Driftwood Beach Access stair consultation and design	2017	2017 Q2	Not started	Now planned for Fall 2017
A	Staff	2017-003	Skatepark	Concrete headwalls	2017	2017 Q3	Not started	Planned for Fall of 2017
A		2018-001	Beach Accesses	Driftwood Beach Access stairs construction	2018		Not started	Planned for 2018
A	17-153	NEW 2017-053	Cedar Plaza	Review Possible Alternatives to allow water	2017	2017 Q4	Not started	Planned for Fall of 2017
B	15-369	2016-003	Huxley	Skate Park detail design	2016	2017 Q1	Underway	RFP has been awarded; first public workshop completed; concept and costing to 90% complete.
B	15-565	2016-005	Cox	Entry sign installation	2016	2017 Q1	Completed	Sign is ordered and will be installed in the coming weeks. Project now completed.
B	15-565	2016-006	Cox	Bench installation	2016	2017 Q1	Completed	Benches to be installed in next few weeks. Project now completed.
B	16-346	2016-007	McCullum Road Cash in Lieu	Work with Developer for processing the Cash in Lieu	2016	TBD	Underway	Waiting for developer to received his PLA and final approval.
B	Posac	2016-007	Whalebone	Various upgrades	2016	2017 Q3	Completed	Work to continue throughout 2017.
B	16-677	2016-008	Development	Density transfer/subdivision review and comment	2016	2017 Q2	Completed	Early referral report done for board and response sent to Islands Trust (IT). Received additional IT referral March 10, 2017. Report to go to POSAC and Board spring 2017. Staff examining referral and report underway for July POSAC.
B	Grant	2017-004	Huxley	Playground design and install	2017	2017 Q4	Underway	Construction drawings underway. To be constructed fall 2017. Tendering process complete. Contract awarded.
B	15-438	2017-005	Huxley	Sport Court upgrades	2017	2017 Q4	Underway	Construction to take place this fall. Tenders complete. Contract awarded for tennis courts and for the supply and install of dashboards.
B	16-348	2017-006	707	Signs review and update	2017	2017 Q4	Not Started	Fall of 2017
B	15-089	2017-007	Rollo	Dog Park design - work with community group	2017	2017 Q4	Not started	Planned for Fall of 2017
B	Staff	2017-008	Bluewhale and Queequeg	Rebuild Beach Access stairs	2017	2017 Q3	Underway	Planned for the summer of 2017
B	Staff	2017-009	Joyce Lockwood Stairs	Rebuild Beach Access stairs	2017	2017 Q3	Underway	Geotech assessment of Site underway.
B	Staff	2017-010	Malspina Galleries	Trail work/garbage can install	2017	2017 Q3	Completed	Planned for the summer of 2017. Garbage recepticle ordered. Project now complete.

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
B	17-112	NEW 2017-054	Rollo	Determine Feasibility of Lion's Storage Shed			Completed	Determined that unfeasible due to Island Trust zoning restrictions.
B-CWrks	Board	2015-001	Village Way Path	Design/MOTI approval	2015	2017 Q1	Concluded as per Director instruction	Plan redesigned per MOTI response in 2016 and the new design (asphalt extension) presented to MOTI. MOTI approved moving forward to the permitting stage. Costing by engineering consultant received in March. Reviewed by Area Director; Director declines to pursue asphalt extension plan. Meetings to be held with MoTI.
B-CWrks		2017-011	Village Way Path	Construction	2017	2017 Q4	Suspended	To be determined once costing is obtained and direction provided by Area Director.
C EW/PV	Posac	2018-003	Anders Dorrit	Information sign design and install	2018		Not started	Planned for 2018
C EW/PV	Posac	2018-004	Anders Dorrit	Detailed design	2018		Not started	Planned for 2018
C Ext	Staff	2016-017	Park Improvements	General			Not started	TBD
C Ext - CWrks		2018-002	Extension School	Agreement/Reno	2018		Delayed	No agreement with SD 68 at this time. Planned for 2018
E	16-197	2016-009	Claudet	Utilities lot transfer	2016	TBD	Underway	Information was provided to Water Services. Water Services is working on the transfer.
E	Posac	2018-005	Trail Project	TBD	2018		Not started	Planned for 2018
E	17-155	NEW 2017-055	Nanoose Road Community Park	Remove Playground Structure and determine alternative use	2017	2017 Q4	Underway	Removal to be completed in the coming weeks. Discussions for alternation use to be undertaken with POSAC. Playground now removed.
E	17-156	NEW 2017-056	Open Space Plan	Recind plan and use CPTS	2017	2017 Q2	Completed	Plan has been removed from the website. Completed.
E	17-410	NEW 2017-062	Es-hw Sme~nts	Park be named Es-hw Sme~nts Community Park	2017	2017 Q3	Completed	Signs with name have been ordered and will be installed this September.
E	17-409	NEW 2017-065	Nanoose Road Community Park	Contact crown to expand use under the lease	2017	2017 Q4	Underway	Letter was sent to Crown, awaiting response.
E	17-408	NEW 2017-066	Natural Playground	Examine parks suitable for a natural playground and report back	2017	2017 Q4	Underway	Staff summary report prepared for POSAC consideration.
E		NEW 2017-067	Park Opening	Opening Ceremony for Es-hw Sme~nts	2017	2017 Q3	Underway	Opening scheduled for October 4.
E-CWrks	Board	2015-002	Blueback	Construction	2015	2017 Q2	Delayed	Construction complete; landscape planting will take place in the fall.
E-CWrks	16-564	2016-010	Es-hw Sme~nts	Development as per plan	2016	2017 Q1	Underway	Phase 1 complete, benches recently installed. Phase 2 - fencing, interpretive signs and final landscaping under for fall 2017 completion.
E-CWrks	17-154	NEW 2017-057	Jack Bagley	Agreement for CW funds for SD69	2017	2017 Q2	Completed	Agreement to be circulated shortly. Agreement concluded and money transferred.
F	Posac	2017-012	ACT Trails	Land Agreement for trail development	2017	2017 Q1	Changed to 2017-050	Route changed, land agreement no longer needed. See project number 2017-050.

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
F	17-311	2017-050	ACT Trails	Carrothers trail development	2017	2017 Q1	Complete	MOTI permit received; construction complete.
F	Staff	2017-013	Meadowood	Parking lot improvements	2017	2017 Q3	Not started	Planned for Fall of 2017
F	Posac	2018-006	Errington	Playground design	2018		Not started	Planned for 2018. A base map has been produced in GIS in preparation for the site planning process. All adjacent trails have been GPS'd and added to the GIS database.
F	Staff	2018-007	Errington	Operator Agreement	2018		Not started	Planned for 2018
F	17-312	NEW 2017-064	Errington	Bike Skills Park to be included in development plans for the park	2018		Not started	Planned for 2018.
F	17-310	2018-009	ACT Trails	Surface David Lundine trail	2017	2017 Q4	Not started	Work assessed and planned for 2018
F-CWrks	Posac	2019-001	Errington Playground	Construction	2019		Not started	Planned for 2019
G	16-619, 17-157	2017-014	Stanhope Trail	Planning, construction	2017	2017 Q4	Underway	Detailed design of an asphalt paved connector trail from the end of Wally's Way to Ackerman Rd is complete. Detailed plans are being completed and tendering will happen in September. Invitation to Quote was delivered via email on Aug. 18, 2017 with responses to be provided by Sept. 8, 2017.
G	Staff	2017-015	Boulton	Replace playground borders	2017	2017 Q3	Not started	Delayed until 2018
G	Posac	2018-010	River's Edge Plan	Playground design	2018		Not started	Planned for 2018
G-CWrks	16-059	2016-012	Little Qualicum Hall	Assessment and report on condition of the building	2016	2017 Q1	Completed	Report being prepared for the March Area G POSAC meeting. Report sent to March meeting.
G-CWrks	17-158	2018-011	Little Qualicum Hall	Close and remove building	2018	2017 Q3	Delayed	Updated HazMat Report underway, Hall Bookings suspended beyond April 15th. Communications regarding closure underway with stakeholders/residents. Project now included in #2017-063
G-CWrks	17-405	NEW 2017-063	Little Qualicum Hall	Postpone demolition and undertake a new review and community consultation	2017	2017 Q4	Underway	After the June POSAC meeting, staff were directed not to close the building but to work with residents on other options. A new engineering assessment has been ordered.
G-CWrks	Posac	2019-002	French Creek Paths/Trails	TBD	2019		Not started	Planned for 2019
H	Board	2014-582	Grant - Lighthouse Community Centre Society	Blding upgrades as identified by the LCCS -Installment 4	2017	2017 Q2	Completed	Report for 2016 spending received. Funds for 2017 will be released once budget is approved and funding requests received from the LCCS. Agreement signing underway. Cheque to be released April 1.
H	Staff	2016-013	Lions Park	Operator Agreement	2016	2017 Q1	Underway	Meeting held mid-January with the Lions Club to review the Club's short and long-term interests, and a new tenure arrangement. SMS preparing draft lease; received mid-March and rejected. SMS directed to produce a license. Draft received early May and is under review by mgt.
H	Other	2016-014	Roadside Trails	OPC planning - work with Planning Department on their process	2016	2017 Q1	Underway	Response provided on the draft of the Active Transportation plan and OCP.

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
H	Other	2016-015	Trails Initiative	Community Trails - GIS work and signs	2016	TBD	Underway	Signs installed at Hatchery. GIS captured trail data. Signs to be installed.
H	16-281	2016-017	Beach Accesses	Assess sites and install signs at sites identified by the POSAC	2016	2017 Q1	Completed	Planning work completed. New sign-posts and signs installed.
H	17-020	2017-016	Dunsmuir	Detail design	2017	2017 Q4	Not started	Planned for fall/winter of 2017.
H	Staff	2017-017	Thompson-clark	Stair repair	2017	2017 Q3	Not started	Planned for fall of 2017.
H		2018-012	Dunsmuir	Phase I construction	2018		Not started	Planned for 2018
H	Posac	2018-013	Wildwood	Kiosk development and install - split with Regional	2018		Not started	Planned for 2018
H	Posac	2019-003	Oakdowne	Licence on other crown parcels surrounding the park	2019		Not started	Planned for 2019
H	17-021	NEW 2017-058	Dunsmuir	Clear view corridor into park	2017	2017 Q3	Completed	Staff to review on-site works in March. Site work identified and Staff awaiting contractor quotes.
H	17-407	NEW 2017-062	Beach Accesses	Contact MOTI regarding the encroachment at McColl Road	2017	2017 Q3	Underway	MOTI contacted. Follow up required to determine next steps.
H-CWrks	Other	2020-001	Area H Roadside Trails	Work with MOTI on any development of trails along the road.	2020		Not started	Timing will depend on the Active Transportation Plan currently under development.
Other	Operational	2016-030	Maintenance Contracts	A, Ext, EW, E, F, H, E&N, VW	2016	2017 Q1	Completed	RFP Issued, Mandatory Site Meeting complete, Addendums (2) Issued. RFP Closed March 30th and 4 responses received. RFP evaluations underway. Strain Landscaping selected and contract is underway.
Other	Operational	2016-031	2017 Budget	Create	2016	2017 Q1	Completed	The preliminary 2017 budget is completed. During January, the budget will be amended based on the actual surplus and any changes requested by the Area Directors. 2017 budget approved.
Other	Operational	2017-058	2018 Budget and Workplan	Create and forward for approvals	2017	2018 Q1	Underway	Planning for workplan to start in June. Budgeting underway.
Other	Operational	2016-032	SharePoint system	Create and upload old files	2016	2020	Underway	Staff continue to move files from the old files to the new system
Other	Operational	2017-039	Staffing	Hire new Parks Planner	2017	2017 Q2	Completed	Position to be posted and interviews to take place early April. Position filled.
Other	Operational	2017-043	Worksafe BC	Update program	2017	2017 Q4	Underway	Work will continue throughout 2017.
Other	Operational	2017-044	Risk Management	Update Inspection Program	2017	2017 Q4	Underway	Work will continue throughout 2017.
Other	Operational	2017-045	Call and Work Tracking	Install system and train staff	2017	2017 Q2	Underway	Software ordered, Training dates set for April, IT working on wireless in-office capability. Staff now inputting data into the software.
Other	Operational	2017-046	Park Maintenance Plans	Create plans for parks	2017	2017 Q4	Completed	Co-inciding with RFP for developed C.P's. Completed.
Other	Operational	2018-022	Purchasing System	Create system for purchase	2018		Not started	Planned for 2018
Other	Staff	2019-005	Donation Program	Create program	2019		Not started	Planned for 2019

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
Other	Staff	2019-006	Bylaw 1399	Update existing bylaw	2019		Not started	Planned for 2019
Other	Operational		GIS and Mapping	Ongoing mapping			On going	Ongoing
Other	Operational		Park Statistics	Acquisition registry, park records, mapping, statistics			On Going	Complete registry of parks and trails portfolio in final stages, with acquisition identification numbers devised. Internal, planning and promotion maps clarified and being created. All Parks Staff as well as GIS staff participating. Asset Management awaiting complete registry.
Other			Acquisitions	Assessment and report			Underway	Several properties under consideration.
Other	Operational		Budget and Workplans	Ongoing monitoring			On Going	Ongoing
Other - Comm	16-616	2016-018	Park Signage	Remove old and install simple signage	2016	2017 Q1	Underway	Majority of signs removed and replaced with park name signs. New sign designs underway.
Other - Comm	Other	2018-014	Bike Network Plan	Develop plans	2018		Not started	Planned for 2018
Other - Comm	Operational		Development	Subdivision/parkland - review, comments and POSAC input			On Going	Ongoing as required through planning
REG	Board	2015-003	Benson Creek Falls	Licence renewal	2015	2017 Q1	Completed	Completed
REG	17-227	NEW 2017-060	E&N -- Coombs to Parksville Rail Trail	Horse Parking - Wood lot	2017	2017 Q4	On hold	Being pursued in conjunction with a pending amenity contribution from industrial land rezoning.
REG		2017-069	E&N -- Coombs to Parksville Rail Trail	Opening Event	2017	2017 Q4	Underway	Opening scheduled for Saturday 14 October. Event plan drafted and being confirmed.
REG	Operational	2017-071	Witchcraft Lake RT	5 year licence expires 30 November 2017	2017	2017 Q4	Underway	City staff contacted in Spring; existing agreement contains a five-year renewal clause. To Board with report in November 2017.
REG	16-126	2016-024	Mount Benson	Race Event - work with event holders	2016	2017 Q1	Underway	Second running event planned for Sept. 23. Group has meet with RDN and NALT to confirm route through park and has applied for Parks Use Permit.
REG	Mngmnt Plan	2016-025	Moorecroft	Agreement - La Selva entry	2016	2017 Q1	Underway	Agreement required with a second landowner. Staff in communication with residents in the area.
REG	Staff	NEW 2017-052	Moorecroft	Planning Development Zone	2017	2017 Q3	Underway	Stakeholder planning workshop was held in May 2017 to review and establish a path forward for improvement in the park. A report is going to fall RPTSC.
REG	16-480	2016-026	Moorecroft	Planning with First Nations	2016	2017 Q4	Underway	Will continue discussions with FN regarding building in the park.
REG	Operational	2016-028	Beachcomber	Management Plan development	2016	2017 Q2	Underway	First round public consultation completed. Draft plan being written. Waiting for consultant work conclude before finalizing document. Draft plan written and out for public feedback.

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
REG	Staff	2017-019	Ammonite Falls Trail	Bridge studies	2017	2017 Q4	Not started	Moved to 2018.
REG	Staff	2017-020	TCT	Timberlands Road trail head development	2016	2017 Q4	Underway	Rural Dividends Program \$30K development grant awarded 3 March. Meeting with landowner Island Timberlands held 16 March; request still under review by IsT. Interim Rural Div Prog report submitted end of May with request for grant deadline extension given lack of significant progress with IsT.
REG	17-383	NEW 2017-061	CPR Trail	Renew the trail licence	2017	2017 Q3	Completed	Board report written and board approval received. Paperwork sent back to Island Timberlands and fee paid.
REG	Mngmnt Plan	2017-021	La Selva	Construction	2017	2017 Q2	Not started	Will begin once agreement is signed by all parties.
REG	16-766	2017-023	Horne Lake Regional Trail	Planning	2016	2018 Q2	Underway	Rural Dividends Program \$10K planning grant awarded 21 February 2017. RFP for geological engineering review and assessment issued and awarded to Thurber Engineering. Meeting held with Strata, Port Alberni and ACRD to review potential trail route. A surveyer hired to clarify issues related to 2005 posting plan of part of 1911 Rd, in preparation for full survey of 1911 Rd from HLRP to ACRD border.
REG	16-767	2017-024	Horne Lake Heritage Trail	Historic designation	2017	2020	Underway	Work initiated to determine which FNs might be involved. Discussed heritage trail concept at meeting with ACRD and Port Alberni staff.
REG	Staff	2017-025	Horne Lake	Park upgrades	2017	2017 Q3	Underway	Work planned for the summer of 2017.
REG	Staff	2017-026	Horne Lake	Accessible toilets install	2017	2017 Q3	Underway	Work planned for the summer of 2017.
		2017-072	Horne Lake RT	Land use agreement with Strata	2017	2018 Q3	Not started	Familiarization with Strata lands, interests and concerns underway. Once geo-engineering review completed and east-side route firmed up, drafting land use agreement can begin.
REG	Operational	2017-073	Horne Lake	Operator RFP	2017	2018 Q1	Not started	Planned for winter 2017.
REG	Staff	2017-027	Descanso	Tractor purchase	2017	TBD	Delayed	Purchase decision of replacement tractor under review.
REG	Operational	2017-028	Descanso	Operator Agreement	2017	2017 Q3	Completed	RFP submissions received and new operator selected.
REG	Staff	2017-029	Englishman River	Geo technical study of the bank above the road	2017	2017 Q2	Not started	Work planned for Fall of 2017.
REG	Staff	2017-030	Englishman River	Repair road to Top Bridge	2017	2017 Q3	Completed	Work delayed due to weather. Work is anticipated to get underway at the beginning of May and complete by May 24th
REG	Mngmnt Plan	2017-033	Naniamo River	Interpretive signs design and install	2017	2017 Q3	Completed	Completed.

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
REG	Mngmnt Plan	2017-034	Naniamo River	Install benches	2017	2017 Q2	Underway	To be installed once received from supplier.
REG	16-666	2017-036	Mount Benson	Parking solution	2017	TBD	Underway	Staff investigating parking improvements for Board Consideration.
REG	Operational	2017-070	Mount Benson	Volunteer Agreement	2017	2018 Q2	Underway	Volunteer Agreement for trail improvement work by Island Mtn. Ramblers.
REG	16-649	2017-038	Coats Marsh	Bat study	2017	2017 Q1	Underway	Consultant selected and study to take place in June. Report expected in September.
REG	Staff	2017-040	Moorecroft	Vault toilet install	2017	TBD	Not started	Location and type of toilet to be determined through planning for the development zone.
REG	16-669	2017-048	Benson Creek Falls	Parking feasibility study and design - Weigles entrance	2017	TBD	Underway	Survey and concept design underway this fall.
REG	16-668	2017-049	Benson Creek Falls	Parking - monitor and communicate with residents	2017	2017 Q4	Underway	Staff met with residents in mid-March to ensure open communication moving forward.
REG	Posac	2018-017	Wildwood/LHRT	Kiosk development and installtion - split with H	2018		Not started	Planned for 2018
REG	Staff	2018-018	Descanso	Septic field studies	2018		Underway	Existing system pumped and inspected by Enviromental Health Officer. Awaiting Report.
REG	Mngmnt Plan	2018-019	Benson Creek Falls	Kiosk	2018		Not started	Planned for 2018
REG	Staff	2018-020	Arboretum	Kiosk upgrade -design new sign with volunteers and install	2018		Not started	Planned for 2018
REG	Mngmnt Plan	2018-021	Moorecroft	Picnic shelter design/tender	2019		Not started	Report is going to fall RPTSC to prioritize project - proposed for 2019.
REG	Other	2019-004	Top Bridge	Reroute trail and parking lot in City of Parksville	2019		Not started	Planned for 2019. Timing depends on the City of Parksville.
REG		2020-003	Horne Lake Regional Trail	Construction	2019	2020	Not started	Construction planned to begin in 2019 and finish in 2020.
REG	Mngmnt Plan		Moorecroft	Toilets and Water line upgrade	2018		Not started	Report is going to fall RPTSC to prioritize project - proposed for 2018.
REG	Other		Fairwinds	Development - PDA		TBD	Completed	PDA amendments approved by Board.
REG - Other	Other	2016-019	Amazing Places: Top Bridge	Mount Arrowsmith Biosphere Region Research Institute (VIU)	2016	2017 Q4	Underway	Top Bridge made the list as top ten. Launch event held March 30 in Parksville. Amazing Places signage for Top Bridge installed at Top Bridge Crossing kiosk. Amazing Places brand now available for RDN use in promotion. Filming at Top Bridge to be undertaken before end of 2017 for use in Biosphere promotion.
REG- Other	Other		Tourism Vancouver Island Vancouver Island Trails Strategy	Phase 3 Exceptional Hiking Experiences Network (Vancouver Island Tourism)	2017		Underway	TVI putting together its Task Force to execute a Master Plan for Hiking Experiences on VI/Sunshine Coast.
REG - Other	16-654, 16-678, 17-019	2016-020	(Salish Sea Marine Trail) BC Marine Trail Network Association	Partnership agreement	2016	2017 Q4	Underway	Met with BC Marine Trail Association executive in March, partnership agreement drafted and agreement reached. Draft agreement to be presented to EASC in November.

Parks Work Plan
August 2017 Update

Service Area	Origin	Project #	Park	Description	Start Date	Completion	Progress	Comment
REG - Other	Staff	2017-018	Brochure	Reprint	2017	2017 Q4	Reprint Completed	Reprint ordered with redesign planned for fall of 2017 to incorporate new acquisitions and developments. See project number 2017-051.
REG- Other	Staff	2017-051	Brochure	Design New Brochure/Print	2017	2018 Q2	Not started	Design to start at the end of the 2017.
REG - Other	Operational	2017-042	RPT Plan	Develop RFP. Work with consultant on plan development	2017	2018 Q4	Delayed	RFP to be prepared during summer for Board report in the fall of 2018.
REG - Other	Operational	2018-015	Trail Counters	Expand program	2018		Not started	Planned for 2018.
REG - Other	Other	2018-016	Park Zoning	With Planning Department	2018		Not started	Planned for 2018.
REG - Other	Operational	2020-002	Parks Warden Program	Redesign the program. Work with existing volunteers	TBD		On Hold	On hold until staff time is available.
REG - Other	Operational		Operator agreements	Monitor			Ongoing	Ongoing
REG - Other	Operational		Partnerships	Meetings and on-going communication with partners			Ongoing	Ongoing
REG CAP	Board	2014-001	Morden Colliery	Lease upgrade	2014	TBD	Underway	Waiting to for processing update from Province.
REG CAP	Board	2016-022	E&N -- Coombs to Parksville Rail Trail	Construction	2016	2017 Q2	Underway	The trail opened for use in December. Deficiencies completed spring. Installation of beacons and parking controls completed in August.
REG CAP	Board	2017-022	E&N -- Coombs to Parksville Rail Trail	Amenities and signs install	2017	2017 Q3	Underway	Garbage cans and regulation signs installed, way marking signage to be installed by end of August. Kiosk signage in final drafting stage; to be ready for production and installation mid-September. Benches to planned and installed over fall-winter.
REG CAP	17-229	NEW 2017-059	E&N -- Coombs to Parksville Rail Trail	Closure of trail to horses for 2 months	2017	2017 Q2	Completed	Closure ended once compaction of trail was complete.
REG CAP	16-670	2017-031	Benson Creek Falls	Stair design, bridge design	2017	TBD	Underway	Consulting team in place, project kick-off meeting complete.
REG CAP	16-670	2017-032	Benson Creek Falls	Geo technical study of the slope for stair and bridge development	2017	TBD	Underway	Consulting team in place, project kick-off meeting complete.
REG CAP	15-201 384	17-2017-035	Little Qualicum	Bridge upgrades	2017	2017 Q4	Changed to 2107-069	Consulting team in place, design kick-off meeting complete. Surveying underway, Enviromental Permit applications underway.
REG CAP	17-386	NEW 2017-068	Little Qualicum	Design and Construction of a new bridge be included for consideration in the 5-year plan	2017	2017 Q4	Not started	Funding and timing will be included in the 2018 budgeting process.
REG CAP	17-385	NEW 2017-069	Little Qualicum	Removal of the bridge.	2017	2018 Q3	Underway	Completion planned for September.
REG CAP	Mngmnt Plan	2017-041	Moorecroft	Washroom -detailed design and construction	2017	TBD	Not started	Type of washroom and location to be determined through planning process for the development zone.
REG CAP	16-124,14-755,14-754	2017-047	Morden Colliery	Bridge and trail design and tender	2017	2018 Q2	Delayed	Project delayed because of ALC development application process.

TO: Area F POSAC

DATE: Oct 11, 2017

FROM: Renée Lussier, Parks Planner

FILE: n/a

SUBJECT: Meadowood CP washroom vandalism

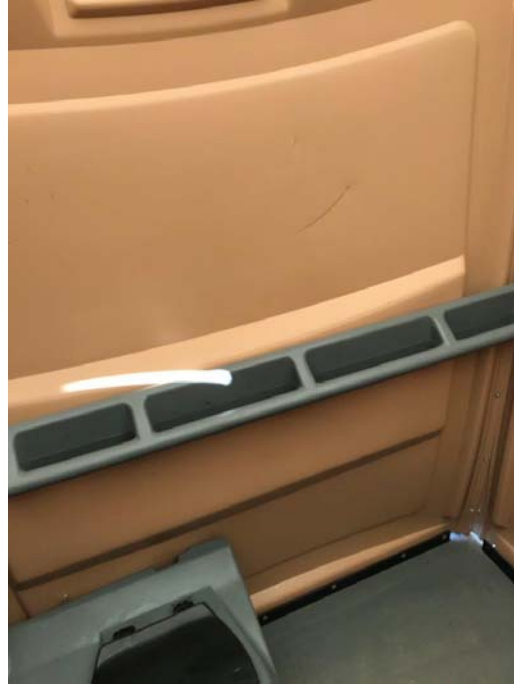
The washroom facility at Meadowood Community Park is consistently being vandalized. Our Parks Operations Staff have had to repeatedly clean the outdoor walls of mud spray from dirt bike roostertailing and repair a caved-in roof. The supplier and maintenance company, DBL have found head sized boulders thrown into the toilet tank that need to be retrieved manually as it would gravely damage the pumper truck otherwise. Recent damage includes cuts to the inside walls and the paper dispenser with what appears to have been a hatchet.



Map of Meadowood CP with washroom circled in red

The washroom is located at the playground site in Meadowood CP. The playground is infrequently used; with upcoming plans for a new Community Centre, the frequency of use is likely to increase in the future. The question is do we pay to maintain and/or replace a washroom that is consistently vandalized or do we remove the unit now and wait for a washroom facility within a new Community Centre?

Below are the images of the recent damage.



3 images of cuts to the interior walls and dispenser with a hatchet

Parks Operations Staff have repaired the damage to the unit. Subsequent replacement of the unit will be at RDN Parks' expense.



Repair to the unit by Parks Operations Staff

Your input is most welcome.

Regards,

A handwritten signature in black ink, appearing to read 'R. Lussier'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Renée Lussier, Parks Planner

Proposed Development

The application includes the construction of a 35 unit townhouse development in nine buildings with three to four units in each building. The proposed units will be two-storeys and will include two bedrooms plus a den/guest room or family room, kitchen, living and dining area and either a one or two car garage. The proposed development is situated on the upper or southern portion of the parcel leaving a significant portion of the site undeveloped with its native landscape largely undisturbed. The site will have access from both from Bromley Place and Bonnington Drive and access within the site will be via a private strata road.

Land Use Implications

The applicant has submitted a detailed site plan, building elevations and floor plans, and design rationale prepared by Collabor8 Architecture + Design Inc. in support of the application (see Attachment 3 - Site Plan and Attachment 4 - Building Elevations). The applicant has also provided a landscape plan prepared by LADR Landscape Architects, dated November 7, 2017 (See Attachment 5 - Landscape Plan) as well as a Technical Memorandum - Pre-Design Site Servicing Report prepared by Koers & Associates Engineering Ltd., dated May 10, 2017, and detailed plans showing existing topography, site servicing and road concepts.

To address the Form and Character DPA guidelines the applicant has provided a design rationale consistent with the guidelines for multi-unit residential development noting that the character of the development is in keeping with the surrounding rural residential lands. Each building contains three to four two-storey units designed to integrate with the adjacent single family dwellings while diversifying the range of housing types currently available within the overall Fairwinds area. All units have been designed with ground level entry and blend with the natural topography of the site, minimizing major civil works and maintaining the existing landscape on a portion of the property. The buildings incorporate a combination of cedar wood at entrance doors and stone cladding that will be sourced from existing rock on the site as well as wood composite siding, fibre cement panel and metal roofs. Each unit includes large view facing patios and balconies designed to take advantage of panoramic downslope views to the Fairwinds development and ocean beyond.

In keeping with the DPA guidelines, the landscape plan has been designed to include a variety of deer resistant, drought tolerant, native and adaptive plants throughout the site as well as 'eco-lawn' or similar drought tolerant slow growing lawn for front lawn areas. The applicant has provided a detailed cost estimate for materials and is required to provide a landscaping security deposit in the amount of \$246,661 (see Attachment 2 – Conditions of Permit). Off-street visitor parking areas have been clustered and include landscaped areas consistent with the Form and Character DPA guidelines. Street lighting will be provided within the site similar to the street lighting on Bonnington Drive and will include ornamental luminaires with LED lights. No signage is proposed for the development.

The Technical Memorandum – Pre Design Site Servicing Report prepared by Koers & Associates Engineering Ltd. outlines the design approach for the civil engineering components of the development including proposed access, site grading, storm drainage, sanitary sewer and water main infrastructure. Detailed design for all civil works will be provided by the applicant for Regional District of Nanaimo (RDN) review at the time of subdivision and/or building permit stage.

Environmental Implications

The applicant has provided an assessment report prepared by Cascadia Biological Services dated May 10, 2017 to address the Sensitive Ecosystems Protection DPA guidelines. This report concludes that the vegetation on-site does not meet the definition of a sensitive eco-system due to stand composition and previous disturbances in the surrounding eco-system. The assessment report identifies two areas where site preparation and tree removal are required. The Primary Cut Area (PCA) is approximately 27,969 m² in area and the Secondary Cut Area (SCA) is approximately 11,880 m² where selected trees would be removed to allow improvement of the stand composition through selective thinning. The report includes a number of recommendations for works within development permit areas including that development of the site adhere to current government regulations including but not limited to Best Management Practices – Develop with Care: Environmental Guidelines for Urban and Rural Land Development in BC. These requirements are included in Attachment 2 – Conditions of Permit.

Intergovernmental Implications

The application was referred to the local fire department and the Ministry of Transportation and Infrastructure (MOTI). The Nanoose Volunteer Fire Department indicated that the site provides adequate access for firefighting and that any concerns with respect to roof top access can be addressed at the building permit application phase. The MOTI have granted preliminary approval for the proposed development and have confirmed that valid permits will be required for any works or installation of utilities within public road dedications and that all parking is to be contained within the development.

ALTERNATIVES

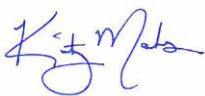
1. To approve Development Permit No. PL2017-058 subject to the conditions outlined in Attachments 2 to 5.
2. To deny Development Permit No. PL2017-058.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2017 – 2021 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal is in keeping with the 2016 – 2020 Board Strategic Plans “Focus on the Environment” which states that the Board will focus on protecting and enhancing the environment in all decisions. The DPA guideline requirement for a biological assessment helps ensure that site-specific environmentally sensitive features are identified and that the impacts of development on the environment are identified and mitigated.



Kristy Marks
kmarks@rdn.bc.ca
November 10, 2017

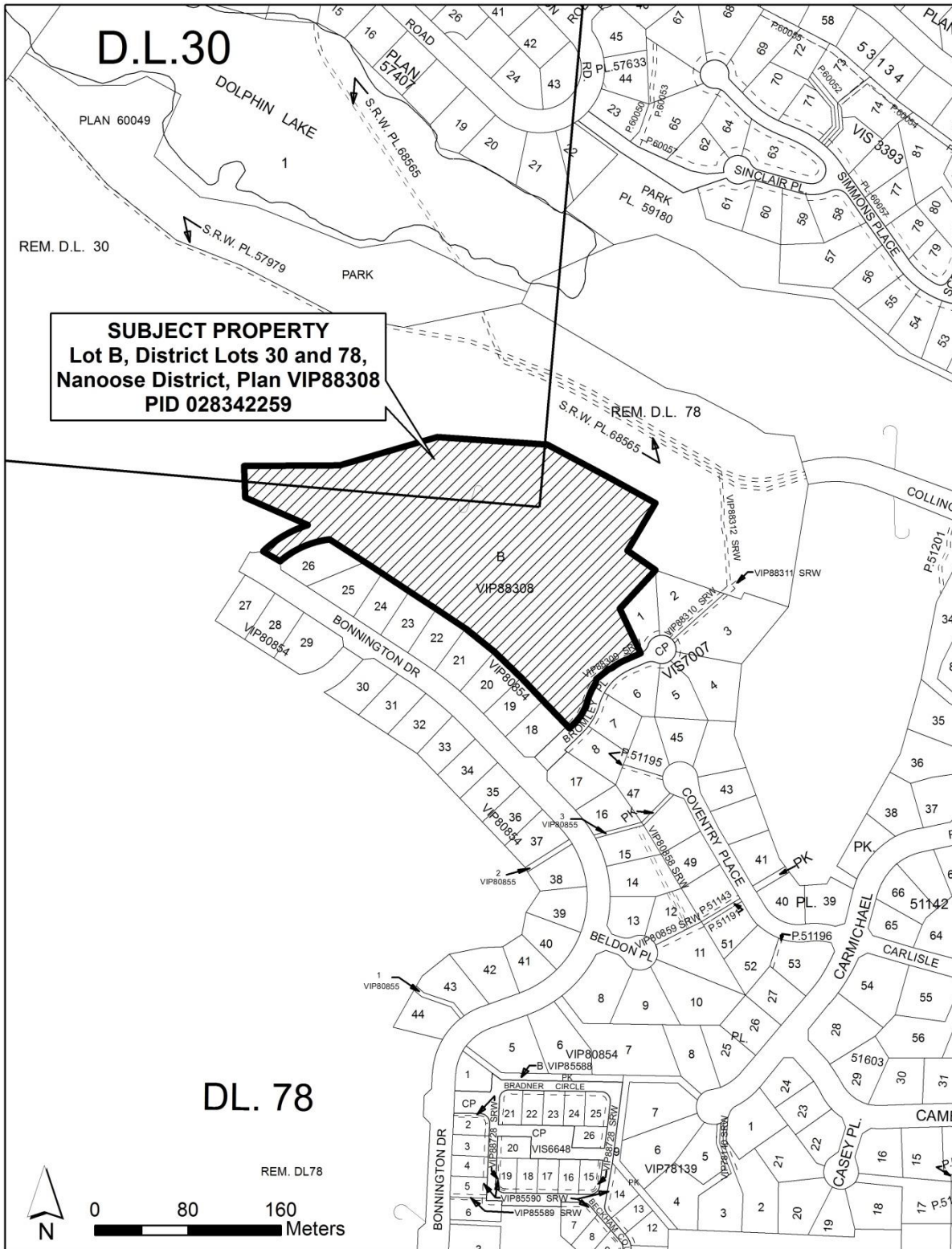
Reviewed by:

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

Attachments

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

Attachment 1
Subject Property Map



Attachment 2
Conditions of Permit
(Page 1 of 2)

The following sets out the conditions of Development Permit No. PL2017-058:

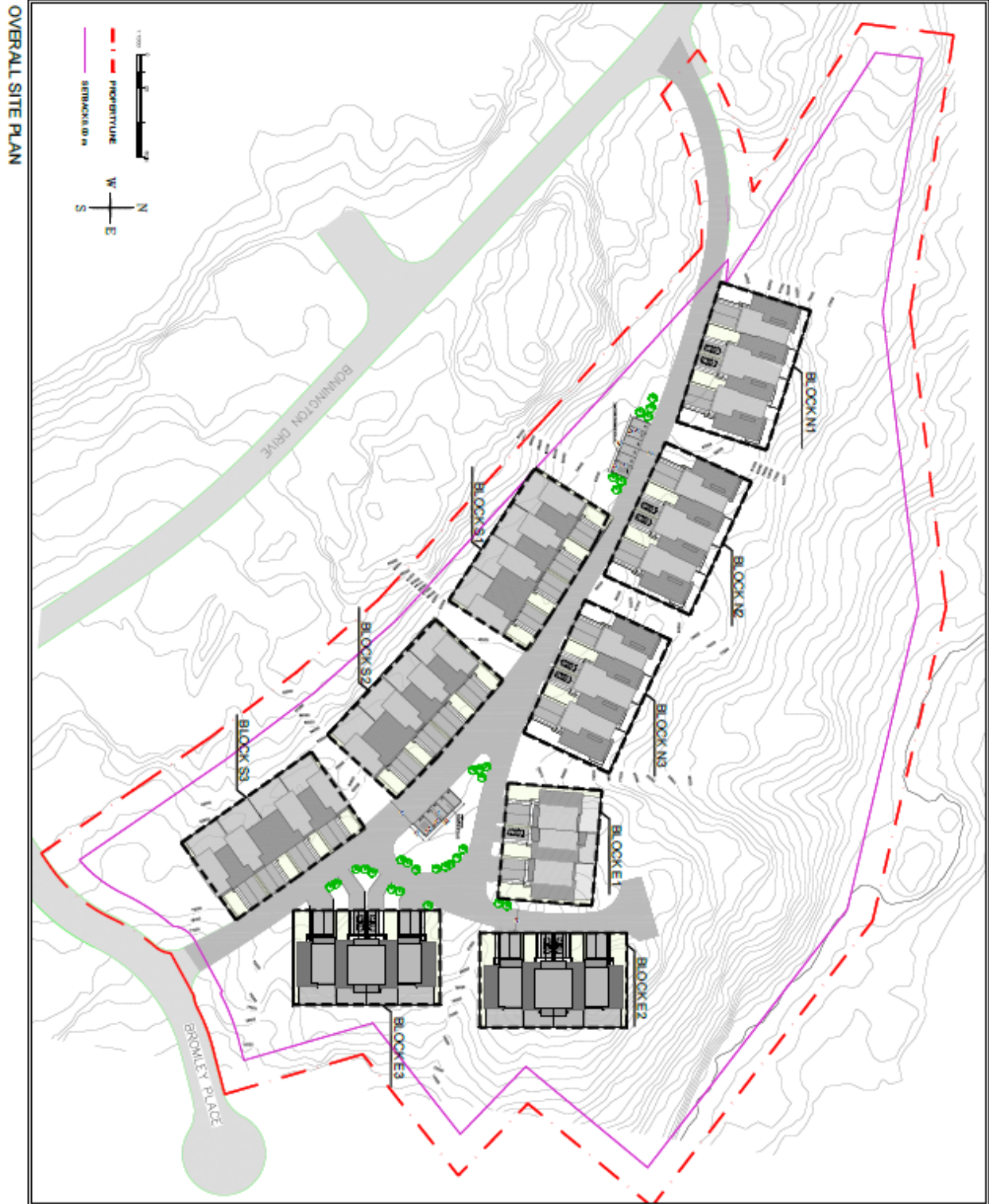
Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Collabor8 Architecture + Design Inc., dated October 17, 2017 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Collabor8 Architecture + Design Inc., dated October 17, 2017 and attached as Attachment 4.
3. The subject property shall be developed in accordance with the recommendations contained in the assessment report prepared by Cascadia Biological Services dated, May 10, 2017 including but not limited to the following:
 - A Professional Biologist on site will strictly monitor all work within the DPA and adhere to all recommendations as outlined in the BMP - Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia. As well as:
 - Ensure construction will proceed smoothly without harmful alteration of habitat;
 - Provide long-term monitoring for disturbed sites until green-up is established and the soils at the site are stable.
 - Heavy equipment (excavators etc.) working in and around the DPA will be monitored for leaks (oil, hydraulic fluid, etc.) daily.
 - Sediment control measures will be installed along the perimeter of disturbed areas where required.
 - Sensitive habitats within construction areas will be flagged/delineated with high visibility flagging and fencing in order to minimize impacts and overall disturbances.
 - Detailed direction to contractors will be given to ensure that no erosion or sediment movement will occur and that no silt will be released to watercourses during the construction and post construction phase.
 - Minimize tree cuts in identified area(s) where feasible
4. The proposed landscaping shall be provided and maintained in accordance with the Landscape Concept Plan prepared by LADR Landscape Architects, dated November 7, 2017 and attached as Attachment 5.
5. The applicant shall provide a landscaping security in the amount of \$246,661 to be held until all of the landscaping works required in Attachment 5 have been completed to the satisfaction of the RDN. Upon completion, a one-year written guarantee from a landscape contractor shall be required, otherwise 25% of the landscaping cost will be retained to ensure proper maintenance for a one year period.

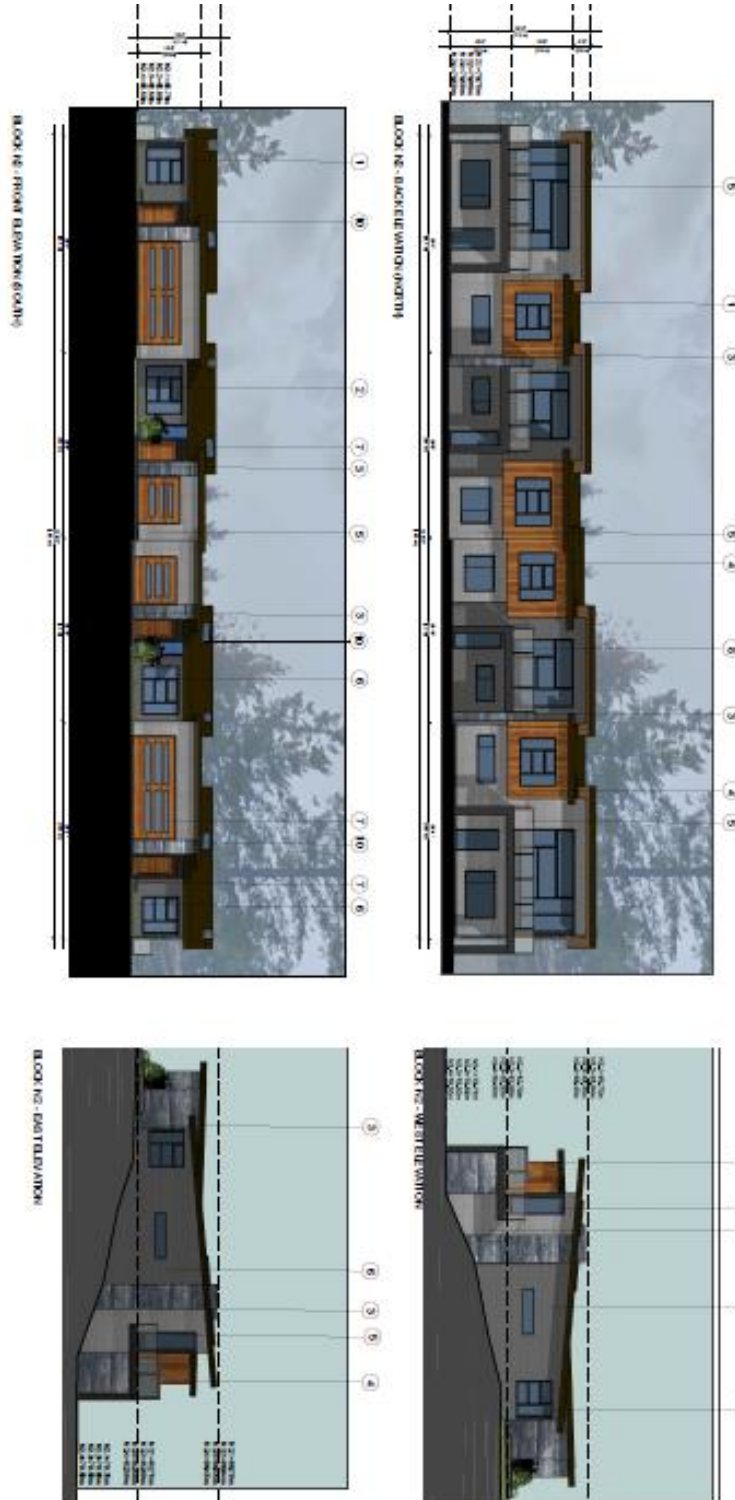
Attachment 2
Conditions of Permit
(Page 2 of 2)

6. Storm water infiltration areas identified on the Landscape Concept Plan shall be designed and certified by a professional engineer.
7. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

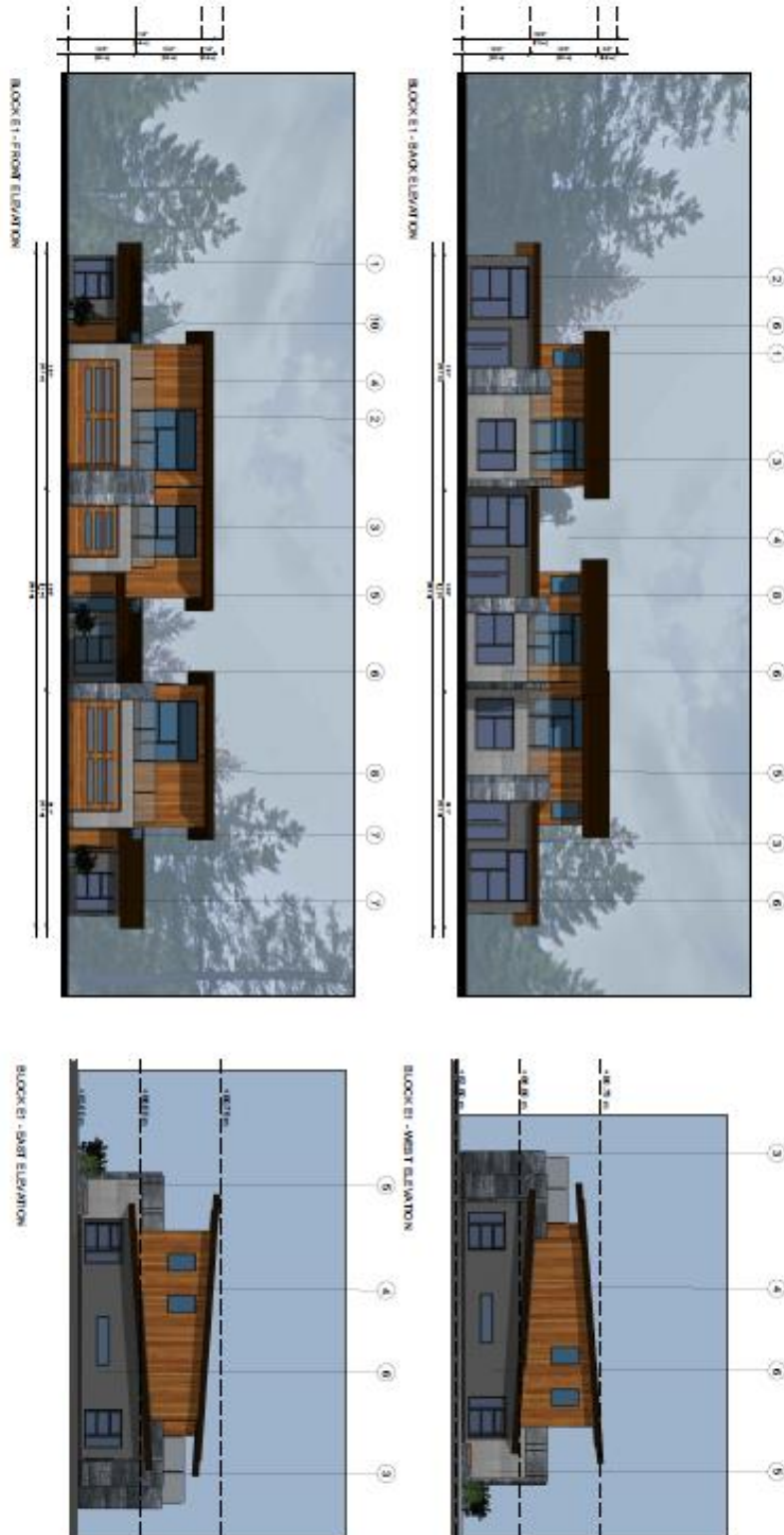
**Attachment 3
Proposed Site Plan**



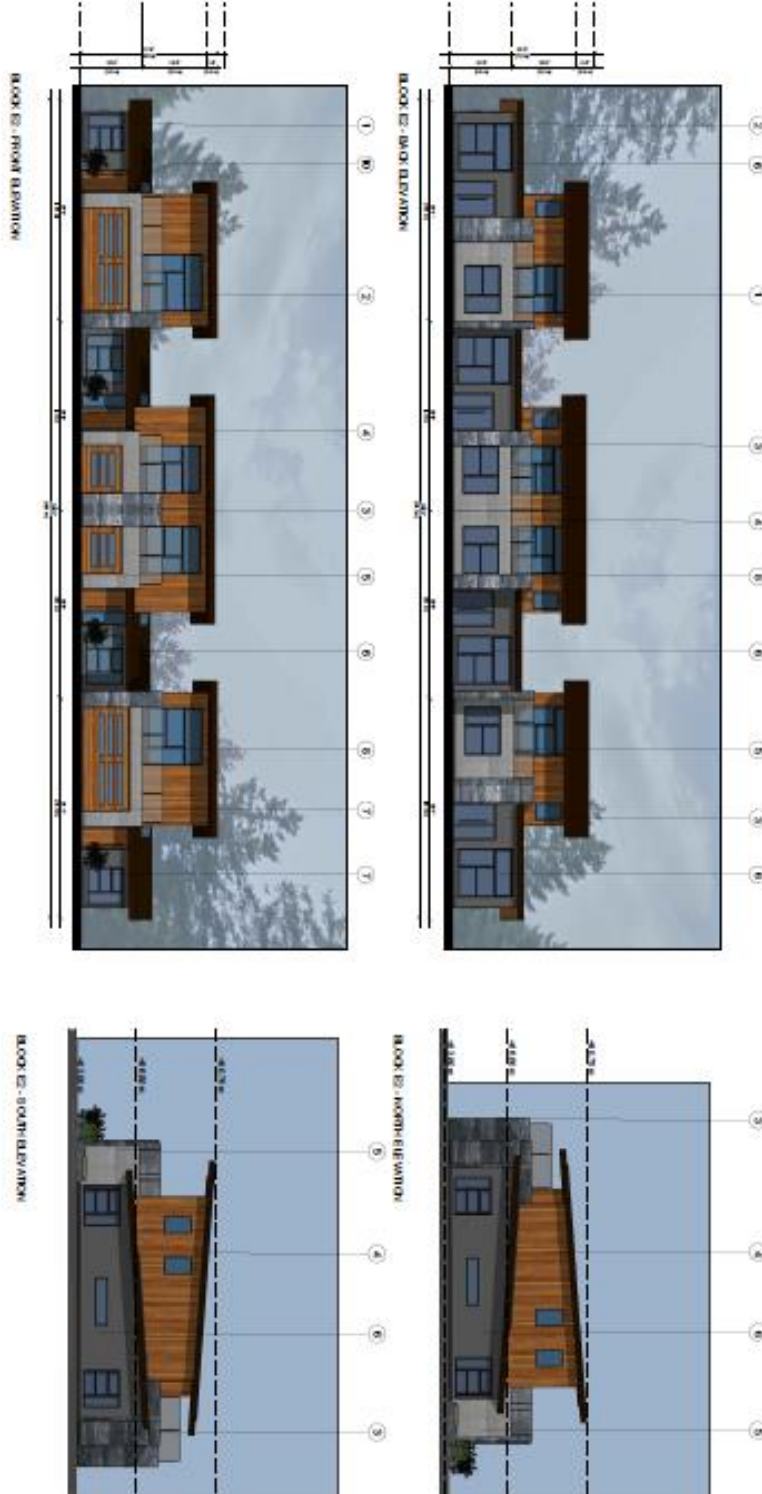
Attachment 4
Building Elevations
(Page 2 of 7)



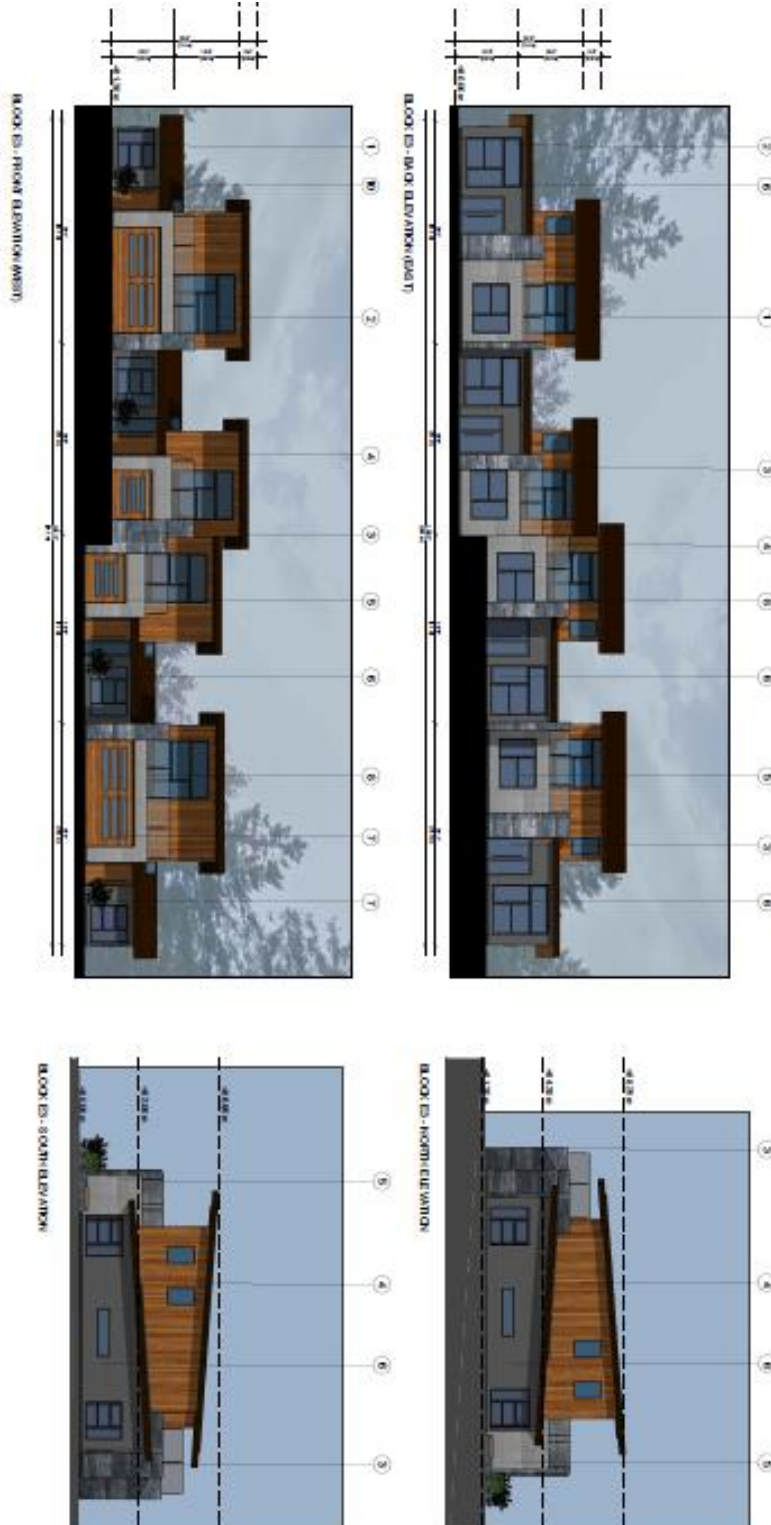
Attachment 4
Building Elevations
(Page 3 of 7)



Attachment 4
Building Elevations
(Page 4 of 7)



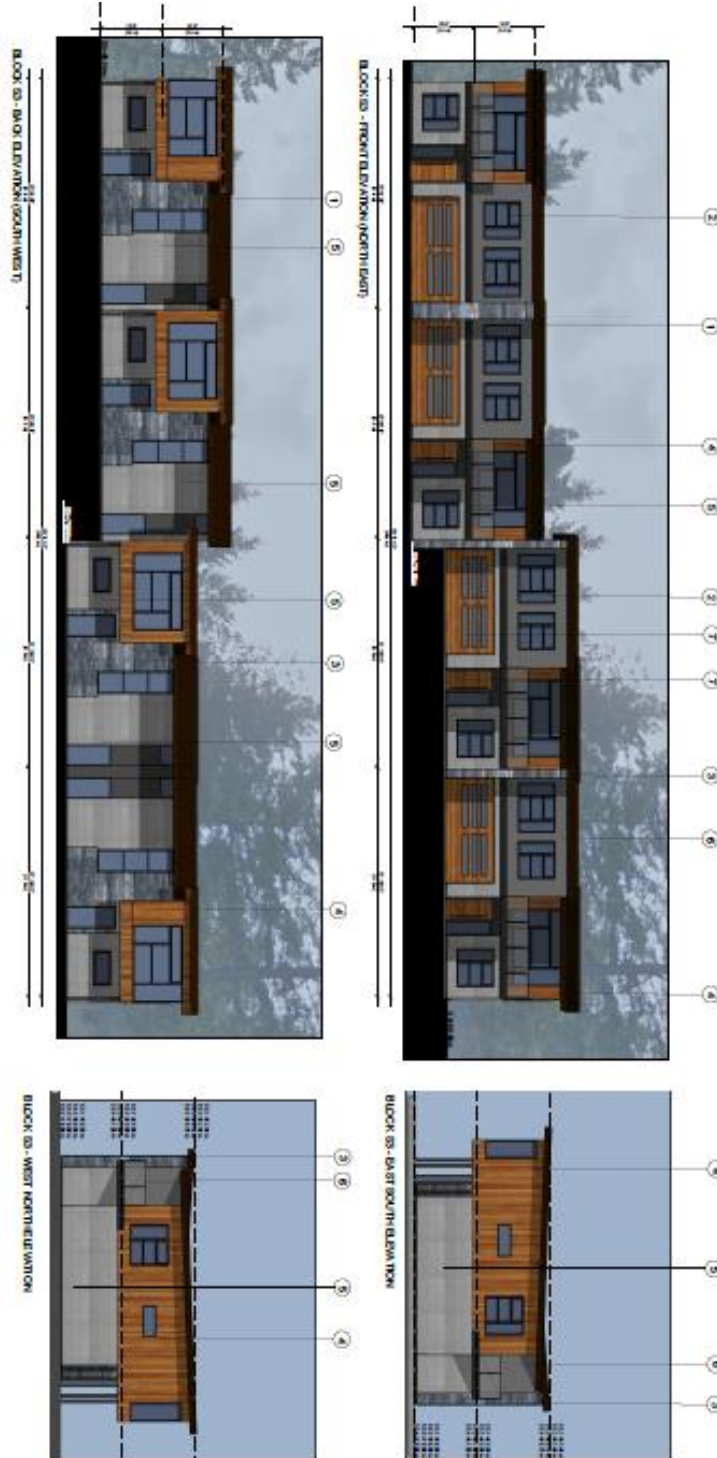
Attachment 4
Building Elevations
(Page 5 of 7)



Attachment 4
Building Elevations
(Page 6 of 7)



Attachment 4
Building Elevations
(Page 7 of 7)



**Attachment 5
 Landscape Plan
 (Page 1 of 4)**



**Attachment 5
 Landscape Plan - Detail
 (Page 2 of 4)**



DATE: 1/26/18

1. PREPARED BY	DATE
2. CHECKED BY	DATE
3. APPROVED BY	DATE
4. PROJECT NO.	
5. SHEET NO.	
6. TOTAL SHEETS	

FAIRWINDS - OCEAN RIDGE TOWNHOUSES
 LANDSCAPE IMAGE BOARD
L.02

Attachment 5
Landscape Plan – Recommended Plantings
 (Page 4 of 4)

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AcC	2	Acer circinatum	Vine Maple	2.5m ht & min 3 stems
AcGr	12	Acer griseum	Paperbark Maple	5cm cal
AcPaO	3	Acer palmatum 'Osakazuki'	Osakazuki Japanese Maple	4cm cal.
AlRu	8	Alnus rubra	Red Alder	5cm cal
GbAG	21	Ginkgo biloba 'Autumn Gold'	Autumn Gold Maidenhair Tree	6cm cal
LavO	4	Lavandula officinalis	English Lavender	#1 pot
PiOm	3	Picea omorika	Serbian Spruce	2m ht.
PsM	46	Pseudotsuga menziesii	Douglas Fir	1.5m ht.
QuC	14	Quercus coccinea	Scarlet Oak	6cm cal
QuG	39	Quercus garryana	Garry Oak	4-5cm cal; 1.5m ht.

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
BeTR	12	Berberis t. f. atropurpurea 'Rose Glow'	Rose Glow Japanese Barberry	#5 pot
MaMC	25	Mahonia x media 'Charity'	Charity Mahonia	#7 pot

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
CiH	231	Cistus x hybridus	White Rockrose	#3 pot
HyMLW	24	Hydrangea macrophylla 'Lanarth White'	Lanarth White Hydrangea	#5 pot
MaA	143	Mahonia aquifolium	Tall Oregon Grape	#3 Pot
RibKE	181	Ribes s. 'King Edward VII'	King Edward VII Red Fl. Currant	#3 pot
VOva	13	Vaccinium ovatum	Evergreen Huckleberry	#7 pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
AchM	350	Achillea millefolium	Yarrow	#SP4 pot
BISp	86	Blechnum spicant	Deer Fern	#1 pot
HeS	72	Helictotrichon sempervirens	Blue Oat Grass	#1 pot
IpM	92	Ipomea batatas 'Margarita'	Margarita Ipomea	#SP4 pot
LavO	12	Lavandula officinalis	English Lavender	#1 pot
Mis	60	Miscanthus sinensis 'Yaku Jima'	Dwarf Maiden Grass	#2 pot
PeAt	105	Perovskia atriplicifolia	Russian Sage	#1 pot
RudCG	452	Rudbeckia fulgida 'City Garden'	City Garden Black Eyed Susan	#SP4 pot
SSyl	169	Salvia sylvestris 'May Night'	Wood Sage	#SP4 pot
StTi	22	Stipa tenuissima	Mexican Feather Grass	#1 pot

Groundcovers

ID	Quantity	Botanical Name	Common Name	Size
AcUV	389	Arctostaphylos uva ursi 'Vancouver Jade'	Vancouver Jade Kinnickinnick	#1 pot

Notes:

1. All work to be completed to current BCSLA Landscape Standards
2. All soft landscape to be irrigated with an automatic irrigation system until established.
3. All plants to be nursery grown & meet form expectations as indicated in current Canadian Standards for Nursery Stock

The property contains a dwelling unit and a number of recently constructed accessory buildings, agricultural buildings, vegetable gardens, and recently established hay and pasture lands. The property is serviced by on-site water and wastewater disposal.

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

- Hazard Lands DPA;
- Environmentally Sensitive Features DPA; and,
- Farmland Protection DPA.

Proposed Development

A development permit is required to allow the construction of a proposed dwelling unit. A DP is also required to address the construction of farm buildings and accessory buildings as well as vegetation removal and land alteration which occurred on the subject property without the required development permit.

Land Use Implications

Farmland Protection DPA

The Farmland Protection DPA guidelines apply to a portion of the south property line of the subject property as it is adjacent to lands located in the Agricultural Land Reserve. This application has adequately addressed the Farmland Protection DPA guidelines.

In support of this application, the applicant has provided a site plan prepared by JE Anderson & Associates dated September 19, 2016 (see Attachment 2). The site plan does not show all buildings, structures, and other land alteration and vegetation removal that were apparent as of an August 22, 2017 site visit and is not adequate to address the Hazard Lands and Environmentally Sensitive Features DPA guidelines.

Although the applicant has provided information in support of this application, there a number of Hazard Lands and Environmentally Sensitive Features DPA guidelines that have not been satisfied. While all of the applicable DPA guidelines should be met, those DPA guidelines identified as ‘Yes’ in column 4 of Attachment 3 are significant enough to be included as recommended reasons to deny the application at this time. Should a new application be received, the applicant would need to demonstrate consistency with all of the DPA guidelines. The following provides an overview of the Hazard Lands and Environmentally Sensitive Features DPA guidelines that form the basis for this application to be denied.

Hazard Lands DPA

To address the Hazard Lands DPA guidelines, the applicant submitted a Geotechnical Hazards Assessment prepared by Lewkowich Engineering Associated Ltd. dated October 20, 2016. The geotechnical engineering report does not provide sufficient information to demonstrate consistency with DPA guidelines 2, 8, 11, and 13. Therefore, it is recommended that the requested DP be denied based on failure to comply with DPA guidelines 2, 8, 11, and 13. Additional information would be required from the applicant to demonstrate consistency with these DPA Guidelines. Please refer to

columns 3 and 4 of Attachment 3 for a more detailed description of the information required to comply with the above Hazard Lands DPA guidelines.

Environmentally Sensitive Features DPA

In order to address the Environmentally Sensitive Features DPA guidelines, the applicant has submitted an Environmental Review of the proposed dwelling unit location prepared by Aquaparian Environmental Consulting Ltd. dated July 13, 2016. The review identifies that there is a forested swamp area located on the west portion of the subject property that is recommended to be retained. The report also recommends that a 30.0 metre riparian area adjacent to the Little Qualicum River be marked and allowed to revegetate. Although the report concludes that the proposed dwelling unit is not expected to result in any negative environmental impact, it was noted during a site visit conducted on August 22, 2017 that additional development activities had occurred on the subject property that have not been assessed. These include installation of a fence and a row of cedar trees in close proximity to the natural boundary of the Little Qualicum River that are contrary to the Environmental Review recommendations to allow the riparian area within 30.0 metre of the Little Qualicum River to naturally revegetate. Land alteration and vegetation removal also appeared to have occurred within the forested swamp area that the Environmental Review recommended be maintained.

The Environmental Review needs to be updated to address all land alteration and construction of buildings which has occurred on the subject property without a DP and to provide the information necessary to address Environmentally Sensitive Features DPA guidelines 7, 8, 10, and 26. Therefore, it is recommended that the requested DP be denied based on failure to comply with DPA Guidelines 7, 8, 10, and 26. Please refer to columns 3 and 4 of Attachment 3 for more detailed description of the information required to comply with the above DPA guidelines.

The applicant has been made aware of the outstanding information requirements and has been given multiple opportunities to submit the information necessary to demonstrate consistency with the DPA guidelines. In addition, the applicant committed to providing the required information but has not fulfilled the commitment despite being granted multiple extensions and additional time for the applicant's consultants to prepare the required information.

Section 490(2) of the *Local Government Act*, provides that a DP must only be issued in accordance with the applicable DPA guidelines. Based on the incompleteness of the information provided by the applicant, the application is inconsistent with the DPA guidelines, and as such, approving the requested permit at this time would be unlawful.

Reasons for Refusal

It is recommended that the requested development permit be denied on the basis that the issuance of a development permit for the subject property would not be in accordance with the applicable guidelines, for the reasons set out in columns 3 and 4 of Attachment 3 as outlined above with respect to the Hazard Lands and Environmentally Sensitive Features DPA's. If the Board denies the application, the applicant is entitled to be provided reasons for refusal.

ALTERNATIVES

No alternatives are provided as, at present, the Board does not have the legal authority to issue a valid DP under Section 490(2) of the *Local Government Act*.

Intergovernmental Implications

This application was referred to Qualicum First Nation as the property contains a mapped archeological site. No comments were received in response to the referral.

In support of this application, the applicant submitted an Alteration Permit from the Ministry of Forests, Lands, and Natural Resources Operations (FLNRO) to allow the alteration of archaeological site DiSc 0035 to accommodate the proposed development.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2017 – 2021 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The Plans “Focus on the Environment” states that the Board will focus on protecting and enhancing the environment in all decisions. Compliance with the Hazard lands DPA guidelines helps ensure that site-specific environmentally sensitive features are identified and that the impacts of development on the environment are identified and mitigated. Compliance with the Environmentally Sensitive Features DPA guidelines helps evaluate, prepare, and mitigate the impact of environmental events and climate change.



Greg Keller
gkeller@rdn.bc.ca
November 17, 2017

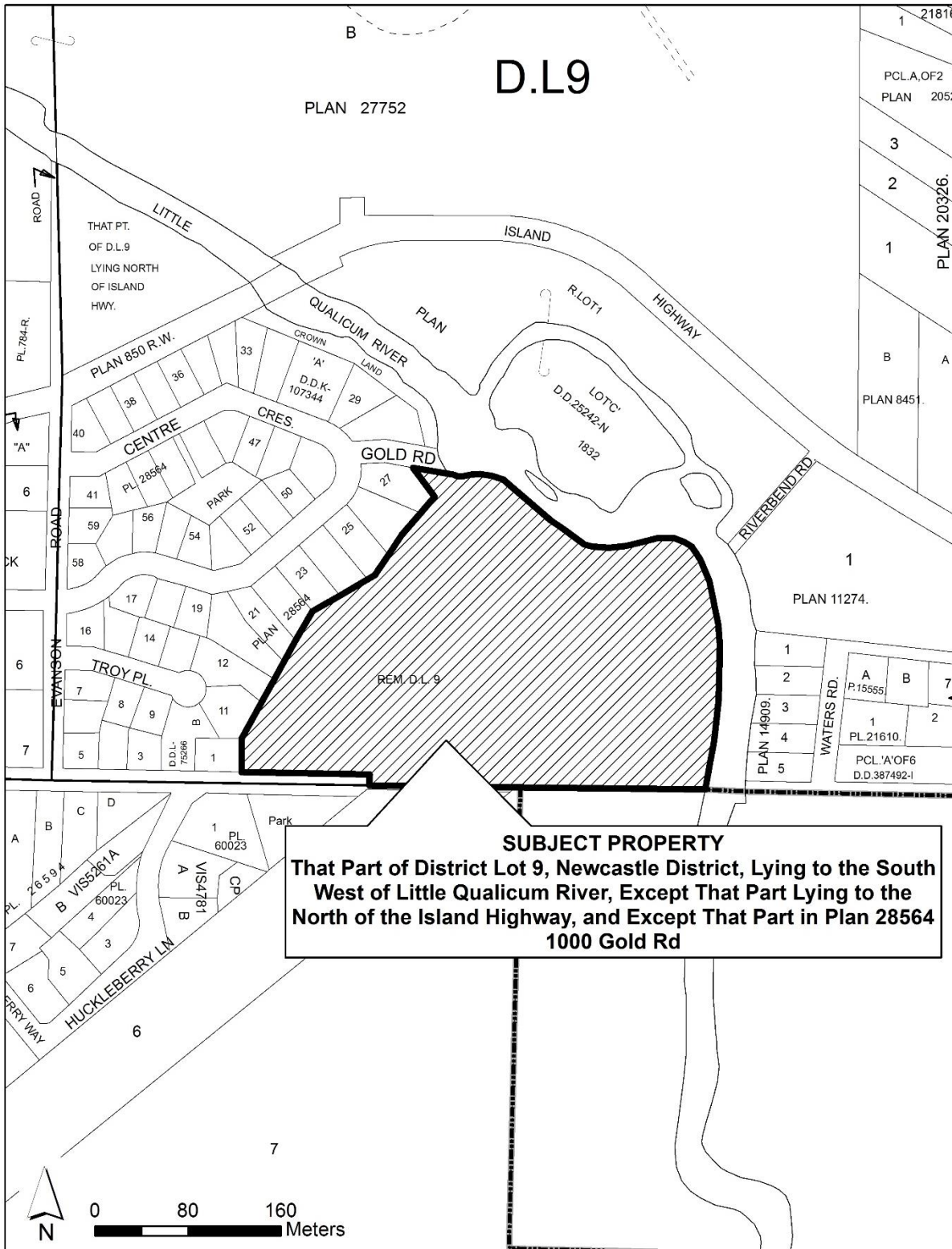
Reviewed by:

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

Attachments

1. Subject Property Map
2. Proposed Site Plan
3. Consistency with DPA Guidelines

**Attachment 1
 Subject Property Map**



**Attachment 3
 DPA Guidelines Consistency**

The following table includes a list of all of the DPA Guidelines that apply to the development and an outline of the current status of how this application addresses each guideline.

Hazard Lands DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed. If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
1. The applicant will work with the RDN to consider possible variances to the land use and subdivision bylaw to minimize encroachment into the Development Permit Area.	n/a	n/a	Whole property is within the Hazard Lands DPA
2. An assessment of the natural hazard by a geotechnical engineer or other qualified professional shall be required to determine if the site is safe for the intended use and to 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. The assessment should include proposals for vegetation protection, enhancement or retention, where applicable and must include a statement from the engineer or other qualified professional that says that in their opinion the property is safe for the intended use.	Two reports were provided. (April 15, 2015 and October 20, 2016). Indicates that land is safe for the intended use.	Yes	No - Information required: 1. Reports do not address recent pond construction or drainage. 2. Reports do not include proposals for vegetation protection in relation to steep slopes. 3. Reports do not assess downstream impacts or impacts on adjacent properties. 4. Reports do not address all buildings constructed without a DP. 5. Reports do not address land

Hazard Lands DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed. If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
			alteration in enough detail.
3. Where the placement of fill is proposed within a floodplain, the RDN shall require a report by a Professional Engineer that ensures that the placement of the proposed fill would not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, or result in higher flood flows or flood potential elsewhere in the floodplain.	The October 20, 2016 report provides a brief overview of the land clearing and levelling that were completed as of the date of the report.	No	No – Information Required: Report needs to address impact of land works on the passage of flood waters elsewhere in the floodplain.
4. The Regional District of Nanaimo may require a Section 219 covenant to register the qualified professional's report and to save the RDN harmless from all losses or damages to life or property as a result of the hazard.	Not yet	No	No – Information Required: This would be required as a condition of issuance.
5. Where the possibility of an impact(s) exists, the RDN may require an applicant to supply a drainage, sediment, and/or erosion plan complete with recommendations for implementation prepared by a professional engineer or a person with similar qualifications, to the satisfaction of the Regional District of Nanaimo.	Not provided	No	No – Information Required: Details with respect to how the dwelling unit will be elevated to meet recommended 5.5 m FCL and how rock will be placed to protect the dwelling unit from erosion and floodborne debris as recommended. Sediment and erosion control not addressed.

Hazard Lands DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed. If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
			Drainage from the pond and slope not addressed.
6. Where the possibility of an impact(s) exists, the RDN may require the applicant to supply a re-vegetation plan to the satisfaction of the Regional District of Nanaimo.	Not provided	No	No – Information Required: Must address vegetation removal on slope.
7. Where the applicant's qualified professional recommends revegetation and/or enhancement works within the Development Permit Area, the RDN shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person.	n/a	No	n/a
8. Mitigation and restoration measures shall be required as recommended by a qualified professional as a condition of development approval.	Measures recommended include elevating the dwelling unit to meet 5.5 m FLC and protecting it with large rocks.	Yes	No – Information Required: Plan showing details on how dwelling will be elevated and protected from flood waters by rock as recommended. Accessory buildings need to be addressed by the geotechnical engineer. Need cross section

Hazard Lands DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed. If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
			showing how dwelling unit will be elevated Need to show rock armoring on site plan and proposed cross-section.
9. All development proposals should be designed in substantial compliance with the guidelines contained in the document: "Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia" published in March 2006 by the Ministry of Environment.	Not addressed	No	No – Information Required: Geotechnical Engineers Report should refer to Section 2.8.1 of the Develop with Care Document and should consider and manage future flooding risks associated with climate change.
10. Where there is no alternative to use flood prone lands for development, such development is to be located only where there is no risk to life and where measures can be taken to safeguard buildings from flood or erosion damage as determined by a Qualified Professional.	Report indicates that the property is safe for the intended use (proposed dwelling unit).	No	Yes - DPA Guideline satisfied
11. Swamps and wetlands shall be maintained in their natural state to enhance natural flood storage and protect environmentally sensitive ecosystems.	Land alteration appears to have occurred to the forested swamp area identified in the Aquaparian report.	Yes	No – Information Required: Drainage assessment. Confirm if

Hazard Lands DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed. If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
			alteration has occurred (near pond and pasture area)
12. Development or subdivision of land should be designed to: <ul style="list-style-type: none"> a. replicate the function of a naturally vegetated watershed b. maintain the hydraulic regime of surface and groundwater and predevelopment flow rates; c. not interfere with groundwater recharge; d. not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands. 	Land use is primarily agriculture with minimal impervious surface.	No	Yes - DPA Guidelines satisfied
13. Where development in the Hazard Lands Development Permit Area is deemed necessary, the development will: <ul style="list-style-type: none"> a. be designed to ensure that development can withstand the hazard and that the property is safe for the use intended; b. take a form that minimizes the area of encroachment into and impact on the Hazard Lands Development Permit Area; c. be located so as to cause the least impact on the environmental values of the Hazard Lands Development Permit Area; d. be conducted at a time of year and use construction methods 	Not addressed	Yes	No – Information required: Geotechnical Engineer's report needs to address encroachment into the DPA, sediment and erosion control, and revegetation plan.

Hazard Lands DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed. If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
that minimize the impact on the Hazard Lands Development Permit Area; e. require works to be constructed to preserve, protect, restore or enhance habitat, natural watercourses or other specified natural features of the environment.			

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
1. The location and characteristics of the environmentally sensitive features identified on Map No. 9 of this Plan are intended for convenience only. Ground truthing may be required to accurately determine the geographical location and characteristics of the features identified.	July 12, 2016 Aquaparian report provides biological assessment.	No	Yes - DPA Guideline satisfied
2. Where the possibility of an impact(s) exists, the RDN shall require the applicant to supply an assessment, prepared by a registered professional biologist or person with similar qualifications, and acting in their area of expertise, which inventories the existing environmentally sensitive feature(s) and assesses the environmental impact of the proposed development and prescribes appropriate recommendations for construction, mitigation, and protection of habitat, to the satisfaction of the RDN.	July 12, 2016 Aquaparian report provides biological assessment.	No	No – Information Required: Updates to the report are required as outlined below.
3. The Regional District of Nanaimo, as a condition of the issuance of a development permit, shall, where feasible require compliance with any or all conditions recommended in the report prepared by the Registered Professional Biologist.	Will address at report writing stage.	No	n/a
4. Where the applicant's biologist or qualified professional	Not provided	No	No – Information Required:

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
recommends revegetation and/or enhancement works within the Development Permit Area or elsewhere on the subject property, the RDN shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape Architect or other qualified person to the satisfaction of the Regional District of Nanaimo.			Revegetation plan to satisfy DPA Guideline 8 below.
5. Development or subdivision of land should be designed to: a. replicate the function of a naturally vegetated watershed; b. maintain the hydraulic regime of surface and groundwater and pre-development c. flow rates; d. not interfere with groundwater recharge; e. not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.	Not addressed	No	No – Information Required: Information required to address potential land alteration within the forested swamp area and potential impact of the pond excavation and creation of pasture in the forested swamp area.
6. The applicant will work with the RDN to consider possible variances to the land use and subdivision bylaw to minimize encroachment into the Development Permit Area.	n/a	No	n/a
7. If development or alteration of land is proposed within the Development Permit Area, it	Aquaparian report recommends retaining the	Yes	No – Information Required:

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
shall be located where it will cause the least impact on the environmentally sensitive features within the Development Permit Area. Notwithstanding, this policy, development shall only be supported in areas with environmentally sensitive features if the applicant can provide compelling reasons supported by a qualified professional's recommendation to support the request.	forested swamp area.		Report needs to assess any alteration that has occurred in the forested swamp area and provide recommendations for mitigation is necessary.
8. Where an applicant is proposing to disturb native vegetation within this Development Permit Area, the RDN shall require the applicant to supply a revegetation plan to the satisfaction of the Regional District of Nanaimo.	Not addressed	Yes	No – Information Required: Significant native vegetation was removed without a DP. A revegetation plan is required. An itemized cost estimate and security deposit for revegetation are required.
9. Construction at a time of year and using construction methods that minimize the impacts on the Development Permit Area shall be required.	Aquaparian report recommend that earthworks be completed during the dry season if possible and that if not requires sediment and erosion control measures.	No	Yes - DPA Guideline satisfied
10. In order to ensure that	The Aquaparian	Yes	No – Information

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
unnecessary encroachment does not occur within the Development Permit Area at the time of construction, permanent or temporary fencing measures may be required.	report recommends that the 30 m SPEA be measured and marked and allowed to revegetate in the areas that have been over-cleared.		Required: The areas to be revegetated must be defined and included in the revegetation plan.
11. On parcels where development (including tree and vegetation removal) is proposed for an area with a slope of 30 percent or greater, the RDN may require the applicant to supply a report, prepared by a professional geotechnical engineer, indicating that slope stability will not be jeopardized and soil erosion and site mitigation measures can be implemented, to the satisfaction of the Regional District of Nanaimo.	Geotechnical Engineer's report provided	No	Yes - DPA Guideline satisfied
12. All development proposals are subject to the requirements and procedures of the <i>Fish Protection Act</i> and the Riparian Areas Regulation.	N/A	No	Agriculture is exempt from the Riparian Areas Regulation and residential use is not located in the Riparian Assessment Area.
13. Development applications shall generally comply with the environmental protection policies contained in Sections 2.1-2.8 of this Plan.	Not addressed	No	No – Information Required: Application does not address Environmentally Sensitive Ecosystems

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
			policy 11 and 12. The revegetation plan should move towards consistency and mitigating impacts.
14. All development proposals should be designed in substantial compliance with the guidelines contained in the document: "Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia" as amended from time to time published in March 2006 by the Ministry of Environment.	Not addressed	No	No – Information Required: Aquaparian report should reference Develop with Care.
15. The Regional District of Nanaimo may require a Section 219 covenant to be prepared at the applicant's expense and to the satisfaction of the RDN, specifying areas that must remain free from development and/or protecting an environmentally sensitive feature.	Not addressed	No	No – Information Required: Focus on forested swamp area and revegetation area identified by Aquaparian.
16. Rain water should be managed on site and no increase or changes to off-site rain water flows should be supported.	Not addressed	No	No – Information Required: Drainage in relation to the pond and drainage coming from adjacent properties should be addressed by

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
			Geotechnical Engineer.
17. The use of rain gardens, vegetated swales, a reduction in impervious surfaces, and other technologies for managing rain water on site should be included in all development proposals considered in this Development Permit Area.	Partially addressed by Aquaparian report by recommending that the forested swamp area be retained.	No	No – Information Required: Locate the forested swamp area on the site plan.
18. The Regional District of Nanaimo shall consider the site-specific natural features, ecological processes that support fish, riparian function, wildlife ecology, and unique ecosystems. These include, but are not limited to: a. maintenance of an effective visual and sound (natural vegetated) buffer around eagle and heron nesting sites or the sensitive ecosystem; b. vegetation, trees, snags, and root systems; c. rare and uncommon species and plant communities; d. soils and soil conditions (moisture, nutrients and permeability); e. bird and other wildlife and their habitats, such as nesting and breeding areas; f. maintenance of linkages with adjacent sensitive ecosystems to minimize g. fragmentation;	Aquaparian report provides assessment/	No	Yes - DPA Guideline satisfied

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
h. topography and relative orientation of features on neighbouring properties; i. wildlife habitat, including but not limited to wildlife breeding areas as well as nesting and perch trees; j. appropriate timing of construction; and, k. maintenance of linkages with adjacent sensitive ecosystems to minimize l. fragmentation.			
19. Best practice fire mitigation techniques shall be considered where they minimize impacts on the environmentally sensitive features and ecological function within the Development Permit Area.	n/a	No	Not applicable as property has significant clearing around proposed building site.
Guidelines specific to Coastal Areas and all Riparian Ecosystems			
20. Where the possibility of an impact(s) exists, the Regional District of Nanaimo may require an applicant to supply a sediment and erosion control and/or rain water management plan, complete with recommendations for implementation, prepared by a registered professional engineer or person with similar qualifications, to the satisfaction of the Regional District of Nanaimo.	Not addressed	No	No – Additional Information Required: Sediment and erosion control plan.
21. For applications where a shoreline stabilization device is being proposed, the RDN shall	n/a	No	n/a

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
require the applicant to supply a report from a registered professional engineer assessing the risk of erosion on the subject property and the suitability of the subject property for a shoreline stabilization device. The report must also include an analysis of the impacts on adjacent properties as a result of installing or not installing the proposed shoreline stabilization device. Shoreline stabilization devices are not supported on lots that are not subject to active erosion.			
22. The use of marine retaining walls and other "hard" surfaces such as seawalls, concrete groynes, headlands, gabions, and rip rap shall only be supported where a qualified professional has determined that "soft" approaches to shoreline stabilization such as vegetation enhancement, upland drainage control, biotechnical measures, beach enhancement, anchor trees, and gravel placement are not appropriate given site specific conditions.	n/a	No	n/a
23. Shoreline stabilization measures near the natural boundary that obstruct pedestrian access to and along public beaches or foreshore areas shall be opposed by the RDN.	n/a	No	n/a

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
24. Where it is determined by a qualified professional that a retaining wall is required, it should be located upland of the natural boundary and should, where feasible, meet the applicable minimum required zoning setbacks. The placement of retaining walls to reclaim land lost to erosion shall not be supported.	n/a	No	n/a
Guidelines specific to Aquifer Protection			
25. The use or disposal of substances or contaminants that may be harmful to area aquifers shall be discouraged and wherever practical, steps shall be taken to ensure the proper disposal of such contaminants.	Farm Use under environmental farm plan satisfies this requirement.	No	Yes - DPA guideline satisfied
26. Where the possibility of an impact(s) exists, the RDN shall require the applicant to supply a report from a registered professional which must provide the following: i. an assessment of the characteristics of the aquifer and its ability to accommodate the additional groundwater demand proposed by the development which must include the anticipated demand based on the development potential of the subject property(s) based on the current zoning, including potential impacts	Not provided	Yes	No – Information Required: Aquifer impact assessment which addresses land clearing and land alteration. Report should also make recommendations with respect to agricultural waste management.

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
on adjacent properties; ii. a statement backed by a professional assessment that the proposed development will not have a negative impact on the aquifer; and, iii. recommendations on what measures are required to ensure the aquifer is protected.			
27. Developments that are found to pose detrimental impacts on either the quality or quantity of groundwater shall not be supported;	TBD	No	TBD
28. For developments that are proposed to be serviced by a community water system, written confirmation of sufficient quantity and quality of potable water will be required from the water service provider.	N/A	No	N/A
29. Where the possibility of an impact(s) exists, the RDN may require an applicant to submit a rain water management plan prepared by a professional engineer which must ensure that the discharge of any treated effluent and rain water shall not negatively impact water quality. Treated effluent and diverted rain water collection and discharge systems on commercial, industrial, multi-residential, and other developments where	N/A	No	N/A

Environmentally Sensitive Features DPA			
DPA Guideline	What was provided	Recommended Reason to Deny	Guideline Addressed If 'No', then Information Required
Column 1	Column 2	Column 3	Column 4
General Guidelines			
there is potential for silt and petroleum-based contaminants to enter a watercourse or infiltrate into the ground will require the provision for grease, oil, and sedimentation removal facilities and the on-going maintenance of these facilities.			

TO: Electoral Area Services Committee **MEETING:** November 28, 2017

FROM: Kristy Marks
Planner **FILE:** PL2017-174

**SUBJECT: Development Variance Permit Application No. PL2017-174
3036 Bay Road – Electoral Area ‘H’
Strata Lot 185, District Lot, 251 Alberni District, Strata Plan VIS5160 Together with an
Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot
as Shown on Form V**

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2017-174 to increase the maximum permitted floor area and increase the maximum permitted height to allow the construction of an accessory building subject to the terms and conditions outlined in Attachments 2 to 4.
2. That the Board direct staff to complete the required notification for Development Variance Permit No. PL2017-174.

SUMMARY

This is an application to allow the construction of a garage on the subject property with variances to increase the maximum permitted floor area and height for an accessory building. Given that no negative impacts are anticipated as a result of the proposed variances, staff recommends that the Board approve the development variance permit pending the outcome of public notification and subject to the terms and conditions outlined in Attachment 2.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Kelly and Gordon Pladson to permit the construction of an accessory building that exceeds the maximum permitted floor area and height. The subject property is approximately 0.12 hectares in area and is zoned Horne Lake Comprehensive Development Zone 9 (CD9), pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located at the northeast end of Horne Lake and is surrounded by Horne Lake to the south, Bay Road to the north and developed recreational properties to the east and west (see Attachment 1 – Subject Property Map).

The property is relatively flat, sloping gently from north to south, towards the lake and currently contains a recreational residence, detached carport, shed, and a small wood storage structure. The CD9

zone permits a total of 28 m² of accessory building and structure floor area per parcel in the following configurations:

- One 10.0 m² and one 6.0 m² accessory building for each recreational residence;
- One accessory water storage structure of 6.0 m² per recreational residence;
- One accessory wood storage structure of 6.0 m² per recreational residence.

The applicant applied for a development variance permit application previously (PL2017-063) to combine a portion of the maximum permitted accessory building floor area to allow the construction of a 22.5 m² accessory building and leaving them with 5.5 m² of floor area for any future accessory building. They were also requesting a variance to the maximum permitted height from 3.0 metres to 3.5 metres. The applicants decided to withdraw their application prior to Board consideration and have revised their plans to combine all of the permitted for accessory buildings to allow the construction of one building with a maximum floor area of 28.0 m² and are requesting a variance to the maximum permitted height for the accessory building from 3.0 metres to 3.5 metres. If this application is approved, no additional accessory buildings would be permitted on the subject property.

Proposed Development and Variance

The proposed development includes the construction of an accessory building on the subject property. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 3.4.107(c)(iii) – Floor Area** to combine all the permitted accessory building floor area to allow the construction of one accessory building with a maximum permitted floor area of 28.0 m².
- **Section 3.4.107(d)(ii) – Height** to increase the maximum permitted height from 3.0 metres to 3.5 metres for an accessory building.

The Horne Lake Strata owners have indicated their support to the Horne Lake Strata Council for larger accessory buildings not to exceed 28.0 m² which is the combined floor area of all of the accessory buildings allowed in the CD9 zone. Should this variance be approved no additional accessory buildings would be permitted on the subject property.

Land Use Implications

The applicant is proposing to construct an accessory building with variances to the maximum permitted floor area by combining all of the floor area permitted for individual accessory buildings to allow the construction of one larger accessory building with a maximum floor area of 28.0 m². In addition, the applicant is requesting a height variance to allow the proposed garage to be a maximum of 3.5 meters in height.

The proposed garage would be sited in the same general location as the existing accessory buildings, on the north side of the recreational residence away from Horne Lake. The applicant has provided a site plan and building elevation drawings in support of the application (see Attachment 3 – Site Plan and Attachment 4 – Building Elevations).

Board Policy B1.5 “Development Variance Permit, Development Permit with Variance and Floodplain Exemption Application Evaluation” (Policy B1.5) for the evaluation of development variance permit applications requires an adequate demonstration of an acceptable land use justification prior to the Board’s consideration. In this case the applicant has indicated that the provisions of the CD9 Zone do not allow sufficient floor area to efficiently store watercraft and all-terrain vehicles within an accessory building. The applicant also suggests that it would be easier to secure one larger accessory building rather than four smaller ones (as permitted in the CD9 zone). The applicant has also indicated that it is more economical to construct one larger accessory building rather than four smaller ones and notes that the proposed development will not negatively impact adjacent parcels.

With respect to the requested height variance, the maximum permitted height of an accessory building in the CD9 zone is 3.0 metres as measured from natural grade. The applicant has indicated that the proposed accessory building has been designed to be 3.0 metres in height, however the established floodplain elevation in the CD9 zone is 121.7 metres Geodetic Survey of Canada Datum (GSC) and the building site is below this elevation. As such, the applicant is required to elevate the proposed accessory building to meet the flood elevation which results in the proposed garage being 3.5 metres in height above natural grade. Given the location of the proposed accessory building at the rear of the recreation residence, away from the lake, and in the same general location as the existing accessory buildings, they do not anticipate any view implications for adjacent properties as a result of the requested variance.

Given that the applicant has provided sufficient rationale and the variances will not result in negative impacts for adjacent properties, the applicants have made reasonable efforts to address the variance evaluation criteria outlined in Policy B1.5.

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. PL2017-174 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Variance Permit No. PL2017-174.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2017 – 2021 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@rdn.bc.ca
November 8, 2017

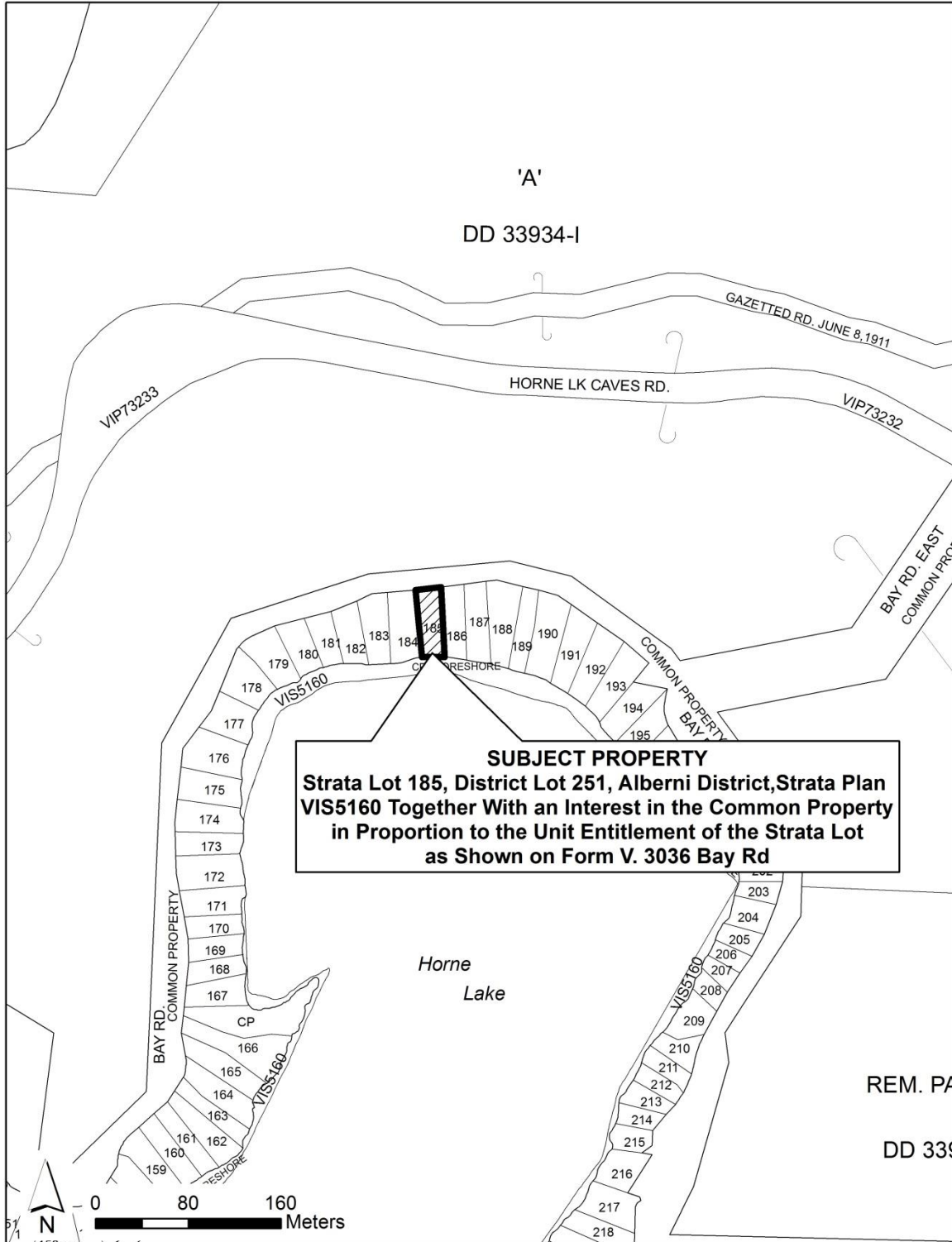
Reviewed by:

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

Attachments

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

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. PL2017-174:

Bylaw No. 500, 1987 Variances

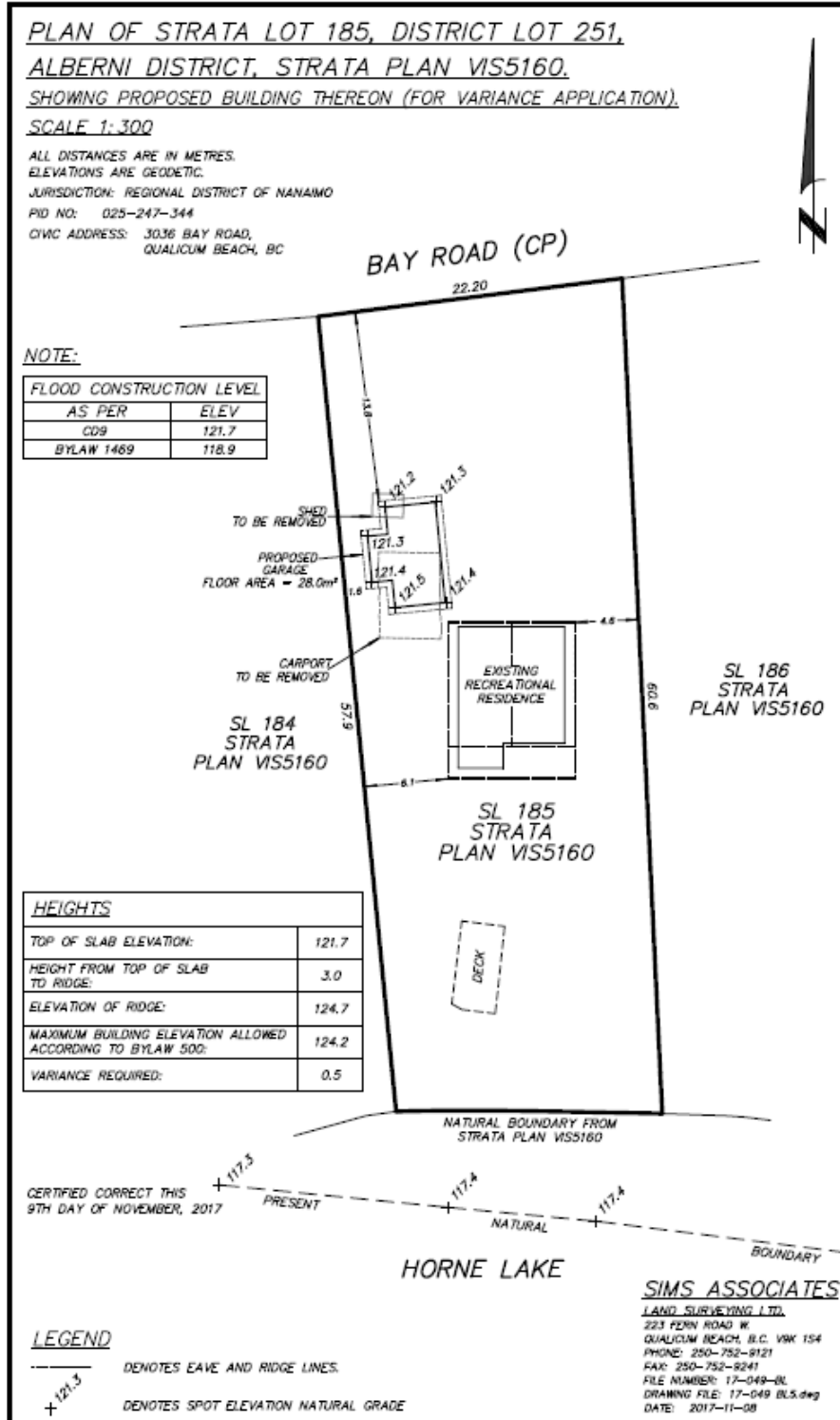
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is varied as follows:

1. **Section 3.4.107(c)(iii) – Floor Area** to combine all the permitted accessory building floor area to allow the construction of one accessory building with a maximum permitted floor area of 28.0 m².
2. **Section 3.4.107(d)(ii) – Height** to increase the maximum permitted height from 3.0 metres to 3.5 metres for an accessory building.

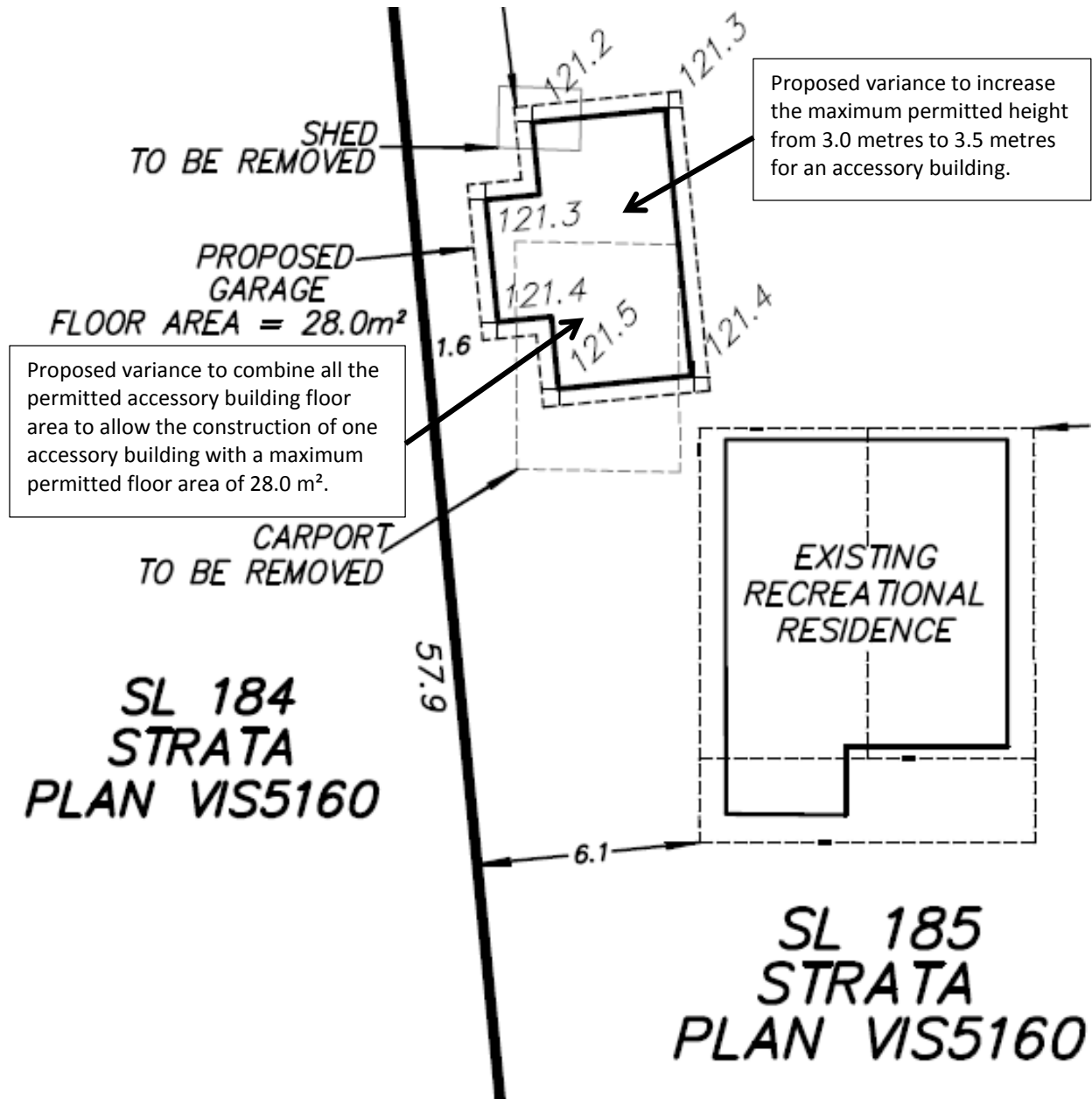
Conditions of Approval

1. The site is developed in accordance with the Site Plan prepared by Sims Associates Land Surveying Ltd., dated October 30, 2017 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations submitted on May 12, 2017 and attached as Attachment 4.
3. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

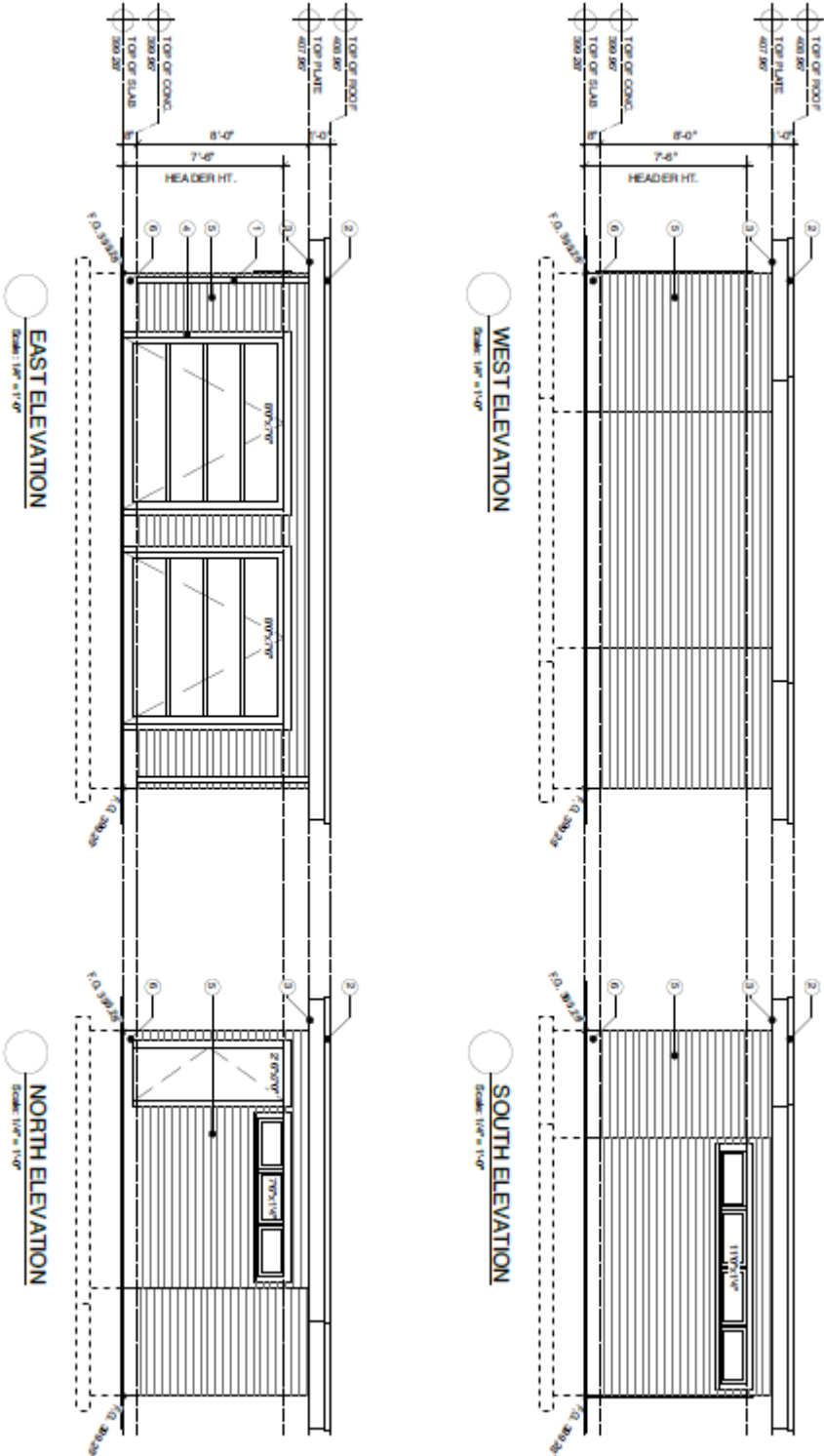
Attachment 3
Proposed Site Plan and Variances
 (Page 1 of 2)



Attachment 3
Proposed Site Plan and Variances
(Page 2 of 2)



Attachment 4
Building Elevations



TO: Electoral Area Services Committee **MEETING:** November 28, 2017

FROM: Stephen Boogaards
Planner **FILE:** PL2017-134

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement in relation to Subdivision Application No. PL2017-134
Columbia Drive and Viking Way – Electoral Area ‘G’
Lot 2, District Lot 28, Nanoose District, Plan VIP62528, Except that Part in Plan VIP76143
Lot 5, District Lot 28, Nanoose District, Plan VIP62528

RECOMMENDATION

That the Board approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot B in relation to Subdivision Application No. PL2017-134.

SUMMARY/CONCLUSIONS

The applicant has requested a relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B to in relation to a lot line adjustment between two existing properties. All proposed parcels will meet the minimum parcel size requirements and provide adequate site area. Given that no negative impacts are anticipated as a result of the proposed frontage relaxation, staff recommends that the requested frontage relaxation be approved.

BACKGROUND

The Regional District of Nanaimo has received an application from Elkay Developments Ltd. on behalf of French Creek Estates Ltd. to relax the minimum 10% perimeter frontage requirement in relation to a proposed lot line adjustment subdivision (Application No. PL2017-134). The boundary adjustment subdivision is proposed between existing Lot 5 (approximately 1.42 hectares) and the remainder of Lot 2 (approximately 2.35 hectares) to create new Lots A and B at 1.00 and 2.78 hectares respectively (see Attachment 3 – Proposed Plan of Subdivision). The properties are zoned Residential 5 (RS5) Zone, Subdivision District ‘R’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The properties are located to the north of the Island Highway and the French Creek estuary and adjacent to existing residential parcels (see Attachment 1 – Subject Property Maps).

Lot 5 currently contains a dwelling unit and is adjacent to a pond located primarily on Lot 4. The Remainder Lot 2 is currently vacant. The lot line adjustment will result in the dwelling unit being situated on proposed new Lot B.

Proposed Development

The applicant proposes a lot line adjustment between Lot 5 and Remainder Lot 2 and will not result in the creation of any additional parcels (see Attachment 3 – Proposed Plan of Subdivision). The parcels will continue to comply with the minimum parcel size requirements of the zoning bylaw following the boundary adjustment subdivision.

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 from the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% of Perimeter
B	83.4	32	3.8

Land Use Implications

The existing frontage of Remainder Lot 2, as a percentage of the property’s perimeter, is currently 4.3%. Proposed Lot B will have a frontage of 3.8% of the parcel perimeter. Proposed Lot B will retain 20.0 metres of frontage on Columbia Drive and 12.0 metres of frontage on Viking Way, which comply with the zoning bylaw requirements for access widths.

Environmental Implications

The applicant has concurrently applied for a development permit (PL2017-156) due to the aquatic habitat associated with the historic side channels and a stormwater pond. A mapped eagle’s nest is located on the western portion of Remainder Lot 2, though the proposed lot boundary change is not within the 60.0 metre development permit area radius for the nest. Development Permit PL2017-156 will be considered under “Regional District of Nanaimo Delegation of Authority Bylaw No. 1759, 2017.

Intergovernmental Implications

Staff at the Ministry of Transportation and Infrastructure (MOTI) have reviewed the application and have confirmed that they have no concerns with the proposed frontage relaxation.

A portion of a registered archeological site is on the property. The provincial Archeology Branch has been consulted, and the Branch has determined that, as the lot line adjustment will not affect any archeological materials, a permit is not required. The application has also been referred to Qualicum First Nation.

ALTERNATIVES

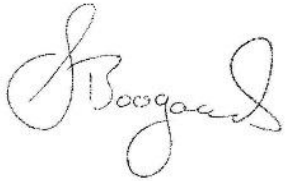
1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot B as shown on Attachment 3.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2017 – 2021 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the lot line adjustment will have no implications for the 2016 – 2020 Board Strategic Plan.



Stephen Boogaards
sboogaards@rdn.bc.ca
November 16, 2017

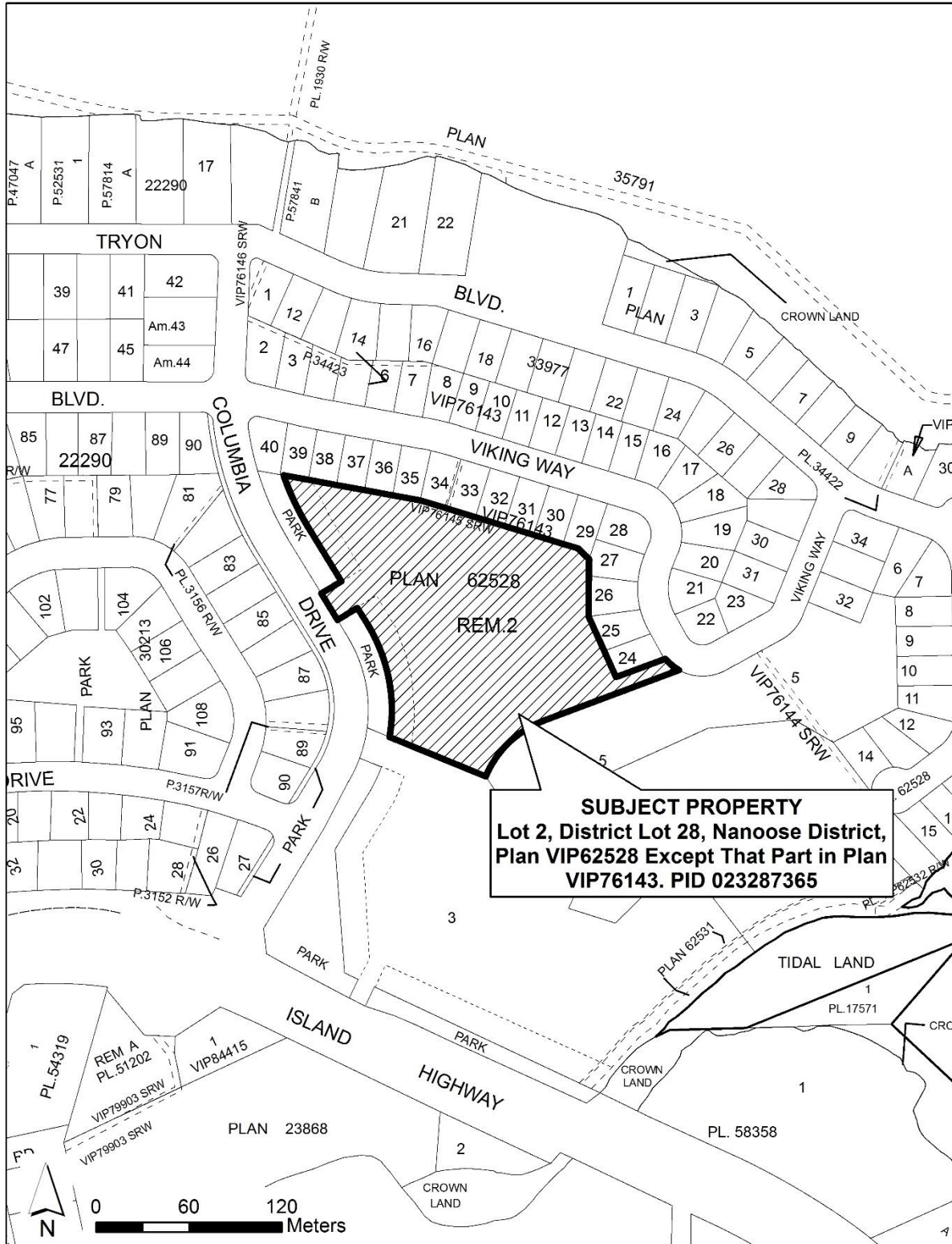
Reviewed by:

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

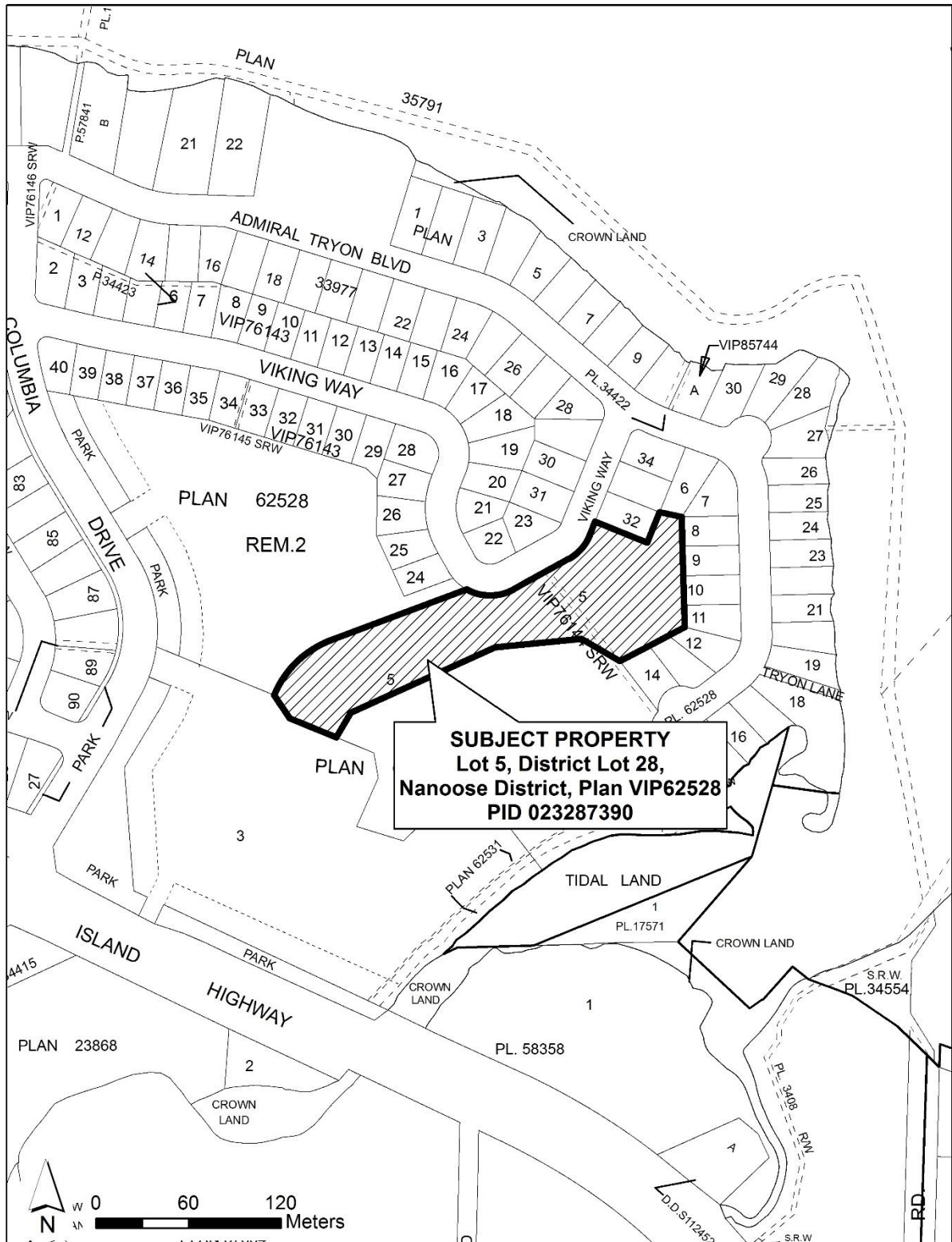
Attachments

1. Subject Property Map
2. Proposed Plan of Subdivision

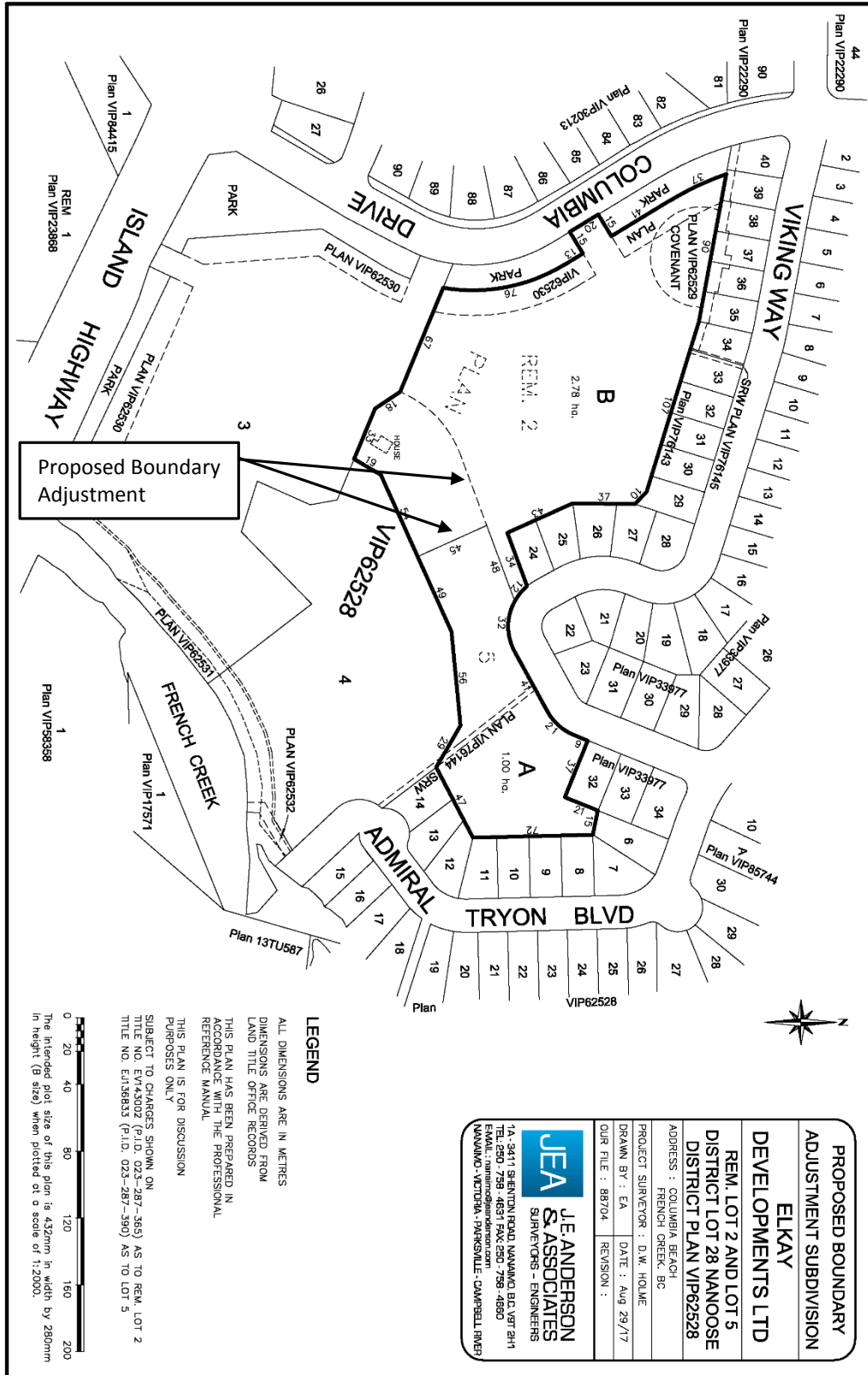
Attachment 1
Subject Property Maps
Page 1 of 2



Attachment 2
Subject Property Map
Page 2 of 2



Attachment 2
Proposed Plan of Subdivision



TO: Electoral Area Services Committee **MEETING:** November 28, 2017
FROM: Jamai Schile
Senior Planner **FILE:** 6480-01-2016
SUBJECT: Electoral Area 'F' Official Community Plan Review Project

RECOMMENDATION

That the Board direct staff to include within the Electoral Area 'F' Official Community Plan Review process, scheduled to commence in 2018, a land use analysis of parcels in Electoral Areas 'F' and 'G', in the vicinity of Church Road, prepare an electoral area boundary amendment assessment and clarify Commercial/Industrial land use policies within the Bellevue Church Road Rural Separation Area designation.

SUMMARY

Staff have been directed to address two land use issues that are identified as having potential land use implications for both Electoral Areas 'F' and 'G', those being: proceed with a land analysis and proposal to request an amendment to the electoral area boundary between Electoral Areas 'F' and 'G' and provide clarity on the Electoral Area 'F' Official Community Plan (OCP) policies relating to the Commercial/Industrial land use designation. More recently, staff have been directed to initiate an Official Community Plan (OCP) Review for Electoral Area 'F'. Considering the interrelated nature of the scheduled work, the opportunity now exists to include the two individual projects within the proposed Electoral Area 'F' OCP Review process, scheduled to commence in 2018.

BACKGROUND

At the October 11 and November 22, 2016 Electoral Area Services Committee (EASC) meeting, a staff report was presented in response to a prior delegation from Ron Chiovetti of HBR Consulting Inc., requesting to amend the electoral area boundary between Electoral Areas 'F' and 'G'. The staff report outlined the general process and implications of pursuing an amendment to the electoral boundary and made the following recommendations to advance the project as passed by the Board on December 6, 2016:

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.

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.

In addition, directly related to the electoral boundary review project, a separate project to clarify the Commercial/Industrial land use designated was identified and the Board passed the following motion on March 22, 2016:

MOVED Director Fell, SECONDED Director McPherson, that the Board direct staff to prepare a report and recommendation on potential amendments to the Electoral Area 'F' Official Community Plan to provide clarification on Official Community Plan policies within the Commercial/Industrial Land Use Designation.

This report is in response to the Board motions and takes into consideration the proposed Official Community Plan (OCP) Review for Electoral Area 'F', scheduled to commence on completion of the Electoral Area 'H' OCP review.

DISCUSSION

As a result of construction of the Inland Island Highway (Highway 19), between 1996 and 2001, a number of parcels within the Regional District of Nanaimo (RDN) became severed by the new highway. In general, this change in land use has not resulted in any significant land use concerns within the RDN as a whole. However, over time some property owners within Electoral Areas 'F' and 'G' have come forward requesting that the electoral area boundary be changed adjacent to the Inland Island Highway to support future development within the Bellevue/Church Road Rural Separation Area.

This request first came to staff's attention during the Electoral Area 'G' Official Community Plan (OCP) review in 2008. At that time, a few property owners requested to amend the electoral area boundary for the purpose of a land use change to enable industrial development adjacent to the Bellevue/Church Road Rural Separation Area in Electoral Area 'F' that is currently designated for industrial uses. Later, in 2016, a similar request to re-designate six parcels was received in the form of a delegation from Ron Chiovetti of HBR Consulting Inc. In response, staff undertook a preliminary analysis of the proposal and shared the findings at the October 11 and November 22, 2016 Electoral Area Services Committee (EASC) meetings. Based on this analysis, staff confirmed that while a request for land use change is not dependent on an electoral area boundary amendment, such an amendment could help harmonize a more natural division based on use.

With regards to a separate matter, the Electoral Area Services Committee (EASC) considered a request for a zoning bylaw amendment in March 2016. This request highlighted the lack of clarity within the Electoral Area 'F' OCP Commercial/Industrial land use designation policies. As written, the existing policies do not expand on the intended uses within this designation beyond a mix of uses within the Rural Separation Area. Where there is a lack of clarity in OCP designations and policies, it may result in uncertainty and be perceived as a barrier to attracting future development to the area. Further to this, a lack of clarity in OCP policies may affect the ability of staff and decision-makers to determine when an OCP amendment and/or a Regional Growth Strategy amendment is required.

Considering the interrelationship and associated processes for each assignment there is a benefit to combining all three. When combined, an opportunity is created to undertake a more comprehensive approach to preparing a long-term development strategy for Electoral Area 'F'. As such, this will provide better information for consideration of the need for an electoral area boundary amendment.

In addition, any proposed changes to the Commercial/Industrial designation are captured within a full OCP Review, satisfying the criteria for a minor amendment to the Regional Growth Strategy. Lastly, adequate staff time and resources can be allocated to the assignments as part of the Electoral Area 'F' OCP Review within the 2018 work plan.

ALTERNATIVES

1. That the Board direct staff to complete a land use analysis of parcels in Electoral Areas 'F' and 'G', prepare an electoral area boundary amendment assessment and clarify policies within the Commercial/Industrial land use designation within the Electoral Area 'F' Official Community Plan Review process, scheduled to commence in 2018.
2. To provide staff with alternative direction.

FINANCIAL IMPLICATIONS

While some funding for community engagement has been included in the 2018 Budget to initiate these works, additional funding will be sought from the Electoral Area 'F' Community Works Fund to complete the land analysis, electoral area boundary amendment assessment and initiate the OCP review.

STRATEGIC PLAN IMPLICATIONS

Staff note that the proposed recommendation is consistent with the Board's 2016 – 2020 Strategic Plan priorities with a focus on service and organizational excellence that ensures our processes are as easy to work with as possible.



Jamai Schile
jschile@rdn.bc.ca
November 10, 2017

Reviewed by:

- P. Thompson, Manager, Long Range Planning
- G. Garbutt, General Manager, Strategic and Community Development and Acting Chief Administrative Officer

TO: Electoral Area Services Committee **MEETING:** November 28, 2017

FROM: Nick Redpath
Planner **FILE:** 3900-20-500.413
3900-20-1285.29

SUBJECT: Gathering for an Event in the Agricultural Land Reserve – Proposed Zoning Amendments

RECOMMENDATIONS

1. That the Board receive the Gathering for an Event in the Agricultural Land Reserve – Proposed Zoning Amendments report for information.
2. That the Board direct staff to refer proposed amendments to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285, 2002” to the Agricultural Advisory Committee and farming community for comment.
3. That the Board direct staff to develop an information brochure for “Gathering for an Event in the Agricultural Land Reserve”.

SUMMARY

Recent amendments to the Agricultural Land Reserve Use, Subdivision and Procedure Regulations allowing gathering for an event on lands within the Agricultural Land Reserve (ALR) prompted the Board to direct staff to undertake a preliminary review of the Regional District of Nanaimo’s (RDN) zoning bylaws. Upon this preliminary bylaw review, staff identified several opportunities for the RDN to clarify and regulate the recently approved ALR regulatory changes for gathering for an event. The proposed bylaw amendments to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285, 2002” include setbacks, maximum size, parking, clearly defining terminology, inclusion of Agricultural Land Commission (ALC) conditions and expanding the existing Temporary Use Permit designation to accommodate gatherings for larger events as approved by the ALC.

BACKGROUND

On August 9, 2016, the Ministry of Agriculture (MOA) announced that new changes to the current Agricultural Land Reserve Use, Subdivision and Procedure Regulations had been developed allowing landowners in the ALR with farm status under the *Assessment Act* to host specific events like weddings, concerts and other non-agriculture related commercial activities if certain conditions as set out in the new regulations were satisfied. These conditions are outlined in a policy entitled “Gathering for an Event in the ALR” (see attachment 1 – ALC Policy L-22).

On November 25, 2016, following Board direction, a report from staff went to the Agricultural Advisory Committee (AAC) outlining the recent changes made by the MOA in regards to gathering for an event. In addition to summarizing the recent regulatory changes to the ALR regulations, the report identified several opportunities in which RDN zoning bylaws could be amended to regulate this newly permitted use. Some potential amendments identified include clearly defining terminology, amending setbacks, limiting size of events, parking provisions and expanding the existing Temporary Use Permit designation. The proposed amendments are intended to create consistency between RDN bylaws and the new ALR regulations, mitigate impact on neighbouring properties, promote health and safety at these events, preserve agricultural land and promote opportunities for farmers to subsidize their farm income. At the AAC meeting, a motion was made for the AAC to have the opportunity for further input on the proposed bylaw amendments. In addition to the AAC review, further consultation with the farming community is recommended to gather feedback on the proposed bylaw amendments. Once consultation is complete, the proposed amendments to both Bylaw 500 and Bylaw 1285 will be brought forward to the EASC for consideration.

Land Use Implications

Changes made by the MOA to the ALR regulations have authorized a limited number of secondary on-farm commercial activities to take place on properties in the ALR with farm status under the *Assessment Act*, leaving local governments with the ability to regulate but not prohibit these activities.

Non-agricultural gathering for an event on ALR land is not currently addressed within RDN zoning regulations, meaning that these recent changes create a new use within the ALR that is not regulated within existing zoning bylaws. Given that the ALR Regulations supersede local government bylaws in this instance, events could be held on a property in the ALR within the RDN (subject to the conditions outlined in Attachment 1 – ALC Policy L-22), without any specific zoning regulations to address potential impacts from these events.

Although local governments cannot prohibit non-farm gathering for an event on properties within the ALR, they can regulate certain aspects through zoning bylaws. In order to create consistency between RDN bylaws and the new ALR regulations, mitigate impact to neighbouring properties, promote health and safety at these events, preserve agricultural land and provide opportunities for farmers to subsidize their income, staff have drafted the proposed amendments to Bylaw 500 and Bylaw 1285 as outlined below.

Proposed Amendments to Bylaw 500 (see Attachment 2 – Proposed Zoning Amendments to Bylaw No. 500, 1987) and Bylaw 1285 (see Attachment 3 – Proposed Zoning Amendments to Bylaw No. 1285, 2002)

Definitions

Agricultural Land Commission Policy L-22 provides a new definition for “gathering for an event” and “agri-tourism on a farm” and updates the current definition of “agri-tourism”. To create consistency and reflect recent changes to the ALR regulations, new and updated definitions are proposed to be included into the Definitions section of Bylaw 500 and Bylaw 1285.

General Regulations

The new ALR regulations consider “gathering for an event” to be a permitted use on ALR land, only if certain conditions are met (see Attachment 1 – Policy L-22 for an overview of these conditions). All of these conditions are proposed to be included into the General Regulations sections of Bylaw 500 and Bylaw 1285 to create consistency between the Agricultural Land Reserve Use, Subdivision and Procedure Regulations and RDN zoning bylaws and provide clarity to staff, the public, or property owners hosting an event.

Setbacks – Bylaw 500 and Bylaw 1285

Implementing appropriate setbacks will reduce impact and disturbance to neighbouring properties and provide adequate access for emergency vehicles on the property, while still allowing property owners to subsidize on-farm income through hosting a limited number of commercial events each year.

Since this is a new permitted on-farm use, there is no precedence in terms of setback requirements. As such, staff have considered three possible options and are seeking input from the AAC regarding these options, which are:

Option 1: This option, which currently is in place, is to not implement specific setback requirements and allow gatherings for an event to take place anywhere on a property.

Option 2: This option would be to apply existing setback regulations for Agricultural Zones in Bylaw 500 and Bylaw 1285 for the new permitted use “gathering for an event”. Below is a summary of existing setback regulations within Bylaw 500 and Bylaw 1285.

Currently, within the Agriculture 1 Zone of Bylaw 500, the setback for non-farm use buildings and structures is 8.0 metres from all lot lines except where the parcel is less than 4000 m² in area then the setback from lot lines may be reduced to 2.0 metres from an interior side lot line and 5.0 metres from other lot lines, excluding the front lot line.

Within the Agriculture 2 Zone of Bylaw 500, the setback for non-farm buildings and structures is currently 20.0 metres from all lot lines.

Within the General Regulations of Bylaw 1285, setbacks for agricultural buildings and structures are 4.5 metres from front and exterior side lot lines and 2.0 metres from all other lot lines.

In 2016, the Agriculture Bylaw and Policy Updates Project was completed and one of the objectives of this project was to review current setbacks in Agriculture Zones of both Bylaw 500 and Bylaw 1285 to provide more flexible minimum setback requirements. Essentially, setbacks are designed in a tiered system with larger lots having larger setbacks, mid-sized lots having reduced setbacks and smaller lots requiring further reduced setbacks.

Current setbacks in Agriculture Zones were intended to support agriculture and make regulations less onerous and only apply to buildings and structures. Gathering for an event is not considered an agricultural use and may take place within a building and/or outdoor area. Increased setbacks may be considered to protect neighbouring properties from being negatively impacted.

Option 3: The setbacks proposed by staff in the amendment bylaws apply best practices established by the Ministry of Agriculture's Guide to Edge Planning. Within this document, farm-side setbacks for specific farm uses and commodity activities are recommended to be 15 metres from property lines. While gathering for an event is not specified within the MOA document, the rationale for farm-side setbacks does apply and can be adapted to prevent nuisance and conflict between uses. The proposed 15 metre setbacks will also allow for emergency vehicle access, while still providing property owners the opportunity to subsidize on-farm income through hosting a limited number of commercial events each year.

Parking

Within Bylaw 500 and Bylaw 1285, proposed minimum parking requirements and setbacks for gathering for an event are one per four persons capacity based on a parking rate comparable to dancing or assembly with setbacks of 15.0 metres from all lot lines.

The ALC requires all parking to be on the farm, but not to be permanent nor interfere with the farm's agricultural productivity. Increased minimum parking requirements may lead to damage and loss of the farm's agricultural productivity and create a safety hazard with increased amounts of vehicle traffic on and off the site. With less parking spaces required, guests will be encouraged to carpool or make alternate arrangements for transportation to and from the event.

Parking setback requirements of 15.0 metres, consistent with proposed setbacks for the use "gathering for an event" are proposed to reduce impact on neighbouring properties and to promote health and safety by allowing access for emergency vehicles.

Maximum Site Area

A proposed maximum site area for gathering for an event is 500 m².

ALC Policy L-03 Activities Designated as Farm Use: Wineries and Cideries in the Agricultural Land Reserve explains that 125 m² of floor space is roughly equivalent to a seating capacity of 65 persons. The ALR Regulations allow a maximum amount of 150 guests for a gathering for an event. Permitting a maximum site area of 500 m² for events will allow sufficient space for the maximum 150 guests. Sufficient space and separation for guests will help increase the overall health and safety of the event while maintaining the intent of the *Agricultural Land Commission Act*.

Temporary Use Permits for Gathering for Events

Similar to the existing Temporary Use Permit for Farmer's Markets section of both Bylaw 500 and Bylaw 1285, a change to include the ability to issue a Temporary Use Permit for gathering for an event is proposed. The amendment is to include a general clause within each bylaw that would support the issuance of a Temporary Use Permit for an event that contravenes the proposed zoning regulations (larger than 150 people, more than 10 events etc.) in any zone subject to approval from the ALC and further specific requirements deemed necessary by the RDN. Expanding the existing Temporary Use Permit designation is an appropriate approach to accommodate events contrary to the zoning bylaw as it includes a public notification process and can impose a variety of specific requirements. The specific

requirements will be informed through consultation and could include criteria to address emergency services and public safety.

ALTERNATIVES

1. That the Board approve staff recommendations included in this report.
2. That the Board provide alternate direction to staff.

FINANCIAL IMPLICATIONS

This report is prepared in response to recent changes to ALR regulations in regards to gathering for an event on farm land within the ALR. This report, proposed bylaw amendments and development of an information brochure can be accommodated within the existing Community Planning budget.

STRATEGIC PLAN IMPLICATIONS

A focus on Economic Health is one of the strategic priorities in the RDN 2016 – 2020 Strategic Plan. In particular, the strategic plan directs that the RDN will foster economic development and support diversification of our regional economy while also recognizing the importance of agriculture. Proposed bylaw amendments to address changes to ALR regulations allowing for non-farm use gathering for an event will help support and foster economic development for farmers within the ALR. These proposed bylaw amendments preserve traditional agriculture land and practices while also creating incentives and opportunities for existing farmers to supplement their farm income through secondary, on-farm activities.



Nick Redpath
nredpath@rdn.bc.ca
November 10, 2017


Reviewed by:

- P. Thompson, Manager, Long Range Planning
- G. Garbutt, General Manager, Strategic and Community Development and Acting Chief Administrative Officer

Attachments

1. ALC Policy L-22
2. Proposed Zoning Amendments to Bylaw No. 500, 1987
3. Proposed Zoning Amendments to Bylaw No. 1285, 2002

Attachment 1

 <p>Agricultural Land Commission Act</p>	<p style="text-align: right;">Policy L-22 October 2016</p> <p style="text-align: center;">ACTIVITIES DESIGNATED AS A PERMITTED NON-FARM USE: GATHERING FOR AN EVENT IN THE AGRICULTURAL LAND RESERVE ("ALR")</p>
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This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act](#), 2002, including amendments as of September 2014, (the "ALCA") and BC Regulation 171/2002 ([Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)), including amendments as of August 2016, (the "Regulation"). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.

REFERENCE:

Agricultural Land Commission Act, S.B.C. 2002, c. 36, Section 1.

Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), the "Regulation", Section 1(4) and Section 3(4).

Section 3(4) The following non-farm uses are permitted in an agricultural land reserve and must not be prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable treaty first nation government:

(k) gathering for an event, if all of the following conditions are met:

- i. the farm must be located on land classified as a farm under the [Assessment Act](#);*
- ii. permanent facilities must not be constructed or erected in connection with the event;*
- iii. parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity;*
- iv. no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event;*
- v. the event must be of no more than 24 hours duration;*
- vi. no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.*

Section 1 (4) Definitions:

"gathering for an event" means a gathering of people on a farm for the purpose of attending

(a) a wedding, unless paragraph (c) (ii) applies,

(b) a music festival, or

(c) an event, other than

(i) an event held for the purpose of agri-tourism, or

(ii) the celebration, by residents of the farm and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees.

Section 2(2.4) In subsections (2.1) to (2.3):

(f) gathering for an event, if the event is held only in the lounge referred to in paragraph (b) or the special event area referred to in paragraph (c) of this subsection, and, for this purpose, section 3 (4) (k) does not apply.

INTERPRETATION:

Gathering for an event is a permitted non-farm use in the Agricultural Land Reserve and must not be prohibited by a local government bylaw as long as the event meets the conditions set out in the Regulation.

No more than 150 people may be in attendance and the event must be less than 24 hours in duration.

A maximum of 10 events of any type are permitted within a calendar year on a farm. For example, 5 weddings, 2 music concerts and 3 art shows. Where more than one farm business is being operated from a farm, the maximum 10 events applies. It is recommended that a record of events be maintained by the farmer including type of event, date and number of attendees.

There is no requirement for these events to directly market or promote agricultural products grown on the farm and therefore are not considered agri-tourism events.

People hosting events must make every effort to avoid negative impacts to the use of agricultural land including but not limited to, damage to agricultural land and structures, noise that disturbs animals and livestock, trespass, vandalism, theft and blocking access to adjacent farm businesses.

Events may include weddings, private parties, corporate retreats, music concerts and concert series, music festivals, film and theatrical presentations, art shows, dance recitals, charitable and political fundraising events, dances, and sports events, so long as otherwise compliant with the Regulation. Any event that is not an agri-tourism event falls into this category.

The Regulation allows gathering for events in the ALR provided the land is assessed as “farm” under the *Assessment Act*. If the assessment changes, the use is no longer permitted. The farm may be comprised of one or several parcels of land owned or operated by a farmer as a farm business. The farm parcels should be contiguous or in the same general geographic area.

Permanent facilities must not be constructed or erected for any event activity. Permanent facilities include, but are not limited to: buildings or permanent structures, hard surface parking areas, concrete pads, structural foundations, retaining walls, permanent tents (erected for more than 90 days) and permanent alteration to the landscape (fill, gravel, berms, hills, dugouts, amphitheatres). The conversion of existing buildings and the construction associated with bringing them up to public assembly building code is also deemed as the construction or erection of a permanent facility. If permanent facilities are required, an application and approval of the Commission is necessary.

For the purposes of this policy, parking areas must not be permanent (asphalt, concrete, gravel, etc) and parking must not interfere with the farm's agricultural productivity. All vehicles visiting the farm for the event must be parked on site. To minimize impacting farm land, parking should be along field edges, adjacent to internal farm driveways and roads, and in farm yard areas or immediately adjacent to farm buildings and structures.

Personal family celebrations hosted by the farm owner where no fee is charged continue to be allowed.

This Policy does not apply to agri-tourism activities. See Related Policies.

As per subsection 2.4(f) of the regulation, these conditions do not apply to wineries, cideries, meaderies, breweries and distilleries if the event(s) is held only in the ancillary food and beverage service lounge that has been developed in compliance with section 2(2.4)(b) of the Regulation. Regulation section 3(4)(k) and associated restrictions apply if the event(s) are held outside the lounge area. This means wineries, cideries, meaderies, breweries and distilleries may host an unlimited number of events in their lounge area and an additional 10 events as per section 3(4)(k) held outside the lounge area.

Local governments have the authority to regulate events with regard to structures and building occupancy (including determining if an existing farm building is appropriate for a gathering or requires upgrades for public assembly), parking, lighting, hours of operation, health and safety, noise, access for police, fire and emergency vehicles, etc. Local governments have the authority to require permits for events.

Events in excess of the what is permitted under section 3(4)(k) require an application pursuant to section 20(3) of the Agricultural Land Commission Act and approval of the Commission.

TERMS:

family event means an event attended by

- (a) family members, and
- (b) close personal friends or close business associates of family members

family member with respect to a person means

- (a) parents, grandparents and great grandparents,
- (b) spouse, parents of spouse and stepparents of spouse,
- (c) brothers and sisters,
- (d) children or stepchildren, grandchildren and great grandchildren, and

(e) aunts, uncles, cousins, nephews and nieces

fee or other charge includes a gift in lieu of a fee or charge given in connection with the event

wedding means the ceremony of marriage or a marriage-like ceremony and/or the reception celebration

music festival means concert or concert series no more than 24 hours in duration

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.

RELATED POLICY:

ALC Policy L-04 Activities Designated as a Farm Use: Agri-Tourism Activities in the ALR

ALC Policy L-03: Activities Designated as Farm Use: Wineries and Cideries in the ALR

ALR Policy L-21: Activities Designated as Farm Use: Brewery, Distillery and Meadery in the ALR

Attachment 2

DRAFT REGIONAL DISTRICT OF NANAIMO BYLAW NO. 500.XXX

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. 500.413, 2017”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 1. Under **PART 2, INTERPRETATION, DEFINITIONS** by deleting and adding the following definition in alphabetical order:

agri-tourism means an activity, or services that are ancillary to an activity referred to in the definition of *agri-tourism on a farm* that is carried out on land that is classified as a farm under the Assessment Act, to which members of the public are ordinarily invited, with or without a fee, and in connection with which permanent facilities are not constructed or erected;

2. Under **PART 2, INTERPRETATION, DEFINITIONS** by adding the following definitions in alphabetical order:

agri-tourism on a farm means the following:

- (a) an agricultural heritage exhibit displayed on the farm;
- (b) a tour of the farm, an educational activity or demonstrated in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these;
- (c) cart, sleigh and tractor rides on the land comprising the farm;
- (d) activities that promote or market livestock from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and petting zoos;
- (e) dog trials held at the farm;
- (f) harvest festivals and other seasonal events held at the farm for the purpose of promoting or marketing farm products produced on the farm;
- (g) corn mazes prepared using corn planted on the farm;

gathering for an event means a gathering on a farm for the purpose of attending:

- (a) a wedding, unless paragraph (c) (ii) applies;
- (b) a music festival; or
- (c) an event, other than:
 - (i) an event held for the purpose of agri-tourism; or

(ii) the celebration, by residents of the farm and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees;

3. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by deleting Subsection 10) a) 1. XIII. and replacing it with the following:

XIII.	Gathering for an Event - All buildings, structures or event areas	15.0 m
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4. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by adding the following Subsection after 3.3.10) a) 1) XIII):

XIV.	All other agricultural buildings and structures	8.0 m
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5. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by adding the following Subsection after 3.3.16) c):

d) Gathering for an Event

- i) As per Section 1 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* on parcels within the Agricultural Land Reserve and where gathering for events is a permitted accessory use in this bylaw, the following general provisions apply:
- a. The farm must be located on land classified as a farm under the *Assessment Act*;
 - b. permanent facilities must not be constructed or erected in connection with the event;
 - c. parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm’s agricultural productivity;
 - d. no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event;
 - e. the event must be of no more than 24 hours duration;
 - f. maximum site area for events shall not exceed a combined total of 500 m²; and
 - g. no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.

6. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by deleting Subsection 17) and replacing it with the following:

17) Temporary Use Permits for Farmers' Markets and Gathering for an Event

In accordance with the *Local Government Act*, the RDN may support temporary use permits for farmers markets and gathering for an event on any parcel within the area covered by this bylaw.

The following conditions and criteria will be included in the RDN's consideration of such applications depending on the nature of the application being considered.

- a) Where the land is in the ALR, approval from the Provincial Agricultural Land Commission is required.
 - b) The RDN may specify conditions of approval including, but not limited to, environmental protection measures, hours of operation, buffering between adjacent uses, parking, and groundwater protection and may require the posting of a bond or other applicable security to ensure compliance with the condition of the permit.
 - c) The RDN will consider the impact on local road networks and on-site parking.
 - d) The RDN may consider any other condition or criteria as deemed necessary by the RDN.
7. Under **PART 3, LAND USE REGULATIONS, Section 3.4 Regulations for Each Zone, 3.4.1 AGRICULTURE 1 – AG1** by adding the following Subsection after **3.4.1.1 Permitted Accessory Farm Uses d)**:

e) Gathering for an Event

8. Under **PART 3, LAND USE REGULATIONS, Section 3.4 Regulations for Each Zone, 3.4.2 AGRICULTURE 2 - AG2** by adding the following Subsection after **3.4.2.1 Permitted Accessory Farm Uses d)**:

e) Gathering for an Event

9. Under **PART 3, LAND USE REGULATIONS – SCHEDULE '3B' TABLE 1 REQUIRED NUMBER OF OFF STREET PARKING SPACES** by adding the following text under the **Commercial** Subsection in alphabetical order:

Gathering for Events	1 spot per 4 guests must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity and must be setback 15.0 m from all lot lines.
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Introduced and read two times this ___ day of _____ 20XX.

Public Hearing held this ___ day of _____ 20XX.

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

Attachment 3

DRAFT REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.XX

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. 1285.29, 2017”.
- B. The “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”, is hereby amended as follows:
1. Under **SECTION 2, GENERAL REGULATIONS, 2.9 Setbacks – Buildings and Structure** by deleting Subsection f) 1) XIV. and replacing it with the following:

XIV.	Gathering for an Event - All buildings, structures or event area	15.0 metres
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2. Under **SECTION 2, GENERAL REGULATIONS, 2.9 Setbacks – Buildings and Structures** by adding the following subsection after 2.9 f) 1) XIV:

XV.	All other agricultural buildings and structures	Front and Exterior side lot lines 4.5 metres All other lot lines 2.0 metres
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3. Under **SECTION 2, GENERAL REGULATIONS** by adding the following text into Subsection **2.17 Parking – Table 2.2 REQUIRED PARKING SPACES**:

Gathering for Events	1 spot per 4 guests must be available on the farm, but must not be permanent nor interfere with the farm’s agricultural productivity and must be setback 15.0 m from all other lot lines.
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4. Under **SECTION 2, GENERAL REGULATIONS, 2.20 Accessory Farm** Use Regulations by adding the following Subsection after 2.20 5:

6. Gathering for an Event

As per Section 1 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* on parcels within the Agricultural Land Reserve and where gathering for events is a permitted accessory use in this bylaw, the following general provisions apply:

- a. The farm must be located on land classified as a farm under the *Assessment Act*;
- b. permanent facilities must not be constructed or erected in connection with the event;
- c. parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity;
- d. no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event;
- e. the event must be of no more than 24 hours duration;
- f. maximum site area for events shall not exceed 500 m²; and
- g. no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.

5. Under **SECTION 2, GENERAL REGULATIONS,** by deleting Subsection **2.21** and replacing it with the following:

2.21 Temporary Use Permits for Farmers' Markets and Gathering for an Event

In accordance with the *Local Government Act*, the RDN may support temporary use permits for farmers markets and gathering for an event on any parcel within the area covered by this bylaw.

The following conditions and criteria will be included in the RDN's consideration of such applications depending on the nature of the application being considered.

- a) Where the land is in the ALR, approval from the Provincial Agricultural Land Commission is required.
- b) The RDN may specify conditions of approval including, but not limited to, environmental protection measures, hours of operation, buffering between adjacent uses, parking, and groundwater protection and may require the posting of a bond or other applicable security to ensure compliance with the condition of the permit.
- c) The RDN will consider the impact on local road networks and on-site parking.
- d) The RDN may consider any other condition or criteria as deemed necessary by the RDN.

6. Under **SECTION 4, ZONES, 4.1 A-1 – AGRICULTURE 1** by adding the following Subsection after 4.1.3 d):

e) Gathering for an Event

7. Under **SECTION 5, DEFINITIONS** by deleting and adding the following definition in alphabetical order:

Agri-tourism means an activity, or services that are ancillary to an activity referred to in the definition of *agri-tourism on a farm* that is carried out on land that is classified as a farm under the Assessment Act, to which members of the public are ordinarily invited, with or without a fee, and in connection with which permanent facilities are not constructed or erected;

8. Under **SECTION 5, DEFINITIONS** by adding the following definitions in alphabetical order:

Agri-tourism on a farm means the following:

- (a) an agricultural heritage exhibit displayed on the farm;
- (b) a tour of the farm, an educational activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these;
- (c) activities that promote or market livestock from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and petting zoos;
- (d) dog trials held at the farm;
- (e) harvest festivals and other seasonal events held at the farm for the purpose of promoting or marketing farm products produced on the farm;
- (f) corn mazes prepared using corn planted on the farm;

Gathering for an event means a gathering on a farm for the purpose of attending:

- (a) A wedding, unless paragraph (c) (ii) applies;
- (b) a music festival; or
- (c) an event, other than:
 - (i) An event held for the purpose of agri-tourism; or
 - (ii) the celebration, by residents of the farm and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees;

Introduced and read two times this ___ day of _____ 20XX.

Public Hearing held this ___ day of _____ 20XX.

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

TO: Electoral Area Services Committee **MEETING:** November 28, 2017
FROM: Nick Redpath
Planner **FILE:** 0125-20-BC-Cannabis
SUBJECT: Implications of Cannabis Legalization to the Regional District of Nanaimo

RECOMMENDATIONS

1. That the Board consider making recommendations to the Province with respect to provincial regulation of cannabis by completing the proposed motions in Attachment 1 – Proposed Recommendations to the Province.
2. That the Board request regular updates from the Province through the Union of BC Municipalities to ensure local governments are aware of any and all progress in the development of provincial regulations related to non-medical cannabis.
3. That the Board request additional regional district representation on the Joint Provincial-Local Government Committee on Cannabis Regulation.
4. That the Board request the provision of adequate provincial funding to cover any responsibilities and increase in administrative burden of any provincial framework that requires local government participation.
5. That the Board request equitable sharing of tax revenues from cannabis between all orders of government.
6. That the Board direct staff to amend “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” to reflect federal legislation on production of cannabis and make further necessary amendments once a provincial regulatory framework for the legalization of non-medical cannabis is developed.
7. That the Board request the Province to ensure that the rights of landlords are protected by having property owners able to choose whether to allow the personal cultivation of cannabis by tenants.

SUMMARY

The Government of Canada announced the legalization of non-medical cannabis will take place in July 2018. In response to this, the Province of BC has commenced engagement to support the development of a provincial regulatory framework. As part of their engagement strategy, the Province will engage local governments, the public, Indigenous government and organizations and stakeholder groups on key policy considerations identified in a provincial discussion paper to assist in establishing a regulatory framework. Key policy considerations identified within the discussion paper are minimum age, personal

possession limits, public consumption, drug-impaired driving, personal cultivation and distribution and retail models. Some of the policy considerations, such as the model for production and retail facilities, can be regulated by local government and the RDN will want to inform the province on the preferred option. However, local governments are encouraged to submit a written response on the other policy considerations to help guide the overall regulatory framework.

BACKGROUND

In 2015, the federal government committed to legalizing non-medical cannabis in Canada. A federal task force on cannabis legalization and regulation was subsequently established to advise on the design of a new legislative framework. A report released by the task force in 2016 provided a comprehensive set of recommendations for all levels of government to consider. On April 13, 2017, the federal government introduced Bill C-45, the *Cannabis Act* in the House of Commons with plans to bring it into force in July 2018, effectively making non-medical cannabis legal in Canada as of that date.

The Board at its meeting of October 10, 2017 directed staff to prepare a report on the implications of cannabis legalization to the Regional District of Nanaimo when the opportunity for local government engagement was provided by the Province.

The federal government's plan to legalize non-medical cannabis by July 2018 creates a need for regulation by provincial, territorial and local governments. Each level of government will be responsible for different aspects in the regulation of cannabis and play a significant role upon its legalization.

Federal Implications

The federal government will be responsible for the supply of cannabis (regulation, production and product standards) and set industry-wide standards around the types of products available, packaging and labelling requirements, serving sizes and potency standards, prohibiting the use of certain ingredients and promotional restrictions. The federal government is also responsible for establishing minimum conditions that provincial and territorial legislation will be required to meet to ensure consistency. The conditions set by the federal government relate to personal possession limits (maximum 30 grams per adult), personal cultivation (maximum four plants per residence) and setting of a minimum age of consumption (18 years). Continued oversight of the medical cannabis regime will also fall under federal jurisdiction.

The proposed federal tax scheme adds an excise tax of \$1 per gram or 10 per cent of the final retail price, whichever is higher, with the revenues to be divided equally between Ottawa and the provinces. At this time, it is unclear what portion of the revenues, if any, will be shared with local governments.

Provincial Implications

Provincial and territorial governments will assume responsibility for many aspects of non-medical cannabis regulation in their respective jurisdictions. These aspects will include, but are not limited to: distribution and retail; compliance and enforcement regimes; increase of minimum age limits; restrictions on possession and personal cultivation; public consumption; and amendments to road safety laws.

To facilitate local government and other agency engagement, the Province released the Cannabis Legalization and Regulation in British Columbia Discussion Paper (see Attachment 2 – Cannabis Legalization and Regulation in British Columbia Discussion paper). This discussion paper identifies a number of priority policy considerations for the development of a regulatory framework for non-medical cannabis in BC that the Province is seeking feedback from local governments. The public aspect of this engagement closed on November 1, 2017, with approximately 48,000 responses (Attachment 3 – Public Survey Response News Release). Local governments are encouraged to submit a written response on the key policy considerations and any other challenges or opportunities arising out of the legalization of non-medical cannabis.

Local Government does not have jurisdiction over many aspects of cannabis legalization. However, the Province is asking for feedback on the distribution and retail models for non-medical cannabis. These two aspects of the legalization process have direct implications to local governments as the location of the distribution, warehousing and retail facilities fall under local government jurisdiction and can be regulated through zoning bylaws. These are two aspects of the regulatory framework that the RDN should submit comments.

Public consumption of cannabis falls under federal and provincial jurisdiction, depending on the regulatory scheme established by the Province, local governments may also be able to establish additional restrictions, such as prohibiting cannabis smoking and vaping in public parks under their jurisdiction.

A summary of options provided by the Province in regards to distribution and retail models and public consumption is provided below:

- a) **Distribution:** The federal government has tasked each province or territory with deciding the distribution model for cannabis in its jurisdiction. The three basic models of warehousing and distribution of cannabis to retailers in BC are government, private, or direct. The government distribution model would make the government responsible for warehousing and distribution of cannabis. Licenced producers would send cannabis products to a government distributor, which would then fill orders for cannabis retailers. The private distribution model would allow for private business to be responsible for physical warehousing and distribution of cannabis product under significant government oversight in relation to licensing, inspecting and tracking. The final model is direct distribution. This model would see the Province authorize federally licensed producers to distribute their own products directly to retailers under government oversight.
- b) **Retail:** The federal government authorizes each province and territory to dictate the retail model for cannabis in its jurisdiction. A number of options exist. The Province could establish a public or private retail system, or potentially a mix of both, similar to alcohol. Other options could require that cannabis be sold in dedicated storefronts, or it could allow cannabis to be sold out of existing businesses such as liquor stores or pharmacies. The Province could also establish a direct-to-customer mail-order system. While the federal government allows provinces and territories to decide the retail model in its jurisdiction, if retail regimes are not established by July 2018, the federal government will implement an online retail system as an interim solution.

- c) **Public Consumption:** The federal government has prohibited cannabis in federally-regulated places (e.g. trains, planes), but regulation of public consumption will fall under provincial, territorial and local government jurisdiction. Provinces, territories and local governments have the ability to restrict and prohibit where non-medical cannabis is consumed. However, if restrictions are not legislated by the date of legalization, it will be legal to smoke, vape and consume other forms of cannabis in public.

It should be noted that all of the priority considerations summarized below are regulated entirely by the Province and local governments are only providing feedback to guide the development of a provincial regulatory framework on the legalization of cannabis. While these aspects of cannabis legalization are not within the jurisdiction of local government the Board may wish to provide input.

The province is seeking input on the following priority policy considerations:

- a) **Minimum Age:** A minimum age of 18 to grow, purchase or have public possession of dried cannabis has been established by the federal government. It is at the discretion of provinces and territories to establish a higher minimum age within their respective jurisdictions.
- b) **Maximum Possession:** A maximum possession limit per adult has been set at 30 grams of dried cannabis by the federal government. Provinces and territories have the authority to decrease, but not increase the maximum limit.
- c) **Personal Cultivation:** Personal cultivation of up to four cannabis plants per household is permitted by the federal government. Provinces and territories have the ability to decrease this maximum and also establish further restrictions. These restrictions could include, but are not limited to: Registration for persons growing cannabis plants; restricting where plants can be grown (indoor vs. outdoor); and require certain security measures to be implemented for persons undertaking personal cultivation of cannabis.
- d) **Drug-impaired Driving:** The federal government has the authority to set a blood tetrahydrocannabinol (THC) limit beyond which a person can be criminally charged with cannabis-impaired driving. The federal government still has not determined what constitutes an illegal blood drug concentration and research into the development of a device that can detect THC levels from saliva is ongoing. The Province will have to address the risk of cannabis legalization and potential increased impaired driving through new detection and other methods.

Other significant issues not within the discussion paper that should be considered are tax sharing and tenant rights. The sharing of tax revenue from cannabis sales has yet to be determined and local governments will require compensation for the increase in administrative burden of any provincial framework that requires local government participation.

Personal cultivation of cannabis in private dwellings will be a civil matter and will be left to strata councils and rental agreements between property owners and tenants. Property owners and managers have expressed concerns with the federal government's legislation permitting four plants to be cultivated in a residence and are adamant that rights of property owners should be protected by having the freedom to choose whether they wish to allow tenants to cultivate cannabis in rental units or not.

Regional District of Nanaimo Implications

As a provincial regulatory framework has yet to be released, the implications of cannabis legalization to the Regional District of Nanaimo (RDN) remain uncertain. Based on most recent information provided by the federal and provincial government, regional districts are likely to be most active in the areas of administering and enforcing zoning regulations pertaining to cannabis production facilities, retail sales of cannabis and enforcement of regulation around public consumption in local government facilities.

Land Use Regulation – Retail

A number of proposed provincial retail models exist that would affect RDN zoning. The Province could establish a public or private retail system, or potentially a mix of both, similar to alcohol. Other options could require that cannabis be sold in dedicated storefronts, or it could allow cannabis to be sold out of existing businesses such as liquor stores or pharmacies. The Province could also establish a direct-to-customer mail-order system. Land use planning/zoning administration and enforcement is a clear area of local government jurisdiction that could be used to regulate where licensed recreational cannabis dispensaries can operate. Zoning bylaws can limit dispensaries to certain areas and regulate their proximity to schools and playgrounds. At present, the selling of cannabis would fall under general retail use within “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” and is permitted in any zone that allows that use. Once the Province establishes a retail model and releases a regulatory framework, a review of RDN bylaws will be required to create consistency with provincial and federal legislation.

Land Use Regulation - Production

The federal government will be responsible for regulating cannabis production facilities. Currently, Medical Marihuana Production facilities require a licence from the federal government and producers are required to notify local governments of their licence application and comply with provincial and local government land use regulations. It is anticipated that similar requirements will be placed on non-medical cannabis production facilities. Regional District of Nanaimo zoning bylaws currently permit Medical Marihuana Production facilities on land located within the Agricultural Land Reserve and within the Industrial 2 Zone of Bylaw 1285. It is recommended that RDN zoning regulations be amended to clarify that production related land use regulations apply to medical and recreational marihuana production facilities.

Regional District Representation

At its September 2017 convention, the Union of BC Municipalities (UBCM) membership passed a resolution to endorse the following principles to guide UBCM’s advocacy with the Province regarding local government’s role in a BC framework for cannabis:

- Fulsome and meaningful consultation with local governments;
- provision of adequate provincial funding to cover any responsibilities and increase in administrative burden;
- equitable sharing of tax revenues from cannabis between all orders of government; and
- respect for local choice, jurisdiction and authority, including but not limited to land use and zoning decisions.

The Province and UBCM have now established a Joint Provincial-Local Government Committee on Cannabis Regulation (JCCR) made up of 12 representatives from UBCM and provincial representatives from the Ministry of Public Safety and Solicitor General (see Attachment 4 – Cannabis Regulation Committee News Release). The purpose of the JCCR is to provide an ongoing forum for communication and engagement with local governments as the Province develops the regulatory framework for legalized non-medical cannabis. The JCCR currently meets bi-weekly with provincial representatives and is expected to meet regularly up to and beyond the July 2018 legalization date.

Of the 12 representatives, only one member is a regional district representative. Further regional district representation may be beneficial to help address specific challenges and opportunities in regards to the upcoming legalization of cannabis.

Despite the federal legislation giving stakeholders and Canadians a better idea of what the legalized cannabis regime will entail, many unresolved issues exist. As of the date of this report, the Province has not released its regulatory framework, leaving further uncertainties on many issues at a local level. These issues include, but are not limited to:

- packaging rules and regulations;
- date that edibles will be introduced into the legalized framework;
- restrictions for making cannabis products at home (e.g. foods, drinks);
- information around police enforcement tools and regulations;
- distribution and retail models for cannabis within BC; and
- compensation for provinces, territories and local governments related to enforcement and other resources expended as part of the legalization and regulation of cannabis.

ALTERNATIVES

1. That the Board receive the Government of British Columbia Cannabis Regulation Engagement report for information.
2. That the Board provide alternate direction to staff.

FINANCIAL IMPLICATIONS

This report is prepared in response to an opportunity provided by the Province to engage local governments on priority issues related to cannabis legalization. As such, no implications to the Board 2017 – 2021 Financial Plan have been identified at this time. A revenue sharing scheme between the Province and local governments has not been released and financial implications to the RDN will vary upon the provision of provincial funding to cover any increased responsibilities and costs required of the RDN throughout the non-medical cannabis legalization process. The broad financial implications to the RDN of cannabis legalization will be given consideration when the Province releases their regulatory framework and revenue sharing scheme.

STRATEGIC PLAN IMPLICATIONS

A focus on Economic Health is one of the strategic priorities in the RDN Strategic Plan 2016 – 2020. In particular, the strategic plan directs that the RDN will foster economic development and support diversification of our regional economy. Certain distribution and retail models being considered by the

Province could provide local business opportunities in this emerging sector and promote economic health through the diversification of our regional economy.



Nick Redpath
nredpath@rdn.bc.ca
November 16, 2017

Reviewed by:

- P. Thomson, Manager, Long Range Planning
- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic and Community Development and Acting Chief Administrative Officer

Attachments

1. Proposed Recommendations to the Province
2. Cannabis Legalization and Regulation in British Columbia Discussion Paper
3. Public Survey Response News Release
4. Cannabis Regulation Committee News Release

Attachment 1
Proposed Recommendations to the Province
Page 1 of 1

Further discussion and analysis on each of the sample recommendations below can be found in Attachment 2 - Cannabis Legalization and Regulation in British Columbia Discussion Paper.

Provincial decisions on sample motions i. and ii. will have direct implications to local governments as location of distribution, warehousing and retail facilities will fall under local government jurisdiction.

The following sample motions contain several options to consider (underlined and capitalized) and may assist the Board in formulating a resolution should the Board choose to provide comment to the Province on considerations related to non-medical cannabis legalization:

That the Board of the Regional District of Nanaimo make the following recommendations to the Province of BC with respect to provincial regulation of non-medical cannabis:

- i. that the Province establish a GOVERNMENT or PRIVATE or HYBRID GOVERNMENT AND PRIVATE or DIRECT distribution and warehousing model for non-medical cannabis and permit local governments to regulate and/or prohibit cannabis warehousing, distribution and sale through zoning bylaws;
- ii. that the Province establish a retail model that consists of a GOVERNMENT or PRIVATE or HYBRID GOVERNMENT AND PRIVATE or DEDICATED STOREFRONT or DIRECT TO CONSUMER MAIL ORDER SYSTEM and permit local governments to regulate the location and density of retailers through zoning bylaws;

If the Board chooses to comment on the priority considerations outlined in the sample motions below, it should be noted that these considerations are regulated entirely by the Province and local governments are being invited to provide feedback to the Province to help guide the development of a provincial regulatory framework on the legalization of non-medical cannabis.

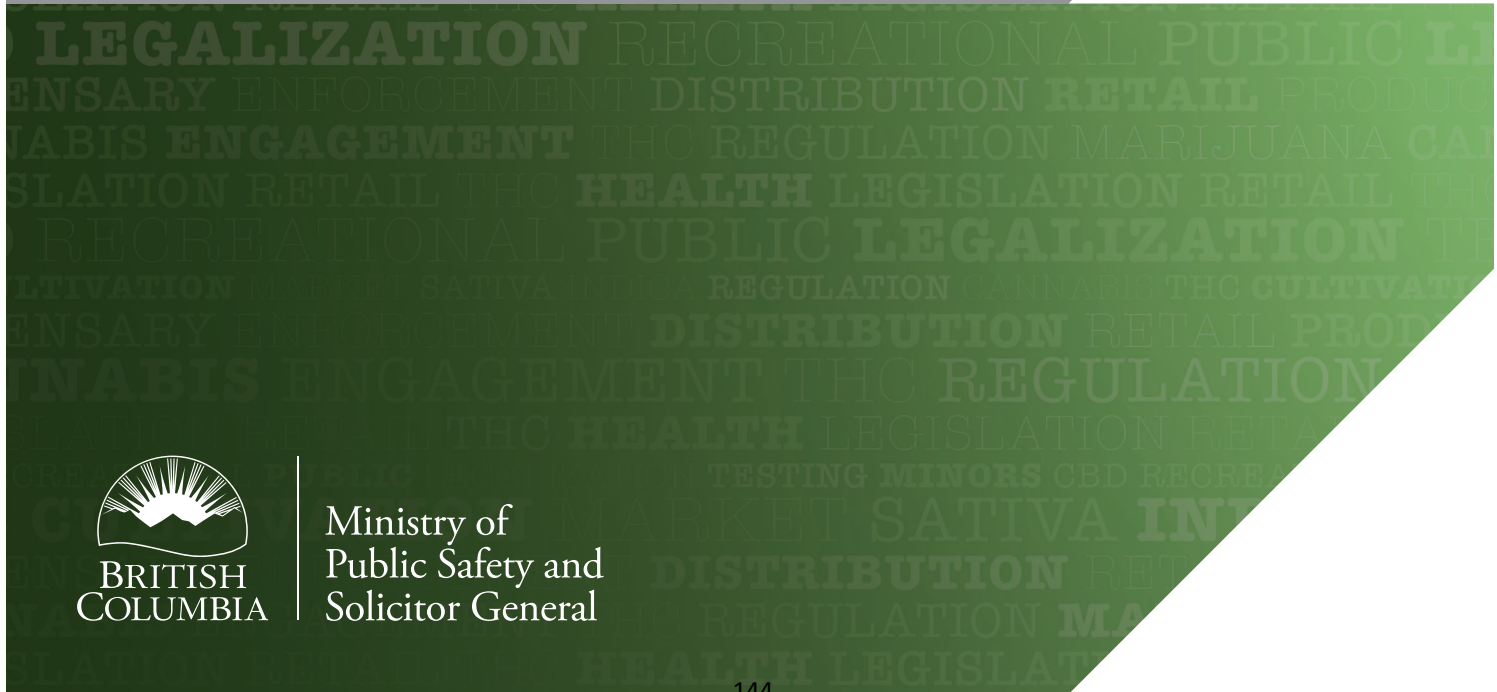
That the Board of the Regional District of Nanaimo make the following recommendations to the Province of BC with respect to provincial regulation of non-medical cannabis:

- iii. That the minimum age to buy, grow and publicly possess non-medical cannabis in BC be established at XX years;
- iv. that the maximum public possession limit of dried cannabis for a person of legal age be established at XX grams;
- v. that the personal possession limit of dried cannabis for youths without being criminally charged be established at XX grams;
- vi. that public smoking of cannabis be restricted in the same manner as tobacco smoking and vaping or that public smoking of cannabis be prohibited altogether;
- vii. that the Province launch a public education and awareness campaign to inform British Columbians about the risks and potential consequences of cannabis-impaired driving and set a zero-tolerance standard in respect of blood THC content for drivers in the Graduated Licensing Program with an “L” or “N” designation and/or drivers under a specific age threshold;
- viii. that the maximum home cultivation of non-medical cannabis limit for an adult be established at XX plants per household and PROHIBIT or ALLOW outdoor cultivation and SET/DO NOT SET restrictions regarding where and how non-medical cannabis can be grown and stored at home.



Cannabis Legalization and Regulation in British Columbia

Discussion Paper



Ministry of
Public Safety and
Solicitor General

Introduction

In 2015, the federal government committed to legalizing non-medical cannabis in Canada. On June 30, 2016, it established the Task Force on Cannabis Legalization and Regulation (the Task Force) to consult and advise on the design of a new legislative and regulatory framework. The [Task Force report](#) was released on December 13, 2016, and provides a comprehensive set of recommendations for governments to consider.

On April 13, 2017, the federal government introduced Bill C-45, the *Cannabis Act* and Bill C-46 (the Act to amend the *Criminal Code*), in the House of Commons. The Bills are currently making their way through the parliamentary process. Bill C-46 amends the *Criminal Code* to simplify and strengthen its approach to alcohol and drug impaired driving, and the federal government plans to move quickly to bring the amendments into force once the Bill receives Royal Assent.

The federal government plans to bring Bill C-45 into force in July 2018; this will make non-medical cannabis legal in Canada as of that date. Bill C-45 is largely based on the recommendations of the Task Force. It seeks to balance the objectives of providing access to a regulated supply of cannabis, implementing restrictions to minimize the harms associated with cannabis use, and reducing the scope and scale of the illegal market and its associated social harms.

The federal government's decision to legalize cannabis creates a corresponding need for provincial and territorial governments to regulate it. While the federal government intends to assume responsibility for licensing cannabis producers and regulating production and product standards, provinces and territories will be responsible for many of the decisions about how non-medical cannabis is regulated in their jurisdictions. These include, but are not limited to: distribution and retail systems; compliance and enforcement regimes; age limits; restrictions on possession, public consumption and personal cultivation; and amendments to road safety laws.

As it considers these important decisions, the BC Government wants to hear from local governments, Indigenous governments and organizations, individual British Columbians, and the broad range of other stakeholders that will be affected by cannabis legalization.

This discussion paper has been prepared to help inform this public and stakeholder engagement. It addresses a number of key policy issues for BC, including minimum age, public possession and consumption, drug-impaired driving, personal cultivation, and distribution and retail. It draws heavily from the analysis of the Task Force, and identifies policy options to consider in developing a BC regulatory regime for non-medical cannabis.

Note that this paper does not address regulation of medical cannabis. For now, the federal government has decided to maintain a separate system for medical cannabis. The Province has a more limited role in the medical cannabis system, and the policy issues and policy choices available are very different, in part because of a history of court cases related to the *Canadian Charter of Rights and Freedoms*.

Minimum Age

While Bill C-45 establishes a minimum age of 18 years to buy, grow, and publicly possess up to 30 grams of non-medical cannabis, provinces and territories can choose to establish a higher minimum age in their jurisdictions. This is consistent with the Task Force recommendations.

- BC could accept the federal minimum age of 18. However, the minimum age to buy tobacco and alcohol in BC is 19. 19 is also the BC age of majority, when minors become legal adults. In addition, since significant numbers of high school students turn 18 before they graduate, a minimum age of 18 could increase the availability of cannabis to younger teens.
- BC could set the minimum age at 19. This would be consistent with the minimum ages for tobacco and alcohol, and with the BC age of majority.
- BC could set the minimum age at 21 or higher. Emerging evidence suggests that cannabis use could affect brain development up to age 25. As a result, many health professionals favour a minimum age of 21.

However, as the Task Force recognized, setting the minimum age too high could have unintended consequences. Currently, persons under 25 are the segment of the population most likely to use cannabis. The greater the number of young users who cannot buy legal cannabis, the more likely that there will continue to be a robust illegal market where they can continue to buy untested and unregulated cannabis.

Finally, it's important to note that a legal minimum age is not the only tool to discourage cannabis use by young persons. As an example, public education campaigns that provide information about how cannabis use can limit academic performance and future opportunities have been found to be effective.

Personal Possession - Adults

Bill C-45 establishes a 30 gram limit on public possession of dried cannabis. Practically, this means that this is the maximum amount that an adult could buy and take home at any one time (for context, one joint typically contains between .33g to 1g of cannabis). The legislation also sets possession limits for other forms of cannabis (e.g. oils, solids containing cannabis, seeds) and the federal government intends to add other types of cannabis products (e.g. edibles) by regulation at a later date.

The 30 gram limit is consistent with the Task Force recommendation and with public possession limits in other jurisdictions that have legalized non-medical cannabis. The reason for public possession limits is that possession of large amounts of cannabis can be an indicator of intent to traffic, so a public possession limit can help law enforcement to distinguish between legal possession for personal use, and illegal possession for the purpose of trafficking.

Provinces and territories cannot increase the public possession limit, but they can set a lower limit. However, a consistent possession limit across the provinces and territories would be easier for the public to understand and comply with.

Personal Possession – Youths

While persons under 18 will not be able to buy or grow cannabis under Bill C-45, they are not prohibited from possessing up to 5 grams of dried cannabis or equivalent amounts for other cannabis products. This is consistent with the Task Force report, which took the position that youth should not be criminalized for possession of relatively small amounts of cannabis. However, provinces and territories can establish laws that prohibit possession by persons under an established provincial minimum age. Such a provincial law would not result in a criminal conviction and would be similar to how BC deals with alcohol – persons under 19 are prohibited from possessing alcohol, and a law enforcement officer can confiscate it and has the option of issuing a ticket.

Public consumption

Bill C-45 will amend the federal *Non-smokers' Health Act* to prohibit cannabis smoking and vaping in certain federally-regulated places (e.g. planes, trains), but regulation of public consumption of cannabis will otherwise fall within provincial and territorial jurisdiction.

BC can restrict where non-medical cannabis can be consumed, and can place different restrictions on different types of consumption (e.g. smoked, eaten). If BC does not legislate restrictions on public consumption by the time Bill C-45 comes into force, it will be legal to smoke, vape, and otherwise consume cannabis in public, including in places where tobacco smoking and vaping are forbidden.

For the purpose of considering potential restrictions on public consumption, it may be helpful to consider cannabis smoking and vaping separately from other forms of consumption.

Cannabis Smoking and Vaping

The Task Force recommended that current restrictions on public tobacco smoking be extended to cannabis. In BC, both tobacco smoking and vaping are currently prohibited in areas such as workplaces, enclosed public spaces, on health authority and school board property, and in other prescribed places such as transit shelters, and common areas of apartment buildings and community care facilities.

BC has a number of options to consider:

- BC could extend existing restrictions on tobacco smoking and vaping to cannabis smoking and vaping – under provincial law, adults would then be allowed to smoke or vape cannabis anywhere they can smoke or vape tobacco. Depending on the regulatory scheme established by the Province, local governments may also be able to establish additional restrictions, such as prohibiting cannabis smoking and vaping in public parks.
- BC could prohibit public cannabis smoking altogether, but allow cannabis vaping wherever tobacco smoking and vaping are allowed. Compared to smoking, vaped cannabis has a reduced odour and is less likely to be a nuisance to passersby. In addition, banning public cannabis smoking could help avoid normalizing cannabis use.

- BC could also prohibit public cannabis smoking and vaping altogether and establish a licensing scheme to allow designated consumption areas, e.g. cannabis lounges. However, it is unlikely that such a licensing scheme could be implemented in time for legalization.

Other forms of consumption:

While edible, drinkable, and topical forms of cannabis will not be commercially available immediately upon legalization, the federal government intends to regulate the production and manufacturing of these products for sale at some point. In addition, adults will be allowed to make their own edible and other products at home.

Public consumption of non-inhaled forms of cannabis would be very difficult to detect and enforce. While BC could legislate restrictions on public consumption of these forms of cannabis, it may be more practical to rely on public intoxication and disorderly conduct laws to manage intoxication issues related to public consumption.

Drug-impaired Driving

With 17% of British Columbians reporting cannabis use within the previous year¹, we know that it's very likely that a number of British Columbians are already driving with cannabis in their system, whether they are impaired or not. In 2016, drugs (cannabis or otherwise) were a contributing factor in fewer than 8% of BC road fatalities; however, legalization raises legitimate concerns about the potential for cannabis-impaired driving to increase, and make our roads less safe.

Drug-impaired driving is already prohibited under the *Criminal Code*, but Bill C-46 would overhaul existing impaired driving provisions and specifically address cannabis impairment. The amendments will provide authority for the federal government to set a blood tetrahydrocannabinol (THC) limit beyond which a person can be criminally charged with cannabis-impaired driving. This is similar to the blood alcohol limits in place for alcohol-impaired driving.

The proposed federal criminal penalties for drug-impaired driving range from a minimum of a \$1,000 fine to up to a maximum of 10 years in jail.

In BC, police who stop an alcohol-impaired driver can charge the driver criminally, but they also have the option of issuing an [Immediate Roadside Prohibition](#) (IRP) or an Administrative Driving Prohibition (ADP) under the BC *Motor Vehicle Act*. Sanctions can include licence prohibitions, monetary penalties, vehicle impoundment, and license reinstatement fees. These programs have been very effective in reducing the number of road fatalities on BC roads.

While the IRP and ADP schemes do not currently apply to drug-impaired driving, police officers in BC do have the option to issue a 24-hour roadside prohibition to a suspected drug-affected driver, with or without a criminal charge.

¹ Canadian Tobacco, Alcohol and Drugs Survey, 2015

One key challenge is that unlike with blood alcohol, there is not enough scientific evidence to link a particular blood THC level with impairment. In fact, it is known that THC can remain in the blood after any impairment has resolved, particularly for frequent users. An IRP or ADP-type scheme would therefore have to rely on other ways to assess impairment, such as a Standard Field Sobriety Test (SFST) conducted by a trained police officer, or evaluation by a Drug Recognition Expert (DRE). The approval of oral fluid screening devices and/or the setting of per se limits by the federal government could also influence the introduction of an administrative regime for drug-impaired driving.

BC could consider one or more of the following to address the risk that cannabis legalization could lead to increased impaired driving:

- BC could launch a public education and awareness campaign to inform British Columbians about the risks and potential consequences of cannabis-impaired driving.
- BC could set a zero-tolerance standard in respect of blood THC content for drivers in the Graduated Licensing Program (drivers with an “L” or “N” designation) and/or for drivers under a specific age threshold.
- BC could invest in SFST and DRE training for more police officers.
- BC could expand the IRP and/or ADP programs to include drug-impaired driving.

Personal Cultivation

Bill C-45 allows adults to grow up to 4 cannabis plants per household, up to a maximum plant height of 100 centimetres. Bill C-45 does not place restrictions on where plants can be located (indoor vs. outdoor) and does not require home growers to put any security measures in place, but it is open to provinces and territories to establish such restrictions.

In considering personal cultivation, the Task Force acknowledged concerns about risks such as mould, fire hazards associated with improper electrical installation, use of pesticides, and risk of break-in and theft. However, it noted that these concerns were largely shaped by experience with large scale illegal grow operations, and found that on balance, allowing small-scale home cultivation of up to four plants was reasonable.

The Task Force recognized the need for security measures to prevent theft and youth access, and for guidelines to ensure that cannabis plants are not accessible to children. The Task Force also suggested that local authorities should establish oversight and approval frameworks, such as a requirement that individuals be required to notify local authorities if they are undertaking personal cultivation.

In thinking about possible restrictions on personal cannabis cultivation, it may be helpful to keep in mind that it is legal in Canada to grow tobacco and to produce wine or beer at home for personal use with

very few restrictions. In particular, the law does not require specific security measures to prevent theft, or access by children and youth.²

BC has several options to consider regarding restrictions on home cultivation of non-medical cannabis:

- BC could adopt a lower limit than 4 plants per household for non-medical cannabis cultivation.
- BC could set restrictions regarding where and how non-medical cannabis can be grown at home. For example, it could: prohibit outdoor cultivation; allow outdoor cultivation but require that plants not be visible from outside the property; and/or require that any outdoor plants be secured against theft.
- BC could establish a registration requirement for persons who want to grow non-medical cannabis at home. However, there would be significant costs associated with administering a registration requirement, and the benefits may be questionable, since those who do not plan to comply with laws on home cultivation may be unlikely to register in the first place.
- If BC decides not to implement one or more of the above measures, local governments could be authorized to do so.

Distribution Model

Under Bill C-45, each province or territory will decide how cannabis will be distributed in its jurisdiction. Distribution is the process by which goods are supplied to retailers that sell to consumers. Distributors are often called wholesalers.

There are three basic models for the warehousing and distribution of cannabis to retailers in BC: government, private, or direct.

- Government distribution – In this model, government would be responsible for warehousing and distribution of cannabis. Licensed producers would send cannabis products to a government distributor, which would then fill orders from cannabis retailers. Government distribution allows for direct control over the movement of cannabis products, but requires significant up-front investment and set-up. The Task Force heard strong support for government distribution, noting that it has proven effective with alcohol.
- Private distribution – In this model, one or more private businesses could be responsible for the physical warehousing and distribution of cannabis. However, significant government oversight would be required in the form of licensing, tracking and reporting requirements, as well as regular audits and inspections.
- Direct distribution – In this model, the province would authorize federally licensed producers to distribute their own products directly to retailers. This model would also require significant

² Parents have a general legal duty to supervise and keep their children safe, but the law does not create specific requirements to protect children from all of the potential dangers that may be present in a home (e.g., alcohol, prescription drugs, and poisons).

government oversight and could make it challenging for smaller producers to get their products to market.

Retail

Under Bill C-45, each province or territory will decide the retail model for cannabis in its jurisdiction. Recognizing that the July 2018 timeline may not give provinces or territories enough time to establish their retail regimes before legalization, the federal government will implement an online retail system as an interim solution.

BC has a number of options for retail:

- BC could establish a public or private retail system, or potentially a mix of both, as currently exists for alcohol. A public system would require significant up-front investment in retail infrastructure, but there could also be additional revenue generated from retail sales. A private system would require a more robust licensing, compliance and enforcement system, but the associated costs could be recovered through licensing fees.

In a private retail system, it could be possible to allow some existing illegal dispensaries to transition into the legal system; in a public system such as that planned in Ontario, this would not be possible.

- BC could require that cannabis be sold in dedicated storefronts, or it could allow cannabis to be sold out of existing businesses such as liquor stores or pharmacies.

One public health concern about co-locating cannabis with other products is that it could expose significant numbers of people to cannabis products who might not otherwise seek them out; this could contribute to normalization or more widespread use. In addition, the Task Force strongly recommended against allowing co-location of alcohol or tobacco sales with cannabis, but recognized that separating them could be a challenge in remote communities where a dedicated cannabis storefront might not be viable.

- BC could establish a direct-to-consumer mail-order system. This could help provide access to legal cannabis for those in rural and remote locations and persons with mobility challenges.

Conclusion

Cannabis legalization presents complex policy challenges for the Province. We expect that, as in other jurisdictions that have legalized, it will take several years to develop, establish, and refine an effective non-medical cannabis regime that over time eliminates the illegal market. The information gathered through this engagement will inform the Province's policy decisions. We appreciate your interest and feedback.

Attachment 3**Public Survey Response News Release (Page 1 of 2)**

British Columbia News

Over 48,000 British Columbians have had their say on cannabis<https://news.gov.bc.ca/15768>

Thursday, November 2, 2017 10:32 AM

victoria - British Columbia's public and stakeholder engagement on the legalization and regulation of non-medical cannabis — one of the most engaging in B.C.'s history — is now complete.

An unprecedented number of people shared their opinions to help shape the way non-medical cannabis will be regulated in B.C.

After five weeks of being live, the BC Cannabis Regulation Engagement website saw 127,952 visits, with 48,151 British Columbians filling out the feedback form and providing their views on topics such as minimum age, personal possession limits, public consumption, drug-impaired driving, personal cultivation, and distribution and retail models. As well, 800 opinions were received from a representative cross-section of British Columbians through a random telephone survey.

During this time, government also received over 130 written submissions from organizations including local governments, school districts, cannabis industry, advocacy groups and law enforcement.

Engagement with local governments, Indigenous governments and organizations, and stakeholders from law enforcement, health, agriculture and other sectors is ongoing. In addition, the Province and Union of B.C. Municipalities (UBCM) have established a Joint Provincial-Local Government Committee on Cannabis Regulation made up of 12 representatives from UBCM and provincial representatives from the Ministry of Public Safety and Solicitor General.

The feedback collected through this engagement process will help ensure the provincial regulatory framework for non-medical cannabis reflects the needs and values of British Columbians, while prioritizing the protection of young people, health and safety, keeping the criminal element out of cannabis and keeping roads safe.

Over the next few weeks, the Ministry of Public Safety and Solicitor General will review and analyze the feedback received and create a summary report on what was heard that will be made available to the public.

Quotes:**Mike Farnworth, Minister of Public Safety and Solicitor General –**

“I'd like to thank everyone who participated in our various engagements regarding cannabis legalization over the last five weeks. It's now our job to do the hard work, take your feedback and perspectives and use them to develop a responsible, made-in-B.C. approach to regulating non-medical cannabis that maximizes public health and safety.”

Quick Facts:

Attachment 3**Public Survey Response News Release (Page 2 of 2)**

- 127,952 people visited the BC Cannabis Regulation Engagement website between Sept. 25, 2017, and Nov. 1, 2017, spending an average of 10 minutes on the site.
- More than 48,000 British Columbians responded to the online survey about non-medical cannabis.
- 800 British Columbians provided their opinions through a random telephone survey.
- Over 130 organizations provided written submissions via the BC Cannabis Engagement website.
- The Province and the Union of BC Municipalities' Joint Provincial-Local Government Committee on Cannabis Regulation will continue to engage during the development of the regulatory framework for legalized non-medical cannabis.

Learn More:

To read more about the engagement process or to download stakeholder submissions, visit:
<http://engage.gov.bc.ca/BCcannabisregulation/>

Contacts

Ministry of Public Safety and Solicitor General
250 213-3602

Attachment 4**Cannabis Regulation Committee News Release (Page 1 of 2)**

British Columbia News

Cannabis regulation committee underway<https://news.gov.bc.ca/15659>

Thursday, October 19, 2017 11:00 AM

Victoria - A joint provincial-local government committee that will consider policies related to cannabis legalization and regulation in British Columbia is set to begin meeting later this week.

Minister of Public Safety and Solicitor General Mike Farnworth announced the creation of the Joint Provincial-Local Government Committee on Cannabis Regulation (JCCR) at the Union of B.C. Municipalities (UBCM) convention in September. The purpose of the committee is to provide a forum for communication and consultation so that the Province considers local government input during the development of the regulatory framework for legalized non-medical cannabis.

“It goes without saying that local government will be on the frontline and instrumental in the delivery of new policies and laws associated with the legalization of non-medical cannabis in British Columbia,” Farnworth said. “We welcome and value the Union of B.C. Municipalities’ input as we build a framework for the province focused on protecting young people, health and safety, keeping the criminal element out of cannabis and keeping our roads safe.”

UBCM has appointed 12 representatives to the JCCR drawn from elected officials, staff specializing in planning, building inspection, bylaw enforcement or public safety, and senior staff. Provincial representatives are provided through the Ministry of Public Safety and Solicitor General. The first meeting of the JCCR will take place on Friday, Oct. 20.

“Local governments welcome the opportunity to work with the Province as it develops a framework for cannabis legalization in B.C.,” said Wendy Booth, president, Union of B.C. Municipalities. “There are a lot of details to be considered in a short period of time. We want to ensure that the resulting policies are practical and workable for communities in British Columbia, and leave room for local decision-making.”

A backgrounder follows.

Contacts**Media Relations**

Ministry of Public Safety and Solicitor General
250 213-3602

Paul Taylor

Director of Communications
Union of B.C. Municipalities
ptaylor@ubcm.ca
250 356-2938

Backgrounders

Attachment 4

Cannabis Regulation Committee News Release (Page 2 of 2)

Joint Provincial-Local Government Committee on Cannabis Regulation membership

The joint committee will include members of the B.C. Government Cannabis Legalization and Regulation Secretariat and the following UBCM members:

Wendy Booth, director, Regional District of East Kootenay

Kerry Jang, councillor, City of Vancouver

Maya Tait, mayor, District of Sooke

Brian Frenkel, councillor, District of Vanderhoof

Chris Coates, clerk, City of Victoria

Kevin Cormack, chief administrative officer, City of Nelson

Kathryn Holm, chief licence inspector, City of Vancouver

Dave Jones, business license inspector, City of Kamloops

Peter Monteith, chief administrative officer, City of Chilliwack

Terry Waterhouse, director of public safety, City of Surrey

Ian Wells, general manager, planning and development, City of Prince George

Gary MacIsaac, executive director, Union of B.C. Municipalities

TO: Electoral Area Services Committee **MEETING:** November 28, 2017

FROM: Tom Osborne **FILE:**
General Manager Recreation and Parks

SUBJECT: Nanoose Place Lease Agreement Renewal

RECOMMENDATION

That the Board approve the Lease Agreement between the Nanoose Bay Activities and Recreation Society and the Regional District of Nanaimo for the property legally described as: Lot 2, District Lot 6, Nanoose District, Plan 50996 for a ten year term expiring on December 15, 2027.

SUMMARY

The existing Lease Agreement with the Nanoose Bay Recreation and Activities Society for the lands of which Nanoose Place is located has expired and a renewal Agreement has been prepared for the Board’s consideration. The terms and conditions of the new Agreement will run for a ten year term ending on December 15, 2027. As per the *Local Government Act* a notice of the Lease Agreement has been placed in two consecutive editions of local paper notifying residents of the Lease.

As Nanoose Bay Activities & Recreation Society continues to successfully manage the land in accordance with the previous Lease Agreement, it is recommended the attached Agreement be approved.

BACKGROUND

The Nanoose Bay Activities & Recreation Society owns and operates the Nanoose Community Hall located on Regional District property (legally described as: Lot 2, District Lot 6, Nanoose District, Plan 50996) on Northwest Bay Road. In December 1990, the District authorized the Nanoose Society permission to construct the Community Hall on this property. A mobile trailer was also permitted to be located on the property for the purpose of operating a daycare facility.

The Society occupies the land under an Agreement with the Regional District. The term for the current Agreement ended on July 31, 2017 and requires renewal.

The proposed Agreement being recommended for approval is similar to the previous Lease with an amendment for clarity on the use of parking lot for commercial purposes (Section 4.03) and increasing the term of the agreement from a five year to a ten year term. The proposed increase in the term’s length will assist the Society as it provides more certainty of their ownership and operation of the facility and may assist them in obtaining grant funding from other agencies and organizations.

The document also contains language that reflects that Canuck Properties Ltd., the owners of the

adjacent land legally described as Lot A, District Lot 6, Nanoose District, VIP58653, applied for and received a Comprehensive Development Zone 30 (CD30) on January 27, 2009 with the adoption of “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500.326, 2007”. The CD30 zoned permits the construction of a mixed commercial building in two phases. The commercial building is designed to accommodate a mix of retail commercial, personal service uses and professional office space.

Related to this rezoning, an Easement Agreement (FB245232) was registered on Title on February 2, 2009 on Canuck Properties Ltd. Land and the Regional District’s Land that would provide for vehicle access and parking and pedestrian access. In addition, Canuck Properties is required to pave a portion of the Regional District property as reasonably necessary to provide a high quality parking area and access road and erect light standards as may be reasonably required for the safe use of the Easement Area.

In relation to the Easement Agreement noted above, a section 219 covenant (FB240276) has been registered on Title on the two properties for reciprocal use of off-street parking, vehicular access, pedestrian access, and maintenance of landscaping. The registration of this covenant is now reflected in Lease document with the Society.

To date, construction has not commenced on the Canuck Properties Land therefore improvements provided for in the Easement and Covenant to either site have not been implemented.

ALTERNATIVES

1. Authorize the Lease Agreement with Nanoose Bay Recreation and Activities Society, as presented.
2. Authorize the Lease Agreement with Nanoose Bay Recreation and Activities Society, as amended by the Board.
3. Do not renew the Lease Agreement at this time.

FINANCIAL IMPLICATIONS

The Lease Agreement for the lands of which Nanoose Place is situated is with a non-profit society and is proposed to be renewed for rent of \$1.00 for the term.

The order of magnitude estimate of the assistance for this nominal value land lease is \$16,300 per annum. This estimate is based on a 5% yield on the estimated market value of the land. The yield rate selected is at the lower end of yields (typically between 5 to 9%), recognizing the public utility (not commercial), land size, location, and security of the tenancy amongst other factors.

At the request of the Society and approved by the Regional Board, between 2016 and 2017 the Regional District assisted with capital upgrades to the facility through the provision of Electoral Area E Community Works Funds in the amount of \$215,000. Capital projects included paving, road side signage, a new sound system and kitchen upgrades.

Notwithstanding the above financial assistance provided to the facility through Community Works Funds, the Society remains responsible for all capital and operational costs associated with the management of Nanoose Place and the property.

STRATEGIC PLAN IMPLICATIONS

The renewal of the Lease Agreement meets the RDN's current Strategic Goals of securing recreation amenities as a core service.



Tom Osborne
tosborne@rdn.bc.ca
November 1, 2017

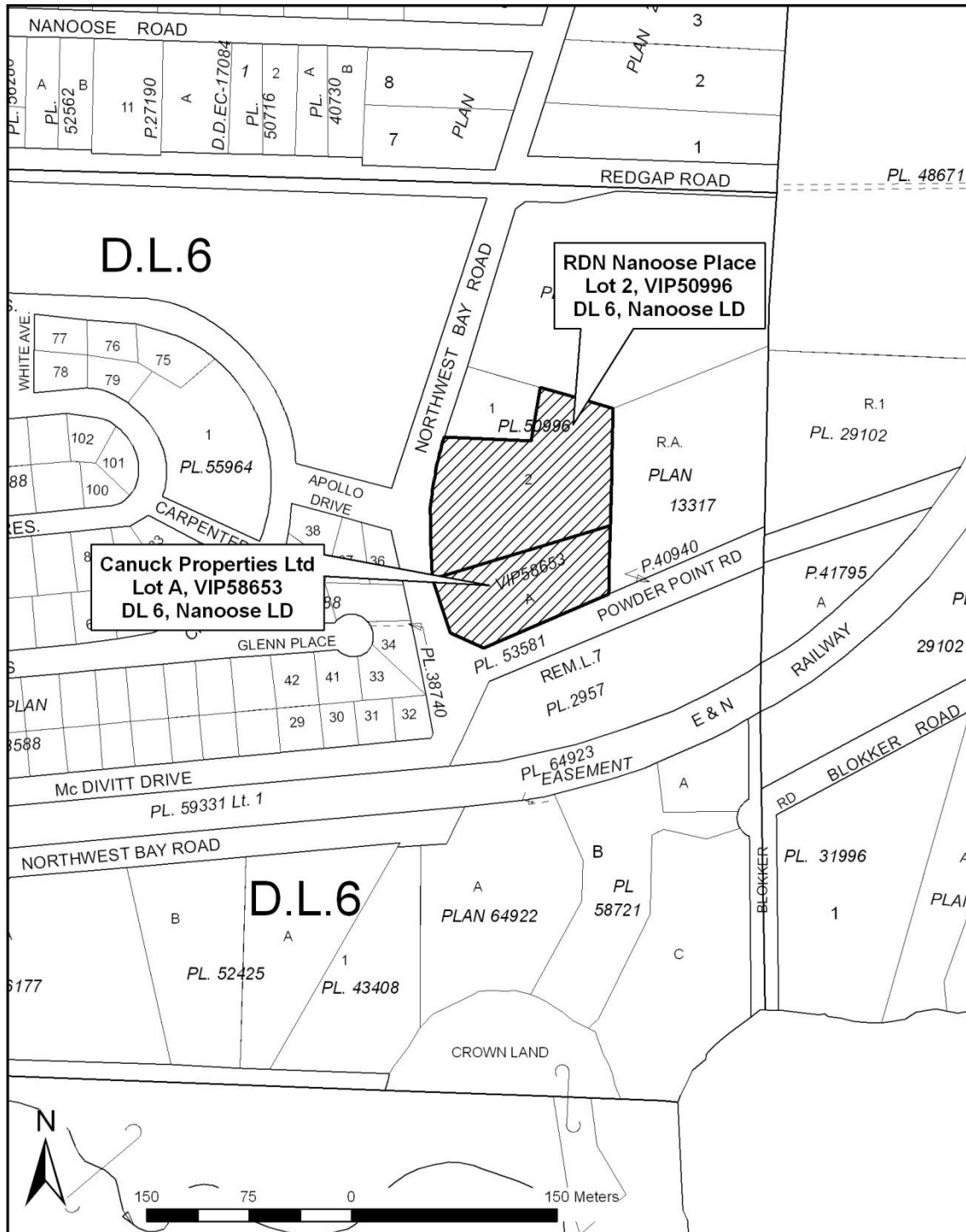
Reviewed by:

- T. Osborne, General Manager Recreation and Parks
- P. Carlyle, Chief Administrative Officer

Attachments

1. Site Map
2. Nanoose Place Lease Agreement Renewal
3. Canuck Properties Ltd. Easement Areas

Attachment 1 – Site Map



Mapsheet 92F.030.3.1

**NANOOSE PLACE
LEASE AGREEMENT**

THIS LEASE AGREEMENT signed on the ___ day of _____, 2017 and effective the 1st day of _____, 2017.

BETWEEN:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

(hereinafter called the "Regional District")

OF THE FIRST PART

AND:

NANOOSE BAY ACTIVITIES AND RECREATION SOCIETY

2925 Northwest Bay Road
NanOOSE Bay, BC
V9P 9E6

(hereinafter called the "Society")

OF THE SECOND PART

WHEREAS:

- A. The Regional District is the registered owner in fee simple of lands legally described as:

Lot 2,
District Lot 6,
NanOOSE Land District,
Plan 50996

(the "Lands")

- B. At the expense and instance of the Society, the Society has constructed a building on the Lands for use as a community centre and community hall (the "Building").
- C. The Society has, at its own expense, brought a mobile home onto the Lands that is used as a day care and after school centre (the "Mobile Home").
- D. The parties wish to provide for the lease of the Lands to the Society upon the terms and

conditions set out herein and also wish to establish their respective positions upon the termination or expiration of the term of the lease.

- E. The parties recognize that Canuck Properties Ltd., the owners of the adjacent land legally described as Lot A, District Lot 6, Nanoose District, VIP58653, applied for and received a Comprehensive Development Zone 30 (CD30) on January 27, 2009 with the adoption of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500.326, 2007". The CD30 zoned permits the construction of a mixed commercial building in two phases. The commercial building is designed to accommodate a mix of retail commercial, personal service uses and professional office space.
- F. The parties recognize an Easement Agreement (FB245232) was registered on Title on February 2, 2009 on Lot A, District Lot 6, Nanoose District, Plan VIP58653 between Canuck Properties Ltd. and the Regional District that would provide for vehicle access and parking and pedestrian access. In addition, Canuck Properties is required to pave a portion of the Regional District property as reasonably necessary to provide a high quality parking area and access road and erect light standards as may be reasonably required for the safe use of the Easement Area. In addition, improvements upon Canuck Properties lands as contemplated through concept drawings must be approved in writing by the Regional District. There will also be no charge for parking to users from the Regional District land, of which Nanoose Place is situated, on the Canuck Properties development.
- G. The parties recognize that a section 219 covenant (FB240276) has been registered on Title on Lot A, District Lot 6, Nanoose District, Plan VIP58653 (Canuck Properties Ltd. land) and Lot 2, District Lot 6, Nanoose District, Plan VIP50996 (Regional District land) for reciprocal use of off-street parking, vehicular access, pedestrian access, and maintenance of landscaping.
- H. The Parties recognize that improvements required under the section 219 covenant (FB240276) by Canucks Properties Ltd. on Lot 2, District Lot 6, Nanoose District, Plan VIP50996 must be completed in accordance with the covenant requirements and schedules concerning development on Lot A, District Lot 6, Nanoose District, Plan VIP58653. These improvements generally include the provision and maintenance of the following elements in accordance with the Schedules "A" through "I" contained in the covenant: a community sewer extension, construction of buildings, pedestrian links and walkways, freestanding signage, vehicular access, off-street parking and loading, garbage collection facilities, stormwater management system, and landscaping.

NOW THEREFORE THIS INDENTURE WITNESSETH THAT in consideration of the rents, covenants, agreements and conditions hereinafter reserved and contained on the part of the Society to be respectively paid, kept, observed and performed, the Regional District hereby demises and leases unto the Society the Lands, to hold the Lands unto the Society for a term of ten (10) years from and including December 15, 2017 to and including December 14, 2027 (the "Term"), subject to the terms and conditions herein set forth.

1.00 RENT AND RESPONSIBILITY FOR EXPENSES

- 1.01 Yielding and paying therefor unto the Regional District upon the execution of this Lease, the rent of One Dollar (\$1.00) for the Term herein granted, the receipt of which is hereby acknowledged.
- 1.02 It is intended by the parties that the Lands be of no cost or expense to the Regional District during the Term and accordingly the Society agrees to pay, whether on its own behalf or on behalf of the Regional District, all costs of every nature and kind relating to the Lands and/or any improvements thereon, and the Society agrees to indemnify the Regional District from and against any such costs and expenses incurred by the Regional District directly.

2.00 INSURANCE MAINTENANCE, RISK AND INDEMNITY

- 2.01 The Society agrees to take out and keep in full force and effect throughout the Term and during such other time as the Society occupies the Lands or any part thereof at the expense of the Society:
- (a) all risk building insurance for the full replacement value of the improvements on the Lands;
 - (b) comprehensive general liability insurance, including without limitation non-owned automobile insurance, and tenant fire legal liability insurance, against claims for personal injury, death or property damage or loss upon, in or about the Lands or otherwise howsoever rising out of the operations of the Society or any person conducting business or activities from the Lands, to the limit as may be reasonably required by the Regional District from time to time but, in any case, of not less than Three Million (\$3,000,000.00) Dollars in respect to injury or death to a single person and in respect of any one accident concerning property damage.

The Society and the Regional District shall both be named as insured under such liability policy or policies of insurance.

- 2.02 Any buildings, furniture, equipment, machinery, fixtures and improvements placed on the Lands by the Society shall be entirely at the risk of the Society.
- 2.03 The Society agrees to comply promptly at its expense with all laws, bylaws, regulations, requirements and recommendations, which may be applicable to the manner of use of the Lands, made by any and all federal, provincial, local government and other authorities or association of insurance underwriters or agents and all notices in pursuance of same, provided however that the Society shall have no liability to make any improvements, alterations or additions to the Lands which may be required by authorities or associations unless due to the use made of the Lands by the Society.
- 2.04 The Society agrees to maintain the Lands and the improvements thereon in good repair and in a neat and tidy condition, and to not do or permit any act or neglect which may in any manner directly or indirectly be or become a nuisance or interfere with the comfort of any person occupying land in the vicinity of the Lands.

2.05 The Society agrees to indemnify and save harmless the Regional District, its elected and appointed officers and employees, from any and all claims, suits, actions, costs, fees and expenses of any kind whatsoever brought against or incurred by the Regional District or its elected and appointed officers and employees in any way relating to the Society's use of the Lands during the Term of this Lease. Such indemnity shall extend to legal expenses incurred by the Regional District in defending against such liability or alleged liability or in enforcing this right of indemnity.

2.06 The Society shall not construct or place on the Lands any improvements without first obtaining the prior written consent of the Regional District and obtaining all required building or development permits.

3.00 QUIET ENJOYMENT

3.01 The Regional District covenants with the Society for quiet enjoyment, for so long as the Society is not in default hereunder.

3.02 The Society shall permit the Regional District and its servants and agents at all reasonable times, upon twenty-four (24) hours' notice in writing, specifying the time of inspection, during the Term of this Lease to enter the Lands and every part thereof to examine the condition thereof, and if any want or repair shall be found on such examination and notice thereof is given, the Society will, within ninety (90) days of the giving of that notice, well and truly repair in accordance with that notice.

4.00 USE, ASSIGNMENT AND SUBLETTING

4.01 The Society agrees to not use the Lands for any purpose other than as a community centre or community hall, community gardens, and a daycare and after school care centre for the care of children under the age of thirteen (13) years between the hours of 7:30 a.m. and 6:00 p.m.

4.02 The Society agrees that it will not assign, mortgage or encumber this Lease, or sublet, or suffer or permit the Lands or any part thereof to be used by others by licence or otherwise without the prior written consent of the Regional District in each instance which shall not be arbitrarily or unreasonably withheld. Provided however that the provisions of this paragraph shall not restrict the right of the Society to licence the use or occupation of the Lands, Building or Mobile Home on a short term, occasional basis for a use or purpose that is within the ordinary use and for the ordinary purposes of the Society without prior written consent of the Regional District.

4.03 Notwithstanding section 4.02 of this agreement, if the society wishes to licence a third party to use the parking lot on the Lands for any commercial purpose, the Society shall obtain the prior written consent of the Regional District, which consent is at the sole discretion of the Regional District.

- 4.04 In no event shall any assignment, or subletting, or sub-licensing to which the Regional District may have consented release or relieve the Society from its obligations to fully perform all the terms, covenants and conditions of this Lease on its part to be performed.
- 4.05 In the sublease between the Society and an assignee or subtenant under any assignment or sublease consented to by the Regional District, the Society shall require that the subtenant or assignee agree to be bound by all of the Society's obligations under this Lease.
- 4.06 A dispute between the parties about whether a license granted by the Society is a short term occasional use shall be determined in accordance with Article 9.

5.00 HOLDING OVER

- 5.01 If the Society continues to occupy the Lands with the consent of the Regional District after the expiration or other termination of the Term without any further written agreement, the Society shall be a monthly lessee subject always to all of the provisions of this Lease insofar as the same are applicable to a month-to-month tenancy and a tenancy from year to year shall not be created by implication of law; provided that nothing herein contained shall preclude the Regional District from taking action for recovery of possession of the Lands.

6.00 APPROVALS

- 6.01 No provision in this Lease requiring the Regional District's or the Society's consent or approval shall be deemed to have been fulfilled or waived unless the written consent or approval of the Regional District or the Society relating to the particular matter or instance has first been obtained and, without limiting the generality of the foregoing, no prior consent or approval and no condoning, excusing or overlooking by the Regional District on previous occasions when such a consent or approval was required shall be taken to operate as a waiver of the necessity of such consent or approval whenever required under this Lease.

7.00 RELATIONSHIP OF PARTIES

- 7.01 Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the parties hereto, it being understood and agreed that neither the method of commutation of rent nor any other provision contained herein, nor any acts of the parties herein, shall be deemed to create any relationship between the parties other than the relationship of landlord and tenant.

8.00 SOLE AGREEMENT

- 8.01 This Lease sets forth all of the warranties, representations, covenants, promises, agreements, conditions and understandings between parties concerning the Lands and there are no warranties, representations, covenants, promises, agreements, conditions or understanding, either oral or written, express or implied, between them other than as set forth in this Lease.

9.00 ARBITRATION

9.01 In the event of a bona fide dispute arising between the Society and the Regional District as to any matter, question or determination arising or required to be made under this Lease, such dispute shall immediately be referred to an arbitrator agreed upon by the Society and the Regional District or, in the event that they cannot agree upon such arbitrator, then the question shall be referred to the arbitration of one arbitrator under the *Arbitration Act* of British Columbia, and amendments thereof, or such other Statute or Statutes of like effect being in force in British Columbia, and such arbitrator, whether agreed upon or appointed under the said Statute shall have access to such records of the parties as may be reasonably necessary and the decision of the arbitrator shall be final and binding upon the parties. Except as otherwise provided for in this Agreement, the costs of the arbitration shall follow the award, unless otherwise determined by the Arbitrator.

10.00 BUILDERS LIENS

10.01 The Society shall promptly pay as and when the same falls due any and all accounts for work done or material supplied in respect of improvements made to the Lands where such improvements are made at the request of and on the credit of, or on behalf, or with the privity or consent of, or for the direct benefit of, the Society.

10.02 The Society will not cause, suffer or permit any encumbrance (including personal property security agreements of any type, liens or charges), lien or charge to arise or exist or be claimed upon the Lands or in respect thereof, provided that should any such claim of lien arise or exist, the Society shall immediately post with the Regional District sufficient security in the form of cash or a bank draft to discharge the same and shall further immediately proceed to a court of competent jurisdiction to cause the validity of such claim of lien to be determined and shall upon such determination cause the registration of such claim of lien against the title to the Lands to be terminated, and in that regard, shall satisfy the lien if it is found valid. Should the Society, at any time after the granting of security, fail, upon the request of the Regional District, to provide the Regional District with proof of its diligent pursuit of a determination of the validity of the claim, lien or the discharge thereof, the Regional District may utilize the security provided by the Society to discharge the claim of lien or liens upon five (5) days' notice in writing of its intention. Should the Society fail to immediately post with the Regional District sufficient security in the form of cash or bank draft to discharge the claim of lien, or should the Society fail to immediately discharge any lien, the Regional District in addition to any right or remedy may, but shall not be obligated to, discharge the claim of lien or liens by paying the amount claimed to be due or the amount due, together with a reasonable amount for costs and the amount paid by the Regional District shall be paid by the Society to the Regional District forthwith upon demand. In no case shall the Regional District be required to investigate the validity of the claim of lien or liens prior to discharging the same in accordance with this clause. The Regional District shall be entitled at all times during the Term to place a notice of interest on the Lands pursuant to section 3 of the *Builders Lien Act*, S.B.C. 1997, or successor or similar legislation.

11.00 OWNERSHIP OF IMPROVEMENTS

11.01 The parties mutually agree that the Building and the Mobile Home are, and shall remain during the term of this Lease, the property of the Society, its successors and assigns.

12.00 REMOVAL OF IMPROVEMENTS

12.01 All improvements and all articles of personal property constructed, owned or installed by the Society at the expense of the Society on the Lands shall remain the property of the Society and may be removed by the Society at any time until the end of the Term or earlier termination of this Lease. The Society agrees that it will, at its expense, repair any damage to the Lands caused by the construction, installation, existence, use or removal thereof (the "Restoration"). Before removing such property the Society shall notify the Regional District of its intention to do so and shall, if required by the Regional District, post a bond in an amount and form satisfactory to the Regional District as security for performance of the Society's obligations for the Restoration.

12.02 If the Society does not remove the property which is removable by the Society pursuant to clause 12.01 prior to the end of the Term or the sooner termination of this Lease, such property shall, if the Regional District elects, be deemed to become the Regional District's property and the Regional District may remove the same at the expense of the Society, and the cost of such removal will be paid by the Society forthwith to the Regional District on demand.

13.00 EXPROPRIATION

13.01 If the whole of the Lands shall be acquired or expropriated by an authority having the power of such acquisition or expropriation, the Term of this Lease shall cease from the date of entry by such authority. If only a portion of the Lands shall be so acquired or expropriated, this Lease shall cease and terminate at the Regional District's option, or at the Society's option. In either event, however, and whether all or only a portion of the Lands shall be so acquired or expropriated, nothing herein contained shall prevent the Regional District or the Society or both from recovering damages from such authority for the value of their respective interest or for such other damages and expenses allowed by law, but in such event neither party shall have an action against the other in respect of any breach of this Lease caused directly or indirectly by such event.

14.00 DEFAULT AND EARLY TERMINATION

14.01 The Society further covenants with the Regional District that if the Society shall violate or neglect any covenant, agreement or stipulation herein contained on its part to be kept, performed or observed and any such default on the part of the Society shall continue for thirty (30) days after written notice thereof to the Society by the Regional District, or in case the Lands shall be vacated or become vacated or remain unoccupied or unused for ninety (90) days, then the Regional District may, at its option forthwith re-enter and take possession of the Lands immediately and by reasonable force if necessary without any previous notice of intention to re-enter and may remove any persons and property therefrom and may use such force and

assistance in making such removal as the Regional District may deem advisable to recover at once full and exclusive possession of the Lands.

- 14.02 If the Term hereof or any renewal therefor or any of the goods or chattel of the Society shall at any time be seized or taken in execution or attachment by any creditor of the Society or if the Society shall make any assignment for the benefit of creditors or commit any other act of bankruptcy or shall become bankrupt or insolvent or shall take the benefit of any bankruptcy or insolvency legislation or if a receiver of any part of the business or property of the Society be appointed by a court or any person or in the case that the Lands are used by any other person or for any other purpose than is herein provided without the written consent of the Regional District or if any other shall be made for the winding up or dissolution of the Society or it should otherwise cease to exist or if the purposes of the Society are altered without the prior written consent of the Regional District, then the Term hereof or any renewal thereof shall become forfeit and void, and it shall be lawful for the Regional District any time thereafter to re-enter into or upon the Lands or any part thereof in the name of the whole and the same to have again, repossess and enjoy as of its former estate, notwithstanding anything herein contained to the contrary and neither this Lease nor any interest therein nor any estate hereby created shall pass to or enure to the benefit of any trustee in bankruptcy or any receiver or any assignee for the benefit of creditors or otherwise by operation of law.
- 14.03 Either party to this Agreement may terminate the Agreement at any time upon sixty (60) days notice in writing to the other party. If the Regional District exercises this right of termination then it may recover possession of the Lands in accordance with paragraph 14.01.

15.00 REGISTRATION

- 15.01 If the Society shall cause this Lease or any provision hereof to be registered pursuant to the *Land Title Act*, to pay all expenses incurred for that purpose including registration fees, procurement of any sketch or plan or other description which may be required, and to indemnify the Regional District for all expenses incurred in cancelling that registration upon the termination or expiration of the Term of this Lease.

16.00 APPLICABLE LAW, COURT

- 16.01 This Lease shall be governed and construed by the laws of the Province of British Columbia.
- 16.02 The venue of any proceedings taken in respect of this Lease shall be at Nanaimo, British Columbia, so long as such venue is permitted by law, and the Society shall consent to any applications by the Regional District to change the venue of any proceedings taken elsewhere to Nanaimo, British Columbia.

17.00 CONSTRUED COVENANT, SEVERABILITY

- 17.01 All of the provisions of this Lease are to be construed as covenants and agreements. Should any provision of this Lease be or become illegal, invalid or not enforceable, it shall be considered

separate and severable from this Lease and the remaining provisions shall remain in force and be binding upon the parties hereto and be enforceable to the fullest extent of the law.

18.00 TIME

18.01 Time shall be of the essence hereof.

19.00 NOTICE

19.01 All payments from the Society to the Regional District shall be sent to the Regional District at the following address:

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

and all payments from the Regional District to the Society shall be sent to the Society at the following address:

Nanoose Bay Activities & Recreation Society
2925 Northwest Bay Road
Nanoose Bay, BC
V9P 9E6

or such other places as the Regional District and the Society may designate from time to time in writing to each other.

19.02 Any notice to be given hereunder shall be in writing and may be either delivered personally or sent by prepaid, registered or certified mail and, if so mailed, shall be deemed to have been given three (3) days following the date upon which it was mailed.

19.03 Any notice or service required to be given or effected under any statutory provision or rules of court from time to time in effect in the Province of British Columbia shall be sufficiently given or served if mailed or delivered at the addresses as aforesaid.

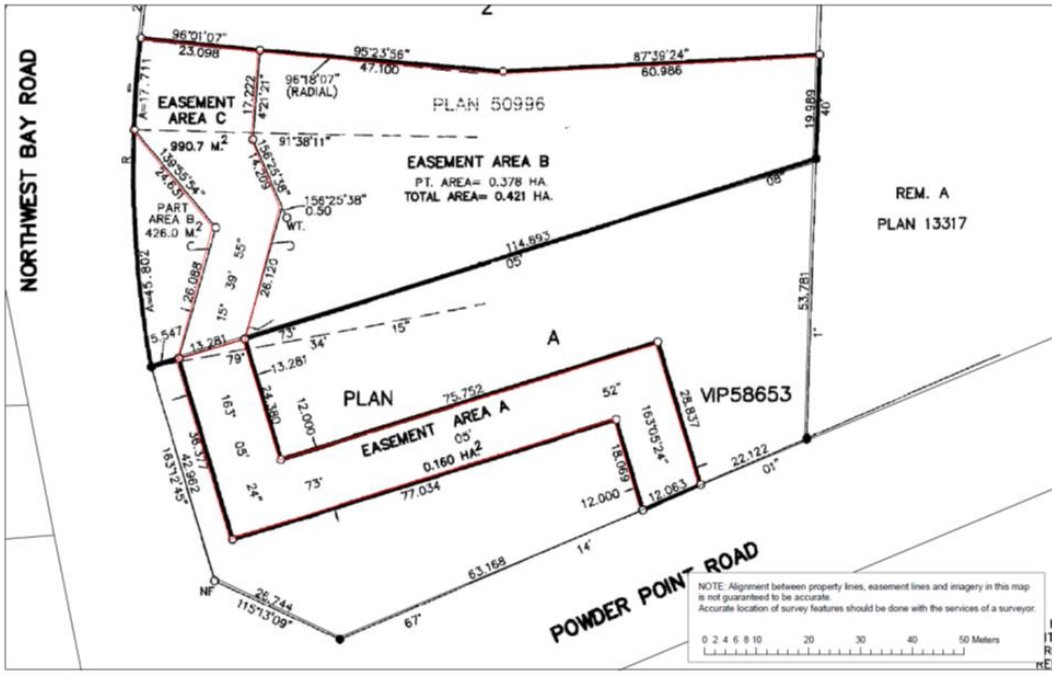
19.04 Any party hereto may at any time give notice in writing to any other of any change of address of the party giving such notice and from and after the second day after the giving of such notice, the address herein specified shall be deemed to be the address of such party for the giving of notices hereunder.

20.00 WAIVER

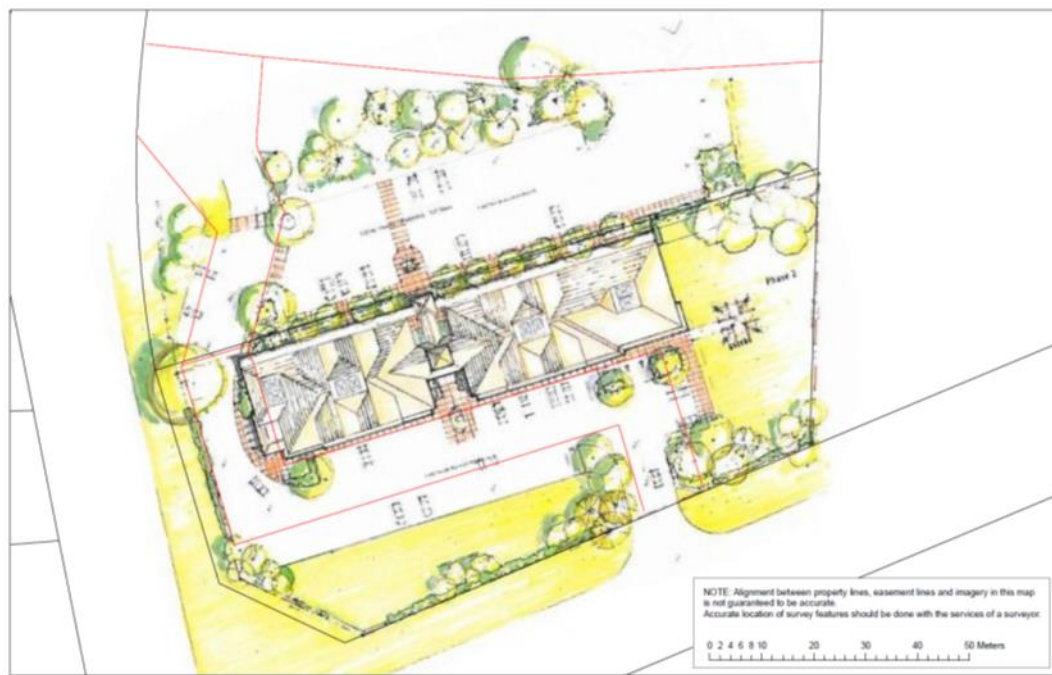
20.01 The failure of either party to insist upon strict performance of any covenant or condition contained in this Lease or to exercise any right or option hereunder shall not be construed as a waiver or relinquishment for the future of any such covenant, condition, right or option.

Canuck Properties Ltd. Easements

Legal – Easement Areas



Easement Areas with Concept Plan



Easement Areas with Ortho Image (2009)



TO: Electoral Area Services Committee **MEETING:** November 28, 2017

FROM: Tom Armet
Manager, Building & Bylaw Services **FILE:** 2330 20 2017

SUBJECT: Animal Control Services Agreement

RECOMMENDATION

That the Board approve the Animal Control Services Agreement between the Regional District of Nanaimo and Coastal Animal Control Services of BC Ltd. for a three (3) year term beginning January 1, 2018 and ending December 31, 2020, at an annual rate of \$121,800.

SUMMARY

An independent contractor, under a Service Agreement, provides animal control services in the RDN, which has proven to be an efficient and cost effective model for delivery of the service across the region. The previous Agreement has expired and RDN staff issued a Request for Quotes (RFQ) in October 2017 to evaluate qualified companies for best practices, and financial value in the delivery of the service. Two companies responded to the RFQ and staff is recommending acceptance of the proposal from Coastal Animal Control Services.

BACKGROUND

In 1995, the Regional District of Nanaimo (RDN) established the Animal Control Service for the regulation and control of dogs in the Electoral Areas. As illustrated in the following table, there are three Animal Control Bylaws in the RDN with varying levels of animal control services in the Electoral Areas:

Electoral Areas	Bylaw No	Service Level
A, B, C, District of Lantzville	1066	Dangerous dog investigations, pick up of confined strays
E, G, H	939	Full dog control and licensing
F	941	Dangerous dogs, dogs at large, pick up of confined strays

Animal control is a rather complex function requiring specialized equipment, internal systems, personnel training, and facilities. A limited number of organizations have the ability to perform this role on behalf of local governments. The Board must appoint personnel employed by the contractor as Bylaw Enforcement Officers for the specific purpose of enforcing the RDN’s Animal Control Bylaws. Animal Control Officers are representatives of the RDN in this role, and it is essential that they perform their duties in a knowledgeable and professional manner.

Coastal Animal Control Services (CACS) has been providing the service since 2009 with the latest Agreement expiring on December 31, 2016. In accordance with the terms of the Agreement, CACS has continued to provide the services on a month-to-month basis. In October 2017, Building & Bylaw Services issued a Request for Quotes (RFQ) for evaluating qualified companies for best practices and financial value in the delivery of animal control services in the RDN electoral areas. The RFQ was advertised on the RDN website, BC Bid, and in local newspapers. The following two companies submitted proposals by the submission deadline of November 15, 2017:

1. Nanaimo Animal Control Services (NACS) 3 pricing options ranging from \$221,040/year to \$264,200/year with additional costs for after-hour call-outs and veterinary fees.
2. Coastal Animal Control Services (CACS) \$121,800/year, all-inclusive.

Both companies presented detailed proposals that were evaluated by staff according to the following selection criteria:

- Credentials and references (10 pts)
- Experience (10 pts)
- Facilities, equipment and staff (15 pts)
- Additional services or efficiency measures (5 pts)
- Annual fee (10 points)

After evaluating and scoring the proposals, there was a significant difference between the two companies with CACS receiving the higher overall score. The CACS proposal meets the RDN's service level requirements for 24/7 response to complaints, and 210 dedicated hours of patrol time per month within the Electoral Areas. The CACS proposal also includes preventative patrol time in the RDN parks during peak summer months.

CASC has been providing animal control enforcement on Vancouver Island for many years and currently serves eight (8) local governments and three (3) First Nations. They employ professional and well-trained animal control officers who work closely with respected animal welfare agencies on a continuous basis. CACS has delivered a professional animal control service to the RDN since 2009, and staff recommend that the Board approve an Agreement with CACS for a three-year term with the option to extend the Agreement for a further two-year term.

ALTERNATIVES

1. Approve the Agreement for Animal Control Services with CASC.
2. Not approve the Agreement with CACS and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

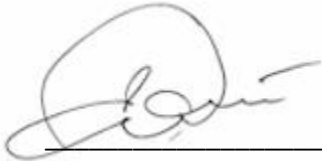
The cost options in the NACS proposal are substantially higher than the cost proposed by CACS, with no remarkable service enhancements or efficiency measures that would be a benefit to the RDN at that higher cost. CACS is proposing an annual fixed cost of \$121,800 over the term of the three-year agreement, which is \$12,000 below their previous contract rate.

Should the Board wish to consider changing the level of services, it has the option to amend the terms of the Agreement to either increase or decrease those costs. Alternatively, the Board may wish to explore

other means of providing animal control services. However, the current service model within the Electoral Areas has proven to be cost effective and efficient.

STRATEGIC PLAN IMPLICATIONS

An Agreement with a professional Animal Control Contractor is a cost effective and efficient means of providing animal control services, and supports the Board's Strategic Plan focus on service and organizational excellence.



Tom Armet
tarmet@rdn.bc.ca
November 16, 2017

Reviewed by:

- G. Garbutt, General Manager, Strategic & Community Development and Acting Chief Administrative Officer

This report refers to pages in the Director's budget binders and appendices to this report.

Economic Overview:

Canada

Due to growth in the first half of the year, real GDP for Canada is forecast to grow at 3.1 per cent in 2017¹. Inflation was 1.4% in August and is expected to continue to rise towards 2% for the end of 2017 and through 2018. The Bank of Canada recently raised its key interest rate, with increases of 25 basis points in both July and September resulting in both higher borrowing costs and higher investment returns for local governments.

British Columbia (Content provided by TD Economics²)

Even with a hiccup in the housing market last year, British Columbia's economy has managed to record growth of over 3% for three consecutive years, and is on track to make it a fourth. Widespread strength across most industries has helped to boost employment in the province by nearly 4% so far this year, bringing the unemployment rate down to 5.1% in August – the lowest level seen since 2008. While robust hiring demand has done little to raise wages, consumers continue to punch beyond their weight. Similar to Ontario, wealth effects stemming from earlier gains in home prices appear to be an important catalyst to household spending. Two soft spots across the province's economic landscape are residential construction, as housing starts are down following last year's surge, and forestry, which has been hard hit by the wildfires that have swept through the southern part of the province.

Similar to Ontario, the consumer spending environment will become more challenging thanks to higher interest rates and the diminishing impact of past wealth effects. What's more, in the Budget Update, the new NDP government announced a higher personal tax rate on incomes above \$150,000, as well as a higher carbon price that will ultimately filter its way down to gasoline prices. Corporate income taxes will also rise, limiting cash that businesses could put toward investment. The Update did include some increase in spending that could provide some offsetting stimulus. Further policy announcements will likely come in Budget 2018 next spring and, given the change in government, presents some uncertainty surrounding the outlook. The government is not in favour of LNG development, but that may not be an issue in the near term as the deterioration in economics has led to the shelving of a couple projects in recent months. As it stands now, economic growth in the province is expected to come in at just over 2% in 2018, before sliding to 1.7% in 2019.

Regional District of Nanaimo

There are currently many positive economic indicators affecting the Regional District of Nanaimo. The unemployment rate on Vancouver Island for October 2017 of 4.9% is on par with the Provincial rate which was the lowest in Canada during the month of October³. BC Ferries September 2017 Year to Date Passenger and Vehicle traffic are up 2.7% and 3.0% at Departure Bay and 8.6% and 7.2% at Duke Point over September 2016⁴. Average house prices for October 2017 at \$501,400 in Nanaimo and \$524,900 in

¹ Bank of Canada Monetary Policy Report, October 2017

² TD Economics Provincial Economic Forecast (September 28, 2017)

³ Statistics Canada, Labour Force Survey Issue #17-10, October 2017

⁴ BC Ferries, Traffic Statistics System Total Vehicle and Passenger Counts by Route for September 2017

Parksville/Qualicum are up 15.9% and 16.8% respectively over October 2016⁵. Total building permits issued within the Regional District of Nanaimo including municipalities increased from 1,092 in 2015 to 1,456 in 2016⁶. For January through September 2017, 1,041 total building permits have been reported compared to 1,124 permits for the same period in 2016 representing a decrease of 7.3% which, as indicated above in the BC Section, may indicate some cooling of the housing market. Yearend results may provide a clearer understanding of the local housing trends.

There are a number of factors that will impact the Canadian, BC and Vancouver Island economies in 2018 and forward including interest rate changes, the Canadian dollar fluctuations, trade agreements and global politics. However, at this time, BC and Vancouver Island are expected to continue to show growth.

Member Budget Summaries

New for the 2018 Proposed Budget are the Member Information Brochures (Attachment 1) which provide region-wide summaries of the sources of revenue and major categories of expenditure as well as summary information by category of spending and the current estimated property tax change specific to each jurisdiction from 2017 based on average residential value. The brochures summarize financial implications for each of the member jurisdictions based on 2017 assessments plus a 1.5% allowance for growth (non-market change) in 2018. Additionally, the 2018 Member Summary of Estimated Property Tax Change (Attachment 2) provides a one page summary of the anticipated impact per \$100,000 of 2017 assessed value by area. Impacts vary significantly by jurisdiction and even within jurisdictions depending on which services are provided to a specific area.

Year over Year Changes (Attachment 3/Binder Pages 6-7)

The 2017 to 2021 Financial Plan forecast for property tax revenues in 2018 was \$53.3 million. The current 2018 estimate is for \$53.4 million (6.7% increase from 2017) which includes both local and shared services. The increase from the 2017 to 2021 Financial Plan is driven largely by the following items:

- Additional cost for local Fire Services both in capital and operational spending including a review of the Fire Services Structure, larger capital budgets for vehicle purchases and enhanced pay and allowance packages for volunteers.
- Allowances in the Legislative Services/Administration budgets for the addition of two new Board members, election impacts, volunteer appreciation and contract grant coordination services.
- Allowances in recreation services for implementation of the Recreation Master Plan

The year-over-year change for shared services (Attachment 3/Binder Pages 6-7 and Attachment 4/Binder Pages 13-15) has been summarized into three categories:

New/Changed Service Levels: 3.9%

Capital programs for Wastewater Services, 2018 election costs, the \$50,000 allocated to INFilm, the annualized impact of 5,000 hours Northern Community Transit expansion effective September 2017 and

⁵ Vancouver Island Real Estate Board Single Family Home Benchmark Price, October 2016

⁶ BC Stats BC Building Permits for Development Regions and Regional Districts, Residential Building Permits (Total number of units) Jan-Sept 2017

the proposed 5,000 hours Southern Community Transit expansion for September 2018 are the largest drivers of the annual tax increase. There is also a \$125,000 decrease in this area for the reduction to the Southern Community Economic Development requisition.

Changes for Other Jurisdictions: 0.5%

The current projected tax change for other jurisdictions is 0.5% including the transfer to VIRL, to the 911/Fire Dispatch agencies and to local municipalities for recreation facilities. Both the VIRL (50% population/50% assessment) and the North Island 911 Corporation (100% assessment) transfer impacts are higher for the RDN region because there has been greater growth in our area than in the other regional districts.

Existing Services: 1.7%

The cumulative property tax change year over year for existing services is a \$701,767 increase or 1.7%. A portion of this change is impacted by \$100,000 increase in the Solid Waste tax requisition resulting from the 2015 plan to hold tipping fee rates while ensuring adequate reserves to fund future capital. The remainder of the change for existing services includes an allowance for wage increases and operating cost changes in all other services.

Consolidated Summaries (Attachment 5/Binder Pages 8-10 & Attachment 6/Binder Pages 19-22)

The consolidated summary of the Regional District’s 2018 Proposed budget (Attachment 5), projects \$100 million in operating expenditures in 2018, an increase of 6.1% from 2017. Operating expenditures are impacted by a \$1.7 million increase to reserve transfers to fund future capital infrastructure, new debt servicing of \$663,000 largely related to the Secondary Treatment project at the Nanaimo Pollution Control Centre and other operating cost increases such as increased allowances for professional fees inflation, vehicle insurance and property insurance. Approximately \$73.5 million or 73% (2016 = \$70.4 million/74%) of total operating expenditures is applied to service and program delivery costs, 10% goes to long term debt, 10% to various capital reserves and the remaining 7% will be transferred to other organizations under agreements in 2018.

Total operating revenues (excluding prior year surpluses) are \$99.2 million versus \$94.3 million in 2017. Property tax revenues are \$3.3 million higher compared to 2017 due to the significant capital programs underway for wastewater services, the Englishman River Joint Venture and other utility services as well as the increases for Fire Services and the transit service expansions. Operating revenues are higher than 2017 by \$1 million largely due to increased fee revenue estimates in Solid Waste and Building Inspection as well as general increases across other departments.

The following table outlines some of the more significant operating projects incorporated in the 2018 budget:

Project	Budget Amount
Election + Board Orientation + Strategic Planning Renewal	\$200,000, election is partially funded by recoveries from Islands Trust and School Districts
National Disaster Mitigation Project for Shoreline & Overland Flooding	\$150,000 over 2018/19 funded by Public Safety Canada through Emergency Management BC
Bylaw 500 & Subdivision Servicing Review	\$125,000 in funded by Community Planning reserve

RDN WebMap Portal Replacement	\$125,000 funded from reserve
Sea Level Rise Planning & Flood Plain Mapping	\$80,000 funded by Community Planning
SCADA Master Plan for all Water Services	\$60,000 funded by multiple water systems
EA F OCP Review	\$50,000 allocated in 2018 Community Planning budget, project will continue in 2019

Total capital expenditures summarized below are \$62.8 million versus \$65.9 million in 2017. Capital projects are being funded through the use of reserves (\$40 million), capital grants (\$3 million), new borrowing (\$16 million) with the balance of \$3.1 million from operating and property tax revenues.

Capital Projects:

The 2018 budget includes \$62.8 million in capital expenditures; major items are listed below.

Service Area	Capital Project	Value
Southern Community Wastewater	Secondary Treatment Upgrade, centrifuge & digester upgrades	\$42.2 million
Regional and Community Parks	Morden Colliery Regional Trail, possible land purchases/donations, Little Qualicum Bridge design, Benson Creek Falls projects, French Creek Trails, Meadowood Community Hall	\$3.7 million
Englishman River Water Service Joint Venture	River intake, treatment plant & pump stations	\$2.8 million
Water Services	Well, reservoir and system upgrades for Nanoose Peninsula, & Whiskey Creek Water Systems	\$2.8 million
Fire Services	Vehicle replacements, fire hall upgrades, SCBA equipment	\$2.7 million
Transit Services	New/upgraded exchanges, GPS bus monitoring	\$1.8 million
Northern Community Wastewater	Plant Expansion-design	\$1.0 million
Solid Waste Services	Landfill gas expansion, vehicles	\$0.7 million

There are 105 different services forming the Regional District's budget, 34 of the services are shared among multiple member jurisdictions such as Wastewater & Solid Waste Management, Regional Parks and Transit. Seventy-one services are single member jurisdiction functions such as Utility Services, Animal and Noise Control, Community Parks, and certain Recreation Services. Attachment 6 shows the annual change by individual service.

2018 Budget Reductions:

Several tax requisitions have been reduced (\$667,040 total reductions) compared to the 2017 to 2021 Financial Plan forecast for a number of reasons including carry forward surpluses:

Service	Reduction
Southern Community Transit	\$264,680
Southern Community Economic Development	\$125,000
Northern Community Wastewater	\$104,065
Regional Growth Strategy	\$39,915
Solid Waste Management	\$36,000
Drinking Water/Watershed Protection	\$34,500
Northern Community Economic Development	\$24,165
Regional Parks Operations	\$13,625
Northern Community Transit	\$10,725
Gabriola Taxi Saver	\$10,670
Hazardous Properties	\$3,695

As well, the Senior Management group reviewed departmental budget requests and excluded the following items:

1. Establishment of a grant coordinator position, instead \$50,000 has been included for contract services only.
2. Addition of a position in Finance (\$75,000 to \$90,000 full year cost), to be reviewed for 2019 budget.
3. Additional staffing for Communications (\$50,000) to be reviewed for 2019 budget.

Staff Resource Changes Summary:

Wastewater	2 FTE's for Operator Positions related to Secondary Treatment Upgrade (\$47,000 = 2018 1/4 year cost) in Southern Community Wastewater Temporary Project Engineer position pending approval of the Bowser Sewer project. The position will be funded by the capital project (\$129,000)
All Service areas	Occupational Health and Safety Coordinator to provide support to departments for health and safety issues funded by Administration recoveries to service areas with operational staff (2018 part year cost estimate \$73,500). The Town of Qualicum Beach has indicated interest in cost sharing on this position.
Electoral Areas Administration	Temporary staffing for 2018 Election (\$55,000) + Poll Clerks (\$50,000)
Transit & Emergency Services	D68 Transit expansion additional driver hours (\$180,000)

Strategic & Community Development	Casual and seasonal supplemental bylaw enforcement officer services (\$45,000 allocated across Noise, Animal, Hazardous Properties, Planning, Building Inspection and Parks services) Additional temporary Building Inspector hours (\$63,000)
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Allowances have been included within the wage budgets for transition costs for known retirements such as the Director of Finance as well as for the annual cost of positions approved in the 2017 Plan but with only a partial year of funding in 2017.

2018 Outstanding Items and Decision Points for the Board:

Budget items that are outstanding and require approval or direction from the Board are as follows:

1. Southern Community Transit 5000 hour expansion, motion approved at Transit Select Committee, \$265,000 net of 2017 carry forward surplus funds applied to cost;
2. Occupational Health & Safety Coordinator position \$73,500 for 2018 partial year to support WorkSafe BC requirements for health and safety programs/policies;
3. Grant coordinator contract to identify grant opportunities and support application processes, \$50,000;
4. Regional Parks Services Review recommendations pending report;
5. Regional Zero Waste Recycling amount to be determined pending review;
6. Vancouver Island University funding request for \$5,000 towards Regional Air Quality Mapping Pilot Project, staff recommend use of the Corporate Climate Action Reserve funded by carbon tax rebates received from the Province;
7. Fire Services Structure Review \$40,000.

ALTERNATIVES

1. That the Board receive and approve the proposed 2018 budget as presented and direct staff to proceed with the projects included in the 2018 plan and to finalize the 2018 to 2022 Financial Plan.
2. That the Board receive this report for information and provide direction to staff for recommended amendments or further analyses.

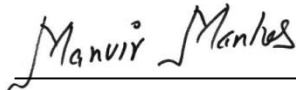
FINANCIAL IMPLICATIONS

The schedules summarized above provide financial impacts for each of the member jurisdictions based on 2017 assessments plus a 1.5% allowance for growth (non-market change) in 2018. The member participation summaries will be updated in February when 2018 assessment values are released. There are many unique cost sharing formulas for Regional District services including assessments only and formulas based on a combination of usage and assessment, usage only, population and assessment as well as flat rate taxes that are used to fund RDN services. The variety of cost sharing formulas combined with the number of sub-areas in a regional district, each with its own services and related requisitions results in a wide range of impact to an individual homeowner. For the general services shared over multiple jurisdictions, the Member Summary shown in Attachment 2 shows a range from a reduction of \$3.07 in costs per \$100,000 of assessment to an increase of \$8.80 depending on location.

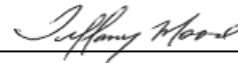
Local service tax requisitions – fire, water, sewage collection and streetlighting – are unique to individual property owners and often have a greater impact than all other services combined. These requisitions and tax rates are set out in Attachment 6.

STRATEGIC PLAN IMPLICATIONS

The 2018 Proposed Budget represents organization-wide implementation of the current Board Strategic Plan and is guided by the Board governing principles to "Be Transparent and Accountable" and to "Show Fiscal Restraint". Through improved financial planning and prudent use of tax dollars, the RDN continues to deliver the services expected by residents of the Region as cost effectively as possible. In 2018, staff will provide an updated Operational Plan and Forecast to track and report progress on key projects over 2018 that advance Board strategic priorities.



M. Manhas
Manager, Capital Accounting & Financial Reporting
mmanhas@rdn.bc.ca



T. Moore
Acting Director of Finance
tmoore@rdn.bc.ca

Reviewed by:

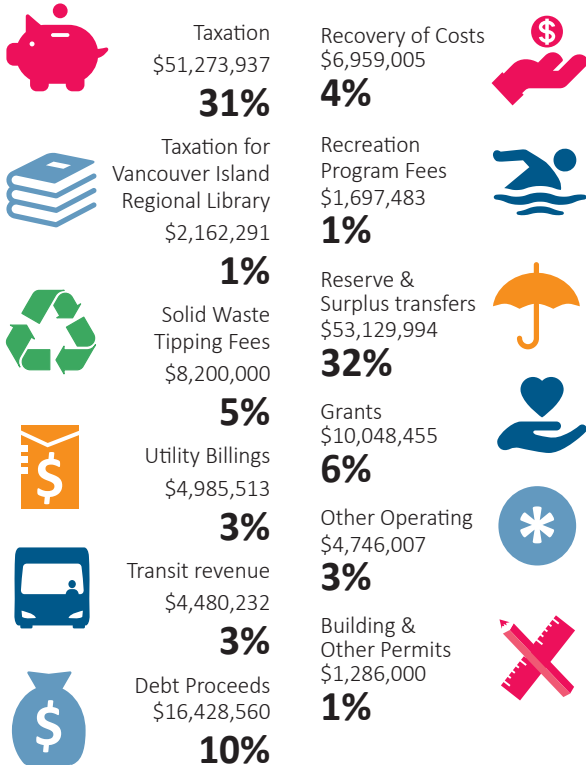
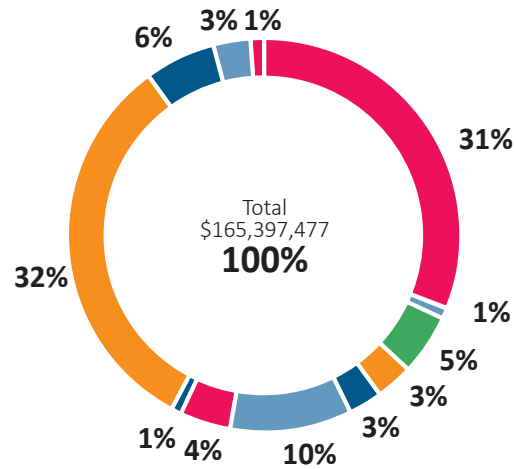
- W. Idema, Acting General Manager, Corporate Services
- G. Garbutt, Acting Chief Administrative Officer

Attachments

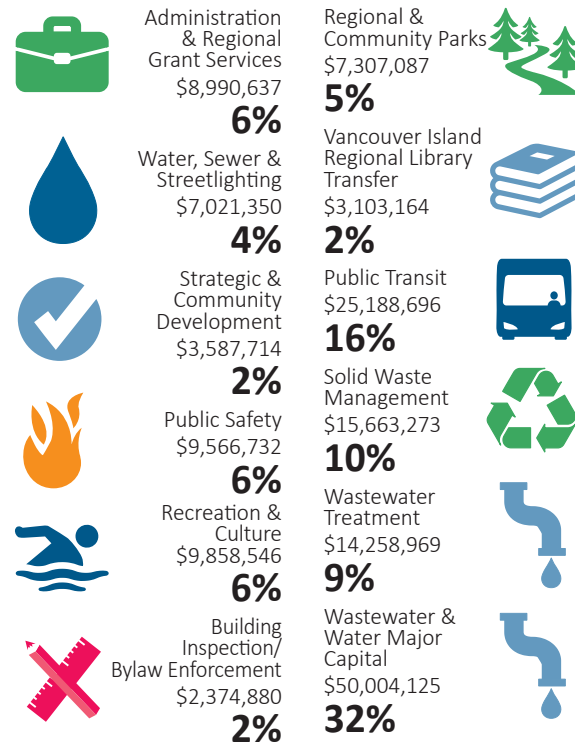
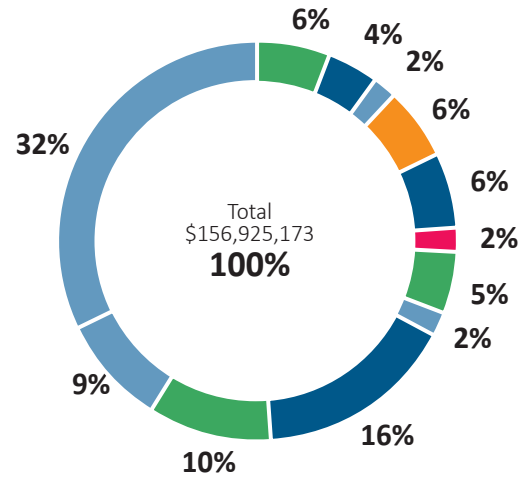
1. 2018 Proposed Budget Member Information Brochures
2. 2018 Estimated General Services Property Tax Change
3. 2018 Analysis of Changes in General Property Tax
4. 2018 Summary of Participation by Member
5. Overall Budget Summary - 2018 Proposed Budget
6. 2018 Summary of Tax Revenues by Service

THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:

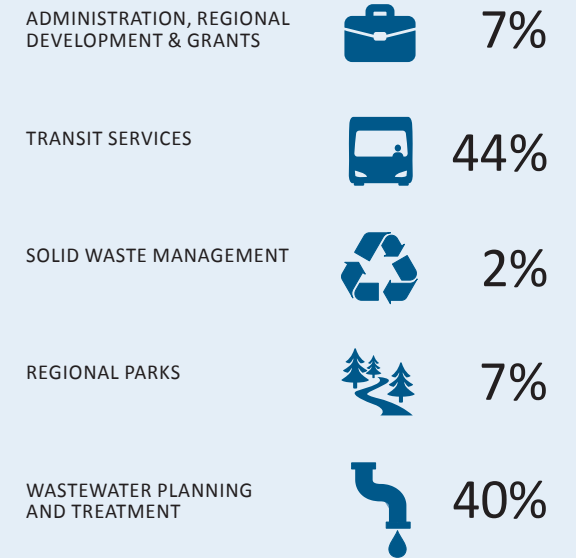


THE RDN IS ALSO WORKING ON OTHER MAJOR PROJECTS THAT MAY IMPACT YOUR AREA. THESE INCLUDE:

- 2018 Local Government Elections
- Transit Service Expansion - 5,000 hours
- Wildfire Interface Fuel Inventory Plans
- Fire Services Delivery Model Review
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- Regional Parks Service Review Implementation
- Zoning Bylaw 500 Modernization
- Electoral Area OCP Development Permit and Temporary Use Permit Review
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- Long-term Biosolids Site License Management Plan
- Approval and Implementation of the Solid Waste Management Plan

	2018	2017
City of Nanaimo contribution to RDN General Services property taxes total	\$20,278,026	\$18,235,346
Estimated RDN General Services tax rate per \$100,000 of assessment	\$100.90	\$91.60
Average residential dwelling assessment value*	\$383,113	\$383,113
Average Nanaimo General Services property tax amount**	\$408.06	\$372.93
Change from prior year	9.4%	

HOW THE FUNDS ARE SPENT IN YOUR AREA



NOTES: Participants in the Duke Point Wastewater Local Service Area also contribute to the Regional District specific to that service.

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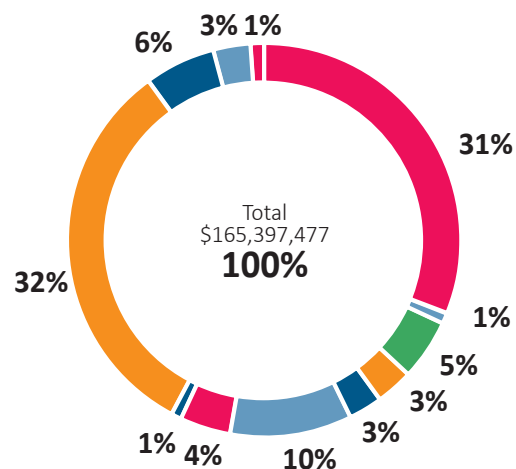
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Get Involved RDN!

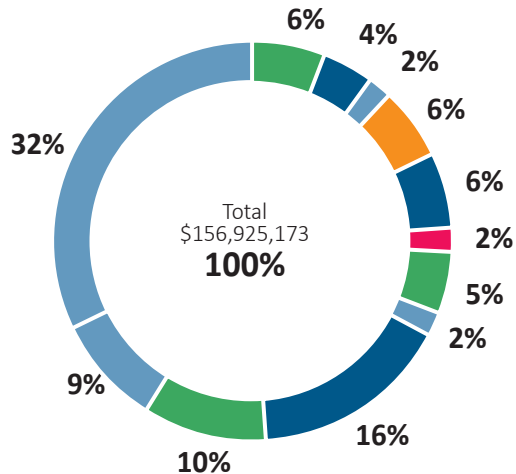
THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



	Taxation \$51,273,937 31%		Recovery of Costs \$6,959,005 4%
	Taxation for Vancouver Island Regional Library \$2,162,291 1%		Recreation Program Fees \$1,697,483 1%
	Solid Waste Tipping Fees \$8,200,000 5%		Reserve & Surplus transfers \$53,129,994 32%
	Utility Billings \$4,985,513 3%		Grants \$10,048,455 6%
	Transit revenue \$4,480,232 3%		Other Operating \$4,746,007 3%
	Debt Proceeds \$16,428,560 10%		Building & Other Permits \$1,286,000 1%

WHERE DOES THE MONEY GO?



	Administration & Regional Grant Services \$8,990,637 6%		Regional & Community Parks \$7,307,087 5%
	Water, Sewer & Streetlighting \$7,021,350 4%		Vancouver Island Regional Library Transfer \$3,103,164 2%
	Public Transit \$25,188,696 16%		Solid Waste Management \$15,663,273 10%
	Public Safety \$9,566,732 6%		Recreation & Culture \$9,858,546 6%
	Building Inspection/Bylaw Enforcement \$2,374,880 2%		Wastewater Treatment \$14,258,969 9%
	Wastewater & Water Major Capital \$50,004,125 32%		

CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:

Wastewater Treatment	\$44,228,232
Water Services	\$5,775,893
Solid Waste/Regional Landfill	\$1,409,042
Fire Departments	\$3,083,838
Transit	\$2,458,000
Parks & Recreation	\$4,148,320

THE RDN IS ALSO WORKING ON OTHER MAJOR PROJECTS THAT MAY IMPACT YOUR AREA. THESE INCLUDE:

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	2018	2017
District of Lantzville contribution to RDN General Services property taxes total	\$857,408	\$813,398
Estimated RDN General Services tax rate per \$100,000 of assessment	\$92.60	\$89.00
Average residential dwelling assessment value*	\$544,920	\$544,920
Average Lantzville General Services property tax amount**	\$526.10	\$506.98
Change from prior year	3.8%	

HOW THE FUNDS ARE SPENT IN YOUR AREA

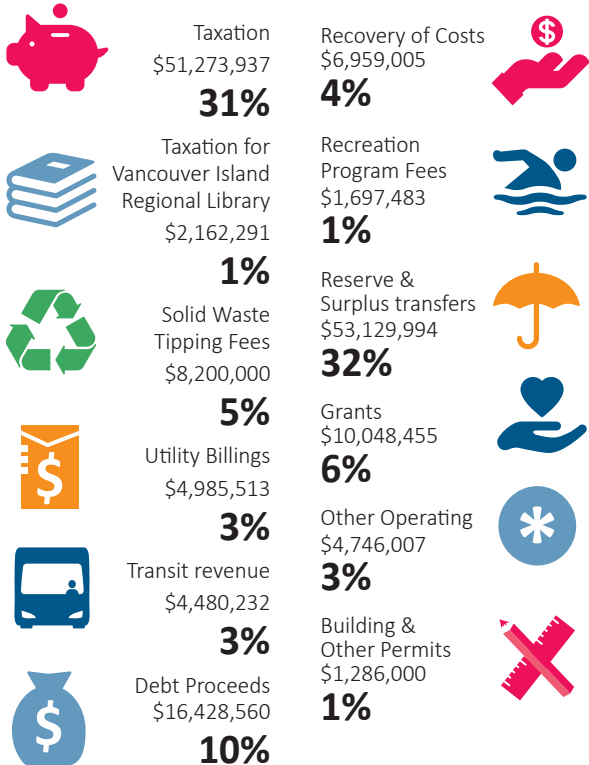
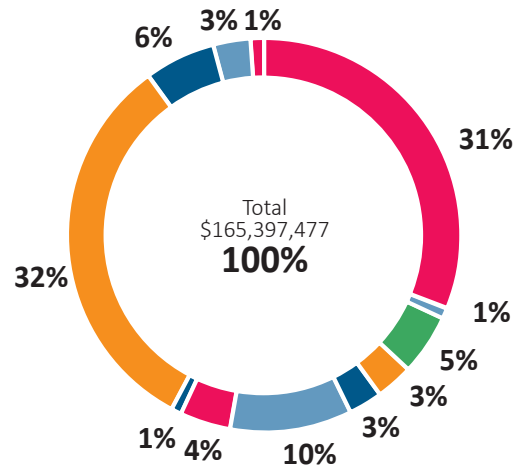
ADMINISTRATION, REGIONAL DEVELOPMENT & GRANTS		10%
SOLID WASTE MANAGEMENT		2%
TRANSIT SERVICES		13%
WASTEWATER PLANNING AND TREATMENT		9%
REGIONAL PARKS		6%
RECREATION SERVICES		50%
PUBLIC SAFETY & EMERGENCY SERVICES		10%

NOTES:
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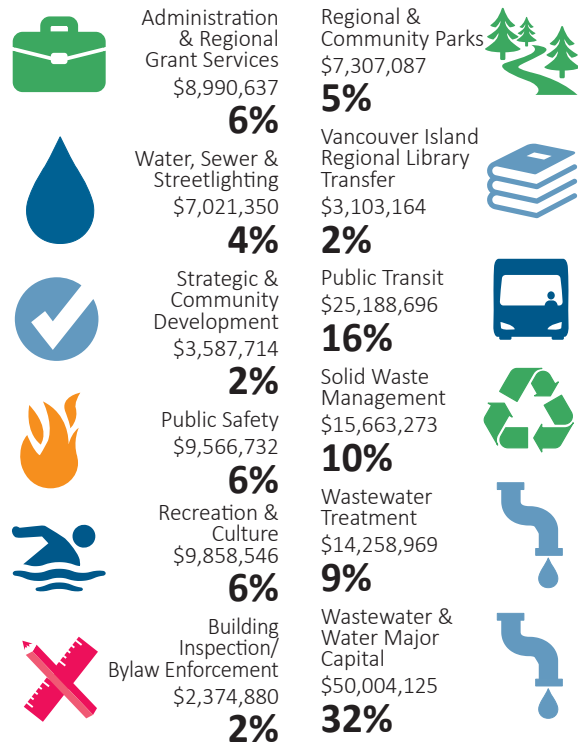
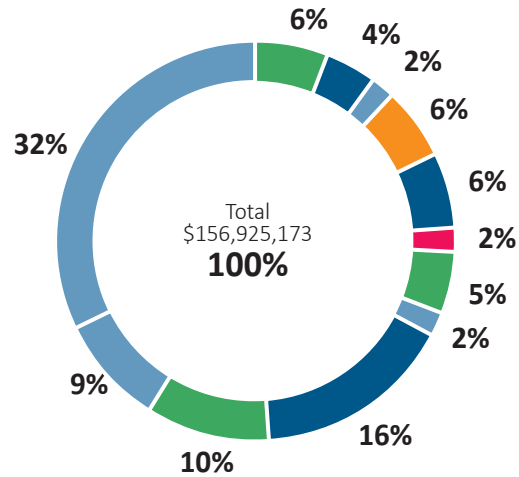


THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:



THE RDN IS ALSO WORKING ON OTHER MAJOR PROJECTS THAT MAY IMPACT YOUR AREA. THESE INCLUDE:

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Get Involved RDN!

CITY OF PARKSVILLE CONTRIBUTION TO THE REGIONAL DISTRICT OF NANAIMO

	2018	2017
City of Parksville contribution to RDN General Services property taxes total	\$5,304,148	\$5,281,545
Estimated RDN General Services tax rate per \$100,000 of assessment	\$165.80	\$167.40
Average residential dwelling assessment value*	\$347,726	\$347,726
Average Parksville General Services property tax amount**	\$602.26	\$609.19
Change from prior year	-1.1%	

HOW THE FUNDS ARE SPENT IN YOUR AREA



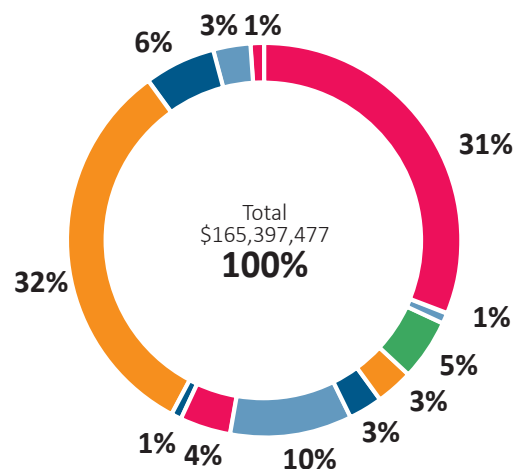
NOTES:

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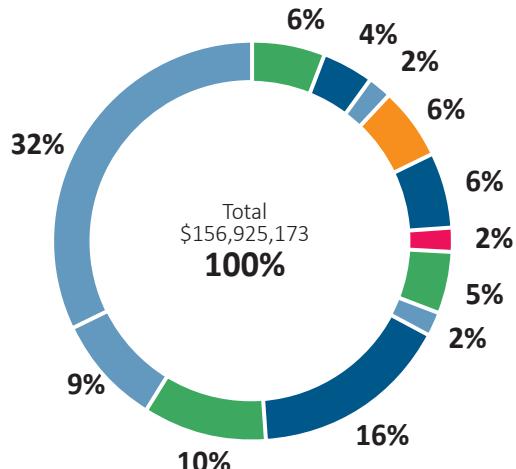
THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



- Taxation \$51,273,937 **31%**
- Taxation for Vancouver Island Regional Library \$2,162,291 **1%**
- Solid Waste Tipping Fees \$8,200,000 **5%**
- Utility Billings \$4,985,513 **3%**
- Transit revenue \$4,480,232 **3%**
- Debt Proceeds \$16,428,560 **10%**
- Recovery of Costs \$6,959,005 **4%**
- Recreation Program Fees \$1,697,483 **1%**
- Reserve & Surplus transfers \$53,129,994 **32%**
- Grants \$10,048,455 **6%**
- Other Operating \$4,746,007 **3%**
- Building & Other Permits \$1,286,000 **1%**

WHERE DOES THE MONEY GO?



- Administration & Regional Grant Services \$8,990,637 **6%**
- Regional & Community Parks \$7,307,087 **5%**
- Vancouver Island Regional Library Transfer \$3,103,164 **2%**
- Public Transit \$25,188,696 **16%**
- Solid Waste Management \$15,663,273 **10%**
- Wastewater Treatment \$14,258,969 **9%**
- Recreation & Culture \$9,858,546 **6%**
- Building Inspection/Bylaw Enforcement \$2,374,880 **2%**
- Wastewater & Water Major Capital \$50,004,125 **32%**
- Water, Sewer & Streetlighting \$7,021,350 **4%**
- Strategic & Community Development \$3,587,714 **2%**
- Public Safety \$9,566,732 **6%**

CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:

Wastewater Treatment	\$44,228,232
Water Services	\$5,775,893
Solid Waste/Regional Landfill	\$1,409,042
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Get Involved RDN!

	2018	2017
Town of Qualicum Beach contribution to RDN General Services property taxes total	\$3,609,744	\$3,536,420
Estimated RDN General Services tax rate per \$100,000 of assessment	\$139.40	\$138.40
Average residential dwelling assessment value*	\$464,058	\$464,058
Average Qualicum Beach General Services property tax amount**	\$672.63	\$669.36
Change from prior year	0.5%	

HOW THE FUNDS ARE SPENT IN YOUR AREA

- ADMINISTRATION, REGIONAL DEVELOPMENT & GRANTS **5%**
- SOLID WASTE MANAGEMENT **2%**
- TRANSIT SERVICES **8%**
- WASTEWATER PLANNING AND TREATMENT **46%**
- REGIONAL PARKS **4%**
- RECREATION SERVICES **31%**
- PUBLIC SAFETY & EMERGENCY SERVICES **4%**

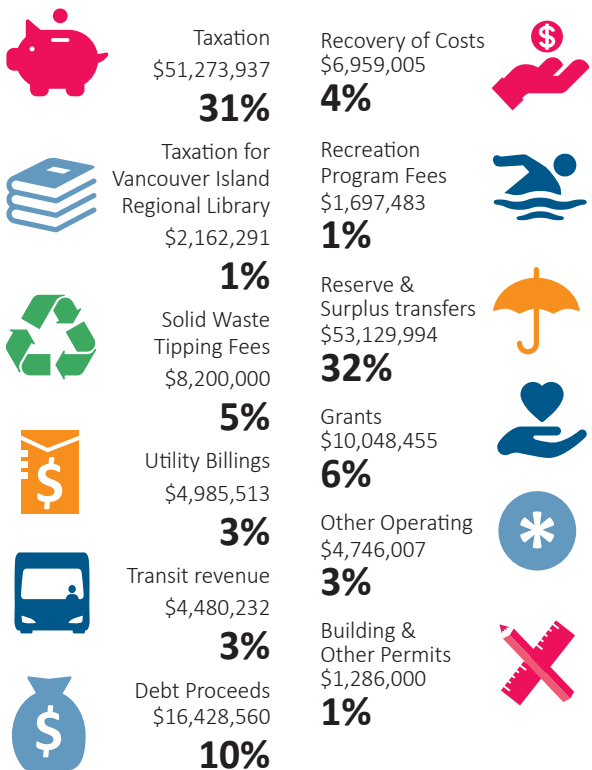
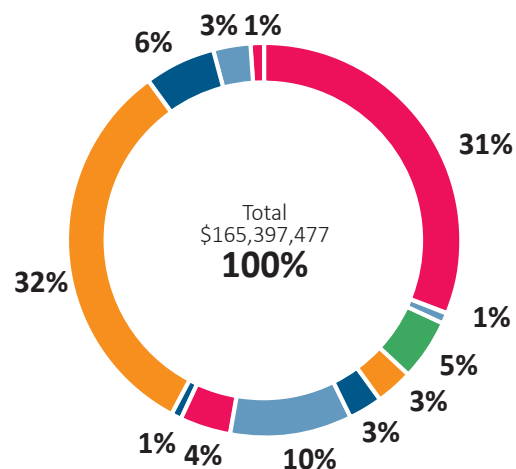
NOTES:

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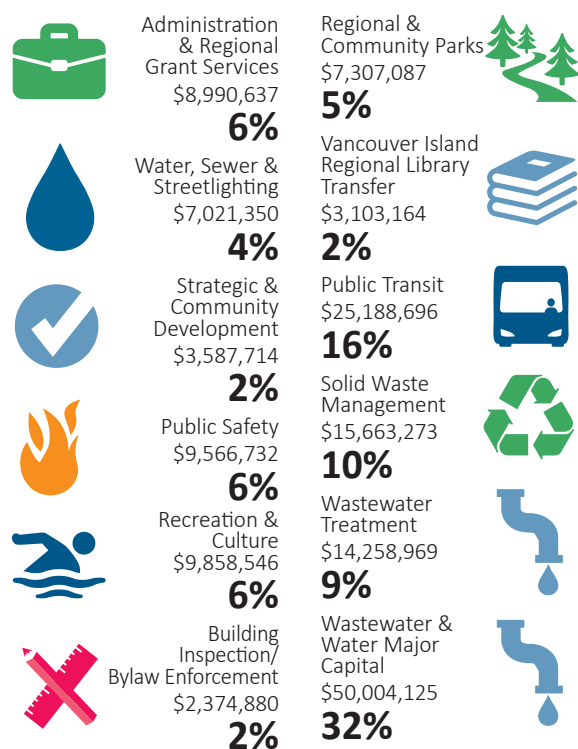
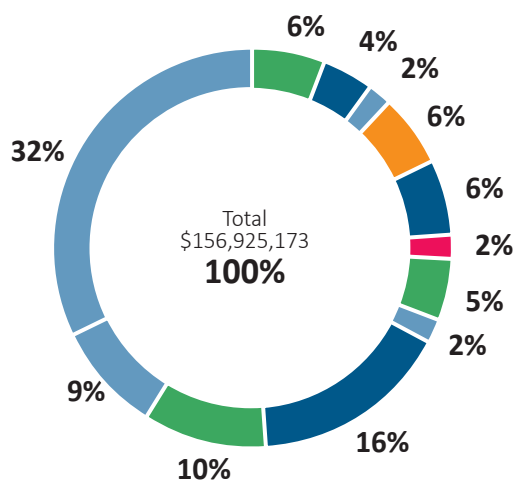


THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:



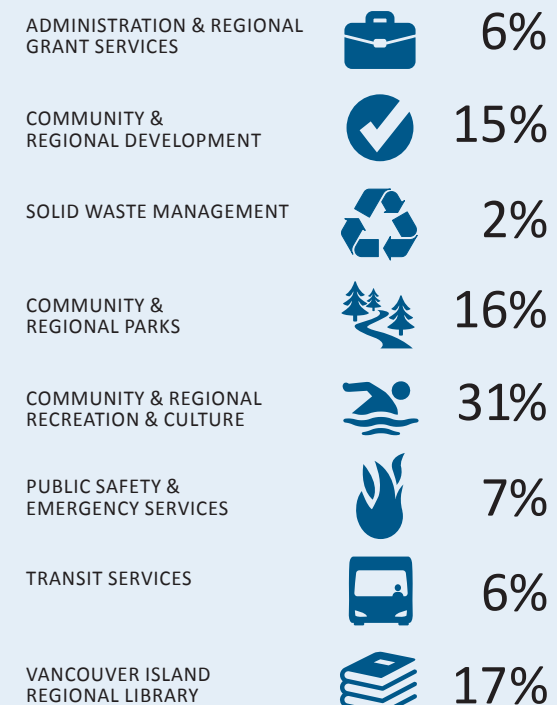
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Get Involved RDN!

	2018	2017
Area 'A' contribution to RDN General Services property taxes total	\$1,979,106	\$1,951,724
Estimated RDN General Services tax rate per \$100,000 of assessment	\$144.90	\$144.60
Average residential dwelling assessment value*	\$358,187	\$358,187
Average Area 'A' General Services property tax amount**	\$540.51	\$539.94
Change from prior year	0.1%	

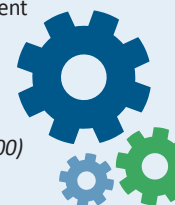
HOW THE FUNDS ARE SPENT IN YOUR AREA



NOTES: You may also have specific local taxes included on your tax notice for services such as your fire department. Local services taxes are applied on an assessment basis only to properties in the specific area.

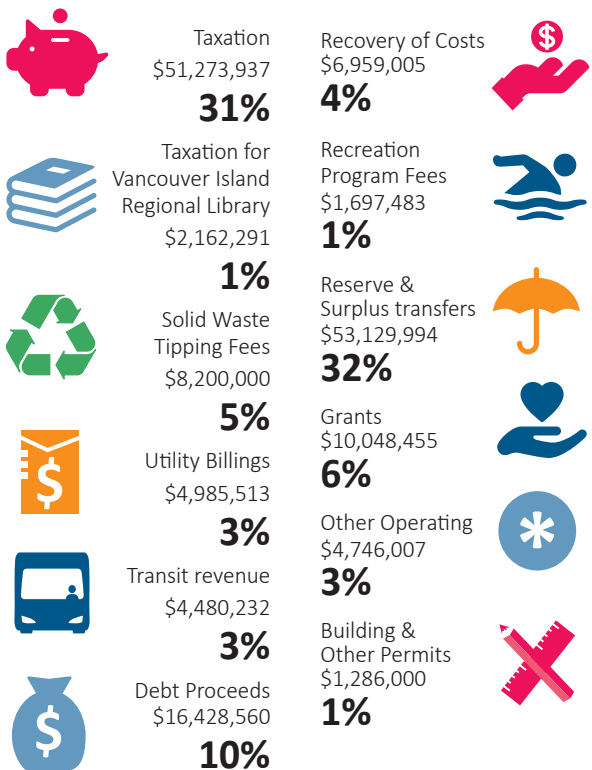
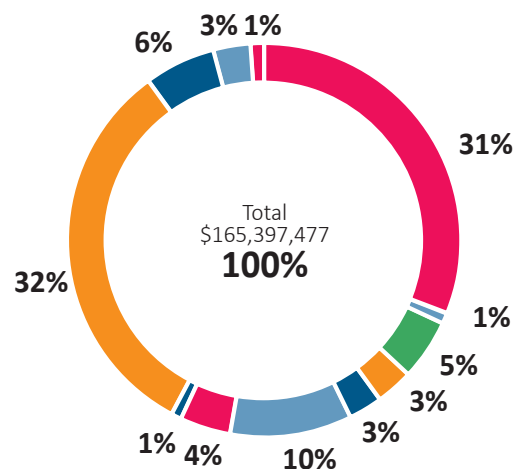
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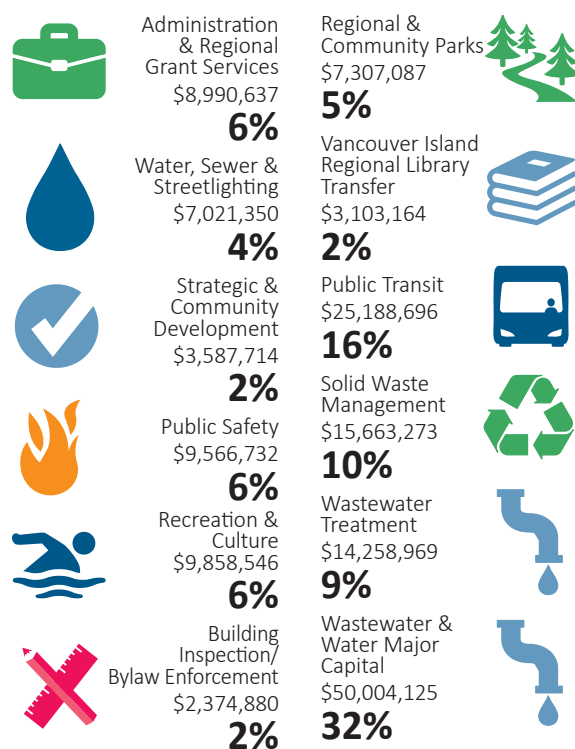
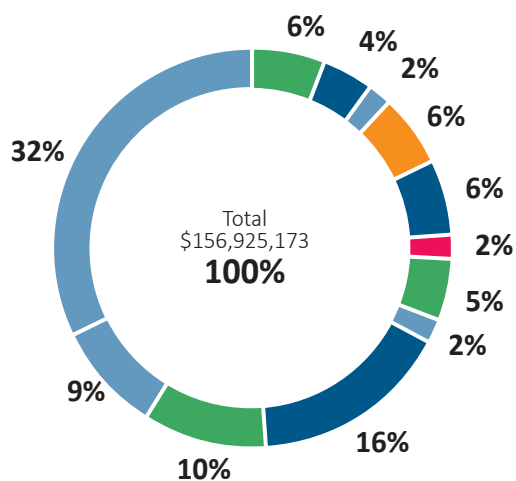


THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:



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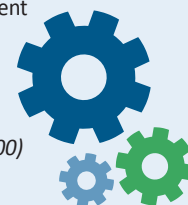
Get Involved RDN!

	2018	2017
Area 'B' contribution to RDN General Services property taxes total	\$1,382,755	\$1,305,443
Estimated RDN General Services tax rate per \$100,000 of assessment	\$105.80	\$101.10
Average residential dwelling assessment value*	\$308,448	\$308,448
Average Area 'B' General Services property tax amount**	\$347.84	\$333.84
Change from prior year	4.2%	

HOW THE FUNDS ARE SPENT IN YOUR AREA

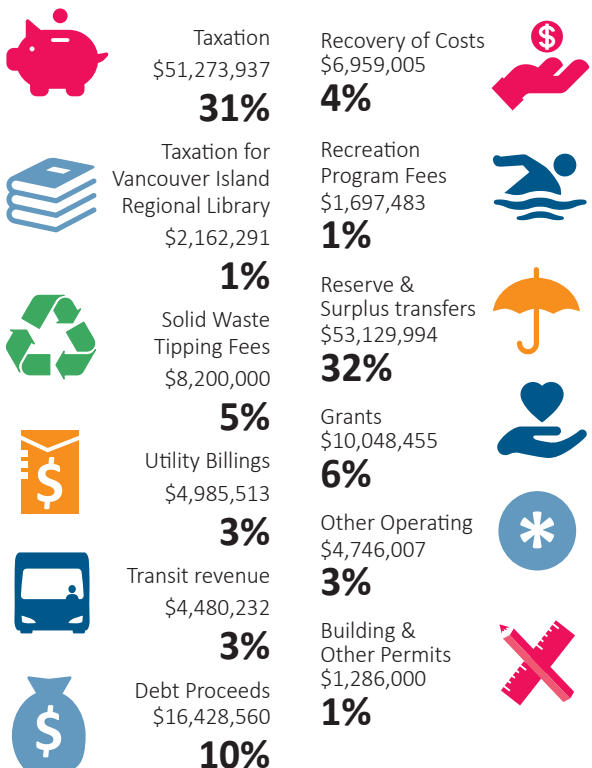
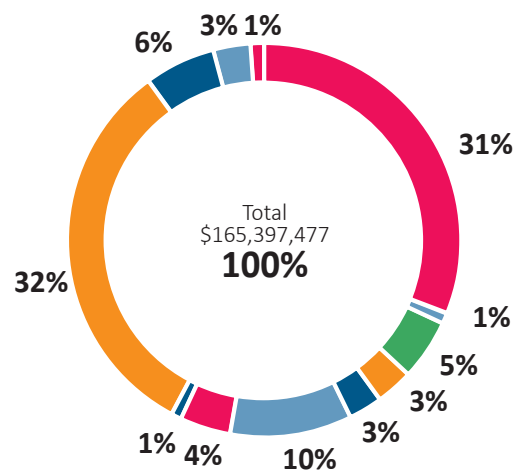
ADMINISTRATION & REGIONAL GRANT SERVICES		9%
COMMUNITY & REGIONAL DEVELOPMENT		8%
SOLID WASTE MANAGEMENT		2%
COMMUNITY & REGIONAL PARKS		27%
COMMUNITY & REGIONAL RECREATION & CULTURE		18%
PUBLIC SAFETY & EMERGENCY SERVICES		9%
TRANSIT SERVICES		10%
VANCOUVER ISLAND REGIONAL LIBRARY		17%

NOTES: You may also have specific local taxes included on your tax notice for services such as your fire department. Local services taxes are applied on an assessment basis only to properties in the specific area.
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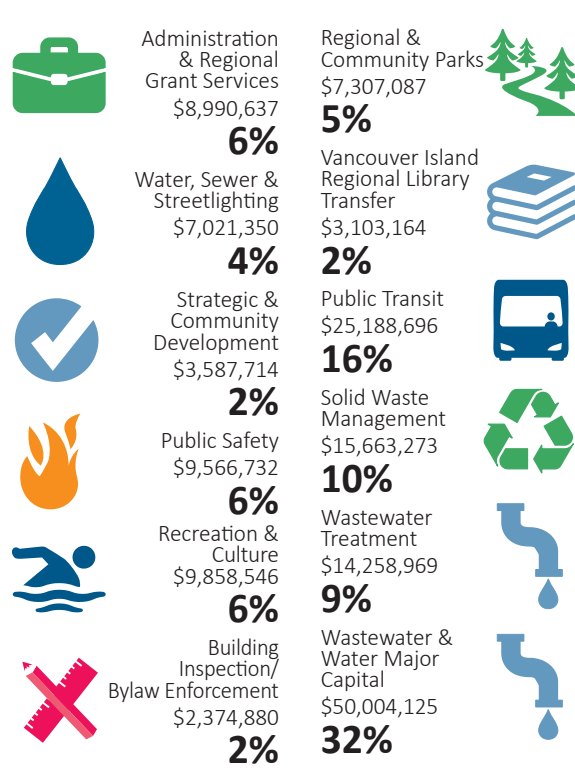
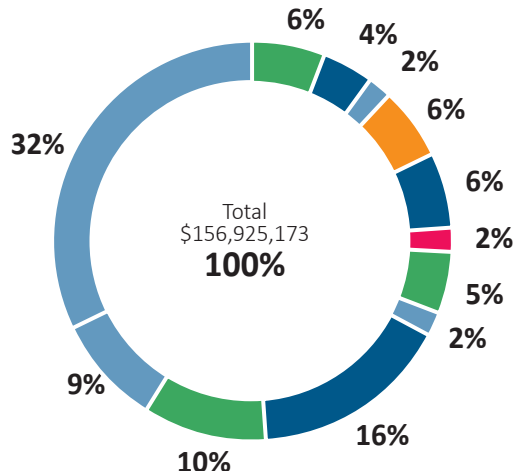


THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:



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Get Involved RDN!

	2018	2017
Area 'C' contribution to RDN General Services property taxes total	\$1,173,027	\$1,156,986
Estimated RDN General Services tax rate per \$100,000 of assessment	\$124.40	\$124.60
Average residential dwelling assessment value*	\$456,403	\$456,403
Average Area 'C' General Services property tax amount**	\$589.27	\$590.68
Change from prior year	-0.2%	

HOW THE FUNDS ARE SPENT IN YOUR AREA



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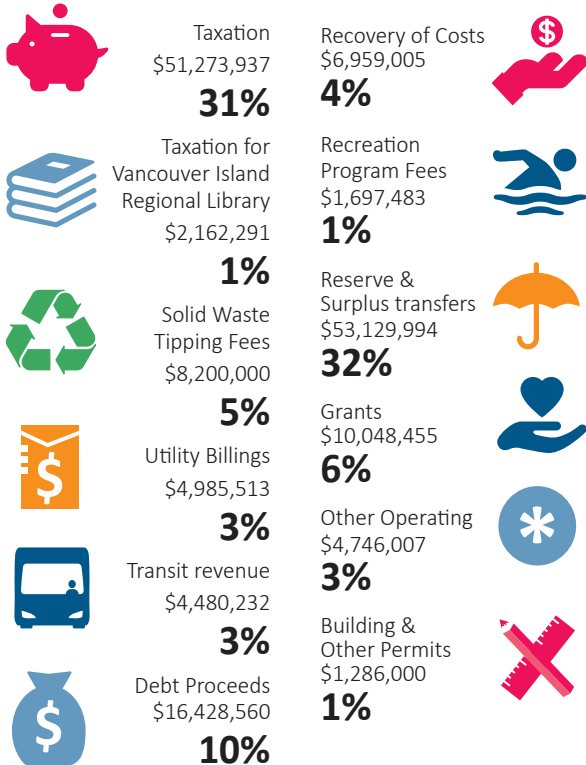
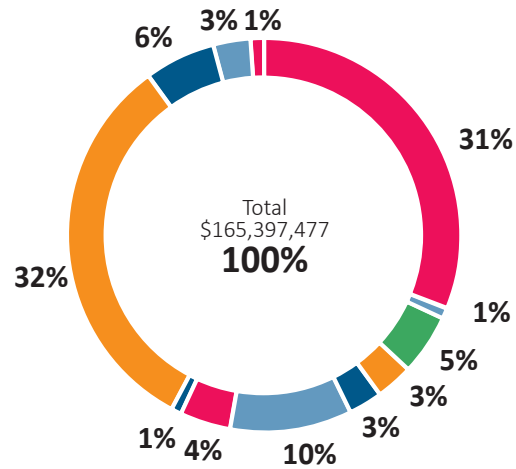
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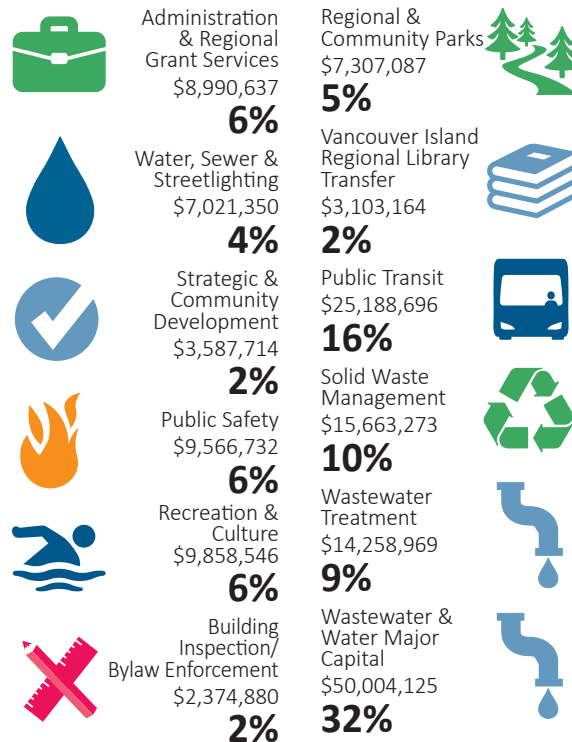
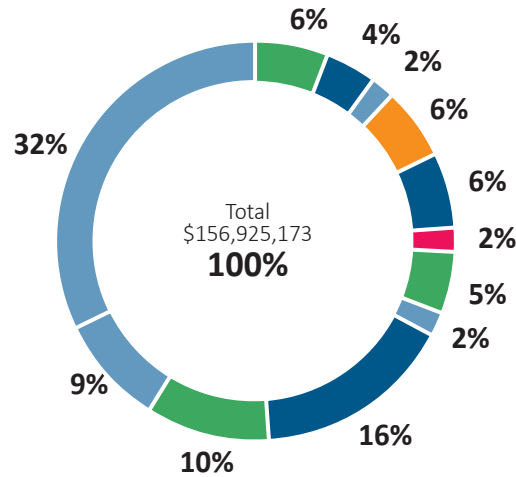


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WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

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Fire Departments	\$3,083,838
Transit	\$2,458,000
Parks & Recreation	\$4,148,320

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Get Involved RDN!

	2018	2017
Area 'E' contribution to RDN General Services property taxes total	\$2,382,170	\$2,345,638
Estimated RDN General Services tax rate per \$100,000 of assessment	\$106.40	\$106.10
Average residential dwelling assessment value*	\$575,236	\$575,236
Average Area 'E' General Services property tax amount**	\$638.84	\$639.49
Change from prior year	-0.1%	

HOW THE FUNDS ARE SPENT IN YOUR AREA

ADMINISTRATION & REGIONAL GRANT SERVICES		9%
COMMUNITY & REGIONAL DEVELOPMENT		18%
SOLID WASTE MANAGEMENT		2%
COMMUNITY & REGIONAL PARKS		11%
COMMUNITY & REGIONAL RECREATION & CULTURE		26%
PUBLIC SAFETY & EMERGENCY SERVICES		11%
TRANSIT SERVICES		7%
VANCOUVER ISLAND REGIONAL LIBRARY		16%

NOTES: You may also have specific local taxes included on your tax notice for services such as your fire department. Local services taxes are applied on an assessment basis only to properties in the specific area.

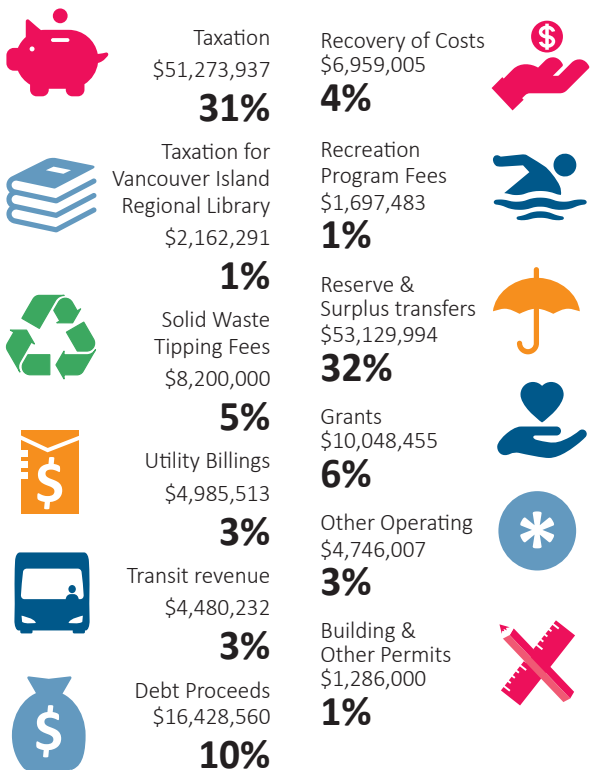
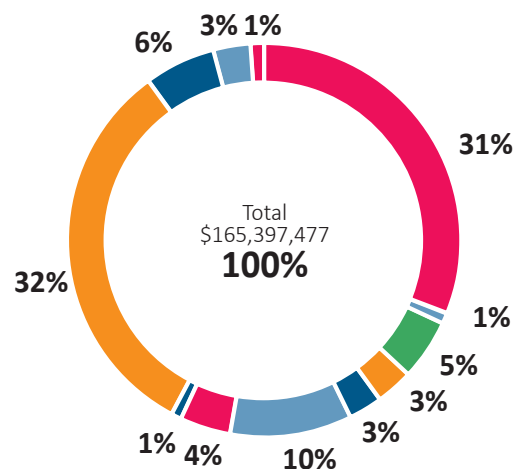
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** Includes Parcel Taxes of \$26.79 (2017: \$29.16) which are levied at the same amount for each property in the specified service area.

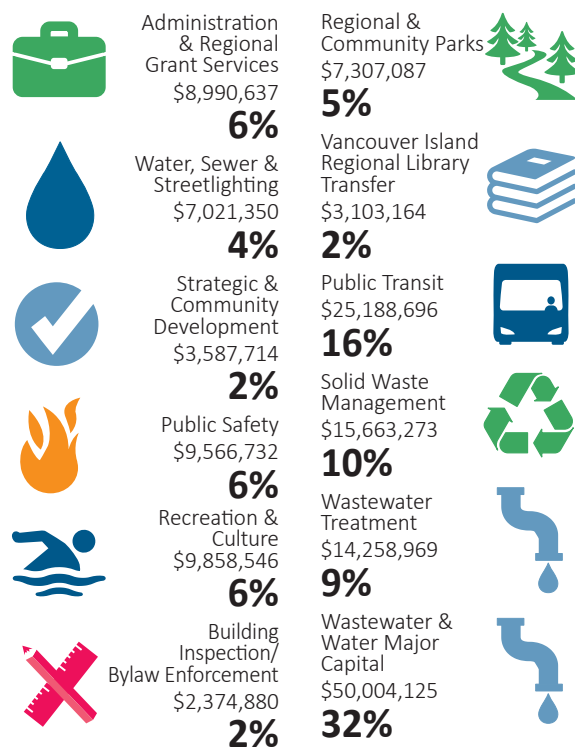
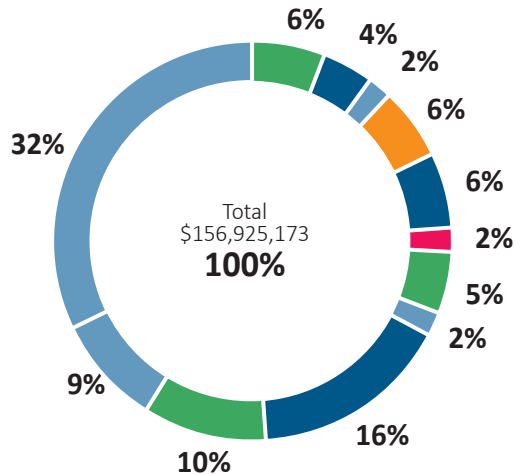


THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

WHERE DOES THE MONEY COME FROM?



WHERE DOES THE MONEY GO?



CAPITAL EXPENDITURES FOR 2018

THESE ARE THE RDN'S LARGEST INVESTMENTS IN THE COMING YEAR:



THE RDN IS ALSO WORKING ON OTHER MAJOR PROJECTS THAT MAY IMPACT YOUR AREA. THESE INCLUDE:

- 2018 Local Government Elections
- Transit Service Expansion - 5,000 hours
- Wildfire Interface Fuel Inventory Plans
- Fire Services Delivery Model Review
- Oceanside Area Recreation Master Plan Implementation
- Regional Parks Service Review Implementation
- Zoning Bylaw 500 Modernization
- Electorate Area OCP Development Permit and Temporary Use Permit Review
- Sea Level Rise Planning & Flood Plain Mapping
- RDN On-line Map User Interface Renewal
- Long-term Biosolids Site License Management Plan
- Approval and Implementation of the Solid Waste Management Plan

Get Involved RDN!

	2018	2017
Area 'F' contribution to RDN General Services property taxes total	\$2,109,093	\$2,056,852
Estimated RDN General Services tax rate per \$100,000 of assessment	\$139.80	\$138.20
Average residential dwelling assessment value*	\$321,334	\$321,334
Average Area 'F' General Services property tax amount**	\$476.01	\$473.24
Change from prior year	0.6%	

HOW THE FUNDS ARE SPENT IN YOUR AREA

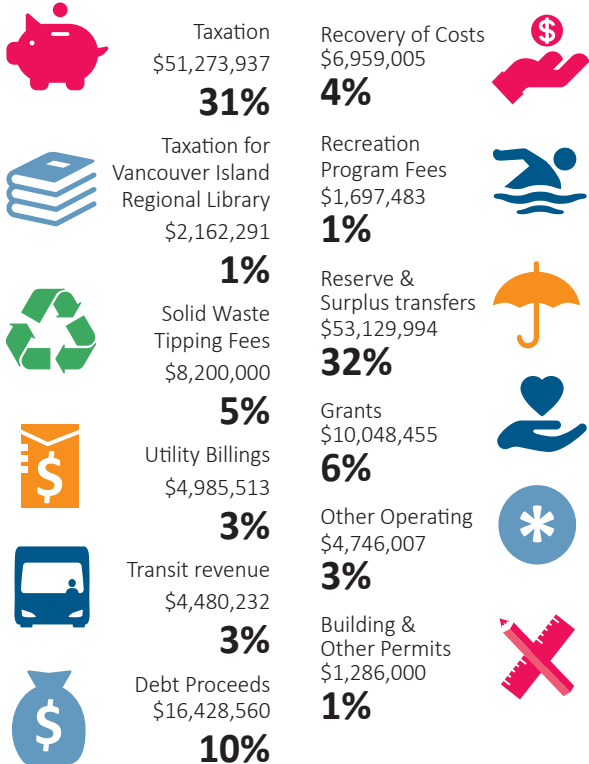
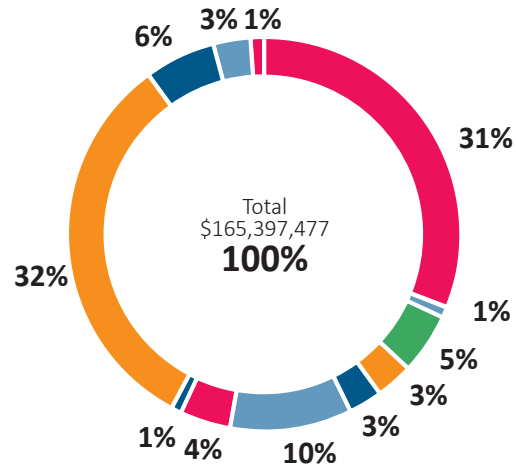


NOTES: You may also have specific local taxes included on your tax notice for services such as your fire department. Local services taxes are applied on an assessment basis only to properties in the specific area.
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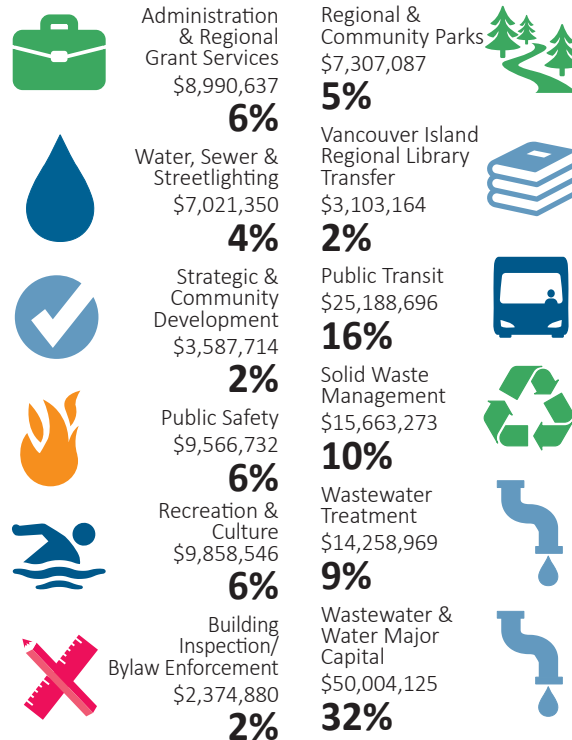
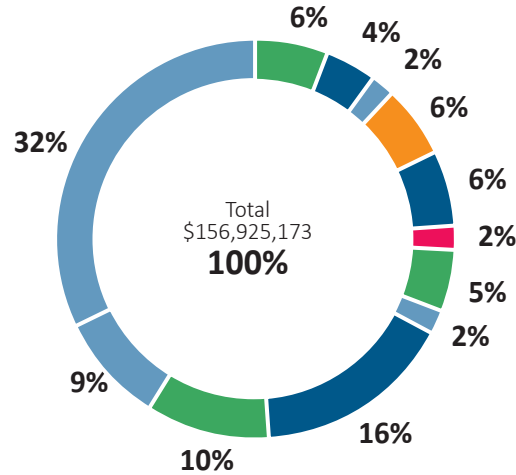


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CAPITAL EXPENDITURES FOR 2018

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Get Involved RDN!

	2018	2017
Area 'G' contribution to RDN General Services property taxes total	\$2,748,430	\$2,673,831
Estimated RDN General Services tax rate per \$100,000 of assessment	\$139.80	\$137.40
Average residential dwelling assessment value*	\$477,510	\$477,510
Average Area 'G' General Services property tax amount**	\$694.35	\$685.26
Change from prior year	1.3%	

HOW THE FUNDS ARE SPENT IN YOUR AREA



NOTES: You may also have specific local taxes included on your tax notice for services such as your fire department. Local services taxes are applied on an assessment basis only to properties in the specific area.

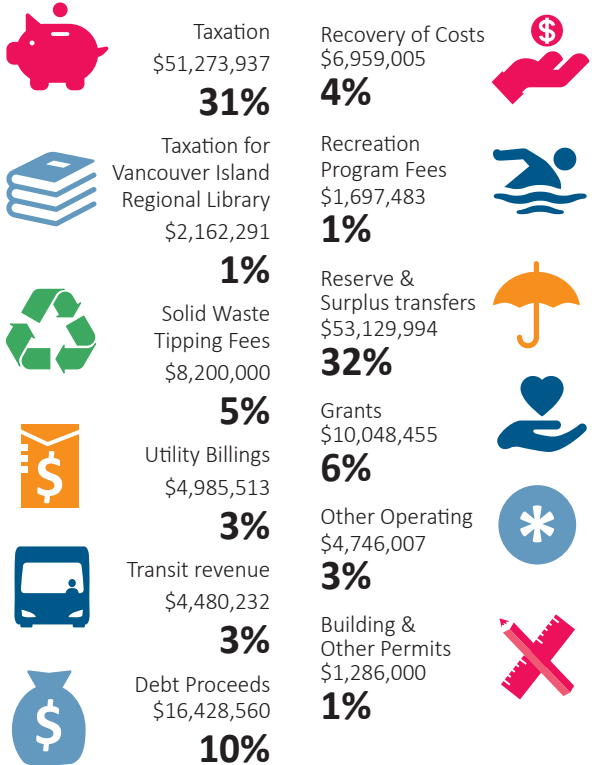
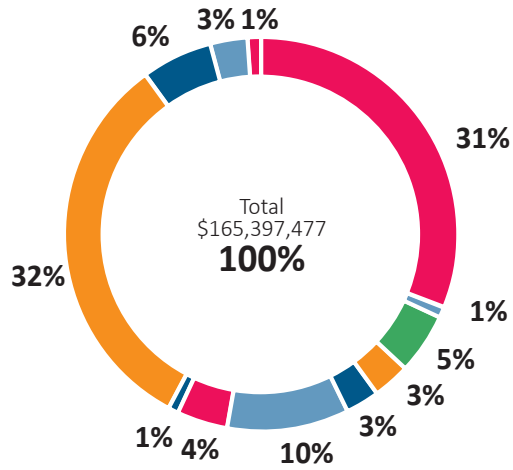
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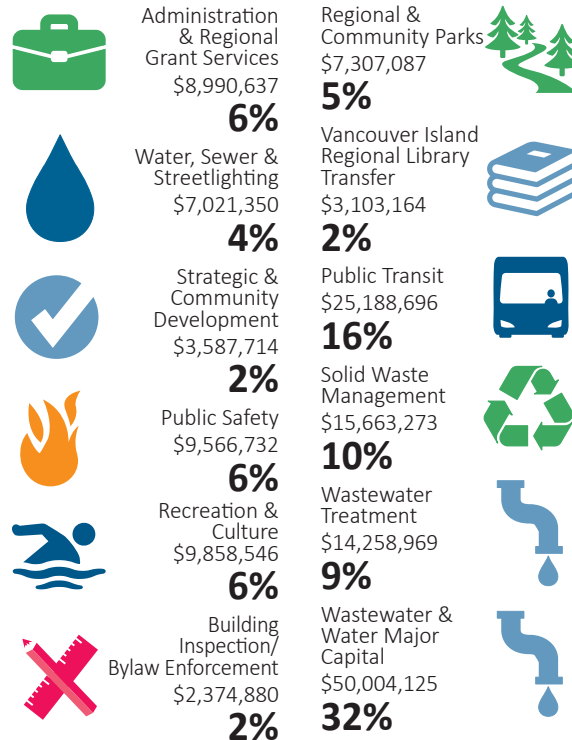
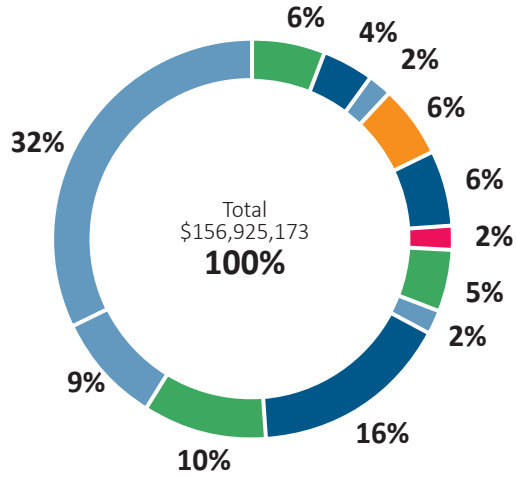


THE RDN RECEIVES REVENUE FROM MULTIPLE SOURCES

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CAPITAL EXPENDITURES FOR 2018

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Get Involved RDN!

	2018	2017
Area 'H' contribution to RDN General Services property taxes total	\$1,546,472	\$1,535,160
Estimated RDN General Services tax rate per \$100,000 of assessment	\$128.90	\$129.60
Average residential dwelling assessment value*	\$394,030	\$394,030
Average Area 'H' General Services property tax amount**	\$534.69	\$539.82
Change from prior year	-0.9%	

HOW THE FUNDS ARE SPENT IN YOUR AREA



NOTES: You may also have specific local taxes included on your tax notice for services such as your fire department. Local services taxes are applied on an assessment basis only to properties in the specific area.
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** Includes Parcel Taxes of \$26.79 (2017: \$29.16) which are levied at the same amount for each property in the specified service area.





**2018
MEMBER SUMMARY
ESTIMATED GENERAL SERVICES PROPERTY TAX CHANGE**

	City of Nanaimo	District of Lantzville	City of Parksville	Town of Qualicum Beach	Area A Cedar Yellowpoint Cassidy	Area B Gabriola Mudge Decourcey Islands	Area C Extension E. Wellington Pleasant Valley	Area E Nanoose Bay	Area F Coombs Hilliers Errington	Area G French Creek San Pareil Surfside	Area H Bowser Deep Bay
General Services Property Tax											
2018	\$ 100.90	\$ 92.60	\$ 165.80	\$ 139.40	\$ 144.90	\$ 105.80	\$ 124.40	\$ 106.40	\$ 139.80	\$ 139.80	\$ 128.90
2017	\$ 91.60	\$ 89.00	\$ 167.40	\$ 138.40	\$ 144.60	\$ 101.10	\$ 124.60	\$ 106.10	\$ 138.20	\$ 137.40	\$ 129.60
Change per \$100,000	\$ 9.30	\$ 3.60	\$ (1.60)	\$ 1.00	\$ 0.30	\$ 4.70	\$ (0.20)	\$ 0.30	\$ 1.60	\$ 2.40	\$ (0.70)
Regional Parcel Taxes											
2018	\$ 21.50	\$ 21.50	\$ 25.73	\$ 25.73	\$ 21.50	\$ 21.50	\$ 21.50	\$ 26.79	\$ 26.79	\$ 26.79	\$ 26.79
2017	\$ 22.00	\$ 22.00	\$ 27.10	\$ 27.10	\$ 22.00	\$ 22.00	\$ 22.00	\$ 29.16	\$ 29.16	\$ 29.16	\$ 29.16
Change per property	\$ (0.50)	\$ (0.50)	\$ (1.37)	\$ (1.37)	\$ (0.50)	\$ (0.50)	\$ (0.50)	\$ (2.37)	\$ (2.37)	\$ (2.37)	\$ (2.37)
Total change at \$100,000	\$ 8.80	\$ 3.10	\$ (2.97)	\$ (0.37)	\$ (0.20)	\$ 4.20	\$ (0.70)	\$ (2.07)	\$ (0.77)	\$ 0.03	\$ (3.07)
Total change at \$200,000	\$ 18.10	\$ 6.70	\$ (4.57)	\$ 0.63	\$ 0.10	\$ 8.90	\$ (0.90)	\$ (1.77)	\$ 0.83	\$ 2.43	\$ (3.77)
Total change at \$300,000	\$ 27.40	\$ 10.30	\$ (6.17)	\$ 1.63	\$ 0.40	\$ 13.60	\$ (1.10)	\$ (1.47)	\$ 2.43	\$ 4.83	\$ (4.47)
Total change at \$400,000	\$ 36.70	\$ 13.90	\$ (7.77)	\$ 2.63	\$ 0.70	\$ 18.30	\$ (1.30)	\$ (1.17)	\$ 4.03	\$ 7.23	\$ (5.17)

**2018 BUDGET
ANALYSIS OF CHANGES IN GENERAL PROPERTY TAX**

	%		
	Change		
General Services Property Tax Revenues 2017		40,892,343	
Changed service levels			
Southern Community Wastewater		983,000	New debt servicing and capital program for secondary treatment/marine outfall
Legislative Services		185,000	Website upgrades, two new board members, board orientation/strategic planning, grant coordinator contract and volunteer appreciation
Southern Community Transit		135,000	September 2018 Proposed Service Expansion impact net of 2017 carry forward surplus
Southern Economic Development		(125,000)	Pending service review, retain requisition to Gabriola portion only
Northern Community Recreation		85,000	EA H new service delivery model, Recreation Master Plan implementation allowance and Enhanced Summer & Adult Program offerings
Northern Community Transit		65,000	Remainder of new hours for Northern service expansion
Regional Economic Development Service		50,000	New service agreement for funding to INFilm
Electoral Areas Administration		50,000	2018 Election costs and allowance for all EA Directors to attend FCM
Bylaw Enforcement Services		45,000	Additional bylaw enforcement officer services (allocated across Noise, Animal, Hazardous Properties, Planning, Building Inspection and Parks)
Oceanside Place		25,000	Recreation Master Plan implementation allowance
Emergency Planning		21,000	Gap analysis projects implementation
Area G Community Parks		17,000	Blue Water Project
Area E Community Parks		14,000	Stone Lake Playground, Brickyard, Es-hw Smen~nts improvements
Area A Community Parks		13,500	Woodbank School maintenance agreement
Area F Community Parks		12,000	Errington Community Park Playground Design and Palmer Rd Trail project
Electoral Area H Feasibility Services		10,000	Raise funds for new service feasibility studies/voter approval
	3.9%	1,585,500	
Changes for Other Jurisdictions			
Vancouver Island Regional Library		93,531	Budget per VIRL = 3.98% increase, impact to RDN share is 4.5%, allocation is based on population and assessment as RDN growth larger than other areas
D69 E911		41,323	NI 911 Partnership allocation based on property assessment, NI 911 budget increase = 2.6%, RDN share increase = 5.7% as RDN growth larger than other areas
Southern Community - Facilities & Sportsfield agreement		37,762	Estimate only pending final numbers from City of Nanaimo
Northern Community - Sportsfield agreement		15,035	Estimate only pending final numbers from Parksville & Qualicum Beach
D68 E911		3,117	Annual requisition increase
	0.5%	190,768	
Changes within existing service levels			
Community Grants		48,850	2017 had one-time impact of ICF requisition repayment which is reversed in 2018
Drinking Water/Watershed Protection		(32,000)	Reduced requisition due to application of 2017 surplus
Northern Economic Development		(24,000)	Reduced requisition due to application of 2017 surplus
Northern Community Justice		(26,400)	Reduced requisition due to application of 2017 surplus resulting from gap in service during transition to new provider
Regional Growth Strategy		(21,700)	Reduced requisition due to application of 2017 surplus
Other increases/decreases		757,017	Includes \$100,000 for solid waste increase to offset tipping fee revenue decline and develop reserves
	1.7%	701,767	
General Services Property Tax Revenues 2017 - Change	6.1%	43,370,378	
Total Annual 2018 Tax Revenues		53,436,228	
Less: Local Service Area/Parcel Taxes		(10,065,850)	
2018 General Services Tax Revenues		43,370,378	
2017 General Services Tax Revenues		(40,892,343)	
Change	6.1%	2,478,035	

**2018 BUDGET
ANALYSIS OF CHANGES IN GENERAL PROPERTY TAX**

%

Change

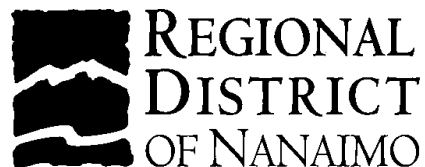
**General services property taxes are levied to all properties within the Electoral Area.
Local Service Area taxes are paid only by property owners within the boundaries of the specific service area.**

Local Services Property Tax Revenues 2018 - Change

Local Service Area/Parcel taxes in 2018	10,065,850
Local Service Area/Parcel taxes in 2017	<u>9,202,167</u>
change from 2017	863,683
	9.39%

Local Services Property Tax Revenues 2018 - Largest Changes

French Creek Fire Service	169,000	Impact of revised agreement with Parksville for service and Epcor Hydrant servicing rates allowance
All fire service areas	86,000	Fire Services Review implementation and additional financial administration
Nanoose Bulk Water	81,000	Englishman River Water Service Joint Venture capital program and debt servicing
Dashwood Fire Service	70,000	Maintain reserve for summer coverage as well as capital reserve contribution increase
Errington Fire Service	69,000	Build capital reserves and debt servicing for new trucks
Nanoose Bay Fire Service	60,000	Build capital reserves as well as wage increase and building maintenance increase
Coombs-Hilliers Fire Service	60,000	Increased training, equipment and call/pay allowances budgets
Nanoose Peninsula Water	45,000	Capital program and debt servicing
French Creek Sewer	40,000	Transfer to French Creek Pollution Control Centre (FCPCC) and maintain reserve fund
Fairwinds Sewer/Nanoose Wastewater	25,000	Capital program and unrealized service area growth previously predicted by developer
Bow Horn Bay Fire Service	14,000	Build reserve funds - satellite hall Spider Lake area
Barclay Crescent Sewer	12,000	Transfer to French Creek Pollution Control Centre (FCPCC) and maintain reserve fund
Whiskey Creek Water	9,000	Condition assessment project and maintain reserve fund
	7.4%	740,000



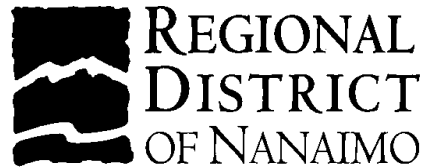
2018 BUDGET
SUMMARY OF PARTICIPATION BY MEMBER

	2017 Final	2018 Proposed	Change from 2017	Changed Service Levels	Other Jurisdictions	Existing Service Levels
City of Nanaimo	18,235,346	20,278,026	2,042,680 11.2%	1,238,981 6.8%	0 0.0%	803,699 4.4%
General Services Tax cost per \$100,000	\$91.60	\$100.90				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
	\$113.60	\$122.40				
Change from previous year	(\$5.20)	\$8.80				
District of Lantzville	813,398	857,408	44,010 5.4%	15,321 1.9%	14,334 1.8%	14,355 1.8%
General Services Tax cost per \$100,000	\$89.00	\$92.60				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
	\$111.00	\$114.10				
Change from previous year	(\$8.00)	\$3.10				
City of Parksville	5,281,545	5,304,148	22,603 0.4%	80,164 1.5%	10,313 0.2%	(67,874) -1.3%
General Services Tax cost per \$100,000	\$167.40	\$165.80				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
District 69 Community Justice	\$5.10	\$4.23				
	\$194.50	\$191.53				
Change from previous year	(\$12.27)	(\$2.97)				
Town of Qualicum Beach	3,536,420	3,609,744	73,324 2.1%	54,845 1.6%	8,433 0.2%	10,046 0.3%
General Services Tax cost per \$100,000	\$138.40	\$139.40				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
District 69 Community Justice	\$5.10	\$4.23				
	\$165.50	\$165.13				
Change from previous year	(\$15.47)	(\$0.37)				



**2018 BUDGET
SUMMARY OF PARTICIPATION BY MEMBER**

	2017 Final	2018 Proposed	Change from 2017	Changed Service Levels	Other Jurisdictions	Existing Service Levels
Electoral Area A	1,951,724	1,979,106	27,382 1.4%	(29,996) -1.5%	27,488 1.4%	29,890 1.5%
General Services Tax cost per \$100,000	\$144.60	\$144.90				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
	\$166.60	\$166.40				
Change from previous year	(\$11.20)	(\$0.20)				
Electoral Area B	1,305,443	1,382,755	77,312 5.9%	18,284 1.4%	14,229 1.1%	44,799 3.4%
General Services Tax cost per \$100,000	\$101.10	\$105.80				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
	\$123.10	\$127.30				
Change from previous year	\$1.90	\$4.20				
Electoral Area C	1,156,986	1,173,027	16,041 1.4%	(37,685) -3.3%	18,060 1.6%	35,666 3.1%
General Services Tax cost per \$100,000	\$124.60	\$124.40				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
	\$146.60	\$145.90				
Change from previous year	(\$17.30)	(\$0.70)				
Electoral Area E	2,345,638	2,382,169	36,531 1.6%	78,294 3.3%	27,688 1.2%	(69,451) -3.0%
General Services Tax cost per \$100,000	\$106.10	\$106.40				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
Economic Development Northern Community	\$2.06	\$1.06				
District 69 Community Justice	\$5.10	\$4.23				
	\$135.26	\$133.19				
Change from previous year	(\$1.98)	(\$2.07)				



**2018 BUDGET
SUMMARY OF PARTICIPATION BY MEMBER**

	2017 Final	2018 Proposed	Change from 2017	Changed Service Levels	Other Jurisdictions	Existing Service Levels
Electoral Area F	2,056,852	2,109,093	52,241 2.5%	49,698 2.4%	25,914 1.3%	(23,371) -1.1%
General Services Tax cost per \$100,000	\$138.20	\$139.80				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
Economic Development Northern Community	\$2.06	\$1.06				
District 69 Community Justice	\$5.10	\$4.23				
	\$167.36	\$166.59				
Change from previous year	(\$11.48)	(\$0.77)				
Electoral Area G	2,673,831	2,748,430	74,599 2.8%	74,948 2.8%	29,271 1.1%	(29,620) -1.1%
General Services Tax cost per \$100,000	\$137.40	\$139.80				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
Economic Development Northern Community	\$2.06	\$1.06				
District 69 Community Justice	\$5.10	\$4.23				
	\$166.56	\$166.59				
Change from previous year	(\$10.58)	\$0.03				
Electoral Area H	1,535,160	1,546,472	11,312 0.7%	42,646 2.8%	15,038 1.0%	(46,372) -3.0%
General Services Tax cost per \$100,000	\$129.60	\$128.90				
Regional Parcel Taxes						
Regional Parks	\$14.00	\$14.00				
Drinking Water/Watershed Protection	\$8.00	\$7.50				
Economic Development Northern Community	\$2.06	\$1.06				
District 69 Community Justice	\$5.10	\$4.23				
	\$158.76	\$155.69				
Change from previous year	(\$11.88)	(\$3.07)				
General Services Tax Revenues	40,892,343	43,370,378				
Change from previous year	5.0%	6.1%				
Local Services Tax Revenues	9,202,168	10,065,850				
Tax Revenues/Municipal Participation Agreements	50,094,511	53,436,228				
Change from previous year	5.5%	6.7%				



GENERAL REVENUE FUND
2018 Proposed Budget

	CORPORATE	SERVICES	STRATEGIC & COMM	DEVELOPMENT
	Budget	Budget	Budget	Budget
	2017	2018	2017	2018
OPERATING REVENUES				
TAX REQUISITION	(3,938,708)	(4,482,894)	(2,520,650)	(2,417,534)
OPERATING GRANTS	(140,935)	(160,935)	(111,528)	(56,945)
OPERATING REVENUE	(21,876)	(22,961)	(1,341,711)	(1,606,640)
OTHER REVENUE	(12,077,579)	(11,052,143)	(520,475)	(1,165,249)
TOTAL OPERATING REVENUES	(16,179,098)	(15,718,933)	(4,494,364)	(5,246,368)
OPERATING EXPENDITURES				
OFFICE OPERATING	199,854	228,693	399,203	436,114
COMMUNITY GRANTS	787,764	132,600	0	0
LEGISLATIVE	510,135	719,730	0	0
PROFESSIONAL FEES	447,280	408,016	375,600	563,830
BUILDING - OPER & MAINT	336,890	341,303	41,313	40,813
VEH & EQUIP - OPER & MAINT	195,005	236,051	76,593	77,831
OTHER OPERATING COSTS	779,909	1,349,723	667,267	796,468
WAGES & BENEFITS	4,296,083	4,404,453	2,713,800	3,250,744
PROGRAM COSTS	0	0	263,661	417,400
DEBT - FINANCING - INTEREST	3,422,558	2,966,469	0	0
DEBT - FINANCING - PRINCIPAL	3,187,018	3,188,064	0	0
TRANSFER TO RESERVE FUND	214,105	209,770	121,875	122,152
TRANSFER TO OTHER GOV'T/AGENCIES	2,132,608	2,196,139	304,278	245,542
TOTAL OPERATING EXPENDITURES	16,509,209	16,381,011	4,963,590	5,950,894
CAPITAL ASSET EXPENDITURES				
CAPITAL EXPENDITURES	638,500	926,450	108,000	11,700
TRANSFERS FROM RESERVES	(410,000)	(637,800)	(10,000)	0
CAPITAL GRANTS AND OTHER	0	0	(90,000)	0
NEW BORROWING	0	0	0	0
NET CAPITAL ASSETS FUNDED FROM OPERATIONS	228,500	288,650	8,000	11,700
ACCUMULATED SURPLUS				
NET (SURPLUS) DEFICIT	558,611	950,728	477,226	716,226
TRANSFER TO APPROPRIATED SURPLUS	0	0	0	0
TRANSFER FROM APPROPRIATED SURPLUS	0	(161,500)	0	(328,011)
PRIOR YEARS (SURPLUS) DEFICIT	(1,368,957)	(1,101,066)	(1,313,645)	(1,258,769)
CURRENT YEAR UNAPPROPRIATED (SURPLUS) DEFICIT	(810,346)	(311,838)	(836,419)	(870,554)



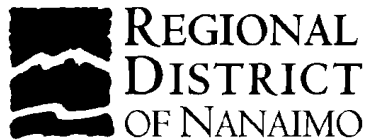
GENERAL REVENUE FUND
2018 Proposed Budget

	REGIONAL & Budget 2017	COMM UTILITIES Budget 2018	RECREATION & Budget 2017	PARKS SERVICES Budget 2018
OPERATING REVENUES				
TAX REQUISITION	(17,978,926)	(19,555,765)	(10,469,799)	(10,828,085)
OPERATING GRANTS	(62,906)	(97,806)	(66,250)	(60,410)
OPERATING REVENUE	(14,393,684)	(15,223,650)	(1,661,151)	(1,727,263)
OTHER REVENUE	(1,227,918)	(1,624,978)	(33,679)	(34,879)
TOTAL OPERATING REVENUES	(33,663,434)	(36,502,199)	(12,230,879)	(12,650,637)
OPERATING EXPENDITURES				
OFFICE OPERATING	1,803,988	1,883,976	656,703	629,460
COMMUNITY GRANTS	0	0	0	0
LEGISLATIVE	0	0	1,500	1,500
PROFESSIONAL FEES	1,143,615	1,293,178	361,800	417,300
BUILDING - OPER & MAINT	1,652,401	1,691,382	741,528	757,602
VEH & EQUIP - OPER & MAINT	1,756,208	1,736,946	195,035	175,646
OTHER OPERATING COSTS	10,812,632	10,940,829	1,300,132	1,242,384
WAGES & BENEFITS	8,511,337	9,260,472	4,602,844	4,804,424
PROGRAM COSTS	210,050	161,700	635,527	696,952
DEBT - FINANCING - INTEREST	724,959	1,238,295	407,498	419,387
DEBT - FINANCING - PRINCIPAL	599,380	1,138,352	413,967	416,450
TRANSFER TO RESERVE FUND	5,637,006	6,856,131	1,612,030	1,634,561
TRANSFER TO OTHER GOV'T/AGENCIES	0	0	1,754,447	1,772,584
TOTAL OPERATING EXPENDITURES	32,851,576	36,201,261	12,683,011	12,968,250
CAPITAL ASSET EXPENDITURES				
CAPITAL EXPENDITURES	56,763,792	51,975,064	4,585,279	4,255,674
TRANSFERS FROM RESERVES	(31,685,806)	(32,816,004)	(2,059,251)	(2,710,000)
CAPITAL GRANTS AND OTHER	(3,654,294)	(2,777,324)	(2,089,403)	(50,000)
NEW BORROWING	(18,924,870)	(14,733,560)	0	(1,000,000)
NET CAPITAL ASSETS FUNDED FROM OPERATIONS	2,498,822	1,648,176	436,625	495,674
ACCUMULATED SURPLUS				
NET (SURPLUS) DEFICIT	1,686,964	1,347,238	888,757	813,287
TRANSFER TO APPROPRIATED SURPLUS	0	0	0	0
TRANSFER FROM APPROPRIATED SURPLUS	0	(437,000)	0	(110,000)
PRIOR YEARS (SURPLUS) DEFICIT	(4,510,066)	(4,892,125)	(1,725,785)	(1,682,971)
CURRENT YEAR UNAPPROPRIATED (SURPLUS) DEFICIT	(2,823,102)	(3,981,887)	(837,028)	(979,684)



GENERAL REVENUE FUND
2018 Proposed Budget

	TRANSIT & Budget 2017	EMERGENCY SERVICES Budget 2018	TOTAL Budget 2017	PROPOSED Budget 2018	BUDGET % Change
OPERATING REVENUES					
TAX REQUISITION	(15,186,692)	(16,151,950)	(50,094,775)	(53,436,228)	6.7%
OPERATING GRANTS	(6,285,715)	(6,706,995)	(6,667,334)	(7,083,091)	
OPERATING REVENUE	(4,677,956)	(4,657,649)	(22,096,378)	(23,238,163)	
OTHER REVENUE	(1,673,119)	(1,596,096)	(15,532,770)	(15,473,345)	
TOTAL OPERATING REVENUES	(27,823,482)	(29,112,690)	(94,391,257)	(99,230,827)	
OPERATING EXPENDITURES					
OFFICE OPERATING	1,463,914	1,557,630	4,523,662	4,735,873	
COMMUNITY GRANTS	0	0	787,764	132,600	
LEGISLATIVE	0	0	511,635	721,230	
PROFESSIONAL FEES	136,550	254,850	2,464,845	2,937,174	
BUILDING - OPER & MAINT	514,585	509,949	3,286,717	3,341,049	
VEH & EQUIP - OPER & MAINT	5,510,282	5,361,142	7,733,123	7,587,616	
OTHER OPERATING COSTS	3,794,410	3,756,680	17,354,350	18,086,084	
WAGES & BENEFITS	12,542,035	12,915,981	32,666,099	34,636,074	
PROGRAM COSTS	0	128,500	1,109,238	1,404,552	
DEBT - FINANCING - INTEREST	170,267	177,167	4,725,282	4,801,318	
DEBT - FINANCING - PRINCIPAL	171,404	215,769	4,371,769	4,958,635	
TRANSFER TO RESERVE FUND	784,613	1,220,353	8,369,629	10,042,967	
TRANSFER TO OTHER GOV'T/AGENCIES	2,725,663	3,028,069	6,916,996	7,242,334	
TOTAL OPERATING EXPENDITURES	27,813,723	29,126,090	94,821,109	100,627,506	6.1%
CAPITAL ASSET EXPENDITURES					
CAPITAL EXPENDITURES	3,811,300	5,629,338	65,906,871	62,798,226	
TRANSFERS FROM RESERVES	(2,489,930)	(3,944,698)	(36,654,987)	(40,108,502)	
CAPITAL GRANTS AND OTHER	(140,070)	(280,140)	(5,973,767)	(3,107,464)	
NEW BORROWING	(220,000)	(695,000)	(19,144,870)	(16,428,560)	
NET CAPITAL ASSETS FUNDED FROM OPERATIONS	961,300	709,500	4,133,247	3,153,700	
ACCUMULATED SURPLUS					
NET (SURPLUS) DEFICIT	951,541	722,900	4,563,099	4,550,379	
TRANSFER TO APPROPRIATED SURPLUS	0	0	0	0	
TRANSFER FROM APPROPRIATED SURPLUS	0	(480,000)	0	(1,516,511)	
PRIOR YEARS (SURPLUS) DEFICIT	(3,244,614)	(2,625,050)	(12,163,067)	(11,559,981)	
CURRENT YEAR UNAPPROPRIATED (SURPLUS) DEFICIT	(2,293,073)	(2,382,150)	(7,599,968)	(8,526,113)	



Summary of Tax Revenues By Service

	2016 FINAL	2017 FINAL	2018 Proposed Nov 2017	change from 2017 \$	change from 2017 %
CORPORATE SERVICES					
Legislative Services	1,103,007	1,333,157	1,612,815	279,658	21.0%
House Numbering	21,500	21,500	21,900	400	1.9%
Electoral Areas Admin/Building Policy & Advice	428,795	449,221	509,214	59,993	13.4%
Lantzville Service Participation Agreement	19,136	19,720	20,482	762	3.9%
Community Grants	80,150	19,350	68,192	48,842	252.4%
Feasibility Studies/Referendums		27,000	38,000	11,000	40.7%
	1,652,588	1,869,948	2,270,603		
STRATEGIC & COMMUNITY DEVELOPMENT					
Electoral Area Community & Long Range Planning	1,495,256	1,562,543	1,625,045	62,502	4.0%
Regional Growth Strategy	433,857	455,549	433,857	(21,692)	-4.8%
Economic Development - Regional			50,000	50,000	NEW
Economic Development - Southern Community	177,000	190,000	65,000	(125,000)	-65.8%
Economic Development - Northern Community	50,000	50,000	25,836	(24,164)	-48.3%
Animal Control - Area A , B, C, Lantzville	67,482	68,832	68,832	0	0.0%
Animal Control Area E, G, H	83,252	84,917	89,163	4,246	5.0%
Animal Control Area F	18,595	18,781	18,969	188	1.0%
Hazardous Properties	14,511	36,927	32,473	(4,454)	-12.1%
Unightly Premises	7,841	11,638	12,220	582	5.0%
Noise Control	38,734	41,463	46,139	4,676	11.3%
	2,386,528	2,520,650	2,467,534		
RECREATION & PARKS					
Ravensong Aquatic Centre	2,524,505	1,970,329	1,990,032	19,703	1.0%
Oceanside Place	1,878,543	1,934,899	1,973,597	38,698	2.0%
Northern Community Recreation	1,107,471	1,140,657	1,278,230	137,573	12.1%
Gabriola Island Recreation	111,876	115,233	118,690	3,457	3.0%
Area A Recreation & Culture	188,171	198,816	202,792	3,976	2.0%
Port Theatre/Cultural Centre Contribution	82,869	83,813	85,012	1,199	1.4%
Regional Parks - operating	1,329,060	1,362,287	1,389,533	27,246	2.0%
Regional Parks - capital	946,036	954,772	958,510	3,738	0.4%
Electoral Areas Community Parks	1,100,610	1,245,439	1,315,338	69,899	5.6%
	9,269,141	9,006,245	9,311,734		
REGIONAL & COMMUNITY UTILITIES					
Southern Wastewater Treatment	6,107,395	7,023,504	8,147,265	1,123,761	16.0%
Northern Wastewater Treatment	3,924,468	4,114,561	4,179,181	64,620	1.6%
Liquid Waste Management Planning	168,366	171,733	175,168	3,435	2.0%
Drinking Water/Watershed Protection	505,237	545,584	513,488	(32,096)	-5.9%
Solid Waste Management & Disposal	578,088	722,610	831,132	108,522	15.0%
	11,283,554	12,577,992	13,846,234		



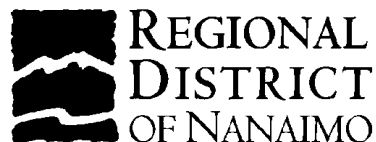
Summary of Tax Revenues By Service

	2016 FINAL	2017 FINAL	2018 Proposed Nov 2017	change from 2017 \$	change from 2017 %
TRANSIT & EMERGENCY SERVICES					
Southern Community Transit	8,565,785	8,822,759	9,087,442	264,683	3.0%
Northern Community Transit	1,012,665	1,093,679	1,181,386	87,707	8.0%
Descanso Bay Emergency Wharf	5,914	6,961	6,891	(70)	-1.0%
Gabriola Transit contribution	97,665	136,000	136,000	0	0.0%
Gabriola Taxi Saver	11,940	0	4,332	4,332	0.0%
Emergency Planning	272,354	305,040	332,494	27,454	9.0%
Lantzville Service Participation Agreement	24,203	26,819	29,442	2,623	9.8%
District 68 Search & Rescue	47,563	47,884	47,400	(484)	-1.0%
District 69 Marine Search & Rescue	5,000	5,000	5,000	0	0.0%
District 69 Land Search & Rescue	10,000	10,200	10,200	0	0.0%
Southern Restorative Justice/Victim Services	16,000	16,000	16,125	125	0.8%
Northern Community Justice	122,300	123,560	102,921	(20,639)	-16.7%
	10,191,389	10,593,902	10,959,633		
GENERAL TAXATION FOR OTHER JURISDICTIONS					
SD 68 Emergency 911	151,278	155,820	158,937	3,117	2.0%
SD 69 Emergency 911	605,464	635,737	677,060	41,323	6.5%
Southern Community Recreation	1,157,962	1,162,847	1,200,609	37,762	3.2%
Northern Community Sportsfield Agreement	274,647	300,707	315,742	15,035	5.0%
Vancouver Island Regional Library	1,990,949	2,068,760	2,162,291	93,531	4.5%
	4,180,300	4,323,871	4,514,639		
GENERAL SERVICES PROPERTY TAX REVENUES					
	38,963,500	40,892,608	43,370,377		
Change from previous year	5.4%	5.0%	6.1%		
LOCAL SERVICE AREA TAX REVENUES					
Duke Point Wastewater Treatment	226,779	231,315	238,254	6,939	3.0%
Northern Community Wastewater - other benefitting areas	940,977	994,156	1,029,819	35,663	3.6%
Fire Protection Areas	3,433,724	3,801,233	4,356,320	555,087	14.6%
Streetlighting Service Areas	84,789	88,715	92,520	3,805	4.3%
Stormwater Management	9,739	9,839	10,036	197	2.0%
Utility Services	3,829,623	4,076,909	4,338,902	261,993	6.4%
	8,525,631	9,202,167	10,065,851		
NET PROPERTY TAX REVENUES/MUNICIPAL SERVICE PARTICIPATION AGREEMENTS					
	47,489,131	50,094,775	53,436,228		
Change from previous year	5.5%	5.5%	6.7%		



Summary of Tax Revenues By Service

	2016 FINAL	2017 FINAL	2018 Proposed Nov 2017	change from 2017 \$	change from 2017 %
ADDITIONAL DETAILS - GENERAL SERVICES					
PORT THEATRE/CULTURAL CENTRE CONTRIBUTION					
Electoral Area A	15,120	15,347	15,577	230	1.5%
Electoral Area B	27,136	27,363	27,593	230	0.8%
Electoral Area C (Extension)	15,020	15,126	15,474	348	2.3%
Electoral Area C (E. Wellington)	3,890	3,948	4,009	61	1.5%
Electoral Area E	21,703	22,029	22,359	330	1.5%
	82,869	83,813	85,012		
COMMUNITY PARKS					
Electoral Area A	186,000	198,490	212,384	13,894	7.0%
Electoral Area B	188,828	277,000	282,160	5,160	1.9%
Electoral Area C (Extension)	66,161	68,807	71,559	2,752	4.0%
Electoral Area C (E. Wellington)	85,409	89,679	91,473	1,794	2.0%
Electoral Area E	126,000	142,080	156,288	14,208	10.0%
Electoral Area F	148,800	156,240	168,739	12,499	8.0%
Electoral Area G	114,739	126,623	144,350	17,727	14.0%
Electoral Area H	184,673	186,520	188,385	1,865	1.0%
	1,100,610	1,245,439	1,315,338		
ADDITIONAL DETAILS - LOCAL SERVICES TAX REVENUES					
FIRE PROTECTION					
Nanaimo River Fire (Area C)	17,792	17,792	17,792	0	0.0%
Coombs-Hilliers Fire Volunteer (Area F)	406,318	466,606	535,639	69,033	14.8%
Errington Fire Volunteer (Area F)	452,901	561,600	641,503	79,903	14.2%
Nanoose Bay Fire Volunteer (Area E)	644,095	705,955	804,495	98,540	14.0%
Dashwood Fire Volunteer (Area F, G, H)	527,960	556,409	638,410	82,001	14.7%
Meadowood Fire (Area F)	139,358	139,358	139,457	99	0.1%
Extension Fire Volunteer (Area C)	157,736	166,808	175,173	8,365	5.0%
Bow Horn Bay (Area H)	333,448	353,104	374,290	21,186	6.0%
Cassidy Waterloo Fire Contract (Area A, C)	158,758	166,759	174,893	8,134	4.9%
Wellington Fire Contract (Area C - Pleasant Valley)	75,644	80,456	84,687	4,231	5.3%
Parksville (Local) Fire Contract (Area G)	94,172	97,014	111,551	14,537	15.0%
French Creek Fire Contract (Area G)	425,542	489,372	658,430	169,058	34.5%
	3,433,724	3,801,233	4,356,320		
STREETLIGHTING					
Rural Areas Streetlighting	16,356	16,683	17,017	334	2.0%
Fairwinds Streetlighting	23,500	23,500	23,500	0	0.0%
French Creek Village Streetlighting	6,851	8,221	9,043	822	10.0%
Highway Intersections Streetlighting (French Creek)	1,173	1,279	1,599	320	25.0%
Morningstar Streetlighting	15,300	16,065	16,708	643	4.0%
Sandpiper Streetlighting	11,962	12,799	14,079	1,280	10.0%
Hwy # 4 (Area F)	3,850	4,081	4,244	163	4.0%
Englishman River Community	5,797	6,087	6,330	243	4.0%
	84,789	88,715	92,520		
NOISE CONTROL					
Noise Control Area A	7,271	8,541	9,543	1,002	11.7%
Noise Control Area B	8,575	9,178	9,958	780	8.5%
Noise Control Area C	7,068	7,599	9,039	1,440	18.9%
Noise Control Area E	7,496	7,571	8,253	682	9.0%
Noise Control Area G	8,324	8,574	9,346	772	9.0%
	38,734	41,463	46,139		
UTILITIES					
Englishman River Community Stormwater	5,014	5,114	5,216	102	2.0%
Cedar Sewer Stormwater	4,725	4,725	4,820	95	2.0%
	9,739	9,839	10,036		



Summary of Tax Revenues By Service

	2016 FINAL	2017 FINAL	2018 Proposed Nov 2017	change from 2017	\$	change from 2017 %	2017	2018	Change
UTILITY SERVICES - PARCEL TAX REVENUES									
WATER UTILITIES									
Nanoose Peninsula (Area E)	851,881	902,994	948,144	45,150		5.0%	358	376	18
Driftwood (Area E)	5,458	5,457	5,458	1		0.0%	420	420	0
Surfside (Area G)	14,083	14,505	15,956	1,451		10.0%	372	409	37
French Creek (Area G)	72,243	77,300	85,030	7,730		10.0%	323	356	32
Englishman River Community (Area G)	37,602	37,602	39,482	1,880		5.0%	240	251	12
Whiskey Creek Water (Area F)	89,824	90,722	99,794	9,072		10.0%	720	792	72
San Pareil Water (Area G)	133,480	133,480	140,154	6,674		5.0%	460	483	23
San Pareil Water (Fire Improvements Debt Levy)	74,212	74,213	74,212	(1)		0.0%	277	277	(0)
Melrose Place (Area F)	22,597	23,049	23,740	691		3.0%	823	848	25
Decourcey Water (Area A)	7,871	8,186	9,005	819		10.0%	1,637	1,801	164
Nanoose Bulk Water (Area E)	937,418	1,021,786	1,103,529	81,743		8.0%	405	437	32
French Creek Bulk Water (Area G)	4,320	4,320	4,320	0		0.0%	2	2	0
Westurne Heights Water		19,295	20,260	965		5.0%	1,135	1,192	57
	2,250,989	2,412,909	2,569,084						
SEWAGE COLLECTION UTILITIES									
Hawthorne Rise Debt Levy	8,138	9,941	9,941	0		0.0%	710	710	0
Reid Road Debt Levy	5,316	3,625	3,624	(1)		0.0%	604	604	(0)
French Creek (Area G)	635,083	685,890	747,620	61,730		9.0%	358	390	32
Fairwinds (Area E)	557,798	581,919	608,034	26,115		4.5%	731	764	33
Surfside Sewer (Area G)	21,209	21,633	22,715	1,082		5.0%	801	841	40
Pacific Shores (Area E)	66,638	69,970	73,469	3,499		5.0%	542	570	27
Barclay Crescent (Area G)	150,473	156,492	169,011	12,519		8.0%	varies	varies	
Cedar Sewer Service (Operating) (Area A)	28,191	28,755	29,618	863		3.0%	varies	varies	
Cedar Sewer Service (Capital Financing) (Area A)	105,788	105,775	105,786	11		0.0%	varies	varies	
	1,578,634	1,664,000	1,769,818						
TOTAL UTILITY PARCEL TAX REVENUES									
	3,829,623	4,076,909	4,338,902						
Change from previous year	6.0%	6.5%	6.4%						

points in both July and September resulting in both higher borrowing costs and higher investment returns for local governments.

British Columbia (Content provided by TD Economics²)

Even with a hiccup in the housing market last year, British Columbia's economy has managed to record growth of over 3% for three consecutive years, and is on track to make it a fourth. Widespread strength across most industries has helped to boost employment in the province by nearly 4% so far this year, bringing the unemployment rate down to 5.1% in August – the lowest level seen since 2008. While robust hiring demand has done little to raise wages, consumers continue to punch beyond their weight. Similar to Ontario, wealth effects stemming from earlier gains in home prices appear to be an important catalyst to household spending. Two soft spots across the province's economic landscape are residential construction, as housing starts are down following last year's surge, and forestry, which has been hard hit by the wildfires that have swept through the southern part of the province.

Similar to Ontario, the consumer spending environment will become more challenging thanks to higher interest rates and the diminishing impact of past wealth effects. What's more, in the Budget Update, the new NDP government announced a higher personal tax rate on incomes above \$150,000, as well as a higher carbon price that will ultimately filter its way down to gasoline prices. Corporate income taxes will also rise, limiting cash that businesses could put toward investment. The Update did include some increase in spending that could provide some offsetting stimulus. Further policy announcements will likely come in Budget 2018 next spring and, given the change in government, presents some uncertainty surrounding the outlook. The government is not in favour of LNG development, but that may not be an issue in the near term as the deterioration in economics has led to the shelving of a couple projects in recent months. As it stands now, economic growth in the province is expected to come in at just over 2% in 2018, before sliding to 1.7% in 2019.

Regional District of Nanaimo

There are many positive economic indicators affecting the Regional District of Nanaimo. The unemployment rate on Vancouver Island for October 2017 of 4.9% is on par with the Provincial rate which was the lowest in Canada during the month of October³. BC Ferries September 2017 Year to Date Passenger and Vehicle traffic are up 2.7% and 3.0% at Departure Bay and 8.6% and 7.2% at Duke Point over September 2016⁴. Average house prices for October 2017 at \$501,400 in Nanaimo and \$524,900 in Parksville/Qualicum are up 15.9% and 16.8% respectively over October 2016⁵. Total building permits issued within the Regional District of Nanaimo including municipalities increased from 1,092 in 2015 to 1,456 in 2016. For January through September 2017, 1,041 total building permits have been reported compared to 1,124 permits for the same period in 2016 representing a decrease of 7.3% which, as indicated above in the BC Section, may indicate some cooling of the housing market. Yearend results may provide a clearer understanding of the local housing trends.

Overall Summary by Division (Attachment 2)

The Overall Summary by Division provides an overview of the year-to-date results at a divisional level.

² TD Economics Provincial Economic Forecast (September 28, 2017)

³ Statistics Canada, Labour Force Survey Issue #17-10, October 2017

⁴ BC Ferries, Traffic Statistics System Total Vehicle and Passenger Counts by Route for September 2017

⁵ Vancouver Island Real Estate Board Single Family Home Benchmark Price, October 2016

Capital Accounts

Overall capital spending is at 13% of budget due to the timing of capital projects, in particular the \$45 million allocated for 2017 to the secondary treatment project at the Greater Nanaimo Pollution Control Centre for which the construction is currently underway. Actual 2017 spending for the project is expected to be \$13 million with the remainder carried forward to 2018. The timing of capital projects also impacts professional fees (42%). Capital projects use a drawdown accounting approach where grant revenues and transfers from reserves and Development Cost Charge revenues are recorded when project expenses are incurred which in turn impact transfers from reserves (4%), capital grant revenues (9%), and new borrowing (30%). Other major capital works underway or beginning in 2017 are the Nanoose Bulk Water Joint Venture project, the Regional Parks Coombs to Parksville Rail Trail project, design work for the French Creek Pollution Control Centre, San Pareil Water Treatment upgrades, the Landfill Scale Replacement and the Huxley Park sport court and playground upgrades.

Operating Accounts

Consolidated total operating revenues are close to or over the 75% benchmark across all services with Building Inspection operating revenues at 108% of the budget and Solid Waste revenues at 92% of the budget.

Operating expenditure accounts are at 60% or more of budget other than professional fees (42% impacted by capital as noted above) and program costs (56%). Program costs reflect the Drinking Water/Watershed Protection rebate programs in Regional & Community Utilities (38%) and the Green Buildings rebate programs in Strategic & Community Development (22%) which are currently underway and expected to be fully allocated by the year-end.

Community Grants (90%) reflect the transfer to the City of Parksville for the social services facility.

Transfers to Reserve (100%) approved in the annual budget are completed and recorded in August when tax revenues are received from the Province and the municipalities.

Transfers to Other Gov't /Agencies (95%) reflect the timing of transfers to various organizations largely completed in August when tax revenues are received.

On a consolidated basis total operating expenditures are \$68 million or 72% of budget which reflects the items discussed above and those in Attachment 1. 2017 preliminary year-end projections indicate positive variances from budget across most services both as a result of capital and other projects being carried forward to 2018 and as a result of operational savings. Preliminary year-end projections include \$2.53 million in appropriated surplus for carry forward projects and the BC Transit special reserve adjustment being carried to 2018.

Summary of Operating Results by Department (Attachment 3)

The Summary of Operating Results by Department lists the total year-to-date revenues and expenditures for services within each organizational division at September 30. The majority of the variances are due to the timing of capital and operating projects and the related revenue accruals.

ALTERNATIVES

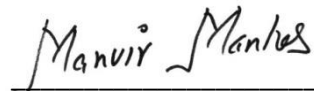
1. Receive the financial report for the period January 1, 2017 to September 30, 2017 for information.
2. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The preliminary year-end results indicate all services are within budget or under budget as a result of reduced operating costs and carry forward projects. There are no significant variances impacting the overall budget for the period ending September 30, 2017. All carry forward capital and operational projects have been incorporated in the 2018 to 2022 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Quarterly financial progress statements provide information to identify both positive and negative budget trends and to allow for improved financial planning. This directly supports the Board governing principles to “Be Transparent and Accountable” and to “Show Fiscal Restraint” through prudent use of tax dollars and to deliver the services expected by residents of the Region as cost effectively and economically as possible.



Manvir Manhas
mmanhas@rdn.bc.ca
November 3, 2017

Reviewed by:

- T. Moore, Acting Director of Finance
- W. Idema, Acting General Manager, Corporate Services
- G. Garbutt, Acting Chief Administrative Officer

Attachments

1. List of variances for September 30, 2017 quarterly reporting
2. Overall Summary by Division
3. Summary of Operating Results by Service

Services with variances as at September 30, 2017 are as follows:

Services	Revenues	Expenditures	Explanation of variance
CORPORATE SERVICES			
Community Grants	99% revenues	91% expenditures	Revenues include transfer from reserve for return of ICF requisition. Expenditures include the transfer to Parksville for land acquisition for the social services housing facility.
Feasibility Studies	79% revenues	128% expenditures	Professional fees are impacted by expenditures related to the Bowser Sewer project.
Municipal Debt Transfers	59% revenues	59% expenditures	Timing of debt payments made to the Municipal Finance Authority on behalf of municipalities.
STRATEGIC & COMMUNITY DEVELOPMENT			
EA Community Planning	77% revenues	67% expenditures	Expenditures are impacted by staff vacancies and timing of projects.
Regional Growth Strategy	82% revenues	63% expenditures	2016 carry forward surplus creates a positive variance for revenues. Expenditures are impacted by staff vacancies and timing of Green Building program costs.
Building Inspection	104% revenues	72% expenditures	Higher than expected building permit revenues and positive variance impact of 2016 carry forward surplus.
Hazardous Properties	17% revenues	6% expenditures	Cassidy property cleanup costs and related recovery invoice to property owner delayed pending completion of work.
REGIONAL & COMMUNITY UTILITIES			
Liquid Waste Management Planning	111% revenues	97% expenditures	Grant revenues and professional fees are impacted by additional funds allocated from Community Works Funds for the Bowser Sewer project.
Southern Community Wastewater	22% revenues	19% expenditures	Timing of major projects impacts capital expenditures and recognition of reserve/DCC revenues. GNPCC Secondary Treatment project will incur significant costs through the fall which will increase both revenues and expenses.
Drinking Water/Watershed Protection	82% revenues	58% expenditures	Impact of larger 2016 carry forward surplus creates positive variance for revenues. Rebate programs are currently underway and will be fully allocated by year end.
Nanoose Bay Bulk Water	31% revenues	32% expenditures	Timing of transfer to Parksville for RDN share of ERWS joint venture impacts reserve fund transfers to revenue as well as expenses.
Water Services	26%-100% revenues	21%-75% expenditures	Revenues reflect both spring and fall utility billings. Services showing lower revenues/expenditures are impacted by timing of projects resulting in lower capital expenditures which also impacts the revenues transferred in from reserves.
Sewer Fairwinds/Wastewater Nanoose	86% revenues	55% expenditures	Annual utility billing completed in May and the 2016 carry forward surplus generate a positive variance for revenues. Timing of projects impacts capital expenditures and professional fees.
Solid Waste Management	81% revenues	65% expenditures	Revenues reflect better than expected tipping fee revenues at 92% of budget. Expenditures are impacted by capital project timing.
Solid Waste Collection & Recycling	86% revenues	69% expenditures	Revenues reflect annual utility billing completed in May generating significant revenues in the earlier part of the year. Expenditures are impacted by delays in billing from haulers.

Services with variances as at September 30, 2017 are as follows:

Services	Revenues	Expenditures	Explanation of variance
RECREATION & PARKS SERVICES			
Regional Parks	44% revenues	38% expenditures	Delays for park acquisitions and capital projects impact expenditures as well as related reserve transfer revenues. Also, the E&N Rail Trail project actual costs are lower than budget resulting in lower expense.
Community Parks	45%-84% revenues	37%-59% expenditures	The 2016 carry forward surplus generates higher revenues and includes \$207,000 appropriated for projects brought forward from 2016. Timing of capital and development projects impacts expenses, for example Huxley Park upgrades are underway this fall and the design project for Anders Dorrit will be carried forward to 2018.
Northern Community Recreation	79% revenues	86% expenditures	Summer programs generate additional expenses earlier in the year which will be offset by taxation revenue to be recorded in the fall.
Southern Community Recreation & Culture	76% revenues	98% expenditures	Expenditures are impacted by transfer to City of Nanaimo for facilities and sportsfields agreement completed in August.
TRANSIT & EMERGENCY SERVICES			
Fire - Coombs Hilliers	81% revenues	91% expenditures	Timing of truck purchases impacts expenditures and related reserve transfer revenues.
Fire - Errington	45% revenues	56% expenditures	Timing of engine truck purchases impacts expenditures and related reserve transfer revenues.
Fire - Nanoose Bay	76% revenues	50% expenditures	Timing of allowance paid to volunteers at year end impacts expenditures.
Fire - French Creek, Wellington and Parksville Local	76%-87% revenues	78%-98% expenditures	2016 carry forward surplus generates positive variance for revenues. Expenditures reflect fire service contracts with Parksville, Qualicum and Nanaimo where funds are transferred in August.
Fire - Dashwood	75% revenues	94% expenditures	Expenditures are impacted by the timing of transfers to Dashwood Volunteer Fire Department.
Fire - Bow Horn Bay	28% revenues	36% expenditures	Delay in receipt of crown land tenure from province for satellite hall construction impacts expenditures and related reserve transfer revenues.
Emergency Planning	60% revenues	46% expenditures	Carry forward of generator capital project to 2018 impacts expenditures as well as related reserve transfer revenues.
D69 E911	77% revenues	99% expenditures	Expenditures reflect the June timing of the transfer to the North Island 911 corporation.
District 68 Community Justice	75% revenues	100% expenditures	Transfers to victim services and restorative justice organizations occur in August.
District 69 Community Justice	75% revenues	48% expenditures	Oceanside Victim Services changed service provider during the year creating a gap in service where funding was not required. Surplus funds will be partially expended later in 2017 and carried forward to 2018.



GENERAL REVENUE FUND
As of September 30, 2017

	CORPORATE			SERVICES			STRATEGIC & COMMUNITY DEVELOPMENT		
	Actual	Budget	%	Actual	Budget	%	Actual	Budget	%
	2017	2017	Var	2017	2017	Var	2017	2017	Var
OPERATING REVENUES									
TAX REQUISITION	(2,954,031)	(3,938,708)	75%	(1,890,487)	(2,520,650)	75%			
OPERATING GRANTS	(502,976)	(140,935)	357%	(83,679)	(111,528)	75%			
OPERATING REVENUE	(20,912)	(21,876)	96%	(1,293,051)	(1,341,711)	96%			
OTHER REVENUE	(8,207,575)	(12,077,579)	68%	(285,399)	(520,475)	55%			
TOTAL OPERATING REVENUES	(11,685,494)	(16,179,098)	72%	(3,552,616)	(4,494,364)	79%			
OPERATING EXPENDITURES									
OFFICE OPERATING	111,686	199,854	56%	269,873	399,203	68%			
COMMUNITY GRANTS	705,367	787,764	90%	0	0	0%			
LEGISLATIVE	349,348	510,135	68%	0	0	0%			
PROFESSIONAL FEES	161,416	447,280	36%	120,315	375,600	32%			
BUILDING - OPER & MAINT	344,271	336,890	102%	27,985	41,313	68%			
VEH & EQUIP - OPER & MAINT	176,564	195,005	91%	68,204	76,593	89%			
OTHER OPERATING COSTS	438,808	779,909	56%	457,047	667,267	68%			
WAGES & BENEFITS	3,209,108	4,296,083	75%	1,869,685	2,713,800	69%			
PROGRAM COSTS	0	0	0%	56,760	263,661	22%			
DEBT - FINANCING - INTEREST	2,000,750	3,422,558	58%	0	0	0%			
DEBT - FINANCING - PRINCIPAL	1,992,443	3,187,018	63%	0	0	0%			
TRANSFER TO RESERVE FUND	210,396	214,105	98%	118,500	121,875	97%			
TRANSFER TO OTHER GOV'T/AGENCIES	1,868,825	2,132,608	88%	38,803	304,278	13%			
TOTAL OPERATING EXPENDITURES	11,568,982	16,509,209	70%	3,027,172	4,963,590	61%			
CAPITAL ASSET EXPENDITURES									
CAPITAL EXPENDITURES	127,117	638,500	20%	23,239	108,000	22%			
TRANSFERS FROM RESERVES	(24,500)	(410,000)	6%	0	(10,000)	0%			
CAPITAL GRANTS AND OTHER	0	0	0%	0	(90,000)	0%			
NEW BORROWING	0	0	0%	0	0	0%			
NET CAPITAL ASSETS FUNDED FROM OPERATIONS	102,617	228,500		23,239	8,000				
ACCUMULATED SURPLUS									
NET (SURPLUS) DEFICIT	(13,895)	558,611		(502,205)	477,226				
TRANSFER TO APPROPRIATED SURPLUS	172,500	0		283,011	0				
TRANSFER FROM APPROPRIATED SURPLUS	0	0		0	0				
PRIOR YEARS (SURPLUS) DEFICIT	(1,368,957)	(1,368,957)		(1,313,645)	(1,313,645)				
CURRENT YEAR UNAPPROPRIATED (SURPLUS) DEFICIT	(1,210,352)	(810,346)		(1,532,839)	(836,419)				



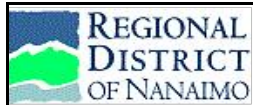
GENERAL REVENUE FUND
As of September 30, 2017

	REGIONAL & Actual 2017	COMMUNITY Budget 2017	UTILITIES % Var	RECREATION & Actual 2017	PARKS Budget 2017	SERVICES % Var
OPERATING REVENUES						
TAX REQUISITION	(13,484,198)	(17,978,926)	75%	(7,852,348)	(10,469,799)	75%
OPERATING GRANTS	(196,193)	(62,906)	312%	(408,267)	(66,250)	616%
OPERATING REVENUE	(13,197,793)	(14,393,684)	92%	(1,314,009)	(1,661,151)	79%
OTHER REVENUE	(861,249)	(1,227,918)	70%	(16,521)	(33,679)	49%
TOTAL OPERATING REVENUES	(27,739,433)	(33,663,434)	82%	(9,591,145)	(12,230,879)	78%
OPERATING EXPENDITURES						
OFFICE OPERATING	1,316,106	1,803,988	73%	484,437	656,703	74%
COMMUNITY GRANTS	0	0	0%	0	0	0%
LEGISLATIVE	0	0	0%	10	1,500	1%
PROFESSIONAL FEES	602,157	1,143,615	53%	129,885	361,800	36%
BUILDING - OPER & MAINT	992,317	1,652,401	60%	517,452	741,528	70%
VEH & EQUIP - OPER & MAINT	1,298,261	1,756,208	74%	102,995	195,035	53%
OTHER OPERATING COSTS	6,978,846	10,812,632	65%	667,312	1,300,132	51%
WAGES & BENEFITS	6,034,251	8,511,337	71%	3,440,621	4,602,844	75%
PROGRAM COSTS	78,892	210,050	38%	482,778	635,527	76%
DEBT - FINANCING - INTEREST	296,917	724,959	41%	305,076	407,498	75%
DEBT - FINANCING - PRINCIPAL	437,857	599,380	73%	327,618	413,967	79%
TRANSFER TO RESERVE FUND	5,630,531	5,637,006	100%	1,611,310	1,612,030	100%
TRANSFER TO OTHER GOV'T/AGENCIES	0	0	0%	2,060,750	1,754,447	117%
TOTAL OPERATING EXPENDITURES	23,666,135	32,851,576	72%	10,130,244	12,683,011	80%
CAPITAL ASSET EXPENDITURES						
CAPITAL EXPENDITURES	7,792,206	56,763,792	14%	335,034	4,585,279	7%
TRANSFERS FROM RESERVES	(932,875)	(31,685,806)	3%	(51,136)	(2,059,251)	2%
CAPITAL GRANTS AND OTHER	(271,014)	(3,654,294)	7%	(259,115)	(2,089,403)	12%
NEW BORROWING	(5,762,448)	(18,924,870)	30%	0	0	0%
NET CAPITAL ASSETS FUNDED FROM OPERATIONS	825,869	2,498,822		24,783	436,625	
ACCUMULATED SURPLUS						
NET (SURPLUS) DEFICIT	(3,247,429)	1,686,964		563,882	888,757	
TRANSFER TO APPROPRIATED SURPLUS	437,000	0		110,000	0	
TRANSFER FROM APPROPRIATED SURPLUS	0	0		0	0	
PRIOR YEARS (SURPLUS) DEFICIT	(4,510,066)	(4,510,066)		(1,725,785)	(1,725,785)	
CURRENT YEAR UNAPPROPRIATED (SURPLUS) DEFICIT	(7,320,495)	(2,823,102)		(1,051,903)	(837,028)	



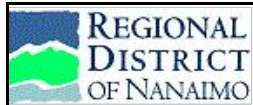
GENERAL REVENUE FUND
As of September 30, 2017

	TRANSIT &	EMERGENCY	SERVICES	TOTAL	REVENUE	FUND
	Actual	Budget	%	Actual	Budget	%
	2017	2017	Var	2017	2017	Var
OPERATING REVENUES						
TAX REQUISITION	(11,390,019)	(15,186,692)	75%	(37,571,083)	(50,094,775)	75%
OPERATING GRANTS	(4,305,913)	(6,285,715)	69%	(5,497,028)	(6,667,334)	82%
OPERATING REVENUE	(3,486,575)	(4,677,956)	75%	(19,312,340)	(22,096,378)	87%
OTHER REVENUE	(1,280,713)	(1,673,119)	77%	(10,651,457)	(15,532,770)	69%
TOTAL OPERATING REVENUES	(20,463,220)	(27,823,482)	74%	(73,031,908)	(94,391,257)	77%
OPERATING EXPENDITURES						
OFFICE OPERATING	1,082,502	1,463,914	74%	3,264,604	4,523,662	72%
COMMUNITY GRANTS	0	0	0%	705,367	787,764	90%
LEGISLATIVE	0	0	0%	349,358	511,635	68%
PROFESSIONAL FEES	31,492	136,550	23%	1,045,265	2,464,845	42%
BUILDING - OPER & MAINT	339,682	514,585	66%	2,221,707	3,286,717	68%
VEH & EQUIP - OPER & MAINT	3,491,874	5,510,282	63%	5,137,898	7,733,123	66%
OTHER OPERATING COSTS	2,455,355	3,794,410	65%	10,997,368	17,354,350	63%
WAGES & BENEFITS	9,157,828	12,542,035	73%	23,711,493	32,666,099	73%
PROGRAM COSTS	0	0	0%	618,430	1,109,238	56%
DEBT - FINANCING - INTEREST	126,051	170,267	74%	2,728,794	4,725,282	58%
DEBT - FINANCING - PRINCIPAL	128,544	171,404	75%	2,886,462	4,371,769	66%
TRANSFER TO RESERVE FUND	794,941	784,613	101%	8,365,678	8,369,629	100%
TRANSFER TO OTHER GOV'T/AGENCIES	2,610,066	2,725,663	96%	6,578,444	6,916,996	95%
TOTAL OPERATING EXPENDITURES	20,218,335	27,813,723	73%	68,610,868	94,821,109	72%
CAPITAL ASSET EXPENDITURES						
CAPITAL EXPENDITURES	381,062	3,811,300	10%	8,658,658	65,906,871	13%
TRANSFERS FROM RESERVES	(286,223)	(2,489,930)	11%	(1,294,734)	(36,654,987)	4%
CAPITAL GRANTS AND OTHER	(4,386)	(140,070)	3%	(534,515)	(5,973,767)	9%
NEW BORROWING	0	(220,000)	0%	(5,762,448)	(19,144,870)	30%
NET CAPITAL ASSETS FUNDED FROM OPERATIONS	90,453	961,300		1,066,961	4,133,247	
ACCUMULATED SURPLUS						
NET (SURPLUS) DEFICIT	(154,432)	951,541		(3,354,079)	4,563,099	
TRANSFER TO APPROPRIATED SURPLUS	1,501,298	0		2,503,809	0	
TRANSFER FROM APPROPRIATED SURPLUS	0	0		0	0	
PRIOR YEARS (SURPLUS) DEFICIT	(3,244,614)	(3,244,614)		(12,163,067)	(12,163,067)	
CURRENT YEAR UNAPPROPRIATED (SURPLUS) DEFICIT	(1,897,748)	(2,293,073)		(13,013,337)	(7,599,968)	



SUMMARY OF OPERATING RESULTS
For period ending September 30, 2017

	Revenues	Revenues	Variance	Expenditures	Expenditures	Variance	Surplus	Surplus
	2017	2017		2017	2017		2017	2017
	Actuals	Budget		Actuals	Budget		Actuals	Budget
CORPORATE SERVICES								
Administration								
Corporate Administration Summary	5,631,912	7,517,770	75%	4,691,235	6,883,127	68%	940,677	634,643
Community Grants	816,743	821,812	99%	745,533	821,812	91%	71,210	0
Community Works Fund Projects - Corporate Services	305,506	0	0%	305,506	0	0%	0	0
Electoral Area Administration	738,671	886,657	83%	524,611	710,952	74%	214,060	175,705
Regional Library	2,219,798	3,009,633	74%	2,219,798	3,009,633	74%	0	0
Feasibility Studies	25,230	31,980	79%	40,825	31,980	128%	(15,595)	0
Municipal Debt Transfers	3,324,965	5,668,703	59%	3,324,965	5,668,703	59%	0	0
House Numbering	16,125	21,500	75%	16,125	21,500	75%	0	0
TOTAL	13,078,950	17,958,055	73%	11,868,598	17,147,707	69%	1,210,352	810,348
STRATEGIC & COMMUNITY DEVELOPMENT								
EA Community Planning	1,697,691	2,201,843	77%	1,313,905	1,975,022	67%	383,786	226,821
Economic Development South	142,500	190,000	75%	160,075	190,000	84%	(17,575)	0
Economic Development North	41,761	54,261	77%	53,819	54,261	99%	(12,058)	0
VIHA Community Wellness Grant	0	54,583	0%	0	54,583	0%	0	0
VIHA Health Network Funding	20,894	44,695	47%	20,894	44,695	47%	0	0
OHWN Special Project Grant	4,239	0	0%	4,239	0	0%	0	0
Regional Growth Strategy	580,357	711,112	82%	422,622	671,321	63%	157,735	39,791
Building Inspection	1,904,220	1,839,345	104%	926,704	1,294,430	72%	977,516	544,915
Bylaw Enforcement								
Bylaw Enforcement	227,619	302,036	75%	227,619	302,036	75%	0	0
Animal Control EA A,B,C,LANTZ	59,519	76,727	78%	52,179	72,486	72%	7,340	4,241
Animal Control E,G & H	78,040	100,580	78%	69,358	95,272	73%	8,682	5,308
Animal Control EA F	26,225	32,421	81%	17,457	25,075	70%	8,768	7,346
Unsanitary Premises	8,898	61,807	14%	10,070	61,707	16%	(1,172)	100
Hazardous Properties	16,090	95,821	17%	5,726	95,695	6%	10,364	126
Noise Control	42,457	52,778	80%	33,005	45,005	73%	9,452	7,773
Community Works Fund Projects - Strategic & Community Development	15,749	90,000	17%	15,749	90,000	17%	0	0
TOTAL	4,866,259	5,908,009	82%	3,333,421	5,071,588	66%	1,532,838	836,421
REGIONAL & COMMUNITY UTILITIES								
RCU - Administration	282,745	383,923	74%	282,745	383,923	74%	0	0
Wastewater Management								
Liquid Waste Management Planning	527,912	476,847	111%	303,791	314,065	97%	224,121	162,782



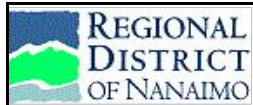
SUMMARY OF OPERATING RESULTS
For period ending September 30, 2017

	Revenues	Revenues	Variance	Expenditures	Expenditures	Variance	Surplus	Surplus
	2017	2017		2017	2017		2017	2017
	Actuals	Budget		Actuals	Budget		Actuals	Budget
Wastewater Southern Community	11,710,406	53,244,303	22%	10,288,483	52,868,554	19%	1,421,923	375,749
Wastewater Northern Community	5,553,668	7,359,053	75%	4,769,413	6,510,022	73%	784,255	849,031
Wastewater Duke Point	378,382	445,006	85%	210,621	307,395	69%	167,761	137,611
Water Supply								
Water - Surfside	21,944	36,319	60%	16,193	34,988	46%	5,751	1,331
Water - French Creek	128,562	190,482	67%	102,749	182,916	56%	25,813	7,566
Water - Whiskey Creek	111,969	177,034	63%	73,892	172,950	43%	38,077	4,084
Water - Decourcey	9,996	12,634	79%	5,676	10,062	56%	4,320	2,572
Water - San Pareil	272,409	1,064,583	26%	218,720	1,056,631	21%	53,689	7,952
Water - Driftwood	4,094	5,458	75%	4,093	5,458	75%	1	0
Water - Englishman River	129,960	129,774	100%	81,605	115,856	70%	48,355	13,918
Water - Melrose Place	35,708	44,298	81%	19,545	37,437	52%	16,163	6,861
Water - Nanoose Peninsula	1,717,240	2,225,438	77%	1,130,261	2,124,859	53%	586,979	100,579
Water - Bulk Water Nanoose Bay	1,746,979	5,717,748	31%	1,783,868	5,613,257	32%	(36,889)	104,491
Water - Bulk Water French Creek	51,160	69,507	74%	51,160	69,721	73%	0	(214)
Water - San Pareil Fire	55,659	74,212	75%	55,659	74,212	75%	0	0
Water - Westurne Heights	40,986	62,229	66%	33,827	61,191	55%	7,159	1,038
Drinking Water/Watershed Protection	608,048	744,444	82%	360,563	618,540	58%	247,485	125,904
Streetlighting	77,538	116,985	66%	64,844	108,811	60%	12,694	8,174
Sewer Collection								
Sewer - French Creek	863,753	1,136,277	76%	785,759	1,131,808	69%	77,994	4,469
7551 / 2851 SewerFairwinds / Wastewater Nanoose	821,628	959,853	86%	400,557	727,235	55%	421,071	232,618
Sewer - Pacific Shores	64,002	81,392	79%	53,514	76,743	70%	10,488	4,649
Sewer - Surfside	33,566	37,751	89%	16,251	28,472	57%	17,315	9,279
Sewer - Cedar	215,480	237,779	91%	146,048	198,993	73%	69,432	38,786
Sewer - Barclay	217,453	252,547	86%	173,781	234,804	74%	43,672	17,743
Sewer - Reid Road Debt	2,718	3,624	75%	2,718	3,624	75%	0	0
Sewer - Hawthorne Rise Debt	7,456	9,941	75%	7,456	9,941	75%	0	0
Englishman River Stormwater	9,884	11,163	89%	4,011	6,348	63%	5,873	4,815
Cedar Estates Stormwater	10,123	11,304	90%	6,011	7,348	82%	4,112	3,956
Pump & Haul	1,500	2,000	75%	1,500	2,000	75%	0	0
Solid Waste								
Solid Waste Management	9,315,978	11,459,648	81%	7,192,825	11,037,483	65%	2,123,153	422,165
Solid Waste Collection & Recycling	4,148,435	4,798,023	86%	3,208,716	4,622,836	69%	939,719	175,187
Community Works Fund Projects - Regional & Community Utilites	38,488	856,891	4%	38,488	856,891	4%	0	0
TOTAL	39,215,829	92,438,470	42%	31,895,343	89,615,374	36%	7,320,486	2,823,096



SUMMARY OF OPERATING RESULTS
For period ending September 30, 2017

	Revenues	Revenues	Variance	Expenditures	Expenditures	Variance	Surplus	Surplus
	2017	2017		2017	2017		2017	2017
	Actuals	Budget		Actuals	Budget		Actuals	Budget
RECREATION & PARKS SERVICES								
Regional Parks	2,664,749	6,090,815	44%	2,230,613	5,830,198	38%	434,136	260,617
Community Parks								
Community Parks - Area A	203,213	252,835	80%	147,404	249,963	59%	55,809	2,872
Community Parks - Area B	256,097	572,175	45%	207,108	564,144	37%	48,989	8,031
Community Parks - Area C (Extension)	92,161	109,363	84%	47,288	82,576	57%	44,873	26,787
Community Parks - Area C (East Wellington)	113,227	135,646	83%	61,881	111,050	56%	51,346	24,596
Community Parks - Area E	184,773	283,189	65%	141,253	269,058	52%	43,520	14,131
Community Parks - Area F	164,471	203,531	81%	102,124	188,886	54%	62,347	14,645
Community Parks - Area G	122,941	209,916	59%	123,842	208,316	59%	(901)	1,600
Community Parks - Area H	198,259	273,914	72%	137,524	253,561	54%	60,735	20,353
Area A Recreation & Culture	337,350	387,054	87%	213,916	300,380	71%	123,434	86,674
Northern Community Recreation	1,497,086	1,896,264	79%	1,569,171	1,826,486	86%	(72,085)	69,778
Oceanside Place	2,101,108	2,802,485	75%	1,818,668	2,643,913	69%	282,440	158,572
Ravensong Aquatic Centre	2,265,121	2,874,354	79%	2,059,223	2,736,577	75%	205,898	137,777
Gabriola Island Recreation	98,292	127,037	77%	107,469	116,438	92%	(9,177)	10,599
Southern Community Recreation & Culture	962,107	1,272,683	76%	1,241,572	1,272,683	98%	(279,465)	0
Community Works Fund Projects - Parks & Recreation Services	366,226	614,057	60%	366,226	614,057	60%	0	0
TOTAL	11,627,181	18,105,318	64%	10,575,282	17,268,286	61%	1,051,899	837,032
TRANSIT & EMERGENCY SERVICES								
Transit								
Transit Southern Community	17,330,568	24,027,143	72%	15,773,973	22,298,404	71%	1,556,595	1,728,739
Transit - Gabriola Transit Contribution	102,000	136,000	75%	134,550	136,000	99%	(32,550)	0
Transit - Gabriola Island Taxi Saver	8,056	7,994	101%	3,838	7,994	48%	4,218	0
Transit Northern Community	1,890,902	2,481,570	76%	1,356,032	2,072,782	65%	534,870	408,788
Gabriola Island Emergency Wharf	5,524	7,264	76%	4,559	7,264	63%	965	0
Community Works Fund Projects - Transit	4,386	0	0%	4,386	0	0%	0	0
Fire Protection								
Fire - Administration	108,043	144,058	75%	93,645	144,058	65%	14,398	0
Fire - Meadowood	104,518	139,357	75%	104,518	139,357	75%	0	0
Fire - Nanaimo River	13,458	17,906	75%	17,494	17,906	98%	(4,036)	0
Fire - Coombs Hilliers	440,816	546,606	81%	496,749	546,606	91%	(55,933)	0
Fire - Errington	559,715	1,233,600	45%	696,708	1,233,600	56%	(136,993)	0
Fire - French Creek	423,044	545,190	78%	418,003	533,865	78%	5,041	11,325



SUMMARY OF OPERATING RESULTS
For period ending September 30, 2017

	Revenues	Revenues	Variance	Expenditures	Expenditures	Variance	Surplus	Surplus
	2017	2017		2017	2017		2017	2017
	Actuals	Budget		Actuals	Budget		Actuals	Budget
Fire - Nanoose Bay	570,378	746,742	76%	373,322	746,742	50%	197,056	0
Fire - Wellington	63,141	83,255	76%	79,174	83,255	95%	(16,033)	0
Fire - Cassidy Waterloo	158,570	199,137	80%	148,169	199,137	74%	10,401	0
Fire - Dashwood	494,718	663,209	75%	625,298	663,209	94%	(130,580)	0
Fire - Extension	164,245	205,947	80%	180,979	205,947	88%	(16,734)	0
Fire - Parksville Local	157,589	181,842	87%	96,914	99,051	98%	60,675	82,791
Fire - Bow Horn Bay	269,211	966,741	28%	351,093	966,741	36%	(81,882)	0
Emergency Planning	312,998	519,498	60%	236,496	509,334	46%	76,502	10,164
D68 Search & Rescue	39,472	51,369	77%	43,850	48,300	91%	(4,378)	3,069
D69 Marine Search & Rescue	3,750	5,000	75%	5,000	5,000	100%	(1,250)	0
D69 Land Search & Rescue	7,650	10,200	75%	10,150	10,200	100%	(2,500)	0
D68 E911	134,302	173,257	78%	118,334	154,470	77%	15,968	18,787
D69 E911	526,717	685,651	77%	652,241	656,241	99%	(125,524)	29,410
Community Justice								
D68 Community Justice	12,000	16,000	75%	16,000	16,000	100%	(4,000)	0
D69 Community Justice	92,670	123,560	75%	59,220	123,560	48%	33,450	0
TOTAL	23,998,441	33,918,096	71%	22,100,695	31,625,023	70%	1,897,746	2,293,073
TOTAL ALL SERVICES	(92,786,660)	(168,327,948)	55%	79,773,339	160,727,978	50%	(13,013,321)	(7,599,970)

ALTERNATIVES

There are no alternatives to this process.

FINANCIAL IMPLICATIONS

The cost of the required parcel tax roll newspaper advertisements is \$1,500. If a parcel tax review panel is required to be established, additional costs are expected to be less than \$500. These projected costs are incorporated in the 2017-2021 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Adopting the bylaw to authorize preparation of 2018 parcel tax rolls is consistent with the Regional District of Nanaimo Strategic Plan under Focus on Service and Organizational Excellence – The Regional District of Nanaimo (RDN) will deliver efficient, effective and economically viable services that meet the needs of the Region. Providing a parcel tax option to requisition taxes allows the RDN to deliver specific local area and regional services that meet the varying needs of the Region.



Tiffany Moore
tmoore@rdn.bc.ca
October 29, 2017

Reviewed by:

- W. Idema, General Manager Administration
- G. Garbutt, Acting Chief Administrative Officer

Attachments

1. Bylaw No. 1766

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1766

**A BYLAW TO PROVIDE FOR THE PREPARATION OF
PARCEL TAX ROLLS FOR THE YEAR 2018**

WHEREAS the Board of the Regional District of Nanaimo shall, pursuant to the *Local Government Act*, provide by bylaw for the preparation of an assessment roll for the purpose of imposing a parcel tax;

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

1. Assessment rolls for the purpose of levying a parcel tax for the Year 2018 are to be prepared for the following services:

Sewer:

French Creek Sewerage Facilities Local Service Area	Establishing Bylaw No. 813, 1990
Fairwinds Sewerage Facilities Local Service Area	Conversion Bylaw No. 947, 1994
Pacific Shores Sewer Local Service Area	Establishing Bylaw No. 1021, 1996
Surfside Sewer Local Service Area	Establishing Bylaw No. 1124, 1998
Barclay Crescent Sewer	Establishing Bylaw No. 1391, 2004
Cedar Sewer Service	Establishing Bylaw No. 1445, 2005
Cedar Sewer Commercial Properties Capital Financing Service	Establishing Bylaw No. 1513, 2007
Cedar Sewer Large Residential Properties Capital Financing Service	Establishing Bylaw No. 1517, 2007
Cedar Sewer Sportsfield Capital Financing Service	Establishing Bylaw No. 1519, 2007
Cedar Sewer Small Residential Properties Capital Financing Service	Establishing Bylaw No. 1521, 2007
Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service	Establishing Bylaw No. 1565, 2009
Hawthorne Rise Sanitary Sewer Capital Financing Service	Establishing Bylaw No. 1686, 2013
Reid Road Sanitary Sewer Capital Financing Service	Establishing Bylaw No. 1707, 2014

Water:

Surfside Properties Water Supply Specified Area	Establishing Bylaw No. 694, 1985
French Creek Water Local Service	Conversion Bylaw No. 874, 1992
French Creek Bulk Water Supply Local Service Area	Establishing Bylaw No. 1050, 1996
Nanoose Bay Bulk Water Supply Local Service Area	Establishing Bylaw No. 1049, 1996
Decourcey Water Local Service Area	Establishing Bylaw No. 1096, 1998
San Pareil Water Local Service Area	Establishing Bylaw No. 1170, 1999
Driftwood Water Supply Service Area	Establishing Bylaw No. 1255, 2001
Englishman River Community Water Service	Establishing Bylaw No. 1354, 2003
Melrose Terrace Community Water Service	Establishing Bylaw No. 1397, 2004
Nanoose Peninsula Water Service	Establishing Bylaw No. 867.01, 2005
Whiskey Creek Water Services	Establishing Bylaw No. 1605, 2010
San Pareil Water System (Fire Protection Improvements) Service	Establishing Bylaw No. 1646, 2013
Westurne Heights Water Service	Establishing Bylaw No. 1718, 2015

Other:

Regional Parks	Establishing Bylaw No. 1231, 2001
Meadowood Fire Protection Service Area	Establishing Bylaw No. 1509, 2006
Crime Prevention and Community Justice Support	Establishing Bylaw No. 1479, 2006
Drinking Water and Watershed Protection Service Area	Establishing Bylaw No. 1556, 2008
Northern Community Economic Development Service	Establishing Bylaw No. 1649, 2011

2. The bylaws referred to in (1) above include any subsequent amendments.
3. Unless otherwise noted herein a parcel tax shall be levied on the basis of a single amount for each taxable property with land and improvements or land only within the service area.

4. Parcel taxes with respect to the Cedar Sewer Commercial Capital Financing Service will be levied on the basis of the size of each parcel with a parcel defined as a taxable folio within the service area assessed for land and improvements, or land only or improvements only and the amount of the parcel tax will be established as a rate per hectare.
5. Parcel taxes with respect to the Cedar Sewer Large Residential Properties Capital Financing Service will be levied on the basis of a rate per unit of size with a unit of 1 established for a property up to 2 hectares in size and a unit of 2 established for properties greater than 2 hectares in size.
6. Parcel taxes with respect to the Cedar Sewer Service (sewer collection and treatment) will be levied on the basis of a rate per unit of size with units established as:

Parcel of land less than or equal to .2 ha = 1
Parcel of land greater than .2 ha up to 1 ha = 2
Parcel of land greater than 1 ha up to 3 ha = 3
Parcel of land greater than 3 ha = 6
8. Parcel taxes under Sections (3) above shall not be levied on folios with the following characteristics:
 - i) water, including but not limited to foreshore leases
 - ii) continuous structures physically identifiable as telephone, hydro, or other utility wires, fiber or cables.
9. It is the responsibility of taxpayers with properties described under Section 8 to notify the Regional District in order to note those properties as exempt from the particular parcel taxes otherwise applicable.
10. This bylaw may be cited as “2018 Parcel Tax Assessment Roll Bylaw No. 1766, 2017”.

Introduced and read three times this __th day of _____, 2017.

Adopted this __th day of _____, 2017.

CHAIRPERSON

CORPORATE OFFICER

TO: Regional District of Nanaimo Committee of the Whole **MEETING:** November 28, 2017

FROM: Chris Midgley
Manager, Strategic Initiative and Asset Management **FILE:** 6430-20 BSP

SUBJECT: Board Strategic Plan Update 2017

RECOMMENDATION

1. That the RDN Board reaffirm support for the 2016-2020 Board Strategic Plan.

SUMMARY

On September 19, 2017 the Regional District of Nanaimo (RDN) Board of Directors participated in a Strategic Plan check-in. The purpose of the session, facilitated by Tracey Lorensen of Paragon Strategic Services, was to review, adjust and update the 2016-2020 Board Strategic Plan, in keeping with the strategic planning process established by the Board at the outset of current term of office.

After reflecting on the RDN's accomplishments of the last year of work; the positive culture around the Board table; the content of the existing Board Strategic Plan; and improvements in monitoring and reporting on Board Strategic Priorities, Directors agreed that a change in strategic direction was not needed, and the current content for the Board Strategic Plan was appropriate for the final year of the current term. A summary of the Board discussion provided by Paragon Strategic Services is included as Attachment 1 "Strategic Plan Check In".

BACKGROUND

At the outset of the current term of office, the RDN Board of Directors re-evaluated and transformed the RDN's traditional strategic planning process. At the Regular Board Meeting held June 24, 2014, the following motion was carried:

That staff be directed to re-evaluate the Regional District of Nanaimo Strategic Planning process so as to create a plan that is annually updated, is a living document (lives beyond the election), is adaptable to change, and responds to the needs of Regional District of Nanaimo constituents.

The process that emerged was based on the recognition of a need for a plan that is simple, clear and achievable; and subjected to regular monitoring, reporting and review with adjustments, corrections and revision as new information comes available. The result is a plan that is annually updated, adaptable to change, and responds to the needs of the region as a whole.

On September 19, 2017, the RDN Board of Directors held its annual Strategic Plan review session. The check-in provided an opportunity to reflect on accomplishments over the past year, the relevance of the Key Focus Areas and Strategic Priorities captured in the 2016-2020 Board Strategic Plan, and the value of improved monitoring and reporting. The session also included deliberations on whether to move forward with regular reviews of regional services provided by the RDN.

While the conversation about accomplishments touched on various significant RDN projects that are either underway or recently completed, the discussion focused on the positive culture around the Board table and the mutual trust that has developed between Directors, between member municipalities and electoral areas, and between elected officials and staff. This trust is attributed to the emphasis on Governance, a Key Focus Area in the current Strategic Plan.

In addition to Governance, the remaining Key Focus Areas are Service and Organizational Excellence, Relationships, Economic Health and Environment. Each of these Focus Areas were reaffirmed by the Board as relevant, appropriate and useful in day-to-day decision making. As a result, there is no need to alter content of the Board Strategic Plan. Attachment 1 provides a summary of the discussion under each of these Focus Areas.

During the session, staff presented on the Operational Report and the Operational Forecast - tools recently developed to better report on how projects and initiatives are advancing the Board Strategic Plan. The Operational Report highlights progress on high priority projects for the current year, while the Operational Forecast aligns projects in the Five Year Financial Plan with the Board Strategic Plan. Both tools were seen as valuable, with strong Board support for continuing such efforts, and investment in communicating this work to the public.

The final topic of discussion at the Strategic Planning session concerned the need for ongoing reviews of regional services. At present, a review of the Regional Parks and Trails service is underway. The Board discussed the general benefits of reviewing regional services as a matter of practice. This process ensures that RDN services are meeting the needs and expectations of constituents. Regional Economic Development as well as Regional Transit were identified by the Board as potential focus areas for a 2018 regional services review. Funding for a review has been included in the 2018 Preliminary Budget to ensure resources are available to undertake the work.

ALTERNATIVES

1. That the Board reaffirm support for the 2016-2020 Board Strategic Plan.
2. That alternate direction be given to staff.

FINANCIAL IMPLICATIONS

There are no financial implications associated with Recommendation 1. Future work related to Board Strategic Planning, including a review of the Board Strategic Plan following the 2018 civic election, as well as a regional service review have been incorporated into the preliminary budget for 2018.

STRATEGIC PLAN IMPLICATIONS

The annual session to review the 2016-2020 Board Strategic Plan held on September 19, 2017 is integral to the strategic planning process established at the outset of the current term of office. At that session, all aspects of the current Strategic Plan were supported, including Key Focus Areas and Strategic Priorities. Efforts to highlight how RDN projects advance Board Strategic Priorities, including the Operation Report and Forecast were also supported, with the additional suggestion to ensure that this work is made more accessible to the public. Finally, in the interest of Service and Organizational Excellence, ongoing regional service reviews such as the Regional Parks and Trails Service Review currently underway were supported in-principle.

Chris Midgley
cmidgley@rdn.ca.ca
November 9, 2017

Reviewed by:

- G. Garbutt, General Manager, Strategic and Community Development and Acting Chief Administrative Officer

Attachments

1. "Strategic Plan Check In: Regional District of Nanaimo" (Tracey Lee Lorensen, Paragon Strategic Services)

Strategic Plan Check In

Attachment 1

Regional District of Nanaimo

Overview

One of the RDN's strategic focus areas is "Good Governance". One of the initiatives in support of this focus area is an annual check in on how the RDN is doing towards its strategic objectives, and an opportunity to 'course correct' if necessary.

How Are We Doing?

The Board articulated a range of topics they considered successes since the previous planning session (not necessarily completed projects, but initiatives making a positive difference in the region). A summary of this 'brainstorm' is attached to this report.

The Board then considered each of the "Key Focus Areas" and specifically whether the RDN needed to change or adjust its direction.

Key Focus Areas

Focus on Governance

Early in its term the RDN Board made a decision to focus on both the structure and behavior around good governance. Specifically, the Board created the Electoral Area Service Committee which allows the EA Directors to discuss issues of common concern. The Board discussed the EASC and both EA and municipal directors felt that it was advancing the "good governance" focus.

As an observation, the governance structure and culture at the RDN has been recognized by other Regional Districts as a model to explore as it addresses a concern that many Regional Districts have around equality of 'voice' at the RD table.

The Board also discussed how individual behaviors (respect, engagement, consensus building) at the table enabled the RDN Board to be highly functional.

The RDN is also creating connections between its strategic focus areas and the land use plans in the Region.

Strategic Plan Check In

Regional District of Nanaimo

Focus on Service and Organizational Excellence

There is a high degree of trust between the elected officials and management of the RDN. A number of factors were discussed related to this including:

- Focus on management accountability and measurement - specifically the Board considered the Operational Plan and how it supports the Strategic Plan
- The connections between the budget, Operational Plan and Strategic Plan were appreciated and understood by the Board, and aids in the decision making at the Board table
- “Operationalizing” the Board’s direction was seen to be very beneficial
- The Board articulated appreciation for the calibre and contribution of both management and staff in the RDN

Other communities have recognized the strategic and operational planning being done in the RDN and it is being held up as a model for others.

The Board discussed its ongoing focus on emergency services and preparedness, particularly in light of the provincial fires over the summer, and the need to review bylaws and plans in support of emergency services. Specifically the Board articulated these functions (and the individuals that deliver them) as key to regional health.

Transit enhancements have been positive, but concerns remain that need to be addressed. While transit does support the aging population, create interconnectivity in the region and enhance which enhances economic health, there is a need to continue to assess the costs/benefits of the service. This includes engagement with BC Transit, and could include a service review.

There have been a number of very positive examples of strong communication of what the RDN is doing, and continuing to focus on two way communication is critical so the community can understand (Transitional Housing Land Purchase).

Focus on Relationships

A key area of discussion in this focus area was the ongoing priority of engaging with the First Nations in the region in a proactive, productive and respectful fashion. There have been positive strides at both the elected and management levels, and the Board

Strategic Plan Check In

Regional District of Nanaimo

discussed how continuing to develop and nurture these relationships remains a priority. Unique relationships that recognize the different First Nations are a priority rather than approaching this as a 'one size fits all' priority.

The link between good governance and effective advocacy at other levels of government was discussed, as the RDN has been able to articulate the priorities of the region to the provincial government in particular (for example a common voice at UBCM on issues of importance).

The importance of the volunteer sector in the Region was recognized through appreciation events over the past year, and volunteer firefighters were specifically discussed..

Focus on Economic Health

The Board discussed changes in the structure of economic development in the Region. (See Service Review notes below).

Discussion considered the link between housing availability/affordability and regional economic health. Initiatives discussed included:

- Impact of transit availability
- Relationship with the Chambers of Commerce
- Forestry forum
- How the health care sector impacts retiree attraction
- Removal of red tape around development (while still ensuring the appropriate rules are followed)

Economic development at present is evolving on a sub-regional basis and the potential benefits of a service review around economic development was discussed to evaluate if this decentralized approach is the most effective, particularly in light of decisions around InFilm..

There was also dialogue around the relationship between good governance, strong service delivery, management excellence and economic health.

Strategic Plan Check In

Regional District of Nanaimo

Focus on the Environment

In the discussion around 'successes' the Board and Management articulated advancements in water, waste and other priorities.

Specific progress includes initiatives around:

- Green busses (advocacy was successful)
- Solid waste management
- Municipal green bin initiative
- Liquid waste management
- Landfill reductions
- Drinking water
- Watershed protection
- Regional parks

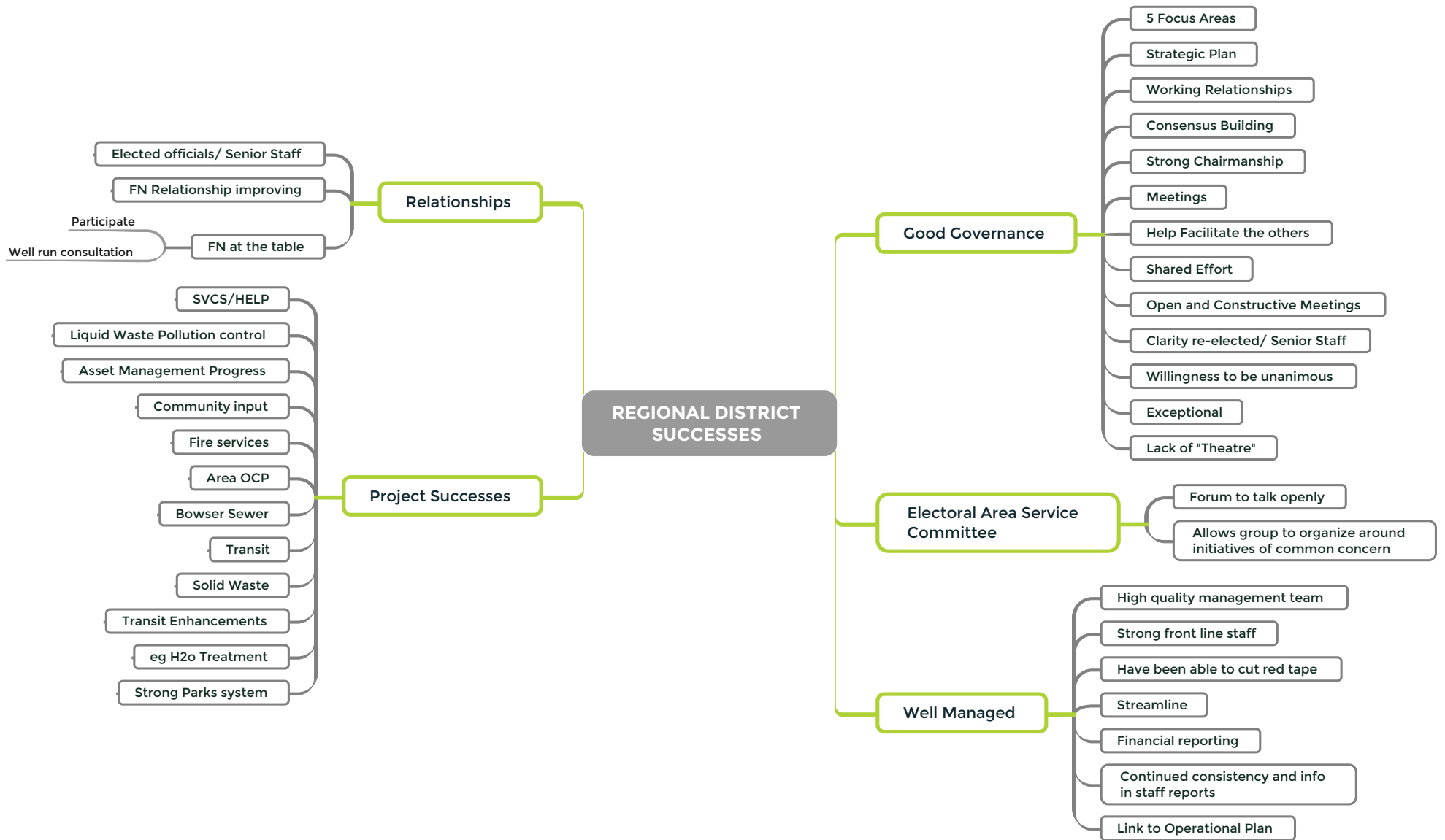
Should the RDN Undertake New Service Reviews?

As the Parks Service Review wraps up the Board discussed whether it should consider initiating another service review. Specially the Board discussed the benefits of identifying services that would benefit from a full review, and considered if a new review should commence annually?

Two key areas were identified as potential service review areas:

- Regional transit (see above)
- Regional economic development

The Board will consider reports on these areas and make a determination on future service reviews at an upcoming Board meeting.



TO: Regional District of Nanaimo Board **MEETING:** November 28, 2017

FROM: Hannah King
Superintendent, Recreation Program Services

SUBJECT: Gabriola Recreation Society Agreement Renewal (2018-2020)

RECOMMENDATION

That the Recreation Services Agreement with the Gabriola Recreation Society be renewed for a three year term from January 1, 2018 through to December 31, 2020.

SUMMARY

The Gabriola Recreation Society (GRS) and the Regional District of Nanaimo have worked collaboratively for the past fifteen years to provide recreation and park services on Gabriola Island. Staff and GRS Executive are confident in the success of a new three year agreement as outlined in Attachment I. The terms of this agreement are similar to those of past agreements. Increases in the amount of financial support to GRS are linked to the Victoria Consumer Price Index and have been budgeted for in the existing 2017 RDN Financial Plan as well as the 2018 preliminary financial plan.

BACKGROUND

The Gabriola Recreation Society oversees planning and implementation of community recreation programming for Gabriola Island. The Society also manages the custodial contract within Rollo McClay Park and provides some onsite support in the management of Huxley Community Park for event permitting.

The current Recreation Services Agreement between the Regional District of Nanaimo and the Gabriola Recreation Society will expire December 31, 2017. Based on the Society’s satisfactory service to date as per the terms of the existing Agreement, staff are seeking to renew the Agreement for another three year term (2018-2020) agreement (Attachment I).

ALTERNATIVES

1. That the Recreation Services Agreement with the Gabriola Recreation Society be renewed for a three year term from January 1, 2018 through to December 31, 2020.
2. Not approve the renewal of the Recreation Services Agreement with the Gabriola Society and provide staff with alternative direction.

FINANCIAL IMPLICATIONS

A total of \$80,521 has been allocated within the 2018 preliminary budget to be transferred to the Gabriola Recreation Society for the purpose of providing recreation and parks services as outlined in the proposed Agreement (Attachment I). In year two of the contract (2019) the transfer amount will be the year one (2018) amount plus, if applicable, any increase in CPI (Victoria). The year three (2020) payment will amount to the year two (2019) payment plus CPI.

2018 Recreation Services	2018 Parks Services	2019 Recreation Services	2019 Parks Services	2020 Recreation Services	2020 Parks Services
\$77,161	\$3,360	\$77,161 (+ CPI Change)	\$3,360 (+ CPI Change)	2019 amount (+ CPI Change)	2019 amount (+ CPI Change)

Should the Board not approve the attached agreement the Gabriola Recreation Society would no longer be able to provide supplemental recreation services as outlined in Schedule 'A' of the Agreement. Electoral Area 'B' recreation services would not be delivered until a new service provider is secured. The annual payments to Gabriola Recreation Society identified in the Five Year Financial Plan would not be fully expended until a new service provider or method is selected.

STRATEGIC PLAN IMPLICATIONS

The RDN Board's strategic goal of focusing on service and organizational excellence is achieved by way of this agreement as it advances the provision of recreation services and amenities as a core service.

The agreement with the Gabriola Recreation Society also demonstrates the Regional District's commitment to fostering meaningful relationships with community partners to advance the region.



Hannah King
 hking@rdn.bc.ca
 October 30, 2017

Reviewed by:

- D. Banman, Manager, Recreation Services
- T. Osborne, General Manager, Recreation and Parks
- P. Carlyle, Chief Administrative Officer

Attachment

1. 2018-2020 Recreation Services Agreement between the Regional District of Nanaimo and the Gabriola Recreation Society (GRS)

Attachment 1

THIS AGREEMENT made the ____ day of _____, 2017

BETWEEN:

REGIONAL DISTRICT OF NANAIMO
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

OF THE FIRST PART

AND:

GABRIOLA RECREATION SOCIETY
PO Box 355
Gabriola, BC
V0R 1X0

(Herein called the "Society")

OF THE SECOND PART

- A. WHEREAS the Regional District did, by Bylaw No. 1023 ("Bylaw 1023") and subsequent amendments, establish a service known as the Gabriola Island Recreation Local Service Area, within a portion of the Electoral Area 'B', and did within that Local Service Area authorize the Regional District to undertake and carry out or cause to be carried out and provide for recreation services in and for the Service Area;
- B. And WHEREAS the Society was incorporated on the February 14, 2002 and the objects of the Society are to provide recreation services;
- C. AND WHEREAS Section 332(1) (3) of the *Local Government Act* provides that the Board may make agreements for the operation of services and the Board wishes to engage the Society to provide recreation and parks services as set out in this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises, terms and conditions to be hereinafter contained (the receipt and sufficiency of which is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

INTERPRETATION

In this Agreement the following terms have the following meanings:

"Board" means the Board of the Regional District of Nanaimo.

"Lands" means Rollo McClay Community Park and Huxley Community Park.

"Recreation Services" means the services set out in *Schedule 'A'* to this Agreement.

“Parks Services” means the services for both Rollo McClay Community Park and Huxley Community Park as set out in *Schedule ‘B’* to this Agreement.

“Service Area” means the Gabriola Island Recreation Local Services Area established under the Regional District’s Bylaw 1023.

“Year End” means the calendar year ending December 31st.

TERM

1. The term (the “Term”) of this Agreement is for a three (3) year Term and will commence on January 1, 2018 and end on December 31, 2020, unless otherwise terminated under this Agreement as provided herein. The Agreement may be renewed for further terms at the sole option of the Board.

SERVICE AREA

2. The Society will, under the terms hereof and subject to any applicable bylaw of the Regional District and any Federal or Provincial enactment, provide the Recreation and Parks Services in and for the Service Area.

COST

3. It is acknowledged, understood and agreed that the cost of providing for establishing and equipping the Society for the purpose of carrying out the Recreation and Parks Services within and for the Service Area shall be borne by the owners of land within the Service Area.

RECREATION AND PARKS MANAGEMENT SERVICES

4. The Society shall provide the Recreation and Parks Services attached as *Schedules ‘A’* and *‘B’*, respectively, in accordance with the Society’s Constitution and Bylaws.

FUNDING AND PAYMENT

5.
 - a) In consideration of the Society providing the services outlined in *Schedules ‘A’ and ‘B’*, the Regional District will provide funds to support the Society as outlined herein.
 - b) In addition to the annual funding provided under this Agreement, the Regional District agrees to pay the annual fees associated with the preparation of the Society’s review engagement statement as described in Paragraph 9. The Society shall inform the Regional District, upon submission of the annual Recreation Services budget, of a quote for completing a review engagement statement.
 - c) A brief narrative summary reviewing the goals, objectives and the results achieved for the year for the Recreation Services; which would also include challenges encountered, Recreation Services program cancellations, and any other significant issues addressed.

6. The funding described herein is subject to the Regional District being satisfied in each year of the Term that the Society has performed in accordance with *Schedules 'A' and 'B'* and has satisfied all other terms of this agreement.
7. The Society shall annually by September 15 provide the Regional District for the upcoming year of the Term:
 - a) A detailed proposed budget showing the revenues and expenditures projected for Recreation Services;
 - b) A statement of the goals and objectives for the following year with respect to the Recreation Services being provided, including program content related specifically to the Recreation Services;
 - c) A brief written narrative highlighting any significant Recreation Services program changes, deletions, and/or additions in relation to specific line items in the budget;
 - d) Any other significant issues that may pertain to the Recreation and Parks Services being provided.
8. On or before February 15 of each year of the Term, the Society shall provide the Regional District, an annual report regarding the Recreation and Parks Services. The annual report shall include at a minimum:
 - a) A preliminary summary of Recreation Services operating results showing revenues and expenditures to December 31st of the preceding year;
 - b) A summary of Recreation Services programs showing registration statistics and number of sessions held; and,
 - c) A brief narrative summary reviewing the goals, objectives and the results achieved for the year for the Recreation and Parks Services; which would also include challenges encountered, Recreation Services program cancellations, and any other significant issues addressed.
9. On or before March 31 of the year following the end of the Society's Year End, the Society will have prepared by a Certified General Accountant or Chartered Accountant qualified to practice publicly in British Columbia, a review engagement statement of its accounts containing particulars of assets and liabilities, and a statement of revenue and expenditures for the year which shall include the public funds provided under PAYMENT in this Agreement. The statements shall be submitted to the Manager of Recreation Services.

10. The Regional District shall provide the following funding with the respect to this agreement:

a) FOR THE CALENDAR YEAR 2018

For the **Recreation Services**, two installments equal to the sum of \$77,161.00

- i. On or before January 10th, \$38,580.50
- ii. On or before July 1st, \$ 38,580.50

For **Parks Services** related to Rollo McClay Park as outlined in *Schedule 'B'*; two installments equal to the sum of \$3,360:

- i. On or before January 10th, \$1,680
- ii. On or before July 1st, \$1,680

b) FOR THE CALENDAR YEARS 2019-2020

Funding for 2019 shall be \$77,161 and \$3,360 respectively for the Recreation Services and the Parks Services, each increased by the change in the Consumer Price Index for Vancouver Island (Victoria) as stated as November 30, 2018.

Funding for 2020 for each service shall be the amount calculated under 18 (b)(i) above and adjusted for the change in the Consumer Price Index for Vancouver Island (Victoria) as stated at November 30, 2019.

- i. In each year, on or before January 10th – 50% of the funding for the year.
- ii. In each year, on or before July 1st – 50% of the funding for the year.

The Society shall administer the funds in accordance with the budget approved by the Regional District.

SEPARATE FUNDS AND FINANCIAL STATEMENTS

- 11. The books of account of the Society shall be kept in such manner and provide such detail as may be required from time to time by the Regional District's Director of Finance or their designate.
- 12. The public funds provided under PAYMENT in this Agreement shall be accounted for separately from any other funds of the Society and shall be separated in its books of account.
- 13. Shall keep all operating revenues and expenditures pursuant to this Agreement separate from other activities that may be undertaken by the Society from time to time.
- 14. The Regional District's auditors may rely on the Society's review engagement report, but in any case may require and shall have access to the working papers of the Society's accountant for examination during the Year End audit of the Regional District.

15. The Society will prepare, in a form approved by the Regional District's Director of Finance, a budget related to the Recreation and Parks Services being provided, which reflects its anticipated income and expenses for its next fiscal year as referenced in Section 10.
16. The Recreation Services budget shall contain details as to the funds anticipated to be required by the Society for the annual operation of its Recreation Services, both of a capital and operating nature for the purpose of operating, equipment and other facilities and chattels utilized by the Society for the purpose of providing and carrying out the Recreation Services.
17. The budget shall be presented to the Regional District's Director of Finance on or before September 15 of each year of the Term to prepare the Regional District's budget for the following calendar year. The Regional District will review the budget and may either approve the budget or return the budget for amendment by the Society, which will return the budget as amended to the Regional District for its approval on or before the day specified by the Director of Finance for the purpose of completing the Regional District's budget for the following calendar year.
18. Any accumulated surplus or deficit from the prior year as recorded in the Society's records must be carried forward and be applied to the next year's budget in accordance with accounting rules established for Regional Districts in the Province of British Columbia.
19. A deficit incurred in a prior year may or may not be funded by the Regional District and is subject to the Regional District's approval of the Society's budget which forms part of the Regional District's overall financial plan for the relevant year.
20. The Society will not expend or contract for or otherwise commit the Society to any expenditure in any calendar year except one that has first been approved in a budget by the Regional District as above provided and will not incur any liability in any year beyond the amount of the funds to be paid to the Society by the Regional District, as provided in the budget adopted for that year by the Board. General program costs are an acceptable line item within the submitted budget.

RIGHT OF AUDIT

21. At any time, the Regional District may give to the Society written notice that it desires its representatives to examine the books of account of the Society, and the Society shall produce for examination to such representative within ten days after receipt of such notice, its books of account, and the said representative shall have a right of access to all records, documents, books, accounts and vouchers of the Society and shall be entitled to require from the Directors and Officers of the Society such information and explanations as, in his/her opinion, may be necessary to enable the staff to report to the Board on the financial position of the Society.

OPERATION

22. The Society will provide and carry out the Recreation and Parks Services without negligence and in accordance with standards comparable to those of similar services provided within the Regional District of Nanaimo, and in accordance with any operational guidelines as may be established from time to time by the Regional District in consultation with the Society.

23. The Regional District may consult the Society with respect to operational guidelines but shall retain the sole right to determine whether a guideline shall apply to the Society.

CAPITAL ASSETS

24. The parties to this Agreement acknowledge and agree that all the items, furniture, supplies and equipment, currently owned by the Regional District and all other items, furniture, supplies and equipment purchased by the Society with public funds, listed in *Schedule 'C'* to this Agreement, will remain the property of the Regional District free and clear of any claim by the Society and the Society shall not mortgage, charge, pledge, hypothecate or otherwise post such property as security for any purposes whatsoever. *Schedule 'C'* shall be updated for additions and replacements annually after the Year End and a certified copy shall be forwarded to the Regional District's Director of Finance. Subsequent amendments to *Schedule 'C'* shall automatically replace previous schedules and shall become a part of this Agreement.
25. During the Term of this Agreement, the Society, subject to the terms of this Agreement, shall have be responsible for, at all times, equipment listed in *Schedule 'C'* and all other items, furniture, supplies and equipment subsequently purchased out of funds obtained from the Regional District, for the purpose of providing the Recreation and Parks Services within the Service Area.

MAINTENANCE

26. The Society will, to the satisfaction of the Regional District, maintain, all items, furniture, supplies and equipment, and any chattels paid for out of funds obtained through the Regional District and provided by the Regional District to the Society for the purpose of providing the Recreation and Parks Services in a good working condition so that equipment is available at all times for the purpose of providing the Recreation and Parks Services.
27. The Society agrees to return Regional District owned equipment to the Regional District upon request.

INSURANCE

28. The Society shall provide a copy of each insurance certificate each year upon renewal to the Director of Finance of the Regional District.
29. The Society may, at its cost, take out and maintain insurance for the personal effects of the volunteers, Directors and Officers of the Society.
30. The Society shall take out and maintain, during the Term of the Agreement, a policy of comprehensive general liability insurance, including without limitation non-owned automobile insurance and tenant fire and legal liability insurance and declaring the Regional District as an additional named insured, against claims for personal injury, bodily injury, death or property damage arising out of the Recreation and Parks Services provided by the Society in an amount of not less than three million (\$3,000,000) dollars per single occurrence or such amount as the Regional District may require from time to time. The Policy shall include a cross liability clause and a waiver of subrogation in favour of the Regional District. The Society shall provide a copy of each year's renewed policy to the Regional District's Director of Finance.

31. In the event of any injury to person(s) on the premises and/or involved in the Recreation and Parks Services or, the Society shall forthwith notify the Regional District of such event. Failure to notify the Regional District within one week of knowledge of an injury or loss may result in the termination of this Agreement.

INDEMNITY

32. The Society shall indemnify and save harmless the Regional District from and against all actions, causes of action, claims, liabilities, damages, losses, costs, fees, fines, charges or expenses which the Regional District may incur, be threatened by or be required to pay by reason of or arising out of the provision of the Recreation and Parks Services by the Society, the Society's use of and occupation of the Portable or any facility where Recreation and Parks Services are provided, the breach by the Society of any term of this Agreement, or by the Society's contravention of any law, enactment or regulation of a federal, provincial or local government.
33. This indemnity shall survive the expiry or sooner termination of this Agreement.

COMPLIANCE WITH LAWS

34. The Society will comply with all enactments as defined in the Interpretation Act and all orders and requirements under an enactment including orders and requirements under and authorized by the *Workers Compensation Act*.
35. The Society shall file a copy of its annual Society Act filing with the Regional District's Director of Finance.

DIRECTORS

36. At all times, while this Agreement is in force, a representative of the Regional District nominated by the Regional District shall be entitled to attend all meetings of the Board of Directors of the Society.

REMEDIAL ACTION

37. If the Society fails to do anything required of the Society under this Agreement, the Regional District may fulfill or complete such thing at the cost of the Society and may, if necessary, by its agents, Officers, employees or contractors enter onto the Lands to fulfill and complete all or part of such thing as the Regional District determines in its sole discretion. If the Society leaves any property, goods or chattels on the Lands or in the Portable after the expiry of the Term, the Regional District may remove them and dispose of them in its sole discretion, and may retain any proceeds of its disposition to cover all costs incurred as a result of the default of the Society to fulfill such thing.
38. The Society releases the Regional District, its elected officials, appointed Officers, employees and agents from and waives any claim, right, remedy, action, cause of action, loss, damage, expense, fee or liability which the society may have against any or all of them in respect of an act of the Regional District under Section 48 except insofar as such claim, right, remedy, action, cause of

action, loss, damage, expense, fee or liability arises from the negligence of the Regional District , its elected officials and appointed Officers, employees, agents or contractors.

TERMINATION

39. The Regional District may terminate this Agreement upon giving ninety (90) days written notice to the Society should the Regional District or any successor to the Regional District provide alternate Recreation and Parks Services, within the Service Area.
40. The Regional District may terminate this agreement immediately without notice to the Society or other party should:
 - a) The Society, in the opinion of the Regional District , fail to perform any of the terms of its obligations or covenants of the Society hereunder and such failure shall continue beyond thirty (30) days from delivery by the Regional District to the Society of written notice specifying the failure and requiring remedy thereof;
 - I. Should the Society fail to file its annual report or provide an annual audited financial statement;
 - II. The Society makes an assignment in bankruptcy or is declared bankrupt;
 - III. The Society ceases, for any reason, to be current in its obligations under the *Society Act* and fails to maintain the Society in good standing.
41. The Society may terminate this Agreement upon giving not less than ninety (90) days written notice to the Regional District of its intention to so terminate in the event of breach by the Regional District of a material term of this Agreement.

DISPUTE RESOLUTION

42. The parties agree that both during and after the performance of their responsibilities under this Agreement, each of them shall:
 - a) .Make bona fide efforts to resolve any disputes arising between them by amicable negotiations; and
 - b) Provide frank, candid and timely disclosure of all relevant facts, information and documents to facilitate those negotiations.

If the dispute cannot be settled within sixty (60) days the parties will refer the matter to the arbitration of a single arbitrator mutually agreed to by the parties. If the parties cannot agree on an arbitrator, the dispute shall be referred to and finally resolved by arbitration pursuant to the *Commercial Arbitration Act* (B.C.). The cost of arbitration shall be borne equally by the parties.

NOTICE

43. It is hereby mutually agreed that any notice required to be given under this Agreement will be deemed to be sufficiently given:

- a) if delivered by hand or
- b) if mailed from any government postal outlet in the Province of British Columbia by prepaid registered mail addressed as follows:

if to the REGIONAL DISTRICT :

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

if to the Society:

President
Gabriola Recreation Society
PO Box 355
Gabriola, BC
V0R 1X0

44. Unless otherwise specified herein, any notice required to be given under this Agreement by any party will be deemed to have been given if mailed by prepaid registered mail, or sent by facsimile transmission, or delivered to the address of the other party set forth on the first page of this Agreement or at such other address as the other party may from time to time direct in writing, and any such notice will be deemed to have been received if mailed or faxed seventy-two (72) hours after the time of mailing or faxing and, if delivered, upon the date of delivery. If normal mail service or facsimile service is interrupted by strike, slow down, force majeure or other cause, then a notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice must utilize any other such services which have not been so interrupted or must deliver such notice in order to ensure prompt receipt thereof.

MISCELLANEOUS

45. Time is to be the essence of this Agreement.
46. The execution and delivery of this Agreement and the completion of the transactions contemplated by this Agreement, if any, have been duly and validly authorized by all necessary corporate action of the Society, and this Agreement constitutes a legal, valid and binding obligation of the Society enforceable against the Society in accordance with its terms and the persons signing this Agreement on the Society's behalf are duly authorized to do so.

- 47. This Agreement will ensure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and permitted assignees.
- 48. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 49. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 50. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 51. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

For the REGIONAL DISTRICT OF NANAIMO

Authorized Signatory (Seal)

Authorized Signatory

For the GABRIOLA RECREATION SOCIETY

Authorized Signatory (Seal)

Authorized Signatory

SCHEDULE 'A'

Recreation Services

The Gabriola Recreation Society (GRS), as part of this agreement will provide the following Recreation Services:

1. Offer a wide variety of structured and unstructured recreation programs and/or special events, and other related recreation services deemed appropriate by the Board throughout the year in a variety of community venues in the Service Area, whether coordinated by volunteer or paid staff.
2. Provide a Grant program for the purpose of providing funds to assist local recreation organizations in providing a variety of recreation services to residents of Gabriola Island in addition to the services provided by the Society.
3. Maintain an accurate service evaluation program to include numbers of residents being served and a qualitative and quantitative evaluation of recreation programs and services being offered.

SCHEDULE 'B'
Parks Services

Rollo McClay Community Park:

The Gabriola Recreation Society (GRS), as part of this agreement will provide the following Rollo McClay Community Park Services:

GRS Responsibilities:

1. GRS is responsible for all field scheduling. GRS will coordinate between all sports groups, recreation programmers and special events organizers in an attempt to meet the scheduling requirements of all users. GRS will consider the wear and tear on the field when scheduling and will provide for field recovery time between heavy use groups. GRS will close the field when it is too wet for use, after discussion with the Regional District and the mowing contractor, and will inform the user groups and post signage.
2. GRS will ensure that the Field House is clean and safe for the public. This will include regular janitorial work such as cleaning and stocking of the washrooms, cleaning of the coaches' room, cleaning and garbage pick-up around the building, and coordinating the emptying of garbage containers with the contractor. Any damage, vandalism or equipment failures will be reported to the Regional District immediately.
3. GRS will monitor the fence around the detention pond to ensure it is secure. Any damage, vandalism or major equipment failures will be reported to the Regional District immediately. GRS will work with the contractor when setting the irrigation timer to ensure that the field receives adequate water while giving consideration to the fact that the pond must remain at a level to serve the field throughout the season. The irrigation system and timer are the responsibility of the contractor and any proposed changes to the system need to be vetted through the Regional District and contractor. The contractor is responsible for cleaning the filter system. The drilled well is not to be used for irrigation at any time.
4. GRS will monitor the field maintenance and garbage collection contractors to ensure those services are delivered in a timely manner and that the services meet the standards set out by the Regional District in the contracts. Any issues related to these services that arise to be reported to the Regional District. Minor issues can be discussed directly with the contractor.
5. Coordination of Permits and Commercial events – GRS will provide information, permit applications and permit requirements to parties interested in holding special events. The GRS will liaise with and provide information to the Regional District and will forward the completed application and documentation.

Regional District of Nanaimo Responsibilities:

The Regional District of Nanaimo will, as part of this agreement, carry out and be responsible for the duties listed below.

1. General Maintenance to Field House/Well Water System – The Regional District will undertake repairs to the Field House and Well Water System. This includes repairs/replacements of fixtures, doors, eaves troughs and any major structural damage. The Regional District will regularly test the concession water through the Vancouver Island Health Authority (VIHA).
2. General Pump House/Irrigation System – The Regional District will repair any damage or equipment failure to the pump, pond lining, the fence surrounding the pond and the pump house building.
3. Contracting of Field Maintenance and Garbage Collection – The Regional District will tender, select and award contracts for Field Maintenance and Garbage Collection in accordance with Regional District Purchasing Policies. The Regional District will pay for these services. The Regional District will establish the scope of work and standards, and share these with GRS.
4. Capital Improvements – The Regional District is responsible for all capital improvements to the field, buildings and fixtures. The Regional District will work with the GRS to ensure timely asset replacement. The Regional District will create plans and the budget for asset replacement with input from the GRS. The Regional District will award any contracts in accordance with Regional District Policy.
6. Issuing of Permits – The Regional District will approve or deny any permit application forwarded from the GRS and will notify both the GRS and the applicant of the decision. The Regional District reserves the right to deny any permit applications which are in contravention to the Parks Bylaw 1399 or could damage the field.
7. Contracting of general park maintenance services – The Regional District will tender, select and award the contracts in accordance with Regional District Purchasing Policies. The Regional District will pay for these services. The Regional District will establish the scope of work and standards. The Regional District will provide GRS staff with copies of established schedules as per the contract as soon as available (spring annually).

SCHEDULE 'B' (Continued)

Huxley Community Park:

The Gabriola Recreation Society (GRS), as part of this agreement will provide the following Huxley Community Park Management Services:

GRS Responsibilities:

1. Scheduling of Huxley Community Park – GRS is responsible for park facility and event scheduling and ensuring this information is effectively disseminated to the community including accurate and up to date signage information on site if required.
2. GRS will monitor park maintenance contractors to ensure that service is delivered in a timely manner and that the service meets the standards set out by the Regional District in the contract. Any issues related to these works that arise to be reported to the Regional District. Minor issues can be discussed directly with the contractor. Garbage collection and a portable toilet are the only recurring service agreements at Huxley. This park is undergoing several phases of upgrade and redevelopment over the next several years. Service requirements will be subject to ongoing change. GRS should communicate any concerns to Park Operations for follow-up.
3. Coordination of Permits and Commercial events – GRS will provide information, permit applications and permit requirements to parties interested in booking park facilities for scheduled use and/or holding special events in close consultation with the RDN. The GRS will forward the completed application and documentation to the Regional District for approval.
4. GRS will coordinate with the Island Health (IH) for the issuance of any operation/health permits if required. All vendors must be Foodsafe certified.

Regional District of Nanaimo Responsibilities:

The Regional District of Nanaimo will, as part of this agreement, carry out and be responsible for the duties listed below.

1. Capital Improvements/Replacement – The Regional District is responsible for all capital improvements/ replacements to Park facilities. The Regional District will work with the GRS to ensure timely asset replacement. The Regional District will create plans and the budget for asset replacement with input from the GRS. The Regional District will award any contracts in accordance with Regional District Policy.
2. Issuing of Permits – The Regional District will approve or deny any permit application forwarded from the GRS and will notify both the GRS and the applicant of the decision. The Regional District reserves the right to deny any permit applications which are in contravention to the Parks Bylaw 1399 or could damage the park.

3. Contracting of general park maintenance services – The Regional District will tender, select and award the contracts in accordance with Regional District Purchasing Policies. The Regional District will pay for these services. The Regional District will provide GRS staff with copies of established schedules as per the contract as soon as available (spring annually).

SCHEDULE 'C'

GABRIOLA RECREATION SOCIETY – Equipment Inventory 2017

OFFICE

- Computer – Dell Studio 1; Laptop – Asus X751L; 1 Printer – HP Officejet 4630
- 4 filing cabinets – 3 large, 1 small; 1 - 2 drawer lockable cabinet; 1 2 drawer office desk
- 8, 30" x 6' folding tables;
- 1, 2' x 3' folding table
- 7 black chairs; 7 grey folding chairs; 2 swivel office chairs
- 1 large whiteboard
- 1 broom with dustpan
- 1 small aluminum step ladder
- 1 VTech phone
- 1 Panasonic portable stereo - with CD player/radio/2 tape decks; partially working

GYMNASTICS

- Incline Mats – 1 small, 1 large
- 1 step; 1 donut; 1 cartwheel mat
- Trapezoids – 1 small, 1 medium, 1 large
- 8 blue Team Skyline 4 panel mats
- 10 blue single panel mats – 5' long; 10 blue single panel mats – 4' long
- 2 multi-coloured parachutes

SOCCER

- 10 balls – assorted sizes; 1 hand pump
- 2 small metal frame goals – at GES soccer field
- 4 corner markers; 8 safety cones; 20 saucers

SAILING

- 2 420 sailboats – including sails, rigging. Boats currently stored at Gun & Conservation Club

SWIMMING

- 8 kickboards
- 8 youth lifejackets – need replacing

FITNESS

- 6 3 lb. grey Weider weights
- 2 4lb medicine balls
- 2 8lb medicine balls
- 5 yoga mats

BASKETBALL

- 4 basketballs – (all old)
- 1 ball pump
- 29 pinnies
- 1 large CCM gear bag

MISCELLANEOUS

- 5 totes
- 4 first aid kits
- 2 mesh ball bags
- 2 beach volleyballs
- 2 regular volleyballs
- 1 volleyball net
- 1 Foosball table – at Gathering Place
- 3 nylon mesh badminton nets
- 6 badminton racquets (old & heavy)
- 10 tennis racquets – 3 adults; 7 kids
- 2 tennis ball machines – 1 small (silent partner)/1 large; 2 metal tennis ball hoppers (1 broken)
- 2 large notice boards with plexiglass
- 2 large cork boards
- 2 small cork boards
- 1 Freeway audio enhancer unit
- 20 dragon boat paddles
- 4 Janome SAHG1208 sewing machines
- 1 roll used Marley flooring – 10'x 100' (portable dance flooring)
- 10 adjustable training hurdles

TO: Committee of the Whole **MEETING:** November 28, 2017
FROM: Tom Osborne **FILE:** 5810-01
General Manager Recreation and Parks
SUBJECT: RDN Parks Funding Service Review

RECOMMENDATIONS

1. That the RDN Parks and Trails Funding Service Review conducted by Neilson-Welch Consulting be received.
2. That the RDN Parks and Trail Funding Service Review recommendations be implemented for 2018/2019 work plans and the 2019 to 2023 Financial Plan.
3. That the existing Regional Parks Parcel tax be utilized for the 2018 budget year.

SUMMARY

At the Regional Board meeting held January 24, 2017 staff were directed to review the Regional Parks and Trails service funding allocations and bring back a report on options for funding the service in the future. Neilson-Welch Consulting was retained to undertake the service review which has now been completed. Recommendations excerpted from the review are provided as Attachment 1. The review document is provided as Attachment 2.

The review concluded that the level of equity across participating jurisdictions and among individual taxpayers contributing to the Regional Parks Service would be improved by allocating acquisition, capital development and operating costs using a combination (50%-50%) of converted assessment and population for Regional Parks.

In addition, equity among individual taxpayers would be further improved and service pressures can be better met through the introduction of Development Costs Charges (DCCs) in both the Regional Parks and Electoral Area Community Parks service areas.

With the RDN Parks Funding Service Review now complete, the report's findings and recommendations are ready for the Regional Board's review and consideration.

BACKGROUND

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 other forms of taxation that the Board could use as an alternative to the parcel tax approach for this service area. Staff conducted the review and provided a report titled *Regional Parks Parcel Tax Review (September 8, 2016)* which outlined various forms of taxation alternatives for the Regional Parks Acquisition and Capital Development Fund. Upon receiving the report, the Board opted to maintain the status quo and continue using a parcel tax at \$14.00 until a Regional Services Review was completed.

At the Regional Board meeting held January 24, 2017 staff were directed to review the Regional Parks and Trails service funding allocations and bring back a report on options for funding the service in the future.

As Regional Parks share staff and administrative resources with Electoral Area Community Parks and have similar financial tools that can be used for acquisition and capital development, the consulting team was also requested to consider full RDN parks system in their analysis.

Neilson-Welch Consulting was then retained to undertake the service review per the following scope of work:

1. Review current funding models in use at the RDN for Regional and Community Parks.
2. Research funding models and financial tools in use at other Regional Districts and local governments.
3. Examine the acquisition, development, management and use of Regional and Community Parks and Trails to ensure equity in the service is being met across the RDN's member participants.
4. Based on the review of items 1, 2 and 3 above, propose funding options and recommendations for the RDN Regional Board's consideration.

Neilson-Welch Consulting has concluded the review and their report, provided in Attachment 2, is ready for the Regional Board's review and consideration.

As part of the review, the consultants concluded that the level of equity across participating jurisdictions and among individual taxpayers in the Regional Park Service would be improved by allocating acquisition, capital development and operating costs using a combination (50%-50%) of converted assessment and population for Regional Parks.

In addition, equity among individual taxpayers would be further improved through the introduction of Development Costs Charges (DCCs) to assist in funding land acquisitions and development for Regional Parks.

The report also recommends the RDN continue to separate acquisition funding from operating funding, irrespective of the approaches taken to cost allocation and taxation. It is also recommended that the RDN confirm that the Regional Park Acquisition and Capital Development Reserve Fund has the flexibility required to allow for spending on development projects.

For Electoral Area Community Parks, the Service Review recommends no significant changes in the way funds are collected and used. The report does recommend implementing DCCs for park improvements in the eight service areas.

ALTERNATIVES

1. That the RDN Parks and Trails Funding Service Review conducted by Neilson-Welch Consulting be received, the report's recommendations be added to the 2018/2019 work plans and 2019 to 2023 Financial Plan for implementation, and the existing Regional Parks Parcel Tax be utilized for the 2018 budget year.
2. That the RDN Parks and Trails Funding Service Review conducted by Neilson-Welch Consulting be received, the report's recommendations be considered further by the Board prior to the review of the 2019 Budget and Five Year Financial Plan, and the existing Regional Parks Parcel Tax be utilized for the 2018 budget year.
3. That the RDN Parks and Trails Funding Service Review conducted by Neilson-Welch Consulting be received and alternate Board direction be provided on the funding of RDN regional and community parks.

FINANCIAL IMPLICATIONS

One of the primary recommendations that have been brought forward in the Service Review is to allocate acquisition, capital development and operating costs using a combination (50%-50%) of converted assessment and population for Regional Parks. The existing model allocates acquisition and capital costs based on number of parcels, and operating costs based on population. Figure I.3.2 from the Service Review report and shown below, highlights the financial implications for this change to each participant using the current value collected in 2017 by the 14.00 parcel tax for acquisition and capital costs and by way of population for operational cost.

Figure I.3.2
Impact of Allocating All Costs by Converted Assessment and Population (50-50)

Jurisdiction	Existing Model			Converted Assess & Population (50-50)			Change in Allocation
	Acquisit/Dev	Ops	Total	Acquisit/Dev	Ops	Total	
City of Nanaimo	481,166	797,168	1,278,334	536,770	765,873	1,302,643	24,309
City of Parksville	94,318	110,225	204,543	78,963	112,666	191,630	(12,913)
Town of Qualicum	67,774	78,771	146,545	60,171	85,854	146,025	(520)
District of Lantzville	20,748	31,753	52,501	22,941	32,732	55,673	3,172
Electoral Area A	40,628	62,168	102,796	39,278	56,042	95,320	(7,476)
Electoral Area B	52,794	35,523	88,317	28,822	41,124	69,945	(18,372)
Electoral Area C	19,950	24,733	44,683	23,299	33,243	56,542	11,859
Electoral Area E	47,922	53,950	101,872	47,103	67,208	114,311	12,439
Electoral Area F	41,916	68,034	109,950	42,767	61,020	103,787	(6,163)
Electoral Area G	52,206	65,752	117,958	47,741	68,118	115,859	(2,099)
Electoral Area H	35,350	34,210	69,560	26,918	38,406	65,324	(4,236)
Total Requisition	954,772	1,362,287	2,317,059	954,772	1,362,287	2,317,059	-

As it will take additional time that will extend past the 2018 budget approval cycle to work with participating jurisdictions to amend *Bylaw No. 1231 (2001)*, it is recommended that the acquisition and

capital parcel tax and the population allocation of the requisition for operations be maintained for the 2018 budget year.

The report also concluded that Development Cost Charges (DCC's) should be a tool to use in order to meet the future demand for both Regional Parks and Electoral Area Community Parks. When last reviewed in 2011 by the RDN, it was estimated that implementing DCC's could collect in the range of 19 to 24 million dollars over a 30 year period to assist with acquisitions and the development of the Regional Parks system. The DCC program would need to be reviewed in relation to updated acquisition and capital development plans; however, a DCC program could be expected to provide significant funding toward Regional Parks acquisitions and development.

STRATEGIC PLAN IMPLICATIONS

Undertaking the service review on funding for Regional Parks and Trails and Electoral Area Community Parks is in alignment with the RDN Boards Strategic Plan in the following strategic priority areas:

Service and Organization Excellence

- Review the costs and benefits during the investment of regional services.
- Advocate for Active Transportation which includes use of the RDN trail system.
- Recognize recreational services as a core service.

Focus on Relationships

- Look at opportunities to partner with other branches of government and community groups to advance the Regional District of Nanaimo.

Focus Economic Health

- Recognize eco-tourism as a key opportunity in the region.

Focus on the Environment

- Protecting and enhancing our environment in all decisions.



Tom Osborne
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November 22, 2017

Reviewed by:

- C. Midgley, Manager of Strategic Initiatives and Asset Management
- W. Idema, Director of Finance
- G. Garbutt, Acting Chief Administrative Officer

Attachments

1. Summary of Recommendations from RDN Regional Parks Funding Service Review
2. Regional Parks and Trails Funding Service Review / Neilson-Welch Consulting

**Summary of Recommendations from
RDN Regional Parks Funding Service Review**

Topic	Recommendations
Regional Service Funding Model	<p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to allocate land acquisition and development costs among service participants on the combination (50-50) of converted assessment and population, rather than number of parcels.</p> <p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to replace the property parcel tax for acquisition and development costs with a property value tax.</p> <p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to allocate service operating costs among service participants on the combination (50-50) of converted assessment and population, rather than population alone.</p> <p>THAT the Board direct staff to undertake a survey of regional parks and trails users, at key times of year, every three-to-five years, to identify and track the home jurisdictions of users.</p> <p>THAT the Board, pursuant to section 559(2) of the <i>Local Government Act</i>, introduce a Development Cost Charge to assist in raising funds required for parkland acquisition, and parkland improvements.</p> <p>THAT the Board direct staff to review the existing permit fees charged for special events, filming, and commercial activities, and to propose a new revenue-generating fee schedule.</p> <p>THAT the Board continue its approach of collecting land acquisition and capital development funds separately from funds that are collected to support planning, operations and maintenance.</p> <p>THAT the Board clarify in all materials that monies held in the Regional Parks Acquisition and Capital Development (Reserve) Fund are intended both for land acquisition and capital project purposes.</p>
Community Services Funding Model	<p>THAT the Board retain its current practice of allocating staffing costs equally across the Electoral Areas.</p>

Topic	Recommendations
	<p>THAT the Board continue to raise service funds using property value taxes.</p> <p>THAT the Board, pursuant to section 559(2) of the <i>Local Government Act</i>, introduce local Development Cost Charges to assist in raising funds required for parkland improvements.</p>
Additional Issues	<p>THAT the Board refrain from assuming responsibility, in whole or part, for municipal parks that may possess regional park characteristics.</p> <p>THAT the Board direct staff to work with their counterparts in the Regional District's member municipalities on developing and implementing an integrated planning framework for regional and local parks and trails.</p>



RDN PARKS FUNDING SERVICE REVIEW

REPORT

This *Report* has been prepared by Neilson-Welch Consulting Inc. for the Regional District of Nanaimo (RDN). The document is presented for discussion with, and for the sole use of, the RDN. No representations of any kind are made by the consultants to any party with whom the consultants do not have a contract.

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**RDN
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CONSULTANTS TO GOVERNMENT



EXECUTIVE SUMMARY

Neilson-Welch Consulting Inc. was retained by the Regional District of Nanaimo (RDN) to undertake the *RDN Parks Funding Service Review*. The purpose of the *Service Review* is to assess and make recommendations on the funding model that is currently used to support the acquisition, development and operation of parks and trails in the RDN's Regional Parks & Trails Service. The assessment of the funding model considers a variety of criteria, the most important of which is equity among participating jurisdictions in the service.

While the funding model of the regional service was identified in the *Review's* terms of reference as the primary focus of the assignment, the consultants were also asked to assess and make recommendations on the funding model in place for the Community Parks & Trails Services in the RDN's seven electoral areas.

THE REPORT

This report presents the results of the *Service Review*. The document is divided into two parts.

Part I: Regional Parks and Trails Service

The first and largest part of the report focuses on the Regional Parks and Trails Service. Part I is divided into five chapters:

- *Chapter 1.1: Current Service* — Chapter 1.1 profiles the RDN's Regional Parks & Trails Service. The profile highlights the funding model and financial tools in place today, and the changes that have occurred to service funding since the service's inception. The profile also identifies challenges facing the service.
- *Chapter 1.2: Service Funding* — Chapter 1.2 outlines the full range of financial tools available to regional districts to assist in funding the acquisition, development and operation of regional parks and trails. The text draws heavily on comparative research undertaken on regional parks and trails services across British Columbia.
- *Chapter 1.3: Assessment of Service Funding Models* — Chapter 1.3 introduces and applies a set of evaluation criteria for assessing the RDN's Regional Parks & Trails funding model. Included in the list of criteria are:
 - equity across jurisdictions
 - equity among different types of taxpayers
 - effectiveness at raising sufficient revenue for the service
 - transparency in communicating the purposes of monies raised

- *Chapter I.4: Additional Issues* — This chapter examines specific issues that arose over the course of the *Review*, but that do not necessarily fit into the discussions on funding models.
- *Chapter I.5: Summary of Recommendations* — The final chapter summarizes the recommendations on the regional service funding model, and on the issues raised in Chapter I.4.

Part II: Community Parks and Trails Services

The second part of the report examines the funding model in place for the eight Community Parks and Trails Services. Chapter II.1 begins by profiling the services and their funding model. Chapter II.2 then considers the range of financial tools available to regional districts to assist in the acquisition, development and operation of parks and trails at the community level. The current funding model is assessed in Chapter II.3 using the same criteria introduced for the regional service. Recommendations are summarized in Chapter II.4.

FINDINGS

Regional Parks and Trails Service

A number of key findings emerged from the assessment of the funding model for the Regional Parks and Trails Service:

- *Equity (Jurisdictions)* — The level of equity across participating jurisdictions would be improved if all service costs — acquisition, development, operating — were allocated on a combination (50-50) of converted assessment and population. This approach would recognize the service's indirect benefits to the broader region, but also the service's direct benefits to residents in each jurisdiction. Under the current model, costs for acquisition and development are allocated on basis of parcels; operating costs are allocated by population alone.
- *Equity (Individual Taxpayers)* — Equity among individual taxpayers would be improved through the use of a property value tax in place of the current property parcel tax to determine and collect service payments from properties. Equity among individual taxpayers would also be improved through the introduction of a development cost charge (DCC) to assist in funding land acquisitions and development.
- *Effectiveness* — The current funding model, with its reliance on property tax revenues only, does not appear to provide sufficient funding to meet the expressed expectations and interests related to the service. The RDN should consider introducing a regional parks and trails DCC to increase and diversify funding. User fees for special events, filming and other permits should also be reviewed and increased where warranted. The Regional District may also need to increase the overall amount it collects in service tax revenues to support the levels of service expected by residents.

- *Transparency* — Support for regional services increases when funding models are transparent in their use of tax dollars — that is, when funds raised are used in accordance with their stated purpose. At the RDN, transparency in the Regional Parks & Trails Service funding model is enhanced by the separation of acquisition and development funds from operational funds. This separation should continue, irrespective of the approaches taken to cost allocation and taxation. The RDN should also ensure that monies held in its Regional Park Acquisition and Capital Development Fund are identified consistently as funds that are intended for both acquisition and development purposes.

Additional Issues Considered

As noted earlier, over the course of the *Service Review* certain additional issues arose that should be considered, but that do not fit neatly into the discussions on funding models. The first issue concerns the potential for the RDN to assume responsibility, in whole or part, for municipal parks that have regional park characteristics. There are many examples of municipalities in the province that provide region-like parks. Several regional districts have been faced with the prospect of assuming responsibility for these parks; in general, regional districts have been reluctant to accept any responsibility.

The second issue concerns the potential for an integrated approach to parks and trails planning that would take into account municipal and electoral area park systems, along with the regional parks and trails system. There is considerable interest on the part of the RDN and member municipalities to integrate their respective efforts. The upcoming process for updating the *Regional Parks & Trails Plan* provides an opportunity to work together.

Community Parks and Trails Services

The funding model for the Community Parks & Trails Services was assessed using the same evaluation criteria that were introduced for the regional service. Key findings are as follows:

- *Equity (Jurisdictions)* — Inter-jurisdictional equity considerations at the local service level relate to the allocation, across local service areas, of the cost of Parks and Recreation staff who are assigned to services. At the RDN, this cost is allocated in equal portions to the seven electoral areas. This approach may, at first glance, seem unfair given differences between and among the local services. The approach, however, can be supported by a number of points, as explained in the report, and should be maintained.
- *Equity (Individual Taxpayers)* — The RDN should leave unchanged its reliance on property value taxes for the local services — this method of taxation is most equitable for the services. Overall equity would be improved,

however, if RDN introduced a DCC specifically for community parks and trails improvements.

- *Effectiveness* — A new DCC, focused initially on improvements, should be considered. In the future, the tool could be expanded to include land acquisition in the event that the Regional District begins to fund acquisition efforts directly with tax dollars.
- *Transparency* — No issues were identified concerning transparency.

RECOMMENDATIONS

Figure ES.1 presents the consultants' recommendations, for the Board's consideration, from both parts of the report. Included are recommendations on the funding model for the Regional Parks and Trails Service, the additional issues considered, and the funding model for the Community Parks and Trails Services.

**Figure ES.1
Recommendations**

Topic	Recommendations
Regional Service Funding Model	<p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to allocate land acquisition and development costs among service participants on the combination (50-50) of converted assessment and population, rather than number of parcels.</p> <p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to replace the property parcel tax for acquisition and development costs with a property value tax.</p> <p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to allocate service operating costs among service participants on the combination (50-50) of converted assessment and population, rather than population alone.</p> <p>THAT the Board direct staff to undertake a survey of regional parks and trails users, at key times of year, every five (5) years, to identify and track the home jurisdictions of users.</p> <p>THAT the Board, pursuant to section 559(2) of the <i>Local Government Act</i>, introduce a Development Cost Charge to assist in raising funds required for parkland acquisition, and parkland improvements.</p>



Topic	Recommendations
	<p>THAT the Board direct staff to review the existing permit fees charged for special events, filming, and commercial activities, and to propose a new revenue-generating fee schedule.</p> <p>THAT the Board continue its approach of collecting land acquisition and capital development funds separately from funds that are collected to support planning, operations and maintenance.</p> <p>THAT the Board clarify in all materials that monies held in the Regional Parks Acquisition and Capital Development (Reserve) Fund are intended both for land acquisition and capital project purposes.</p>
Additional Issues	<p>THAT the Board refrain from assuming responsibility, in whole or part, for municipal parks that may possess regional park characteristics.</p> <p>THAT the Board direct staff to work with their counterparts in the Regional District's member municipalities on developing and implementing an integrated planning framework for regional and local parks and trails.</p>
Community Services Funding Model	<p>THAT the Board retain its current practice of allocating staffing costs equally across the Electoral Areas.</p> <p>THAT the Board continue to raise service funds using property value taxes.</p> <p>THAT the Board, pursuant to section 559(2) of the <i>Local Government Act</i>, introduce local Development Cost Charges to assist in raising funds required for parkland improvements.</p>

RDN
PARKS FUNDING
SERVICES REVIEW
REPORT

NEILSON-WELCH
CONSULTANTS TO GOVERNMENT

INTRODUCTION

Neilson-Welch Consulting Inc. was retained by the Regional District of Nanaimo (RDN) to undertake the *RDN Parks Funding Service Review*. The purpose of the *Service Review* is to assess and make recommendations on the funding model that is currently used to support the acquisition, development and operation of parks and trails in the RDN's Regional Parks & Trails Service. The assessment of the model considers a variety of criteria, the most important of which is equity among participating jurisdictions in the service.

The funding model of the regional service was identified in the *Review's* terms of reference as the primary focus of the assignment. The consultants were also asked, however, to assess and make recommendations on the funding model in place for the Community Parks & Trails Services in the Regional District's seven electoral areas.

The findings and recommendations from the *Review* are intended to help the RDN in its efforts to fund parks and trails services in ways that support the purposes of the services, and that are fair to taxpayers throughout the region. The recommendations will also help to inform the development of an updated *Regional Parks & Trails Plan* in 2018.

APPROACH TO WORK

The consultants' approach to the *Service Review* consisted of the following elements:

- *Background Research* — The consultants reviewed a considerable number of documents concerning the regional and community services. Relevant documents from the literature on financial tools used in parkland acquisition, parkland development, and park operation were also reviewed. In all, the list of key documents included:
 - RDN Bylaw 1231 (the establishing bylaw for the Regional Parks & Trails Service)
 - RDN's *2017 Five Year Financial Plan*
 - 2016 and 2017 requisition totals for the regional and community services, parcel totals, converted assessment and population data
 - various staff reports, including the "Regional Parks Parcel Tax Review" (2016), and the "Amendment of the Regional Parks Function to Include Municipalities" (2005)
 - *Regional Parks and Trails Plan* (2005-2015)
 - *Regional Parks DCC Review* (2007)
 - *Regional District of Nanaimo Strategic Plan, 2016-2020*
 - Acquisition Criteria Rating Sheet
 - *2017 RDN Operational Plan*

- *Community Parks & Trails Strategic Plan (2014)*
 - studies related specifically to individual community parks and trails in the electoral areas
 - all regional park management plans
- *Comparative Research* — The consultants examined the regional and local parks services in ten regional districts across British Columbia. Particular attention was paid to services in the:
 - Cowichan Valley Regional District
 - Regional District Central Okanagan
 - Capital Regional District
 - Comox Valley Regional District

Interviews were conducted with senior managers in several cases in order to fully understand the funding models in place.

- *Consultation* — The consultants held one facilitated discussion with the RDN Board of Directors, and one with the Chief Administrative Officers of the member municipalities and the Regional District.¹ For both meetings, background materials and questions for discussion were distributed in advance. Meetings were held, as well, with senior managers at the RDN in Recreation and Parks Services, Finance, and Strategic Initiatives.
- *Report and Recommendations* — The consultants prepared the report for presentation to the RDN Board of Directors.

FORMAT OF REPORT

This report presents the results of the *RDN Parks Funding Service Review*. The document is divided into two parts.

Part I: Regional Parks and Trails Service

The first and largest part of the report focuses on the Regional Parks and Trails Service. Part I is divided into five chapters:

- *Chapter I.1: Current Service* — Chapter I.1 profiles the RDN's Regional Parks & Trails Service. The profile highlights the funding model and financial tools in place today, and the changes that have occurred to service funding since the service's inception. The profile also identifies challenges facing the service.

¹ The CAO's or their designates from all member municipalities were invited. Representatives from Parksville, Qualicum Beach and Lantzville attended, along with the CAO from the RDN. Representatives from the City of Nanaimo were not available.

- *Chapter I.2: Service Funding* — Chapter I.2 outlines the full range of financial tools available to regional districts to assist in funding the acquisition, development and operation of regional parks and trails. The text draws heavily on comparative research undertaken on regional parks and trails services across British Columbia.
- *Chapter I.3: Assessment of Service Funding Models* — Chapter I.3 introduces and applies a set of evaluation criteria for assessing the RDN's Regional Parks & Trails funding model. "Equity" is a key criterion in the exercise — the terms of reference for the *Review* specifically highlight the importance of assessing equity among participating jurisdictions.
- *Chapter I.4: Additional Issues* — This chapter examines specific issues that arose over the course of the *Review*, but that do not necessarily fit into the discussions on funding models. Two issues in particular are addressed:
 - the potential for the RDN to assume responsibility, in whole or part, for municipal parks that have regional park characteristics
 - the potential for an integrated approach to parks and trails planning that would take into account municipal and electoral area park systems, along with the regional parks and trails system
- *Chapter I.5: Summary of Recommendations* — The final chapter summarizes the recommendations on the regional service funding model, and on the issues raised in Chapter I.4.

Part II: Community Parks and Trails Services

The second part of the report examines the funding model in place for the eight Community Parks and Trails Services. Chapter II.1 begins by profiling the services and their funding model. Chapter II.2 then considers the range of financial tools available to regional districts to assist in the acquisition, development and operation of parks and trails at the community level. The current funding model is assessed in Chapter II.3 using the same criteria introduced for the regional service. Recommendations are summarized in Chapter II.4.



PART I

REGIONAL DISTRICT OF NANAIMO REGIONAL PARKS AND TRAILS SERVICE

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CONSULTANTS TO GOVERNMENT

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CHAPTER I.1 CURRENT SERVICE

This chapter profiles the Regional Parks & Trails Service as it exists today. Several elements of the service are outlined; however, the focus is on the service's funding model.

OVERVIEW OF REGIONAL PARKS & TRAILS SERVICE

The RDN was granted authority in 1989 by way of Supplementary Letters Patent to establish and provide regional parks and trails. In 2001, the Regional District converted the function to a regional service, as provided within the framework of the *Local Government Act*. The *Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)* became the establishing bylaw for the service.

The vision for the service was first presented in a 1995 *Regional Parks System Plan*. A subsequent 2005 *Regional Parks and Trails Plan* built on and refined the earlier vision to create a four-part purpose that balances the need to protect natural areas in the region with the desire to promote access to them. As set out in the 2005 document, the *Regional Parks & Trails Service* exists to:

- secure, protect and steward land and water features of environmental significance and wildlife habitat value
- provide rewarding outdoor recreation opportunities
- foster education on and appreciation of the Region's natural environment
- enhance livability for current and future residents of the RDN

The RDN undertakes all facets of regional parks and trails service provision, including system planning, land acquisition, the establishment of management plans for individual regional parks and trails, regional parks and trail development, and the ongoing operation of parks and trails in the system. Land acquisition efforts are guided by acquisition plans and goals, acquisition criteria, and a scoring tool to assist decision-makers in making selections. The management and development of each regional park are governed by a park-specific management plan.²

The Regional Parks & Trails Service today is a true regional service that includes all jurisdictions of the RDN as participants. Full participation, however, has not always been a feature of the service. For the first decade of its existence the regional service received support from the electoral areas only. In late 2000, as the result of a multi-service *Regional Services Review*, the RDN's member municipalities entered into a *Regional Parks Service Agreement* with the RDN to contribute towards the operation and maintenance (but not the acquisition or capital development) of

² The management plan for Beachcomber Regional Park is under development. All other regional parks have plans in place.

regional parks on a per capita basis. In 2006, following a review of the *Agreement*, and in response to increasing demand across the region for large natural parks and trails, the municipalities joined the regional service as participants, and began to contribute to land acquisition and development efforts.

The expansion of the regional service to include all jurisdictions enabled the network of regional parks and trails to grow significantly between 2006 and 2017. In 2006, the system consisted of eight parks, with a total area of 430 ha. Trail development had occurred to the point that by 2006, there were 60 km of regional trails in the system. Today, at the time of writing, the system consists of 12 regional parks covering a total of 2,129 ha, and a network of regional trails approaching 90 km in length.³

FUNDING MODEL

For the purpose of this report, the term "funding model" focuses on the financial tools used by the Regional District to pay the different costs of the service, including costs associated with land acquisition, parks and trails capital development, and planning, operations and maintenance.

Land Acquisition

In the RDN, as in all other regional districts with regional parks services, lands are acquired for regional parks and trails in two basic ways: through direct purchase by the Regional District; and through transfer to the Regional District by others.

► Direct Purchase

Direct purchase is an important element of the RDN's acquisition efforts. As in most regional districts, the RDN relies on property tax revenues to fund its purchases. Unlike other regional districts, however, the RDN relies solely on a property parcel tax to raise acquisition funds. Each year, all property owners in the Regional District pay a flat tax for each parcel of land.⁴ The total amount contributed to the service from each participating jurisdiction equals the number of parcels in the jurisdiction, multiplied by the flat parcel tax. The funds raised through the parcel tax are placed into a Regional Parks Acquisition and Capital Development Fund. Monies in the fund are used primarily to purchase lands; however, resources are also used where required to fund major capital improvements in the system, such as bridges and parking areas.

³ Much of the growth in hectares can be attributed to two specific regional parks acquired since 2005, including Mount Benson Regional Park (212 ha) and Mount Arrowsmith Massif Regional Park (1,300 ha).

⁴ To be identified as a parcel for the purposes of taxation a separate tax folio must exist. Rental apartments and individual manufactured homes within manufactured home parks or mobile home parks do not have separate folios. These units are not, therefore, considered parcels, and are not charged the parcel tax.

Prior to 2006, member municipalities were not participants in the regional service. As noted earlier, they did contribute beginning in 2001 to operations and maintenance through a *Regional Parks Service Agreement*. This *Agreement*, however, did not allow for contributions to land acquisition. The flat parcel tax, as the chosen method for funding acquisition, was introduced when the municipalities entered the service.

When it began in 2006, the flat parcel tax was set at a rate of \$10.⁵ The rate remained at this level until 2011 when it was increased to \$11. Between 2011 and 2016, the rate climbed from \$11 to \$14, always remaining a flat, per-parcel amount. In 2016, parcel tax revenues totaled \$950,000; budgeted revenues for 2017 are at essentially the same level. Figure I.1.1 on the following page shows the parcel tax contributions from each jurisdiction in 2017. Also shown for each is the number of parcels.

► **Transfer of Lands**

Where possible, lands are acquired by the Regional District through transfers from senior levels of government, non-profit societies, private corporations and, in some cases, individuals. The RDN has secured a number of land transfers from the provincial government in past years. In some instances title of ownership was transferred, as when the province transferred 105 ha of land to create Horne Lake Regional Park. In other instances, the province granted long-term operating leases to the Regional District, or licenses of occupation. The long-term lease of 22 ha at Benson Creek Falls Regional Creek, and the license of occupation granted to the RDN over 1,300 ha in Mount Arrowsmith Massif Regional Park, are examples.

Several regional parks have been established with the help of contributions from the Nanaimo & Area Land Trust (NALT), the Land Conservancy of BC, the Nature Trust of BC, the Nature Conservancy of Canada, Ducks Unlimited and others. These contributions typically take the form of long-term leases or licenses of occupation. Land contributions from private corporations represent an additional tool — Timber West is one corporation that has contributed lands in past years to the regional parks system (e.g., Englishman River). Contributions in the form of gifts from individuals, while less common, do occur periodically. Coats Marsh Regional Park, Beachcomber Regional Park and Little Qualicum River Regional Park were all established, in part, using lands gifted by individuals.

⁵ The parcel tax applied to the electoral areas and the City of Nanaimo in 2006, but was phased in for the other municipalities over five years. The City of Nanaimo began paying in 2006 to support the acquisition of Mount Benson Regional Park, which the City had identified as a priority.

**Figure I.1.1
Parcel Tax (Acquisitions) and Value Tax (Operations)
2017 Requisitions**

Jurisdiction	No. Parcels	Pop (2016)	Parcel Tax Rate	Value Tax Rate	Requisition		
					Acquisition	Operations	Total
City of Nanaimo	34,369	90,504	14.00	0.041	481,166	797,168	1,278,334
City of Parksville	6,737	12,514	14.00	0.036	94,318	110,225	204,543
Town of Qualicum Beach	4,841	8,943	14.00	0.032	67,774	78,771	146,545
District of Lantzville	1,482	3,605	14.00	0.036	20,748	31,753	52,501
Electoral Area A	2,902	7,058	14.00	0.047	40,628	62,168	102,796
Electoral Area B	3,771	4,033	14.00	0.029	52,794	35,523	88,317
Electoral Area C	1,425	2,808	14.00	0.022	19,950	24,733	44,683
Electoral Area E	3,423	6,125	14.00	0.025	47,922	53,950	101,872
Electoral Area F	2,994	7,724	14.00	0.048	41,916	68,034	109,950
Electoral Area G	3,729	7,465	14.00	0.035	52,206	65,752	117,958
Electoral Area H	2,525	3,884	14.00	0.030	35,350	34,210	69,560
Total Requisition					954,772	1,362,287	2,317,059

The Value Tax Rate differs for each jurisdiction because costs for operations are allocated among participating jurisdictions on the basis of population, then collected from individual property owners on the basis of assessment. If costs for operations were allocated and collected based on assessment, the tax rate would be the same.

The transfer of lands through the development process is most commonly used to acquire small parcels of land for community parks. Opportunities also exist at the regional level from time to time, however, to secure land transfers at subdivision or through rezoning. In the RDN at present, a 100 ha parcel of land is being dedicated pursuant to a 20-year phased development agreement to create a regional park in the Fairwinds' Lakes District Neighbourhood (Area E). In 2001, the initial 44 ha Little Qualicum River Regional Park was acquired through dedication at subdivision (later, in 2017, an additional 68 ha was added to the Regional Park through a land donation).

➤ **Combination of Methods**

It is useful to note that in the RDN, as in other regional districts, regional parks and trails are typically established, or enhanced, using a combination of direct purchases and land transfers. Direct purchases by the RDN are often used to leverage transfers from other agencies that share the Regional District's vision for a particular site.

Parks and Trails Development

Capital projects that are undertaken to develop regional parks and trails include trail improvements, parking areas, washroom facilities, ecosystem protection works, bridges, and other similar works. Major projects are funded through contributions

from the Regional Parks Acquisition and Capital Development Fund, senior government grants (e.g., Federal Gas Tax Sharing),⁶ and operating revenues raised through property value taxes. Capital contributions obtained through the development process are secured in specific cases (e.g., Fairwinds' Lakes District Neighbourhood), but are not common.

Contributions to regional trail development are provided, in some cases, by individual member municipalities and electoral areas that comprise the RDN. For example, Electoral Areas F and G contributed Community Works Fund (CWF) grant monies in 2016 and 2017 to assist in the cost of developing the portions of the E&N Rail Regional Trail that traverse the two Areas. Contributions to development costs come, as well, from community groups that raise funds to assist with specific projects.

Planning, Operations and Maintenance

The RDN raises funds to pay for regional park planning, operations and maintenance using a property value tax. The service costs that are paid using the tax are allocated among participating jurisdictions on the basis of population. The tax, however, is applied to property owners based on assessment. Total tax revenues collected in 2016 were \$1.34 million; 2017 revenues are 2.1% higher at \$1.36 million. The property value tax contributions from the service participants, along with population data, are provided in Figure I.1.1 (page 8).

Challenges Related to Funding Model

The RDN's Regional Parks and Trails Service is facing three key challenges related to funding: increasing demand for the service; rising land values and capital costs; and equity among jurisdictions.

➤ Demand for the Service

The regional parks and trails service in the RDN, similar to services in other parts of the province, provides many benefits to the region and its residents. For example, the service:

- helps to protect, in perpetuity, important natural features, ecosystems and habitats, some of which may be threatened
- offers opportunities to residents and visitors to connect with, learn about, and be active in outdoor, natural environments
- provides a range of ecosystem services to the broader community in the form of improved air quality, nutrient recycling, flood regulation, water supply and treatment, and other benefits

⁶ In 2014, the RDN applied for and received \$2.6 million from the Regionally Significant Priorities Gas Tax under the Federal Gas Tax Sharing program. The funds were used to construct the Coombs to Parksville Rail Trail. Projects that receive these grants are deemed to provide broad, regional benefit.

- draws visitors to the region, and in so doing assists in economic development efforts

The significance of these benefits and the service that provides them tends to rise in tandem with population growth and development. In parts of the province, such as the RDN, that experience sustained growth and urbanization, people become increasingly aware of the importance of protected natural areas and the desire to connect with nature. With increasing awareness comes increasing demand to expand and develop the regional parks and trails system.

The RDN does not yet have good data on the volume of visits to its different regional parks and trails (numbers are beginning to be tracked); nor has the Regional District attempted to measure demand through surveys or other qualitative means. It is difficult, therefore, to state definitively that demand for the service is rising. In the discussion with Board Directors, however, the need to grow the service was clear. Directors highlighted the dual desire to protect additional natural areas through acquisition, and to make available existing and new regional parks and trails to growing populations through development.

The park development piece is important to emphasize. Directors on the whole gave voice to the expectation that regional parks acquired by the RDN should be made accessible to the residents of the RDN. Staff echoed this point in separate discussions, and referred to expectations from a growing variety of user groups, including mountain bike clubs, kayak and diving groups, and others.

➤ **Land Values and Capital Costs**

The cost of land on the East Coast of Central Vancouver Island continues to experience upward pressure, as data from BC Assessment help to illustrate. Cost pressures are attributable to a number of factors, including general growth in the region, and the limited supply of land available for acquisition relative to other parts of the province. Regardless of the causes, increasing land values make land acquisition through purchase difficult to pursue.

To date, the RDN has been successful in securing a considerable amount of its lands through partnerships and contributions; efforts to develop new partnerships and attract additional contributions will surely continue. To leverage contributions and to enter into partnerships, however, the RDN needs to have its own funds on hand. As land costs increase, so too does the pressure on existing acquisition reserves, and the demand for new funding sources.

The cost to develop capital infrastructure in regional parks is also facing upward pressure, over-and-above the Consumer Price Index rate of inflation.



Staff note that in 2017 the RDN had to postpone certain capital projects because of higher-than-anticipated contractor bids. Managers from other regional parks systems who were interviewed for the *Service Review* — RDCO, CRD and MVRD are examples — are experiencing the same issue. Costs are escalating as a result of rising material and contractor costs.

➤ **Equity**

In any shared service, ensuring a level of equity between and among members is an ongoing challenge — the RDN's Regional Parks & Trails Service is no exception. An assessment of equity under the current funding model is provided later in Chapter I.3.

CHAPTER I.2 FINANCIAL TOOLS

This chapter reviews the range of tools available to regional districts in British Columbia to fund the various activities that are undertaken in regional parks and trails services. Most of the tools are in use already at the RDN. The information presented draws heavily on the comparative research that was conducted for the *Service Review*.

COMPARATIVE RESEARCH

Pursuant to the *Service Review's* terms of reference, the consultants undertook comparative research on regional parks and trails services across BC. Materials were reviewed and, in several cases, managers were interviewed, from a total of ten regional districts, including:

- Cowichan Valley Regional District (CVRD)
- Capital Regional District (CRD)
- Comox Valley Regional District (Comox Valley RD)
- Regional District Central Okanagan (RDCO)
- Metro Vancouver Regional District (MVRD)
- Regional District Okanagan Similkameen (RDOS)
- Powell River Regional District (PRRD)
- Fraser-Fort George Regional District (FFGRD)
- Regional District East Kootenay (RDEK)
- Regional District Central Kootenay (RDCK)

The consultants gathered information on each regional district's service, size of regional parks system, evolution of the system, and challenges being faced today. Special attention was paid to service funding — more specifically, the tools being used in each regional district to pay for regional parks and trails acquisition, development, and planning, operation and maintenance.

In general, the comparative research confirmed that the range of tools available to regional districts to fund regional parks and trails services is limited. The research also revealed that the primary financial tool used across regional districts to pay for the services is property value taxes. This finding was not unexpected given the nature of regional parks and trails as true public good services.

FINANCIAL TOOLS

Financial tools are identified under each of the main service components, namely land acquisition, parks and trails development, and planning, operations and maintenance.

Land Acquisition

As noted earlier, regional districts acquire land for regional parks and trails in two different ways: through direct purchase, and through transfer to the regional district by others. Figure I.2.1 presents the different tools available to regional districts under each of these approaches.

**Figure I.2.1
Land Acquisition Tools**

TOOL	DESCRIPTION
Direct Purchase of Land	
Property Value Tax	<p>A property value tax is a tax levied on the assessed value of properties within a service area to raise the revenue necessary to fund the cost of a service. The cost may be allocated among participating jurisdictions on the basis of converted assessment, population, or any other factor or combination of factors. If cost is allocated on the basis of converted assessment, the value tax rate will be uniform throughout the service area.⁷ If cost is allocated on some other basis, such as population, the value tax rate that is applied to collect revenues will vary by jurisdiction. Within each jurisdiction, the rate — however it is determined — will be levied against the assessed value of each property.</p> <p>All regional districts surveyed, with the exception of the Comox Valley RD, use a property value tax to raise funds for land acquisition.⁸ In every case, the value tax is levied against the full assessed value of properties — that is, the value of land and improvements.</p> <p>The amount of tax paid by each property varies based on assessed value. In some of the regional districts, the payment is communicated in information materials as a standard dollar amount per household. The CRD and CVRD, for example, both identify a per-household rate of \$20. This amount, however, reflects the payment that a household with an average residential assessment pays through the property value tax towards acquisition. The actual amount paid by any particular household varies depending on the assessed value of the household relative to the average value in the service area.</p> <p>Most regional districts have land acquisition reserve funds in place to hold the property tax revenues collected for acquisition. These funds promote transparency, ensure that the monies are used for their intended purpose, and help to raise awareness of the importance of ongoing acquisition in regional parks and trails systems. In some cases, regional districts create their acquisition funds within the existing regional parks and trail service — RDCO and MVRD are examples. In</p>

⁷ Allocation on the basis of converted assessment is the default under the *Local Government Act*.

⁸ The Comox Valley service is a sub-regional service in that it does not include the Regional District's member municipalities.



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NEILSON-WELCH
CONSULTANTS TO GOVERNMENT

TOOL	DESCRIPTION
	<p>these regions, a specific portion of the total tax revenue collected is transferred to the reserve fund. In a few cases — the CRD and CVRD stand out — the regional districts have established separate land acquisition services, with separate value taxes in place, to collect and hold the monies.</p> <p>In the RDOS, RDEK and RDCK, separate services have been established with separate value taxes to collect funds specifically for conservation lands.</p>
Property Parcel Tax	<p>A property parcel tax is levied against each parcel of property in an amount that is not linked to the assessed value of the property. The tax may be a flat tax — i.e., a specific, common dollar amount that is levied against each property. Alternatively, the tax may vary based on the size of property, or the length of frontage.</p> <p>Other than the Comox Valley RD's flat parcel tax, levied for its sub-regional parks service, the RDN is the only regional district in the comparison group that uses a parcel tax to fund land acquisition. The rate per property in the Comox Valley is <u>\$20</u>; the rate in the RDN is <u>\$14</u>.</p>
Development Cost Charges	<p>Development in a regional district results in an increased demand for various regional services, including regional parks and trails. Regional districts have the authority under the <i>Local Government Act</i> to impose development cost charges (DCCs) on new development to recover the portion of the acquisition cost that has been incurred, or that will be incurred, to meet the demand for regional parks and trails generated by new development.</p> <p>Several regional districts in the comparison group charge DCCs to assist in providing regional infrastructure services (e.g., sewer trunk lines and treatment plants). No regional district, however, charges DCCs to assist in the acquisition of lands for regional parks and trails services.</p> <p>In 2011, the RDN came close to implementing the first regional park DCC in BC. A staff report at the time estimated, based on a 2007 consultant's study, that DCCs could help the RDN to collect significant funds over a 30 year period — <u>\$19 million</u> to <u>\$24 million</u> — to assist with the acquisition and development of lands for the regional parks and trails system. The proposed DCC bylaw that was presented did not, however, receive final Board approval.</p>
Transfer of Funds	<p>While not a significant source of revenue, regional districts may receive funds from other agencies towards the purchase of specific properties. In the RDN, the Nature Trust of BC and NALT together raised <u>\$156,000</u> in 2011 towards the RDN's <u>\$4.8 million</u> purchase of lands for Moorecroft Regional Park. Contributions resulting from fundraising efforts and other initiatives are more typically directed to capital projects.</p>

TOOL	DESCRIPTION
Transfer of Land	
Transfers from Government	<p>Lands suitable for inclusion in regional parks and trails services may be transferred to a regional district, at no cost, by other governments. Transfers may involve the transfer of ownership (i.e., title) over lands, or the transfer of responsibility for lands through long-term leases, licenses of occupation, or other mechanisms. Where ownership is transferred, covenants may be attached to ensure that lands retain their parkland nature. Terms included in leases and licenses of occupation provide the same protection.</p> <p>Regional districts have traditionally relied on the transfer of provincial Crown lands to establish and expand regional parks and trails systems. Today, however, land transfers from the province are less common than before in most parts of the province. The change is attributable, in part, to the need to take into consideration and consult on First Nations' interests in the provincial lands. The change is also attributable in some regions to a decline in the amount of suitable provincial land.</p> <p>Transfers of federal Crown land are less common than those from the province, and face the same challenges related to consultation and lack of supply. Federal transfers do, however, remain a tool to consider, particularly in the form of long-term management leases. The MVRD, among others has leases in place in some of its regional parks.</p>
Transfers from Non-Profit Agencies	<p>All regional districts secure lands for regional parks and trails services through contributions from non-profit societies that exist to protect lands, ecosystems and natural habitats from development.</p> <p>As noted in Chapter I.1, the RDN has several partnerships in place with groups such as NALT, the Land Conservancy of BC, the Nature Trust of BC, the Nature Conservancy of Canada, Ducks Unlimited and others. Transfers from these groups usually occur through long-term management leases or licenses of occupation, so that actual ownership remains with the contributor.</p> <p>Contributions from non-profit groups are often combined with direct purchases of lands by regional districts. In this way, the regional district funds may be seen to leverage investments by others in order to create more extensive regional parks than would otherwise be possible.</p>
Transfers from Other Agencies	<p>Resource companies and others that own large tracts of lands will, at times, transfer ownership of properties, or grant licenses of occupations or rights-of-ways, to regional districts for use as regional parks or trails. In some cases, transfers of ownership may be made to a non-profit agency, which then makes the land available to the regional district for operation through a regional parks and trails service.</p>

TOOL	DESCRIPTION
	In future years in the RDN and in other regional districts, the need for rights-of-way through private lands is anticipated to grow, as demand for new regional trails grows.
Transfers from Individuals	<p>Gifts from individual landowners are another form of land transfer that benefits regional parks and trails services. Individuals are typically eligible to receive tax credits for donations of land that are made.</p> <p>In some cases, individuals may sell lands to regional districts at discounted, below-market rates. In all cases, it is common for covenants to be attached to lands in order to ensure their use as regional parks in perpetuity.</p>
Parkland Transfers at Development	<p>Regional districts can receive property through the development process in the form of land dedications and contributions. Dedications at subdivision, pursuant to section 510 of the <i>Local Government Act</i>, are typically used for community parks services, but may be used for regional parks as well. Contributions provided by developers during the rezoning process, and through phased development agreements, may also benefit regional services. The examples in the RDN of such contributions were identified earlier in Chapter I.1.</p> <p>Municipalities may also use the development process to acquire lands for transfer (ownership or lease) to a regional districts. In such cases, the lands received by the municipality would have regional park characteristics, including a large benefitting area.</p>

➤ **A Note on Borrowing**

Short- and long-term borrowing are cited by some regional districts as financial tools for use in the acquisition of regional park lands. Both forms of borrowing are, indeed, used by regional districts for acquisition, most often in cases where the amount of funds in reserve are insufficient to take advantage of opportunities that have arisen to purchase desired properties. Short-term borrowing may be undertaken for up to five years without the assent of electors. Long-term loans may have much longer amortization periods, but may require elector assent.⁹

Despite their use, short-term borrowing and long-term borrowing are not considered acquisition tools in this report. In the context of land acquisition, borrowing is essentially a cash-flow management tool that can be used by regional districts to make expenditures before revenues from property taxes and/or DCCs are fully collected. Borrowing may allow regional districts to

⁹ At the RDN, long-term borrowing (20 years) assisted in the acquisition of lands for Moorecroft Regional Park (elector assent was not required as the total outstanding amount of borrowing did not exceed \$5 per thousand dollars of net taxable value of land and improvements). Short-term borrowing is used regularly as required.

acquire lands sooner than they could under a pay-as-you-go system of service funding; but borrowing does not constitute a new source of funding separate from property taxes and DCCs.

Parks and Trails Development

Figure I.2.2 presents the different tools available to regional districts to undertake capital projects in regional parks and trails services.

**Figure I.2.2
Parks and Trails Development Tools**

Tools	Description
Grants from Senior Governments	All regional districts rely on senior government grants to assist in the cost of infrastructure development in regional parks and trails. Grants under the Strategic Priorities Fund (Federal Gas Tax Sharing program), in particular, are pursued and obtained where possible. Other one-time grant programs are also pursued where available, such as the recent Canada 150 Community Infrastructure Program, ¹⁰ and the Federation of Canadian Municipalities Green Municipal Fund.
Contributions from Non-Profit Agencies	All regional districts also rely on contributions from regional non-profit societies to assist in the funding of specific works that tend to be selected by the societies based on their particular missions. Metro Vancouver, for example, depends on the Pacific Parklands Foundation to assist in environmental works and other capital projects that promote the Foundation's goals. MVRD, RDCO and most other regional districts rely, too, on regional park associations to raise money for improvements in the specific parks. The RDN has received contributions from, and has benefitted from the fundraising efforts of, non-profit groups across the region.
Land Acquisition Reserve Funds	Rising expectations and costs related to parks and trails development force some regional districts to make use of property tax revenues that are raised, either through parcel or value taxes, for land acquisition. Accessing acquisition funds for development purposes, however, is difficult in several cases, need notwithstanding. In the CRD, for example, gaining access to acquisition funds may require a bylaw change and elector assent. The MVRD is facing the same constraints, as is the CVRD with its separate acquisition service. RDCO and the RDN are reportedly less restricted in their use of acquisition reserve funds for major capital works.
Property Taxes	Property tax revenues that are collected to pay for service operations are used in most (if not all) regional districts to assist with capital development.

¹⁰ The Regional District of Okanagan-Similkameen received funding under this program for regional trails.

Tools	Description
	A unique approach to the use of property taxes for capital works exists in the Cowichan Valley. The CVRD has established a separate service — the Kinsol Trestle service — to raise property tax revenues specifically for use in reconstructing and maintaining the Kinsol Trestle. This approach was taken to ensure strong support for the project, to promote transparency, and to raise the dedicated (and significant) funds required.
Development Cost Charges	The authority of regional districts to impose DCCs for regional park land acquisition was noted in Figure I.2.1. The same authority allows regional districts to use DCCs for regional parks and trails development costs. As with land acquisition, no regional district currently uses, or has ever used, DCCs for regional parks and trails development.
Other	Some regional districts — RDCO and MVRD are current examples — have memorial and other programs that allow individuals to provide funds for benches, picnic tables and similar types of infrastructure. Regional districts may also work with individuals who wish to gift funds (as opposed to lands) for specific works. Monies raised through these initiatives tend to be limited.

Planning, Operations and Maintenance

Figure I.2.3 presents the different tools available to regional districts to fund regional parks and trails planning, operations and maintenance.

Figure I.2.3
Planning, Operations and Maintenance Tools

Tools	Description
Property Taxes	Property value taxes are the primary tool used by every regional district to pay for the operation and maintenance of regional parks.
User Fees	<p>User fee revenues, generated from film permits, special event permits, commercial licenses and other special-use permits, are a secondary source. In all cases, however, user fee revenues are modest at best. Indeed, only three of the regional districts studied for the <i>Service Review</i> — the CRD, RDEK and MVRD — appear able to generate in excess of 5% of total service revenues from user fees.</p> <p>This level of funding is not unexpected given the nature of regional parks and trails. They are designed to provide access to all residents, free of financial and other barriers. Fees for parking and other services have been considered by some regional districts; ultimately, however, such fees were rejected for fear that they would prevent some groups of residents from using parks and trails.</p>

CHAPTER I.3 ASSESSMENT OF FUNDING MODEL

This chapter provides an assessment of the RDN's funding model that is in place today to pay for the Regional Parks & Trails Service. Recommendations for the Board to consider are put forward. The experiences of other regional districts, identified through the comparative research, inform both the assessment and the recommendations.

EVALUATION CRITERIA

As noted in the terms of reference for the *Service Review*, equity among service participants is particularly important as an evaluation criterion. Other criteria, however, are also important to consider. The full list of criteria used in this report includes:

- *Equity (Jurisdictions)* — All member jurisdictions of the RDN — municipalities and electoral areas — are participants in the regional service. Is the service's current funding model fair to all parties? Are there changes to the model, based on approaches taken elsewhere, that would make the system more equitable on the whole?
- *Equity (Individual Taxpayers)* — Is the current funding model, with its reliance on both property value taxes and a flat-rate property parcel tax, fair to the different types of taxpayers who benefit from and pay for the service? Could the model be improved?
- *Effectiveness* — Does the current funding model allow the RDN to raise sufficient revenue for the service, given expectations and key challenges?
- *Transparency* — Is the current funding model clear in communicating to taxpayers and jurisdictions the purposes of monies that are raised?

REGIONAL PARKS & TRAILS FUNDING MODEL

The RDN's Regional Parks & Trails Service was profiled in Chapter I.1. The service's funding model can be summarized by the following points:

- Lands for regional parks and trails are acquired through direct purchase by the Regional District, and through transfer to the Regional District by others. The two methods of acquisition are often used in combination.
- The RDN relies solely on a property parcel tax to raise resources to purchase lands. The parcel tax is a flat tax, in that it is the same amount (\$14) for each parcel, irrespective of the parcel's assessed value. The tax has been increased four times since its introduction in 2006 at \$10.

- Land transfers are pursued from and received by senior levels of government, non-profit societies (e.g., land trusts), private corporations and individuals.
- Capital projects undertaken to make regional parks and trails accessible to users are funded through contributions from the Regional Park Acquisition and Capital Development Fund, senior government capital grants, contributions secured through the development process, and operating revenues that are raised using a property value tax. Funding for regional trails, in particular, is provided in some cases by individual member jurisdictions for the portions of trails that traverse their areas.
- Funds for planning, operations and maintenance are raised using a property value tax. The service costs that the tax is used to fund are allocated among jurisdictions on the basis of population.

ASSESSMENT OF REGIONAL SERVICE FUNDING MODEL

Equity (Jurisdictions)

To assess the funding model's level of equity — or fairness — among jurisdictions, it is useful to consider the benefits received by the different jurisdictions, and the cost of participation in the service for the different jurisdictions.

➤ Benefits

The *Regional Parks & Trails Service* provides broad, indirect benefits to the region as a whole, including:

- protection, in perpetuity, of important natural features, sensitive ecosystems, landscapes and habitats in the region
- ecosystem services in the form of improved air quality, nutrient recycling, flood regulation, and water supply and purification

Residents in all jurisdictions of the Regional District receive these important, indirect benefits from the service, irrespective of the residents' ability to access the regional parks and trails in the system. Put differently, all residents in the RDN, whether or not they are able to visit regional parks and trails, benefit from efforts to protect the region's natural environment and ecosystem services.

The *Regional Parks & Trails Plan* (2005-2015) recognizes the value of these indirect benefits provided by the service. The protection of natural areas, landscapes, ecosystems and habitats is featured prominently in the vision for the service. The *Plan* also, however, points to the importance of direct benefits to residents who are able to use the regional parks and trails. As set out in the *Plan*, the service exists in part to provide opportunities to residents and visitors to access, learn about, and be active in outdoor natural

environments. The service also is designed to draw visitors to the region, and in so doing to promote economic development. These direct benefits exist for jurisdictions in which residents and visitors are able to easily access and make use of the parks and trails.

Indirect benefits by their very nature are difficult to measure for the service area as a whole, but also for individual jurisdictions within the area. It may be helpful simply to acknowledge that, through its targeting of different landscapes and habitats, and in its efforts to protect key ecosystems, the service provides broad, indirect benefits to the entire region.

Direct benefits are also not easy to measure, but may be approximated in different ways:

- *Actual Usage* — The estimated number of visits to regional parks and trails by residents of different jurisdictions can be used to judge direct benefit. Unfortunately, the RDN does not yet track visitor numbers to its different properties, nor does it conduct periodic surveys to identify the home jurisdiction of different users.
- *Population* — For several local government services, population is considered a proxy measure for usage, and one way to gauge direct service benefit. Population, arguably, is particularly well-suited to parks and trails services which are designed, in part, to be accessed and used by people.
- *Proximity of Regional Parks & Trails* — The proximity of regional parks and trails to individual jurisdictions can be used to assess the level of system access available to residents in each jurisdiction. Figure I.3.1 presents data from the RDN to show the number of regional parks and trails within 60 minutes' driving time, 45 minutes' driving time, and 30 minutes' driving time from a central location in each jurisdiction. The information in the figure shows that, on the whole, access to the regional parks and trails system is uniformly strong for most jurisdictions at the 60 and 40 minute marks (the exception is Gabriola Island which has less access relative to other jurisdictions on account of the need for ferry travel). Access at the 30 minute mark, however, is considerably better for jurisdictions in the north of the RDN (District 69) than in the south, as measured by number of regional parks within easy reach.
- *Expenditures* — It may be argued that spending decisions of the RDN benefit, or have the potential to benefit, different jurisdictions depending on the location of the expenditures. Under this argument, spending of service funds to acquire, develop or operate

**Figure I.3.1
Proximity to Regional Parks and Trails
Driving Times**

Jurisdiction	Place	Number of Parks & Trails Within		
		60 Min.	45 Min.	30 min.
Nanaimo	Nanaimo City Hall	15	10	4
Lantzville	Lantzville District Hall	15	14	9
Parksville	Parksville City Hall	14	14	10
Qualicum Beach	Qualicum Beach City Hall	14	13	10
Area A	Cedar Plaza	14	9	4
Area B*	Gabriola Island Ferry Terminal	6	2	2
Area C	Extension	15	8	4
Area C	East Wellington	16	12	8
Area E	Nanoose Place	14	14	12
Area F	Coombs Country Market	14	14	11
Area G	Sunrise Dr. at Island Highway (19A)	14	13	9
Area H	Lighthouse Community Centre	14	11	8

* Includes ferry travel time.

specific regional parks and trails will benefit the jurisdictions closest to the properties.

Detailed operating and capital budgets (2016 and 2017) were reviewed for the assignment, along with land acquisition guides and criteria, to gauge the fairness of spending in the service. No spending patterns were identified to suggest any disproportionate level of benefit to individual participants. Spending on acquisition is guided by Board-endorsed criteria, including one criterion that calls for "geographical equity". This criterion states that balance between and among electoral areas and sub-regions is an important outcome for the Board.¹¹

Spending on development is modest, given the nature of the service, except in cases where bridges and parking areas must be constructed. Examples of these major capital works exist in both major sub-regions, demonstrating again the sensitivity shown to spatial equity. Spending on operating is also dispersed across the region as shown by annual work plans.

¹¹ Electoral Areas are identified specifically for two reasons: they are spread throughout the entire Regional District; and candidate properties for acquisition are most often located in the rural areas where land costs are (usually) lower relative to those in the municipalities, and where large natural areas of regional significance tend to be situated.

➤ **Participant Costs**

The allocation of acquisition and development costs among participating jurisdictions based on number of parcels is not common in regional district funding models for regional parks and trails. Number of parcels does not take into account differences across jurisdictions in total converted assessment. Converted assessment, as a measure, is widely considered to reflect a jurisdiction's ability to pay; allocation of costs on the basis of converted assessment is accepted as the fairest approach for cost sharing in services that provide broad, indirect benefits.

Allocation of costs for planning, operations and maintenance on the basis of population is another relatively unique approach for regional parks and trails services specifically. As a proxy measure for service usage, population is used to allocate costs in cases where level of service usage is considered important, but where data on actual usage do not exist. The reliance on population places considerable value on the direct benefits of the Regional Parks & Trails Service to residents. The important indirect benefits to the region as a whole that are related to the protection of natural areas and ecosystems receive less emphasis under this approach.

Across British Columbia, the full costs — acquisition, development, planning, operations and maintenance — in most if not all regional parks and trails services are allocated among participating jurisdictions on the basis of converted assessment alone. This basis, as noted, recognizes the indirect, broad benefits of the service, and is considered by many to reflect each jurisdiction's ability to pay for the service. The reliance on converted assessment entirely, however, may not sufficiently recognize the direct benefits of the service. These benefits are identified in the RDN's materials as being important. They were also recognized as important during the *Service Review* discussion with the Board.

An approach that allocates all service costs among participating jurisdictions on a combination (50-50) of converted assessment and population would recognize both the indirect benefits and the direct benefits that the Regional Parks & Trails Service is designed to provide. In the RDN, this approach would be bolstered by the general level of parity in access to the regional parks system, and in expenditures across the region.

➤ **Conclusion**

The discussions on benefits provided to jurisdictions and costs allocated to jurisdictions under the current Regional Parks & Trails Service funding model suggest that the current funding could be made fairer. Specifically, allocation across jurisdictions of acquisition and development costs, as well as costs related to planning, operations and maintenance, on a combination (50-50) of converted assessment and population would increase inter-jurisdictional equity. This approach would recognize and balance the

service's indirect benefits to the region as a whole, and the direct benefits to each jurisdiction.

Figure I.3.2 uses 2017 data to show how this change would impact each jurisdiction in actual dollar terms. As evident from the figure, most jurisdictions would face relatively modest change.

Equity (Individual Taxpayers)

The RDN's use of a flat parcel tax to raise the allocated funds for land acquisition represents a unique approach to taxation in regional parks and trails services, and a unique use of the parcel tax tool. Parcel taxes, in general, are used to assist in funding major infrastructure costs associated with local government utilities — for example, the construction and replacement of a water or sewage treatment plant. These utilities provide direct benefit only to properties that are physically connected to the systems, or that have the ability (but choose not) to physically connect. Put differently, local government utilities "exclude" properties that cannot connect to the services. This characteristic of exclusion is considered a "private good" attribute. Parcel taxes are considered a useful and equitable tool to assist in the funding of local services with private good characteristics.

Regional parks and trails are pure public good services. They are designed to provide access to all (i.e., to exclude none), and to benefit everyone. Such services, it is generally acknowledged, are most equitably funded using property value taxes.

Figure I.3.2
Impact of Allocating All Costs by
Converted Assessment and Population (50-50)

Jurisdiction	Existing Model			Converted Assess & Population (50-50)			Change in Allocation
	Acquisit/Dev	Ops	Total	Acquisit/Dev	Ops	Total	
City of Nanaimo	481,166	797,168	1,278,334	536,770	765,873	1,302,643	24,309
City of Parksville	94,318	110,225	204,543	78,963	112,666	191,630	(12,913)
Town of Qualicum	67,774	78,771	146,545	60,171	85,854	146,025	(520)
District of Lantzville	20,748	31,753	52,501	22,941	32,732	55,673	3,172
Electoral Area A	40,628	62,168	102,796	39,278	56,042	95,320	(7,476)
Electoral Area B	52,794	35,523	88,317	28,822	41,124	69,945	(18,372)
Electoral Area C	19,950	24,733	44,683	23,299	33,243	56,542	11,859
Electoral Area E	47,922	53,950	101,872	47,103	67,208	114,311	12,439
Electoral Area F	41,916	68,034	109,950	42,767	61,020	103,787	(6,163)
Electoral Area G	52,206	65,752	117,958	47,741	68,118	115,859	(2,099)
Electoral Area H	35,350	34,210	69,560	26,918	38,406	65,324	(4,236)
Total Requisition	954,772	1,362,287	2,317,059	954,772	1,362,287	2,317,059	-

Figure I.3.2 shows that allocating all costs on a combination of converted assessment and population would shift slightly the overall cost burden among jurisdictions. The Existing Model allocates acquisition and development costs based on number of parcels, and operating costs based on population.

Value taxes differentiate among individual properties on the basis of assessed value, which is considered a measure of a property owner's ability to pay. Owners of properties with higher than average assessed values within a service area are expected to pay more towards the cost of the service than are owners of properties with lower than average assessments. In this way, property value taxes are considered progressive. Flat parcel taxes, conversely, would be considered by many to be regressive.

The difficulty with the flat parcel tax is exacerbated further by the fact that all parcels, regardless of property class, are charged the same rate. In a value tax system, Class 4 (Major Industry), Class 5 (Light Industry) and Class 6 (Business) properties would pay different (higher) rates than Class 1 (residential) properties.

Equity as it relates to individual taxpayers needs to also consider whether there are different groups of stakeholders who contribute to the demand for the service, and who stand to benefit from the service, but who do not share in the cost of the service under the current model. The one stakeholder group that stands out at present is development. As noted earlier in the report, new development adds to the demand for new regional parks and trails in the RDN. Under the current funding model, however, there is no mechanism in place to require new development to contribute funding for additional acquisition and development of lands. The introduction of a DCC to assist with acquisition and development costs would make the funding model fairer for all taxpayers.

► **Conclusion**

The assessment demonstrates that the level of equity among individual taxpayers in the regional service would be improved through the use of a property value tax, in place of the current property parcel tax, to determine and collect service payments from properties. Equity among individual taxpayers would also be improved through the introduction of a DCC to assist in funding land acquisitions and development.

Effectiveness

Does the current funding model, with its reliance on property taxes as the sole source of revenue, allow the RDN to raise sufficient funds for the service, given the expectations of residents and elected officials, and in view of key challenges? It is difficult to answer this question definitively until the RDN has completed its anticipated update (beginning in 2018) to the *Regional Parks & Trails Plan*. The process through which the *Plan* is updated will:

- clarify or confirm the fundamental purpose and goals of the service, as determined by the Board
- review the existing inventory of parks and trails
- confirm and articulate the anticipated need for additional regional parks and trails, based on the expectations of the broader regional community for the

protection of natural areas, and for opportunities to connect with, be active in, and learn about the natural environment

- identify the most important types of properties to acquire on a go-forward basis
- refine existing acquisition criteria
- consider parks and trails development needs
- examine staffing and other operational and maintenance resource levels
- quantify the anticipated costs of acquisition, development and operations in the coming years

Through the update to the *Plan*, the Board will be able to determine whether the current funding model can be used to raise sufficient revenues, or whether additional revenue-generating tools should be considered.

The need for an updated *Plan* notwithstanding, it does appear to be the case, based on consultations and the review of materials, that the service requires more funds to meet existing needs and expectations related, in particular, to acquisition and development. In plain terms, people in the RDN want more regional parks and trails, and they want to be able to use them. More funds could be obtained by simply increasing the taxes charged against property owners. Increases of this sort may, indeed, be part of the solution;¹² however, funds could also be raised by introducing a regional parks and trails DCC (referred to earlier), and by undertaking efforts to increase, where possible, fees for special events, film permits and other services.

It is not being suggested that the RDN introduce a wide range of fees for those who use the regional parks and trails system. Too many user fees may inadvertently undermine the ability of all residents in the RDN to access the system. What is being suggested is to increase user fees for specific permits in an effort to increase the total amount of user fee revenue available in the service. At present, the RDN generates essentially no such revenues. By contrast, user fees at other regional districts, including the CRD and MVRD, account for 5% to 8% of total service revenues.

➤ **Conclusion**

The current funding model does not appear to provide sufficient funding to meet the expressed expectations and interests for the service. The RDN should consider introducing a regional parks and trails DCC to increase and diversify funding. User fees for special events, filming and other permits should also be reviewed and increased where warranted. The Regional District may also need to increase the amount it collects in service tax revenues from the service area in order to meet increasing level of service demands.

¹² The tax amount collected per property in the RDN is much lower than the amount collected on an average property in the CRD and RDCO.

Transparency

Support for regional services increases when funding models are transparent in their use of tax dollars — that is, when funds raised are used in accordance with their stated purpose. At the RDN, transparency in the Regional Parks & Trails Service funding model is enhanced by the separation of acquisition and development funds from operational funds. This separation should continue, irrespective of the approaches taken to cost allocation and taxation.

Questions related to transparency often arise in regional park services in discussions on spending for land acquisition and park development. Many of the regional districts reviewed for the assignment — CRD, RDCO, MVRD and CVRD stand out — are facing pressures to develop lands that have already been acquired. All of these regional districts are looking to their acquisition reserve funds as much-needed sources of revenue. In certain cases — RDCO, for example — the purpose of the reserve fund clearly includes parks and trails development costs. In other regional districts the flexibility is less clear. Officials in these other places who wish to use reserve funds for both acquisition and capital are finding it necessary to seek explicit approval from electors, who may consider the funds to be earmarked for acquisition only.¹³

In the RDN, transparency in the use of capital funds is not a major concern. The reserve fund that is used to assist in both the cost of acquisition and the cost of development is clearly identified in key RDN materials as the Regional Parks Acquisition and Capital Development Fund. In certain materials (e.g., service budget sheets), the fund is identified in short-hand as an acquisition fund. These instances should be corrected to include reference to major capital. In all instances, the Fund should be referred to as the "Regional Parks Acquisition and Capital Development (Reserve) Fund".

➤ Conclusion

The RDN should continue to separate acquisition and development funding from operating funding, irrespective of the approaches taken to cost allocation and taxation. The RDN should also ensure that monies held in its Regional Park Acquisition and Capital Development (Reserve) Fund are identified consistently as funds for both acquisition and development.

RECOMMENDATIONS ON REGIONAL SERVICE FUNDING MODEL

Based on the assessment of the RDN's current funding model for the Regional Parks & Trails Service, the following recommendations are provided for the Board's consideration:

- THAT the Board work with participating jurisdictions to amend *Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)* to allocate land acquisition and development costs among

¹³ It is understood that the CRD will be appealing to electors on this point in 2018.

service participants on the combination (50-50) of converted assessment and population, rather than number of parcels.

- THAT the Board work with participating jurisdictions to amend *Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)* to replace the property parcel tax for acquisition and development costs with a property value tax.
- THAT the Board work with participating jurisdictions to amend *Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)* to allocate service operating costs among service participants on the combination (50-50) of converted assessment and population, rather than population alone.
- THAT the Board direct staff to undertake a survey of regional parks and trails users, at key times of year, every three-to-five years, to identify and track the home jurisdictions of users.
- THAT the Board, pursuant to section 559(2) of the *Local Government Act*, introduce a Development Cost Charge to assist in raising funds required for parkland acquisition, and parkland improvements.
- THAT the Board direct staff to review the existing permit fees charged for special events, filming, and commercial activities, and to propose a new revenue-generating fee schedule.
- THAT the Board continue its approach of collecting land acquisition and capital development funds separately from funds that are collected to support planning, operations and maintenance.
- THAT the Board clarify in all materials that monies held in the Regional Parks Acquisition and Capital Development (Reserve) Fund are intended both for land acquisition and capital project purposes.

CHAPTER I.4 ADDITIONAL ISSUES

Over the course of the *Service Review*, certain additional issues arose that should be considered, but that do not fit neatly into the discussions on funding models. Two issues emerged as being particularly important to examine:

- the potential for the RDN to assume responsibility, in whole or part, for municipal parks that have regional park characteristics
- the potential for an integrated approach to parks and trails planning that would take into account municipal and electoral area park systems, along with the regional parks and trails system

Each of these issues is reviewed briefly in this chapter of the report.

MUNICIPAL PARKS

Municipalities are responsible for providing a range of local parks to their respective populations. Some of the parks are acquired and designed to provide benefit to small areas within cities, typically one or two neighbourhoods. These parks are often referred to as "tot lots" or neighbourhood parks. Municipalities also provide larger parks that are designed to benefit section of cities, and that may host sports equipment, playgrounds and other improvements. These parks are in some cases referred to as district parks. Several municipalities provide more significant parklands and trails with large catchment areas that may transcend municipal boundaries. These properties, often called city parks or destination city parks, may feature high quality sport fields, field houses and other facilities.

In addition to these various municipal park types, a number of municipalities provide large parks and trails that appear to many observers to be regional in nature. These parks may protect significant natural areas, ecosystems and habitats, and may showcase important regional landscapes. They often feature trail systems through the lands, but are otherwise essentially undeveloped. Some are large enough to protect and promote the provision of ecosystem services.

There are many examples of municipalities in the province that provide these region-like parks. The Cities of Surrey, Burnaby, Delta and Richmond, and the District of North Vancouver in the MVRD all have significant, natural parks that complement the regional park system. Kelowna, Kamloops, Vernon and Salmon Arm are a few of the many examples from the Interior. On the Island, Victoria and Saanich are good examples, as is the City of Nanaimo in the RDN with parks such as Westwood Lake and Linley Valley, and conservation areas such as Buttertubs Marsh.

Several regional districts have been faced with the prospect of assuming responsibility for municipal parks that possess regional park qualities. In general, regional districts have been reluctant to embrace such parks for a number of reasons:

- A decision to accept responsibility for one municipal park inevitably leads to requests from other municipalities, as well as raised expectations. Many municipalities, as noted earlier, control and operate parks that have regional qualities, including large benefitting areas. A regional district that agrees to take responsibility in one case could quickly find itself overwhelmed by demands to take responsibility over others' parks.
- The original decisions to acquire the land, establish and operate a park, and make ongoing investment in the park, were made by the municipal council, not the regional district board. Had the regional board been involved in past decisions, a different type of park may have emerged, established to address a different purpose and achieve different goals.
- There is not always agreement with respect to what constitutes "regional qualities". Improvements (e.g., paved trails) or activities in some large municipal parks may be not support the purpose of the regional parks and trail system.
- Municipalities that do transfer responsibility over key parks to the regional district may have a difficult time "letting go". Decisions made by the regional board may not be supported by the municipality or its residents that use the park. In such cases, the potential for conflict between jurisdictions would be high.
- Municipalities that transfer control through leases or licenses of occupation may decide that they want control back at the end of the contract. In these cases, the regional district and park users could face uncertainty and disruption over the future purpose of the park and the goals the park was intended to achieve. In Metro Vancouver, the City of Burnaby leased Burnaby Lake to the MVRD to operate within the regional park system. Burnaby has decided to not renew the lease in 2021. This decision has caused anxiety among park user groups and others who value the park's ecosystem services and other features, and who view the regional park system as an important source of protection.

The MVRD is proceeding cautiously with respect to Burnaby Lake Park, and on the broader issue of assuming responsibility for other municipal properties. No other regional district surveyed for the study is contemplating or encouraging any transfer of existing municipal parks.

In the consultation with decision-makers at the RDN, the transfer of responsibility issue did not generate discussion or interest. The creation of a park in the Lantzville Foothills was identified as a topic for further discussion between the municipality and the RDN. No such park, however, exists today.

INTEGRATED PLANNING

There is considerable interest on the part of RDN and its member municipalities to integrate regional and local parks and trails planning on a go-forward basis. Integration could help to link parks and trails systems, reduce overall planning costs, and achieve sub-regional and region-wide environmental and active-living goals. Integrated planning also would help jurisdictions to identify important parks and trails gaps, and set acquisition and development priorities accordingly.

The process for updating the *Regional Parks & Trails Plan* in 2018 provides an opportunity to bring together planning efforts.

RECOMMENDATIONS

Based on the discussion on the additional issues raised in this chapter, the following recommendation are presented to the Board for consideration:

- THAT the Board refrain from assuming responsibility, in whole or part, for municipal parks that may possess regional park characteristics.
- THAT the Board direct staff to work with their counterparts in the Regional District's member municipalities on developing and implementing an integrated planning framework for regional and local parks and trails.

CHAPTER I.5 ADDITIONAL ISSUES

Part I of this report has presented an assessment of the funding model in place for the RDN's Regional Parks and Trails Service. The recommendations presented for the Board's consideration are summarized in Figure I.5.1.

**Figure I.5.1
Summary of Recommendations**

Topic	Recommendations
Regional Service Funding Model	<p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to allocate land acquisition and development costs among service participants on the combination (50-50) of converted assessment and population, rather than number of parcels.</p> <p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to replace the property parcel tax for acquisition and development costs with a property value tax.</p> <p>THAT the Board work with participating jurisdictions to amend <i>Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231 (2001)</i> to allocate service operating costs among service participants on the combination (50-50) of converted assessment and population, rather than population alone.</p> <p>THAT the Board direct staff to undertake a survey of regional parks and trails users, at key times of year, every three-to-five years, to identify and track the home jurisdictions of users.</p> <p>THAT the Board, pursuant to section 559(2) of the <i>Local Government Act</i>, introduce a Development Cost Charge to assist in raising funds required for parkland acquisition, and parkland improvements.</p> <p>THAT the Board direct staff to review the existing permit fees charged for special events, filming, and commercial activities, and to propose a new revenue-generating fee schedule.</p> <p>THAT the Board continue its approach of collecting land acquisition and capital development funds separately from funds that are collected to support planning, operations and maintenance.</p>



Topic	Recommendations
	<p>THAT the Board clarify in all materials that monies held in the Regional Parks Acquisition and Capital Development (Reserve) Fund are intended both for land acquisition and capital project purposes.</p>
<p>Additional Issues</p>	<p>THAT the Board refrain from assuming responsibility, in whole or part, for municipal parks that may possess regional park characteristics.</p> <p>THAT the Board direct staff to work with their counterparts in the Regional District's member municipalities on developing and implementing an integrated planning framework for regional and local parks and trails.</p>

**RDN
PARKS FUNDING
SERVICES REVIEW
REPORT**

NEILSON-WELCH
CONSULTANTS TO GOVERNMENT



PART II

REGIONAL DISTRICT OF NANAIMO COMMUNITY PARKS AND TRAILS SERVICES

**RDN
PARKS FUNDING
SERVICES REVIEW
REPORT**

NEILSON-WELCH
CONSULTANTS TO GOVERNMENT

**NOVEMBER 2017
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CHAPTER II.1 CURRENT SERVICE

There are eight separate Community Parks & Trails Services, one in each of Electoral Areas A, B, E, F, G and H, and two in Electoral Area C. The services exist to:

- provide opportunities and amenities for outdoor leisure and recreation
- protect local natural features
- provide trail connections to parks, public places, beaches and other community destinations
- protect important local heritage and cultural features

Together, the services offer 202 parks that cover over 600 ha of land. With the exception of the 286 ha 707 Community Park on Gabriola Island (Electoral Area B), the individual community parks are relatively small in size, and are acquired, designed and developed to benefit local communities within the electoral area. There are very few trails at present in any of the services.

With advice and guidance from local advisory committees, the RDN undertakes a full range of functions under each Community Parks & Trails Service, including park planning, land acquisition, parks and trails development, and ongoing operation and maintenance of parks and trails. Parkland acquisition efforts are guided by park- and trail-related policies in each electoral area's *Official Community Plan*, and by other considerations. In the District 69 electoral areas, acquisition criteria and scorecards are outlined in the 2014 *Community Parks & Trails Strategic Plan (Electoral Areas E, F, G & H)*.

A few community parks in the different services have management plans — 707 Community Park is an example. By and large, however, management plans are not in place and are not required for most parks and trails.

FUNDING MODEL

The transfer of land for community park purposes through the development process is the primary method used by the RDN to acquire parks and trails for the eight Community Parks & Trails Services. Section 510 of the *Local Government Act* requires every owner of land that is being subdivided to provide, without compensation, 5% of the land for parks.¹⁴ The same section allows the RDN to require owners to provide monies in lieu of dedication. The monies are placed in reserve funds where they are used in accordance with policies in the specific electoral area's *Official Community Plan* related to community parks and trails. Where possible, dedicated lands or funds-in-lieu are used by the RDN to leverage additional resources through partnerships with other agencies. The Regional District

¹⁴ Section 510(3) provides some exemptions related to number of lots created, size of lots being created, and subdivision that results in the consolidation of lots.

is currently pursuing several partnership opportunities, for example, with School Districts 68 and 69.

Community parks and trails are developed, for the most part, using a combination of senior government grants and property tax revenue. Grant revenues consist primarily of Community Works Fund (CWF) monies, provided to the RDN for its electoral areas through the Federal Gas Tax Sharing program. CWF funds may be used within electoral areas for a wide variety of infrastructure works, including parks and trails improvements.

Figure II.1 shows the CWF funds spent under the Community Parks & Trails Services in the past two years. Certain electoral areas, it should be noted, spent additional CWF funds to assist with portions of regional trails that traverse the specific electoral areas. Electoral Area G, for example, contributed \$110,000 in CWF monies to the E&N Rail Regional Trail to assist with the portion of the trail within Area G. Area F's contribution to the same trail (referenced earlier) totaled \$350,000. Electoral Area A contributed \$18,000 to the Morden Colliery Regional Trail (and \$42,000 in earlier years). None of these costs is reflected in Figure II.1.1.

**Figure II.1.1
Community Works Fund Support for
Community Parks & Trails (2016 & 2017)**

Area & Local Project	2016	2017
Area A SFN Sport Court Upgrade		300,000
Area B Gabriola Village Trail Huxley Park Upgrades Skatepark Whalebone Park Beach Access	17,745	7,678 234,000 12,000 25,000
Area C	n/a	n/a
Area E Claudet Community Park Blueback Community Park Es-hw Sme~nts Park Jack Bagley Field	19,100 50,000 22,140	7,860 10,000
Area F Cranswick Road Trail Carruthers Road Trail	13,110	18,010
Area G Area H	n/a n/a	n/a n/a

Operations and maintenance for the each Community Parks & Trails Service are funded by property value tax revenues that are generated within the specific service area (which, in every electoral area except for Area C, consists of the entire electoral area). Value taxes are levied against all properties (land and improvements). Figure II.1.2 shows the 2017 value tax rate and total requisition for each service area.

Challenges Related to Funding Model

One of the key funding model challenges facing the Community Parks & Trails Services concerns the cost of parks and trails development. Most of the community parks in the electoral areas are undeveloped in their natural state. As populations and the levels of residential development increase, expectations for outdoor recreation amenities and other improvements are likely to increase, as well. There will be pressure on the RDN to make funds available for increased park development. Added to the challenge is the concern noted earlier in the discussion on regional parks and trails related the rising cost of materials and labour.

A second challenge relates to the allocation of RDN staffing resources among the services in the different electoral areas. Areas may seek assurance that they are getting their "fair share" of resources, and/or not paying for services used by others.

Increasing land values may be less of an issue for the Community Parks & Trails Services than for Regional Parks & Trails, because of the reliance of parkland dedication in the acquisition of local parkland. Land owners in the electoral areas who wish to subdivide for development must dedicate 5% of the land, or provide (at the option of the RDN) a payment-in-lieu of dedication equal to the value of the land. The 5% requirement applies irrespective of the value of the land. The value of payments-in-lieu of dedication increases in tandem with the value of land.

**Figure II.1.2
Community Parks & Trails Services
Value Tax Rate and Requisition (2017)**

Jurisdiction	Value Tax Rate	Converted Assessment	Total
Electoral Area A	0.150	132,107,639	198,490
Electoral Area B	0.224	123,656,725	277,000
Electoral Area C (Extension)	0.095	72,499,538	68,807
Electoral Area C (East Wellington)	0.236	37,989,937	89,679
Electoral Area E	0.067	212,954,769	142,080
Electoral Area F	0.109	142,929,996	156,240
Electoral Area G	0.068	186,536,303	126,623
Electoral Area H	0.165	112,747,856	186,520
Total All Electoral Areas			1,245,439

CHAPTER II.2 FINANCIAL TOOLS

This chapter reviews the range of tools available to regional districts in British Columbia to fund the various activities that are undertaken in community parks and trails services. Most of the tools are in use already at the RDN. The information presented draws on the comparative research that was conducted for the *Service Review*.

FINANCIAL TOOLS

Financial tools are identified under each of the main service components, namely land acquisition, parks and trails development, and planning, operations and maintenance.

Land Acquisition

Tools available specifically for local parks and trails acquisition are outlined in Figure II.2.1.

**Figure II.2.1
Land Acquisition**

Tools	Description
Dedication through Subdivision	All regional districts with community parks and trails services acquire lands for local parks and trails through the subdivision process, pursuant to section 510 of the <i>Local Government Act</i> . Included under this tool is the option, available in electoral areas with OCP policies on park location and type, to take monies-in-lieu of lands from owners seeking subdivision approval.
Dedication through Rezoning	The rezoning process offers another opportunity to regional districts for the acquisition of lands for community parks and trails. 707 Community Park on Gabriola Island was created using lands that were dedicated through rezoning in exchange for density transfers.
Land Transfer from Governments	Regional districts acquire some community parks and trails through transfers from senior governments. The RDCO recently acquired important lands from the province through long-term lease in the Westside Electoral Area. Other regional districts have acquired beach access points, in part, through the transfer of road ends from the Ministry of Transportation and Infrastructure (MOTI). MOTI provides rights-of-way to regional districts through permits or licenses of occupation. The CRD has a memorandum of understanding in place with MOTI that focuses on licenses of occupation, and that outlines the rights and responsibilities of both parties. The CSRD also obtains access from MOTI in the form of licenses of occupation. Rights-of-way are provided by senior governments in some cases to

Tools	Description
	provide community trails, including trails that make use of local roads in electoral areas (such roads are owned and controlled by MOTI).
Contributions from Others	Non-profit community associations, private companies and individuals provide lands in certain instances for local parks and trails. In some cases, ownership of the lands is transferred through title; in other cases, transfers of responsibility for operations occur using leases and licenses of occupation.
Development Cost Charges	Regional districts have the authority to impose DCCs to assist in the cost of acquiring (and developing) community parks and trails. Of the regional districts surveyed for this report, only the Comox Valley RD has a local parks DCC program in place. RDCO had a program for the former Westside Electoral Area prior to 2006. This program, however, transferred to the West Kelowna municipality upon incorporation.
Property Value Taxes	Property value taxes are used primarily for planning, operations and management, but are also relied on in some cases to assist with land acquisition. Property tax revenues were identified by the CVRD as an important acquisition resource.

Parks and Trails Development

Figure II.2.2 identifies the tools available to assist in developing community parks and trails.

**Figure II.2.2
Parks and Trails Development**

Tools	Description
Senior Government Grants	Senior government grants are relied on as a significant source of funding for community parks and trails development in many regional districts. The most important fund is the Community Works Fund (CWF), paid to municipalities through the Federal Gas Tax Sharing program. Other infrastructure funds also provide development funds. Several local parks in the electoral areas of many regional districts received funding under the aforementioned Canada 150 fund.
Contributions through Partnerships	Regional districts may receive assistance with development costs from school districts and other agencies under agreements to co-develop and provide local parks.
Amenities through Rezoning	Regional districts can negotiate amenity contributions from land owners during the rezoning process to assist with capital projects in local parks.
Contributions from Others	Regional districts may receive funds for capital works (e.g., playgrounds, tennis courts, etc.) from local non-profit associations. Several



Tools	Description
	associations conduct fundraising campaigns to assist with specific development projects. Private companies will, at times, be another source of such funds. Donations from individuals are a third type of contribution for parks and trails development. Donations may be made as part of fundraising campaigns, as stand-alone gifts, or through commemorative and other programs aimed at providing furniture (e.g., benches) and equipment (e.g., playgrounds).
Development Cost Charges	DCCs may be imposed to assist in funding local parks and trails development, in addition to acquiring land. As noted previously, however, only one of the regional districts examined for this report (Comox Valley RD) has community parks and trails DCCs in place.
Property Value Taxes	Property value taxes are used in most regional districts to assist with local parks and trails development.

Planning, Operations and Maintenance

Regional districts rely primarily on property value tax revenues to pay for the planning, operation and maintenance of community parks and trails. Cost-sharing agreements with school districts, contributions from community associations, and park user fees represent other tools. Where available, however, these other sources typically offset the need for taxes only to a modest degree.

CHAPTER II.3

ASSESSMENT OF FUNDING MODEL

This chapter provides an assessment of the RDN's funding model that is in place today to pay for the eight Community Parks & Trails Services. The assessment is conducted using the same evaluation criteria that were used in the assessment of the regional service. Recommendations for the Board to consider are put forward. The experiences of other regional districts, identified through the comparative research, inform both the assessment and the recommendations.

COMMUNITY PARKS & TRAILS FUNDING MODEL

The RDN's Community Parks & Trails Services was profiled earlier in the report in Chapter II.1. The services' funding model can be summarized by the following points:

- Lands for community parks and trails are acquired, primarily, using the authority in section 510 of the *Local Government Act* dealing with parkland dedication, or payments-in-lieu, at subdivision.
- Community parks and trails are developed using a combination of CWF monies, other senior government grant programs, and property tax revenues. Contributions from other agencies also assist.
- Funds for planning, operations and maintenance are raised using property value taxes, unique to each service area.

ASSESSMENT OF COMMUNITY SERVICES FUNDING MODEL

The assessment of the local services funding model makes use of the same evaluation criteria presented earlier for the regional service model.

Equity (Jurisdictions)

Each of the eight Community Parks & Trails Services in the RDN has its own service area and budget. Most of the costs incurred to provide each service are determined by taxpayers in the specific, local service area, through the service's local advisory commission and the Electoral Area Director. Costs determined in this way are unique to the specific service, and are not allocated across other areas.

The cost of Parks and Recreation staff assigned to support the Community Parks & Trails Services is the exception. This cost is allocated across the electoral areas in equal portions (\$80,234 in 2017).¹⁵ This method of allocation may, at first glance, seem unfair given differences between and among the local services. The approach, however, can be supported by a number of points:

¹⁵ The two services in Electoral Area C are each billed one-half of one portion. The result is that base staff costs are allocated equally among the seven electoral areas.

- All of the local services require a certain base amount of parks staff time to administer and operate properly. Every service requires and receives this base support and is expected to pay for it.
- Staff are required periodically to spend considerable amounts of time and energy on specific tasks in each of the electoral areas. Examples of such tasks include the processing of subdivision dedications, the assessment and development of partnership opportunities, and the management of CWF-supported capital projects. The workload associated with any particular service shifts over time in response to needs that arise. All of the services, however, make significant demands on staffing resources from time to time.
- Much of the cost incurred by the RDN to operate and maintain community parks and trails, and to undertake capital projects, relates to work that is performed by contractors under park-specific contracts. These costs are kept separate from the RDN staffing costs, and are not shared among local service areas.
- A consistent, equal allocation of costs, rather than a changing and erratic approach that attempts to reflect varying workload projections in each service every year, promotes funding and taxation stability.

Figure II.1.1 in Chapter II.1 of the report provides information on the spending of CWF monies in the different electoral areas in 2016 and 2017. The significant differences in the chart may suggest to some that there is a level of inequity across the local services. No such inequity, however, exists. The CWF is a long-term, annual program that allocates federal gas tax revenues to all electoral areas on a *per capita* basis. CWF monies are not unconditional grants since they must be used for capital projects that fit into one of the eligibility categories. The range of categories is sufficiently broad, however, to provide electoral areas with considerable autonomy over spending.

The significant differences in CWF spending between and among electoral areas in Figure II.1.1 indicate only that some electoral areas have chosen to spend their CWF grants on projects in services other than community parks and trails. The differences do not point to any major inequity.

➤ **Conclusion**

Based on the assessment of the local services against the inter-jurisdictional equity criterion, the RDN should refrain from making changes to its current approach to allocating the cost of staff assigned to support the community services.

Equity (Individual Taxpayers)

The property tax that is imposed to help pay the cost of each Community Parks & Trails Service is a value tax, levied to all property owners within the service area on the basis of assessment (land and improvements). This arrangement provides for equity among individual taxpayers.

Development that occurs in the electoral areas contributes to the provision of parkland and trails through the subdivision dedication provision of the *Local Government Act*. The Regional District has the authority to require new development to pay a DCC, in addition to dedicating land during subdivision, to assist further in meeting land acquisition costs, and in helping to fund parks and trails development. For a DCC to be viable in helping to fund acquisition costs, however, the RDN would need also be providing funds for acquisition (DCCs are intended to pay only a portion of the total cost). At present, the RDN relies almost entirely on the subdivision dedication process and transfers from other agencies to acquire parks and trails at the local level.

A DCC is an option to consider for help in funding local parks and trails improvements. In several electoral areas in the RDN, development is strong and would almost certainly be able to pay a modest DCC for park and improvements. The introduction of a charge in all or some of the electoral areas would bring much-needed revenue to meet increasing demands for parks and trails infrastructure. The charge would also promote equity among taxpayers.

➤ **Conclusion**

Based on the assessment of equity between and among individual taxpayers, the RDN should leave unchanged its reliance on property value taxes for the local services. The RDN should consider introducing a DCC specifically for community parks and trails improvements.

Effectiveness

It is difficult to determine whether the current funding model allows the Regional District to raise sufficient funds to meet all service needs. It can be noted, however, that rising expectations and increased growth will result in greater needs, including the potential need for greater amounts of service funding. Tax rates can be raised, as always; however, additional funding sources in the form of DCCs (as noted) and user fees may also be available. The RDN has a strong track record of collaboration with other agencies to help contain costs. These efforts will continue to benefit the services.

➤ **Conclusion**

A new DCC should be considered. Initially, the DCC should be focused on improvements. Over time, the tool could be expanded to include land acquisition in the event that the Regional District begins to fund community park acquisition efforts directly with tax dollars.



Transparency

The funding model for the *Community Parks & Trails Services* is relatively simple and straightforward. Funds raised in each service area are spent only on community parks and trail expenses incurred in that area. Transparency does not appear to be an issue.

RECOMMENDATIONS ON COMMUNITY SERVICES FUNDING MODEL

Based on the assessment of the RDN's current funding model for the Community Parks & Trails Services, the following recommendations are provided for the Board's consideration:

- THAT the Board retain its current practice of allocating staffing costs equally across the Electoral Areas.
- THAT the Board continue to raise service funds using property value taxes.
- THAT the Board, pursuant to section 559(2) of the *Local Government Act*, introduce local Development Cost Charges to assist in raising funds required for parkland improvements.

CHAPTER II.4 SUMMARY OF RECOMMENDATIONS

Part II of this report has presented an assessment of the funding model in place for the RDN's eight Community Parks and Trails Services. The recommendations presented for the Board's consideration are summarized in Figure II.4.1.

**Figure II.4.1
Summary of Recommendations**

Topic	Recommendations
Community Services Funding Model	<p>THAT the Board retain its current practice of allocating staffing costs equally across the Electoral Areas.</p> <p>THAT the Board continue to raise service funds using property value taxes.</p> <p>THAT the Board, pursuant to section 559(2) of the <i>Local Government Act</i>, introduce local Development Cost Charges to assist in raising funds required for parkland improvements.</p>

TO: Regional District of Nanaimo Committee of the Whole **MEETING:** November 28, 2017

FROM: Adrian Limpus **FILE:** 2240-20-AECOM
Engineering Technologist – Wastewater Services

SUBJECT: Renewal of AECOM Engineering Consultancy Agreement

RECOMMENDATION

That the Board authorize staff to exercise the optional 2 year extension with AECOM Canada Ltd. for the provision of consulting engineering services for the Wastewater Services department.

SUMMARY

In 2015, the Regional District of Nanaimo (RDN) Wastewater Services department issued a Request for Proposal (RFP) for a two year consulting engineering services agreement. The firm selected in this process would provide technical assistance to the department on wastewater projects of an operational nature. The term was for two years with the potential of extension for an additional two years.

On August 25, 2015, the Board authorized the RDN to enter a two year agreement with AECOM Canada Ltd. (AECOM). Due to the high quality of service received from AECOM under this agreement, the RDN Wastewater Services department recommends exercising the optional 2 year extension of the agreement.

BACKGROUND

In 2015, the RDN Wastewater Services department issued an RFP for a two year consulting engineering services assignment. The firm selected would provide technical assistance to the department on projects of an operational nature. The contract term was for two years with the potential of extension for an additional two years.

On August 25, 2015, the Board authorized the RDN to enter into a two year agreement with AECOM. Under this agreement, AECOM has completed various assignments for the wastewater department over the last two years including providing technical assistance with the operations of wastewater infrastructure, on-call SCADA maintenance and support, pump station asset management planning, and Development Cost Charges (DCCs). AECOM is also currently providing design and construction services under a separately tendered contract for the secondary treatment upgrade at Greater Nanaimo Pollution Control Centre (GNPCC).

Due to the expertise offered by this multi-disciplinary engineering firm, high quality of service received under this agreement, and the familiarity with RDN infrastructure and ongoing projects, the RDN

Wastewater Services department is recommending an extension of the agreement with AECOM for an additional two years.

ALTERNATIVES

1. Authorize staff to renew an agreement for 2 years with AECOM Canada Ltd for the provision of consulting engineering for the Wastewater Services department.
2. Do not renew this agreement and issue a request for proposals for the services under this alternative, the continuity of engineering services would be disrupted, with potential to negatively impact operations and the secondary treatment expansion project currently underway.
3. Do not renew the agreement and provide alternate direction.

FINANCIAL IMPLICATIONS

The total value of the two year extension with AECOM is estimated to not exceed \$200,000 which has been included in the GNPCC, FCPCC, NBPCC, and DPPCC wastewater operational budgets.

Under the agreement, AECOM's charge out rates will increase 2.5% annually. The increase in charge-out rates for an extension was established in the initial agreement. AECOM's charge-out rates are slightly lower than the Association of Consulting Engineering Companies of BC (ACEC-BC) guidelines. Staff anticipate that due to the expertise offered by this multi-disciplinary engineering firm and the familiarity with RDN infrastructure that this extension of the agreement will have a positive impact on the operational projects and their completion.

STRATEGIC PLAN IMPLICATIONS

The recommendation of this report is consistent with the Focus of Service and Organizational Excellence in the 2016 to 2020 Strategic Plan as it relates to providing effective and efficient regional wastewater management services. The technical assistance provided under this agreement would also help provide an asset management focus to infrastructure replacement.



Adrian Limpus, Engineering Technologist
alimpus@rdn.bc.ca
November 16, 2017

Reviewed by:

- S. De Pol, Director, Water and Wastewater Services
- R. Alexander General Manager, Regional Community Utilities.
- G. Garbutt, Acting Chief Administrative Officer

The 5,000 hour annual conventional transit expansion for September 2018 is the first in this 15,000 hour expansion set for the next three years, and is one step to achieve the planned investment in service hours in order to increase ridership.

In the 2016/2017 Annual Operating Agreement with BC Transit, the RDN transit system operated 119,000 service hours, with a fleet of 49 conventional Compressed Natural Gas (CNG) buses. In this operational period, there were 2,815,000 passenger trips. A 5000 hour annual transit expansion is anticipated to add 1-2% ridership growth depending on where the expansion is implemented.

In order to meet timelines set by BC Transit for acquisition of expansion buses and to develop the RDN's 2018 Financial Plan, this 5,000 hour annual expansion needs to be accepted by the end of 2017. Acceptance of the annual expansion for September 2018 at this time will then enable staff to begin the planning process for viable options, which will include: Duke Point, South Nanaimo/Electoral Area 'A', and Rutherford Road/frequency enhancement to the #40 VIU. If approved, a report with detailed financial analysis, including routing for each option, will be brought forward to the RDN Board in early 2018.

ALTERNATIVES

1. That a 5,000 hour convention transit annual expansion for September 2018 be approved and staff be directed to work with BC Transit to develop an implementation plan for the Boards approval.
2. That staff be provided with alternate direction.

FINANCIAL IMPLICATIONS

The expansion would be scheduled for implementation in September 2018, resulting in 1,900 annual hours in 2018 and 3,100 annual hours in 2019 (BC Transit follows a fiscal year, April 1st - March 31st). These incremental, 5,000 hour annual service increases are as per BC Transit expansion guidelines.

This implementation schedule results in an estimated annual net cost increase of \$330,000. However for the 2018 budget, as a result of a carry forward surplus that is greater than planned from 2017, the actual tax requisition for Southern Community Transit is expected to increase by \$265,000 with the first year of expansion costs partially funded by the carry forward surplus. The distribution of these costs would depend on those areas receiving improved/expanded transit services, and would be in accordance with "Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001" (Attachment 1), which states:

7. Apportionment

- (2) Each participating area shall be apportioned the costs of the service based on the percentage derived from the following formula:

77% x that proportion of revenue hours attributed to a participating area to the total revenue hours identified in the then current year Annual Operating Agreement

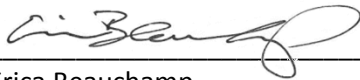
plus

23% x that proportion of revenue kilometers attributed to a participating area to the total revenue kilometers identified in the then current year Annual Operating Agreement.

A detailed financial estimate will be provided in the future implementation options report. The 5,000 hour annual conventional transit expansion is included in the proposed 2018 budget and five year financial plan. At this time, if the 5,000 hour annual conventional transit expansion is not approved, BC Transit will offer the hours to another community.

STRATEGIC PLAN IMPLICATIONS

This service expansion aligns with the RDN Strategic Plan Key Focus Area to '*Focus on Service and Organizational Excellence*', specifically the strategic priority to "*...advocate for transit improvements and active transportation.*" Improving and expanding transit with the service area results in greater access for the public, to more sustainable transportation and economic opportunities throughout the RDN and surrounding municipalities.



Erica Beauchamp
ebeauchamp@rdn.bc.ca

October 26, 2017

Reviewed by:

- D. Pearce, Director, Transportation & Emergency Services
- G. Garbutt, Acting Chief Administrative Officer

Attachment

1. Consolidated Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1230

(Consolidated for convenience only up to and including .05)

**A BYLAW TO ESTABLISH A SERVICE
FOR CONVENTIONAL AND CUSTOM TRANSIT
SERVICES IN SCHOOL DISTRICT 68**

WHEREAS the Regional District of Nanaimo, by Supplementary Letters Patent dated October 30th, 1969 and subsequent amendments thereto, was granted the function Division VII – Bus Transit System in the City of Nanaimo and in defined areas of Electoral Areas ‘A’ and ‘D’;

AND WHEREAS the Board of the Regional District of Nanaimo has undertaken a review (Regional Services Review 2000) of the provision of service established under Supplementary Letters Patent;

AND WHEREAS the Board of the Regional District of Nanaimo wishes, under Sections 774.2(3) of the *Local Government Act*, to convert the service to one exercised under the authority of a bylaw, establish the service and, by the same bylaw, amend the power to the extent it could if the power were exercised under the authority of a bylaw establishing the service;

AND WHEREAS the Board of the Regional District of Nanaimo has obtained the consent of two thirds of the participants pursuant to Section 802(1)(b) of the *Local Government Act*;

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

1. **Service**

A service including the function Division VII – Bus Transit System granted to the Regional District of Nanaimo by Supplementary Letters Patent dated October 30th, 1969 and subsequent amendments thereto, is established for the purposes of owning and operating a conventional and custom transit service.

2. **Boundaries**

The boundaries of the service area are coterminous with the boundaries of the City of Nanaimo, Electoral Area ‘A’, a defined portion of Electoral Area ‘C’ (defined Area ‘D’) and the District of Lantzville.

3. **Participating Areas**

The City of Nanaimo, District of Lantzville, Electoral Areas ‘A’ and a defined portion of Electoral Area ‘C’ (defined Area ‘D’) are the participating areas for the service.

4. **Boundaries of Electora Area ‘C’ (Defined Area ‘D’)**

The boundaries of the participating area known as Electoral Area ‘C’ (defined Area ‘D’) are shown outlined on Schedule ‘A’ attached to and forming a part of this bylaw.”

5. **Cost Recovery**

The annual cost of the service shall be recovered by one or more of the following:

- (a) the requisition of monies under Section 803(1)(a) of the *Local Government Act* to be collected by a property value tax to be levied and collected under Section(s) 805.1(1)(a) and 806.1(1)(a) of the *Local Government Act*.
- (b) revenues raised by way of agreement, enterprise, gift, grant or otherwise as provided in Section 803(1)(e) of the *Local Government Act*.

6. **Requisition**

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

- (a) \$9,215,000 (Nine Million Two Hundred and Fifteen Thousand Dollars), or;
- (b) the amount obtained by multiplying the net taxable value of lands and improvements within the Service Area by a property tax value rate of \$0.6399 per thousand dollars of assessment.

7. **Apportionment**

(1) In this Section “Annual Operating Agreement” means an Operating Agreement as defined in the *British Columbia Transit Act*.

(2) Each participating area shall be apportioned the costs of the service based on the percentage derived from the following formula:

$77\% \times$ that proportion of revenue hours attributed to a participating area to the total revenue hours identified in the then current year Annual Operating Agreement

plus

$23\% \times$ that proportion of revenue kilometers attributed to a participating area to the total revenue kilometers identified in the then current year Annual Operating Agreement.

8. This bylaw may be cited as the “Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001”.

Introduced and read three times this 9th day of January, 2001.

Received the approval of the Inspector of Municipalities this 12th day of March, 2001.

Adopted this 13th day of March, 2001.

TO: Regional District of Nanaimo Board **MEETING:** December 12, 2017
FROM: Randy Alexander **FILE:** 5500-20-BOW-01
GM, Regional and Community Utilities
SUBJECT: Bowser Sewer Service Bylaws

RECOMMENDATIONS

1. That the RDN enter into the DCC Front-ender Amendment Agreement dated December 12, 2017.
2. That "Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017", be adopted.
3. That "Bowser Village Sanitary Sewer Loan Authorization Bylaw No. 1761, 2017", be adopted.
4. That "Bowser Village Sanitary Sewer Service Development Cost Charge Bylaw No. 1765, 2017", be adopted.
5. That the Board authorize staff to negotiate revised fees with Stantec and GreatPacific consulting Inc. for engineering, tender preparation, and permitting for the Bowser Village Centre Wastewater Project within the approved project budget, and not to exceed \$400,000.

SUMMARY

Bowser Village Sanitary Sewer Service Establishment Bylaw 1760 – (Attachment 2), Loan Authorization Bylaw 1761 – (Attachment 3), and Development Cost Charge Bylaw 1765 – (Attachment 4), were introduced and given three readings by the Board at its August 22, 2017 meeting, and were subsequently sent to the Ministry of Municipal Affairs and Housing for approval. The Inspector of Municipalities approved the bylaws on October 17, 2017.

Four local developers have secured their financial contribution as required under the DCC Front-ender agreement but have proposed amendments to the DCC Front-ender agreement which relate to the allocation of development units in Schedule "A" and the payment of the financial contribution by certified funds rather than a letter of credit (Attachment 5). As a result of these amendments the Board may consider entering into the DCC Front-ender Amendment Agreement.

With the provision of the required financial contribution and the amended DCC Front-ender agreement (Attachment 1), the Board may consider adoption of the bylaws. Under the terms of the Frontender Agreement, if the bylaws are not adopted on or before December 13, 2017, the Frontender Agreement is at an end, the project will not have sufficient funds, and the proposed Bowser Wastewater project will not proceed.

Adoption of the bylaws allows the RDN to access project funding, complete the design, and undertake tendering and construction of the project. Time is of the essence to meet funding deadlines, and staff are requesting Board approval to negotiate fees with engineers of record Stantec and GreatPacific to complete the engineering, permitting and preparation of tender documents at a cost within the budget, and not to exceed \$400,000. An updated schedule will be prepared for submission to provincial and federal staff administering the grant funding to secure any required funding extensions prior to awarding construction contracts. The \$400,000 covers anticipated costs to approximately May 2018, at which time staff will bring forward recommendations to the Board for approval of funds required to undertake construction and remaining engineering support services.

BACKGROUND

In March 2017, the RDN was awarded \$7,590,328 under the federal and provincial Clean Water and Wastewater Fund (CWWF) for “Bowser Sewer Servicing”. The capital project is comprised of three components: Collection; Treatment; and Effluent Disposal, for a total estimated cost of \$10.7 million, to be recovered as follows:

- Clean Water Wastewater Fund: \$7.6 million (maximum)
- Development Cost Charges (DCC): \$2.6 million
- Property Taxes: \$0.5 million

Bowser Village Sanitary Sewer Service Establishment Bylaw 1760 – (Attachment 2), Loan Authorization Bylaw 1761 – (Attachment 3), and Development Cost Charge Bylaw 1765 – (Attachment 4), were introduced and given three readings by the Board at its August 22, 2017 Board meeting, and were subsequently sent to the Ministry of Municipal Affairs and Housing for approval. The Inspector of Municipalities approved the bylaws on October 17, 2017.

Four local developers (Developers Group) have entered into a DCC Front-ender agreement with the RDN (dated September 5, 2017) to provide the DCC funding required for the project to proceed. The Front-ender agreement requires the developers to secure their contribution on or before the date of adoption of the Bowser Village Sewer Service Area Bylaws. The Developers Group have submitted payment of their contribution to the RDN as required under the Front-ender agreement. In correspondence to the RDN dated November 30, 2017, the Developers Group proposed amendments to the agreement relating to the allocation of development units in Schedule “A” and payment of the financial contribution by certified funds rather than a letter of credit (Attachment 5). As a result of these amendments the Board may consider entering into the RDN enter into the revised DCC Front-ender Amendment Agreement (Attachment 1).

The Developers Group acknowledge that in some cases, the allocation of units in Schedule “A” exceed the allowable density in the Bowser Village Plan but not the total number of units permitted pursuant to the Bowser Village Plan and in accordance with the terms of the DCC Front-ender agreement. They also acknowledge that the RDN does not guarantee or warrant that the allocation changes make any representation to the allowable density on any individual parcel. Further, they acknowledge that the subsequent reallocation of the unit equivalencies are required to be in compliance with the Bowser Village Plan would be in accordance with the terms of this agreement. With the submission of the contribution from the Developers Group, their acknowledgments of the requirements to comply with the Bowser Village Plan, and signing of the DCC Frontender Agreement and DCC Frontender Amendment

Agreement, the Board may now consider adoption of the bylaws. Under the terms of the Frontender Agreement, if the bylaws are not adopted on or before December 13, 2017, the Frontender Agreement is at an end, the project will not have sufficient funds, and the proposed Bowser Wastewater project will not proceed.

The remaining costs, not covered by the grant and DCCs, including ongoing operations costs, must be recovered from property owners in the proposed service area. A petition process was successfully undertaken for the proposed service and borrowing. The petition process resulted in 62.6% in favour, representing 67.7% of the net taxable value of the land and improvements in the area.

The RDN held an initial public meeting on the sewer project in July 2016. Following announcement of the CWWF funding, the RDN commenced a public information process, including mailouts, comprehensive website, and three public meetings from May – July 2017. The process provided information to property owners and area residents about the sewer servicing project, and the associated costs. Two additional open houses were held on October 18 and 19, 2017 for Area H residents. Details of the information presented are available on the RDN Bowser Wastewater webpage (<http://www.getinvolved.rdn.ca/4174/documents/8042>).

Summaries of the feedback and questions and answers from the meetings are provided in Attachments 6 and 7, and posted on the RDN website at: www.rdn.bc.ca/bowser. The majority of feedback expressed concerns and questions about the proposed marine disposal (particularly the proposed location of the outfall). Marine outfalls are a proven and reliable method of managing treated effluent. The project is designed to meet or exceed all federal and provincial regulations and will produce secondary treated effluent with UV disinfection, to protect human health and the environment. Staff and consultants continue to explore opportunities for alternate marine disposal locations.

RDN has received communication from legal counsel representing a group of residents advising that their clients intend to commence legal proceedings against the Regional District in the event that the Project is developed in such a way as to have a negative impact on their clients' interests, including, but not limited to, negative effects on property values and on the environment. Costs of any litigation would be borne in part by service area participants.

RDN staff also met with members of the Qualicum First Nation on October 23, 2017. The purpose of the meeting was to provide information on the project and creation of the proposed service area, and was not meant to be formal consultation regarding the outfall. Consultation will occur through the provincial permitting process if the project proceeds.

Adoption of the bylaws allows the RDN to access project funding, complete the design, and undertake tendering and construction of the project. Timelines for completion of the project are extremely tight, and we will be challenged to meet the March 31, 2019 completion deadline specified in the CWWF funding agreement. Staff recommend that, in order to move the project forward in a timely manner, the Board authorize staff to negotiate revised fees with the engineers of record (Stantec and GreatPacific) to complete the engineering, permitting and preparation of tender documents at a cost within the current budget estimate for those services, and not to exceed \$400,000. The \$400,000 covers anticipated costs to approximately May 2018, at which time staff will bring forward recommendations to the Board for approval of funds required to undertake construction and remaining engineering services.

A number of factors outside of RDN control may affect the project schedule, including: permitting (numerous permits and approvals are required, including the outfall), environmental conditions (for example potential presence of eelgrass or species at risk); seasonal limitations on construction windows, and archaeological conditions. Once the Board adopts the bylaws, funds can be released to retain engineers to complete the engineering and update schedule and cost estimates. RDN staff will work with provincial and federal staff to secure any funding extensions required to accommodate schedule revisions. The project will not proceed to construction award until any required funding extensions have been secured. In the event that the funding agencies do not extend the funding deadlines, the project may not proceed. If the project does not proceed, costs incurred (up to \$400,000) may need to be recovered from Community Works Funds and/or service area participants.

ALTERNATIVES

1. Enter into Development Cost Charge Front-ender Amendment Agreement, adopt the Bowser Sewer Service Bylaws, and direct staff to negotiate fees for remaining engineering work.

This will allow the RDN to access funds to proceed with the remaining studies, engineering, procurement and construction.

2. Do not enter into Development Cost Charge Front-ender Amendment Agreement and do not adopt the Bowser Sewer Service Bylaws.

The project will not proceed.

3. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Net of the grants and developer contributions, service area property owners will need to fund \$500,000 of the capital project as well as ongoing operations and maintenance costs. More information on the costs and financial implications is provided at: <http://www.getinvolved.rdn.ca/4174/documents/8040>. The actual amount that will be charged to a property owner will be raised as a parcel tax. The cost will vary depending on several items: 1) if property owners choose to pay the capital cost as a lump sum or borrow through the RDN; 2) the size of their property for their share of capital cost repayment; 3) how quickly new properties are developed; and 4) actual final operations and maintenance costs. The maximum amount, based on assessed values, that may need to be recovered for debt servicing (\$47,000 annually) and operating costs (\$150,000 annually) results in a maximum of \$197,000 annually.

The current project budget of \$10.7 million prepared in early 2016, includes approximately \$1 million in contingency. The construction industry is currently very active, placing upward pressure on construction costs. Once the bylaws are adopted, the RDN's engineers will complete the design, including a value engineering process to ensure project costs are carefully managed. If costs exceed the \$10.7 million budget, approval for additional funds would need to be secured from the service area participants and/or other sources prior to awarding construction contracts.

STRATEGIC PLAN IMPLICATIONS

Establishing sewer servicing for the Bowser Village Centre in order to support the community's evolution into a "compact, complete community" is supported by the Bowser Village Centre Plan (2010) and RDN Rural Village Centre Study (2013).

The project supports the RDN Board's strategic focus areas of: Service and Organizational Excellence through "funding infrastructure in support of our core services"; Economic Health, through "fostering economic development"; and Environment, through development decisions that protect our environment.



Randy Alexander
ralexander@rdn.bc.ca
December 6, 2017

Reviewed by:

- W. Idema, Director of Finance
- G. Garbutt, GM Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Development Cost Charge Front-ender Amendment Agreement Dated December 12, 2017
2. Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017
3. Bowser Village Sanitary Sewer Loan Authorization Bylaw No. 1761, 2017
4. Bowser Village Sanitary Sewer Service Development Cost Charge Bylaw No. 1765, 2017
5. Bowser Village Developers Group Correspondence Dated November 30, 2017
6. October 2017 Open House Feedback Summary
7. October 2017 Frequently Asked Questions

AMENDMENT AGREEMENT

This Development Cost Charge Frontender Agreement Amendment Agreement is made as of the 12th day of December, 2017.

BETWEEN:

REGIONAL DISTRICT OF NANAIMO

6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

(the "**Regional District**")

OF THE FIRST PART

AND:

A.G. PROJECT MANAGEMENT INC.

56 McColl Road
PO Box 183
Bowser, BC V0R 1G0

AND:

CORAL ICE DEVELOPMENTS LTD.

c/o 7400 Island Highway West
Bowser, BC V0R 1G0

AND:

BALLARD FINE HOMES LTD.

4265 Park Avenue
PO Box 75
Bowser, BC V0R 1G0

AND:

JAMES WALTER FOULDS and LENNY AGUSTIN FOULDS

85 Henry Morgan Drive
Bowser, BC V0R 1G0

(collectively the "**Developers**")

OF THE SECOND PART

- A. **Whereas** by Agreement dated September 5, 2017, the parties entered into a Development Cost Charge Frontender Agreement (**the "Agreement"**) providing for the payment of a financial contribution from the Developers of a total of TWO MILLION SIX HUNDRED THIRTY-FIVE THOUSAND ONE HUNDRED AND SEVENTY-SIX DOLLARS (\$2,635,176) toward the cost of the construction of the Works as defined in the Agreement;
- B. **Whereas** the Developers have agreed between themselves to a reallocation of the Development Units under the Agreement and have requested that the Regional District agree to amend the Agreement to significantly increase the capacity allocation for Coral Ice Developments Ltd. and decrease the capacity

allocation for A.G. Project Management Inc. and have provided the Contribution to the Regional District by tendering the full amount of the Contribution;

- C. **Whereas** the parties wish to amend the Agreement to provide for the reallocation between the Developers of the Capacity Allocation; and to provide for the administration of the contribution funds.

NOW THEREFORE in consideration of the premises and the mutual covenants and obligations contained in this Agreement, the receipt and sufficiency of such consideration being acknowledged by each of the parties, the parties agree as follows:

1. AMENDMENT:

1.1 The Developers and the Regional District agree that the Agreement is amended as follows:

(a) In Section 1 **Definitions**:

(i) the definition of "**Contribution**" is deleted and replaced with the following:

"Contribution" means the Contribution in the total amount of TWO MILLION SIX HUNDRED THIRTY-FIVE THOUSAND ONE HUNDRED AND SEVENTY-SIX DOLLARS (\$2,635,176.00) paid by the Developers to the Regional District in the amounts set out in Column 3 of Schedule "A";

(ii) the definition of "**Developer's Portion**" is deleted and replaced by the following:

"Developer's Portion" means, in connection with the use of the Contribution the percentage for a Developer set out in Column 4 of Schedule "A" multiplied by 30% (thirty percent) of the amount of the progress payment payable by the Regional District under the Construction Contract including, for certainty, the amount of any portion of the progress payment retained or to be retained as a holdback by the Regional District under any applicable enactment or pursuant to the Construction Contract;

(b) Section 3 **Contribution of Developers toward Cost of Works** of the Agreement is deleted and replaced with the following:

"3. Contribution of Developers toward Cost of Works and Contribution Administration

3.1 The Developers each agree to pay the Contribution on or before the Effective Date to be used in accordance with this Agreement.

- 3.2 In fulfillment of the obligation under section 3.1, the Developers have tendered the Contributions in the respective amounts as set out in Schedule A, payable, in trust, to Stewart, McDannold Stuart, the Regional District's solicitors.
 - 3.3 If the Regional District has not adopted the Bowser Village Sewer Service Area Bylaws on or before the 13th day of December, 2017, then the Regional District shall cause the Contribution, without interest, to be promptly repaid to the Developers in accordance with the amounts paid as set out in Schedule A and this Agreement shall be at an end.
 - 3.4 The Developers agree that, upon the adoption of the Bowser Village Service Area Bylaws, the Contribution shall be released to the Regional District to be held and administered as a general ledger listing showing the amount in the Regional District's maintenance bond account subject to any reductions under sections 3.5 and 3.6 of this Agreement during the month in accordance with this Agreement.
 - 3.5 The Regional District may from time to time draw down and use all or part of the Contribution from the account referred to in section 3.4 at the time of progress payments made by the Regional District to a contractor or contractors on account of the cost of the Works made under any Construction Contract or Contracts in accordance with the process set out in section 3.6.
 - 3.6 Upon receipt by the Regional District of an application for a progress payment under a Construction Contract, the Regional District may apply the Developer's Portion of the Contribution to the payment of such progress payment and the amount within the and shall provide written notice to the Developers of such application of Developer's Portions to the Construction Cost by way of reports every ninety (90) days following the issuance of a notice to proceed.
 - 3.7 If the Regional District determines that the Works cannot for any reason be built, it shall, within thirty (30) days of such determination, return the Contribution, without interest, to be repaid to the Developers in accordance with the amounts paid as set out in Schedule A, as may be amended from time to time under section 11.3 of this Agreement.
- (c) "Schedule 'A' List of Developers and Property, Amount of Contribution, Percentage, Maximum Amount of DCC Credit and Capacity Allocation" is deleted and replaced with Schedule "A" which is attached to and forms a part of this DCC Frontender Amendment Agreement.

2. RATIFICATION:

- 2.1 This Amendment Agreement is expressly made a part of the Agreement to the same extent as if incorporated therein, and the parties agree that all agreements, covenants, conditions and provisos contained in the Agreement, except as amended or altered herein, are, and remain unaltered and in full force and effect and, without limiting the generality of the foregoing, the Developers acknowledge and agree that in agreeing to the reallocation of development units in Schedule "A", the RDN has made no warranty or representation regarding the capacity of the Works or density of development in relation to the Developers' lands.

3. BINDING EFFECT:

- 3.1 This Agreement shall enure to the benefit of and be binding upon the parties and their respective successors and permitted assigns.

4. COUNTERPART:

- 4.1 This Agreement may be executed in counterpart with the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

IN WITNESS WHEREOF the parties' execution of this agreement as of the date referenced above:

REGIONAL DISTRICT OF NANAIMO)	A.G. PROJECT MANAGEMENT INC.)
By its authorized signatory(ies):)	By its authorized signatory:
)	
)	
_____)	
WILLIAM VEENHOF, Chair)	
)	
)	
_____)	_____
JACQUIE HILL, Corporate Officer)	ALAN GROZELL
)	
)	
)	
)	
_____)	_____
KEITH REID)	DONALD C. BALLARD

_____))
Witness:))
))
_____))
Occupation)	JAMES WALTER FOULDS
))
_____))
Address))
))
_____))
))
_____))
Witness:))
))
_____))
Occupation)	LENNY AGUSTIN FOULDS
))
_____))
Address))
))
_____))

SCHEDULE "A"

List of Developers and Property, Amount of Contribution, Percentage, Maximum Amount of DCC Credit and Capacity Allocation

Column 1 Developers (Property Owners)	Column 2 Legal Description of Property	Column 3 Cash Contribution	Column 4 Percentage	Column 5 Maximum Amount of DCC Credit	Column 6 Capacity Allocation (Dwelling Unit Equivalents)
A.G. Project Management Inc. (Alan Grozell)	Lot A, District Lot 36, Newcastle District, Plan VIP87894	<u>\$297,760.00</u>	<u>11.3%</u>	\$297,760.00	20
Coral Ice Developments Ltd. (Keith Reid)	Lot 3, District Lot 36, Newcastle District, Plan VIP86668	<u>\$878,392.00</u>	<u>33.3%</u>	\$878,392.00	59
Ballard Fine Homes Ltd. (Donald C. Ballard)	Lot 1, District Lot 36, Newcastle District, Plan VIP86668	<u>\$1,161,264.00</u>	<u>44.1%</u>	\$1,161,264.00	78
Ballard Fine Homes Ltd. (Donald C. Ballard)	Lot 2, District Lot 36, Newcastle District, Plan VIP86668				
James Walter Foulds and Lenny Agustin Foulds	Lot 2, District Lot 36, Newcastle District, Plan VIP61726	<u>\$297,760.00</u>	<u>11.3%</u>	\$297,760.00	20
\$2,635,176.00 x \$14,888/unit = \$2,635,176.00					177

“Dwelling unit equivalents” shall be calculated as follows:

1. Residential Use: 1 Dwelling unit equivalent per lot in the case of single detached housing; and 1 dwelling unit equivalent for each dwelling unit in the case of duplex and multi-family developments;
2. Commercial, Industrial and Institutional uses (other than Congregate care): 0.00238 dwelling unit equivalents per square metre of gross floor area of development for which a building permit is issued;
3. Congregate Care: .476 dwelling unit equivalent per bed.

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1760
A BYLAW TO ESTABLISH A SANITARY SEWER SERVICE
IN A PART OF ELECTORAL AREA 'H'

WHEREAS under the *Local Government Act* a regional district may, by bylaw, establish and operate any service the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a sanitary sewer service in a part of Electoral Area 'H';

AND WHEREAS a sufficient petition for the service has been received in accordance with the *Local Government Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

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

1. Citation

This bylaw may be cited for all purposes as the "Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017".

2. Service

A service is hereby established to finance, construct, operate and maintain a system for the collection, conveyance, treatment and disposal of sanitary sewage to be known as the "Bowser Village Sanitary Sewer Service" (the "Service").

3. Boundaries

The boundaries of the Service area are as shown outlined on Schedule 'A' attached to and forming part of this bylaw.

4. Participating Area

The Participating Area for the Service is Electoral Area 'H'.

5. Cost Recovery

In accordance with section 378 of the *Local Government Act*, the annual cost of providing the Service may be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act*;

- (c) fees and charges imposed under section 397 of the *Local Government Act*;
- (d) revenues raised by other means authorized under the *Local Government Act* or another Act;
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. **Maximum Requisition**

In accordance with the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:

- (a) One Hundred and Ninety Seven Thousand (\$197,000) Dollars; or
- (b) the amount equal to the amount that could be raised by a property value tax rate of \$4.43 per \$1,000 applied to the net taxable value of land and improvements in the Service area.

Introduced and read three times this 22nd day of August, 2017.

Received the approval of the Inspector of Municipalities this 17th day of October, 2017.

Adopted this day of

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017.

Chair

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1761

**A BYLAW TO AUTHORIZE THE BORROWING OF
FOUR HUNDRED AND FIFTY SIX THOUSAND (\$456,000) DOLLARS
FOR THE BOWSER VILLAGE SANITARY SEWER SERVICE**

WHEREAS the Board of the Regional District of Nanaimo (the "Regional District") established the Bowser Village Sanitary Sewer Service (the "Service") pursuant to Bylaw No. 1760, cited as "Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017" for the purpose of financing, constructing, operating and maintaining a system for the collection, conveyance, treatment and disposal of sanitary sewage in a part of Electoral Area 'H';

AND WHEREAS a sufficient petition for the service has been received in accordance with the *Local Government Act* to borrow in order to acquire, construct and improve land, buildings, vehicles and equipment for the Service (the "Works");

AND WHEREAS the amount of borrowing required to complete the Works, including expenses incidental thereto, is the sum of Four Hundred and Fifty Six Thousand (\$456,000) Dollars;

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

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

1. This bylaw may be cited for all purposes as the "Bowser Village Sanitary Sewer Loan Authorization Bylaw No. 1761, 2017".
2. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the design, tender, and construction of a treatment plant, outfall and system of sanitary sewer mains and services, and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - (a) to borrow upon the credit of the Regional District a sum not exceeding Four Hundred and Fifty Six Thousand (\$456,000) Dollars.
3. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.
4. The borrowing authorized relates to the Bowser Village Sanitary Sewer Service established pursuant to Bylaw No. 1760, cited as "Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017".

Introduced and read three times this 22nd day of August, 2017.

Approved by the Inspector of Municipalities this 17th day of October, 2017.

Adopted this day of

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1765

**A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES
WITHIN THE BOWSER VILLAGE
SANITARY SEWER SERVICE AREA**

WHEREAS under the *Local Government Act* the Regional District of Nanaimo (“Regional District”) may impose development cost charges on every person who obtains approval of a subdivision or a building permit authorizing the construction, alteration or extension of a building or structure for the purposes of providing funds to assist the local government to pay the capital costs of providing, constructing, altering or expanding sewage facilities;

AND WHEREAS pursuant to the *Local Government Act*, development cost charges are not payable in certain circumstances and the Regional District may waive or reduce development cost charges for eligible developments;

AND WHEREAS the Board has by Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017, adopted a bylaw to establish a service for collection, conveyance, treatment and disposal of sanitary sewage within the service area identified in Schedule A to this Bylaw (the “Service Area”); and

AND WHEREAS the Board has considered the following:

- (a) the future land use patterns and development;
- (b) the phasing of works within the Service Area;
- (c) how development designed to result in a low environmental impact may affect the capital costs of infrastructure under section 559(2) and (3) of the *Local Government Act*;
- (d) that the costs are not excessive in relation to the capital cost of prevailing standards of service in the regional district; and
- (e) that the charges will not deter development, discourage the construction of reasonably priced housing nor the provision of reasonably priced serviced land, nor discourage development designed to result in a low environmental impact in the regional district.

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 the “Bowser Village Sanitary Sewer Service Development Cost Charge Bylaw No. 1765, 2017”.

2. Schedules

The following schedules attached to this bylaw form an integral part of this bylaw and are enforceable in the same manner as this bylaw:

- (a) Schedule A - Service Area
- (b) Schedule B - Development Cost Charges

3. Application

This bylaw applies to all applications for subdivision and for issuance of a building permit for parcels located within the Sewer Service Area.

4. Exceptions and Exemptions

The obligation under section 6 does not apply where the payment of Development Cost Charges is subject to an exception, exemption, waiver or reduction provided for in the *Local Government Act* or in another enactment.

5. Definitions

In this bylaw the following words have the following meanings:

“Building permit” means any permit authorizing the construction, alteration or extension of a building or structure.

“Commercial use” means a development for a use in a commercial zone under the Regional District of Nanaimo land use bylaw under Part 14 of the *Local Government Act* applicable to the subject land from time to time, in which the predominant use of the zone, as determined by its general purpose and list of principal uses, is of a commercial nature.

“Comprehensive development” means any development that includes two or more residential uses, non-residential uses or a combination of residential and non-residential uses.

“Dwelling unit” means a self-contained room or set of rooms with a separate entrance and with self-contained sleeping, living, cooking and sanitary facilities, but does not include a secondary suite as defined in the *British Columbia Building Code*.

“GFA” or “Gross floor area” means the sum total of the gross horizontal area of each floor of a building or structure as measured from the inside surface of the outermost exterior walls.

“Industrial use” means a development for use in an industrial zone under the Regional District of Nanaimo land use bylaw under Part 14 of the *Local Government Act* applicable to the subject land from time to time, in which the predominant use of the zone, as determined by its general purpose and list of principal uses, is of an industrial nature.

“Institutional use” means a development for use in an institutional zone under the Regional District of Nanaimo land use bylaw under Part 14 of the *Local Government Act* applicable to the subject land from

time to time, in which the predominant use of the zone, as determined by its general purpose and list of principal uses, is of an institutional nature.

“Manufactured home” means a dwelling unit designed for long term occupancy to be moved from time to time on wheels, and that meets or exceeds Canadian Standards Association Z-240 Standards, National Building Code Standards or the requirements of the Chief Building Inspector;

“Non-Residential use” means the use of land, building or structure or part thereof that is not a residential use, including but not limited to commercial, industrial, and institutional uses.

“Residential use (single unit)” means a parcel which is used or to be used for one dwelling unit or a building containing only one dwelling unit.

“Residential use (multi-family)” means a parcel which is used or may be used for 2 or more dwelling units.

“Sewer Service Area” means the Service Area established by the Bowser Village Sanitary Sewer Service Establishment Bylaw No. 1760, 2017.

“Structure” means a construction of any kind, whether fixed to, supported by or sunk into land or water.

“Subdivision” means a subdivision of land under the *Land Title Act* or the *Strata Property Act*.

6. Development Cost Charge Payable

A person who obtains:

- (a) approval of a subdivision creating a lot for a residential use (single unit) not including mobile homes; or
- (b) a building permit authorizing the construction, alteration or extension of a building or structure for a non-residential use or a residential use (multi-family) including, for certainty, a building that will, after the construction, alteration or extension, contain fewer than four (4) self-contained dwelling units.

within the Service Area must pay the Regional District the applicable development cost charge under Schedule B, prior to the approval of the subdivision under paragraph (a) or the issuance of a building permit under paragraph (b), as applicable.

7. Calculation of Development Cost Charge Payable

Development cost charges imposed under this bylaw shall be calculated in accordance with the rates prescribed in Schedule B as follows:

- (a) In the case of a subdivision, by multiplying the development cost charge prescribed in Schedule B by the number of parcels being created; and
- (b) In the case of a building permit, by multiplying either:

- (i) the area of the building to be constructed by the development cost charge specified in Column 3 of Table 1 in Schedule B; or
 - (ii) the number of dwelling units by the per unit development cost charge prescribed in Column 3 of Table 1 in Schedule B; or
 - (iii) in the case of institutional use (congregate care) by multiplying the number of beds by the development cost charge specified in Column 3 of Table 1 in Schedule B.
- (c) In the case of a manufactured home park a development cost charge shall be equal to the amount prescribed for residential use (multi-family) multiplied by each mobile home space within the proposed subdivision or mobile home park.

8. Payment of Development Cost Charges

Development cost charges payable under this bylaw must be paid in accordance with the *Local Government Act*.

9. Comprehensive Development

In calculating the development cost charges in the case of land to be developed for a comprehensive development, the development cost charge shall be calculated separately for each part of the comprehensive development designated respectively to residential uses (single unit), residential uses (multi-family) and non-residential uses.

10. Instalments

A development cost charge payable under this bylaw may not be paid by instalments, except where the payment by instalments is prescribed by an enactment.

11. Severability

If any part of this bylaw is determined to be invalid by a court of competent jurisdiction, that part of the bylaw may be severed from the remainder of the bylaw and this shall not affect the validity of the remainder of the bylaw.

12. Effective Date

This Bylaw shall come into full force and effect upon adoption.

Introduced and read three times this 22nd day of August, 2017.

Received the approval of the Inspector of Municipalities this 17th day of October, 2017.

Adopted this ___ day of _____ 2017.

Chair

Corporate Officer

Schedule `A' to accompany "Bowser Village Sanitary Sewer Service Development Cost Charge Bylaw No. 1765, 2017".

Chair

Corporate Officer

Schedule A

Service Area



Schedule 'B' to accompany "Bowser Village Sanitary Sewer Service Development Cost Charge Bylaw No. 1765, 2017".

Chair

Corporate Officer

Schedule B

Development Cost Charges

Table 1

Class	Calculation Unit	DCC Amount per Calculation unit
Residential Use (single unit)	per parcel created on subdivision	\$14,888
Multiple unit dwelling (multi family)	per dwelling unit constructed	\$14,888
Commercial	per square metre of GFA	\$ 35.45
Industrial	per square metre GFA	\$35.45
Institutional (congregate care)	per bed (calculated from beds anticipated from building permit plans)	\$ 7,089
Institutional (other)	per square metre of GFA	\$35.45

Notes:

"GFA" is gross floor area of a building or structure.

Bowser Village Developers Group

c/o A.G. Project Management Inc.

PO Box 183

Bowser, B.C.

V0R 1G0

To: The Regional District of Nanaimo
c/o Stewart McDannold Stuart
2nd Floor, 837 Burdett Ave.
Victoria, B.C.
V8W 1B3

Nov. 30, 2017

To: Colin Stewart

Please accept this letter as our formal request to make amendments to the Frontender Agreement. In order for our group to complete our financial commitment for this agreement we require that Schedule "A" allocations be adjusted as follows.

A.G. Project Management Inc.	20 units	\$ 297,760.00
Coral Ice Developments	59 units	\$ 878,392.00
Ballard Fine Homes	78 units	\$ 1,161,264.00
Jim & Lenny Foulds	20 units	\$ 297,760.00

These adjustments are made in agreement between the participating stakeholders of the Frontender Agreement.

It is understood by the Bowser Village Developers Group that with the adjustments to the unit allocation that in some cases the units exceed the allowable density in the Bowser Village Plan. It is understood by all parties that the RDN does not guarantee or warrant that the allocation changes make any representation on, or to the allowable density on any individual parcel. Subsequent reallocation of the unit equivalencies are required to be in compliance with the Bowser Village Plan would be in accordance with the terms of this agreement.

It is also understood by all parties that the payment of monies will not be by way of Letter of Credit, but will be by way of certified funds made payable to Stewart McDannold Stuart in Trust and will be dispersed as outlined in the Frontender Agreement.

Should you have any questions, please do not hesitate to contact me.

Al Grozell
A.G. Project Management Inc

October 2017 : Open House Feedback Summary

Bowser Village Centre Wastewater Project

A summary of Feedback submitted by attendees of the Bowser Village Centre Wastewater Project Open Houses, October 18 - 19, 2017 at Lighthouse Community Hall.

Find the [poster boards](#) from the Open Houses and learn more about the project at www.rdn.bc.ca/bowser.

Feedback Summary

Two open houses were held on October 18 and 19, 2017 at Lighthouse Community Hall to give community members in Electoral Area H an opportunity to learn more about the project and provide feedback. Approximately 150 people attended the open houses and the RDN received forty-two feedback forms.

Answers to questions received on the written feedback forms are provided in the [October 2017: Frequently Asked Questions](#) document.

The majority of written feedback identified concerns with one or more components of the project. Feedback can be summarized as outlined below:

- 1. The majority of written feedback expressed concerns and questions about the proposed marine disposal.** Concerns expressed included: proximity to creeks, rivers, and beaches in area; proximity to shellfish areas; presence of chemicals, hormones, pharmaceuticals, micro-plastics and oxygen-depleting substances in the effluent; we should not be discharging anything to the Salish Sea; with increased storms, the outfall may be damaged/break; hard to monitor outfall; once constructed, the outfall is hard to remove; marine disposal might be the most conventional disposal system but not an enlightened process; treated wastewater should be disposed of in the community it is generated in, not another community.

Some feedback included recommendations for alternate ground disposal areas such as the land under the BC Hydro lines above Noonday Road and the gravel pits at Cochrane Road and/or Crossley Road.
- 2. Wastewater should be treated to an even higher level.** Secondary treatment is not enough; the project should consider tertiary treatment or better (i.e. innovative “green” technology). Bowser should be a leader and set an example as an innovative “green” community.
- 3. The Process.** Some responses expressed the desire to have had a different process that included more (and earlier) communications with Area H residents living outside the proposed service area. Some community members outside the service area felt they should have been included in the elector approval process. Feedback included comments that the project is too rushed and that the project has developers’ priorities in mind.
- 4. Odours.** Odours should be completely eliminated.

October 2017 : Frequently Asked Questions

Bowser Village Centre Wastewater Project

Responses to Frequently Asked Questions submitted by attendees at the Bowser Village Centre

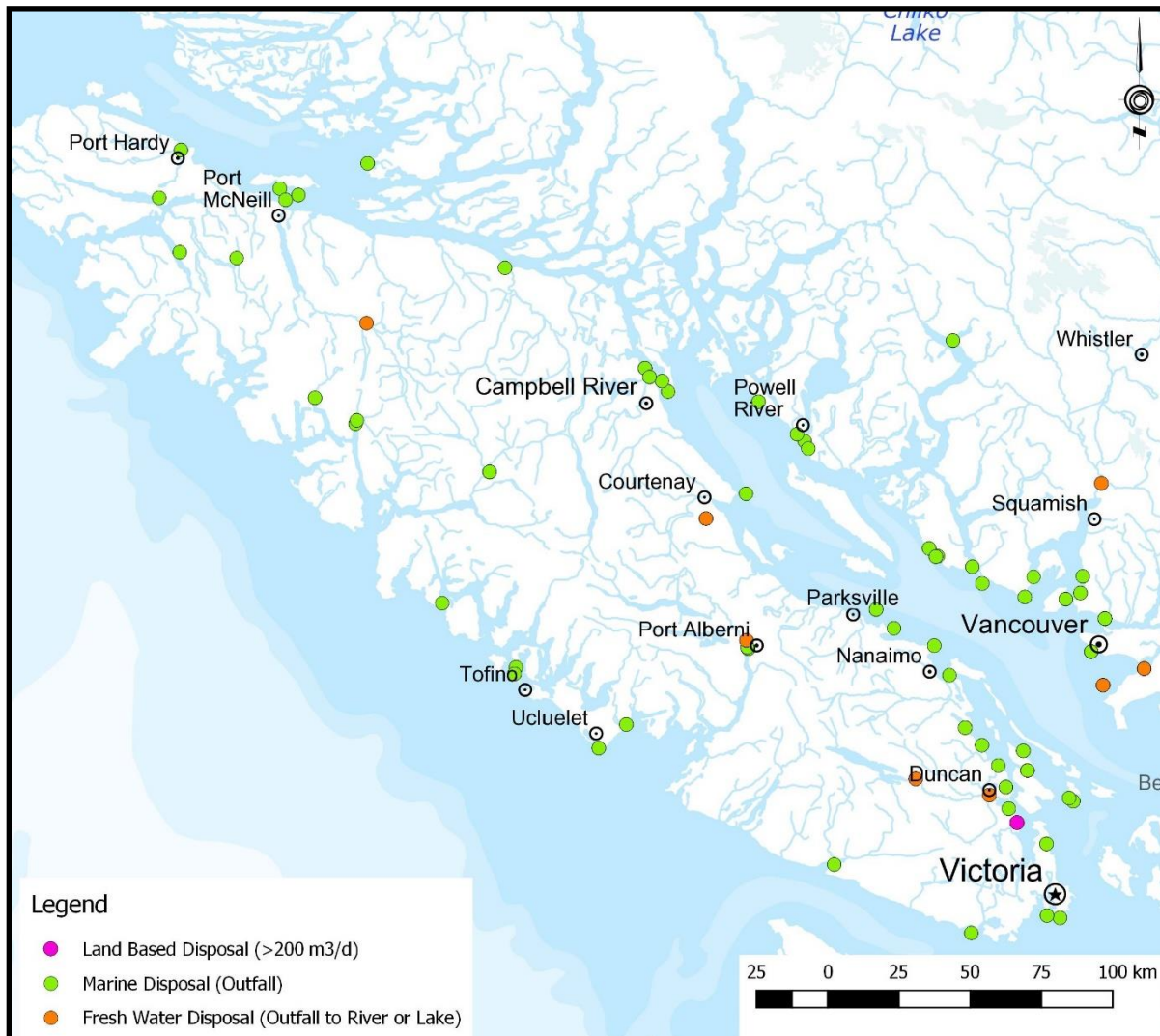
Wastewater Project Open Houses, October 18 - 19, 2017 at Lighthouse Community Hall

Find the [poster boards](#) from the Open Houses and learn more about the project at www.rdn.bc.ca/bowser

Wastewater Systems on Vancouver Island

How do other communities on Vancouver Island deal with their effluent?

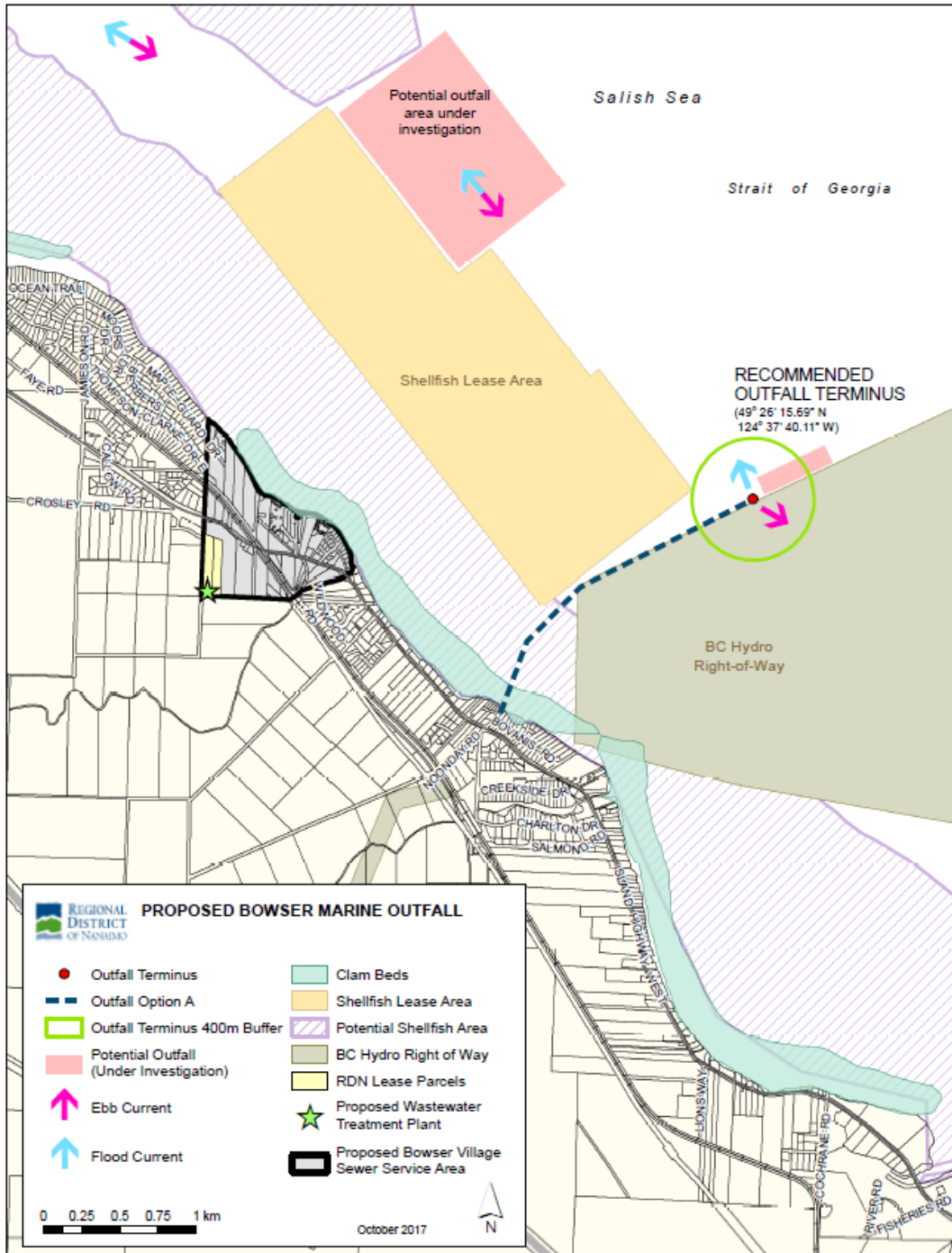
The map below shows sewage effluent discharges around Vancouver Island. There is only one ground discharge of a similar size to the Bowser Village Centre Wastewater Project. Marine outfalls are a proven and reliable method of managing treated municipal wastewater effluent.



Marine Outfall

What routing options were considered for the marine outfall?

Preliminary design considered options for a marine outfall that avoid the regulatory constraints and use existing road right-of-ways and beach accesses for the land portion. The recommended outfall route is south of the shellfish lease area and extends approximately two kilometres from shore to a depth of 55 metres below sea level. The RDN is currently looking at the feasibility of extending the recommended outfall location or locating the outfall terminus northeast of the shellfish lease area. There are essentially no suitable points of discharge northwest of the shellfish lease area.



How often will the outfall be inspected?

Outfall inspection requirements are set out in the Municipal Wastewater Regulation. The frequency of inspections is ultimately determined by the Province through the permitting and approvals process.

Won't high winds "push" the effluent towards the shore or shellfish areas?

The proposed outfall terminus will discharge secondary treated, UV disinfected effluent at a depth of 55 metres below the surface of the sea. Typically, winds affect surface currents in the top 5 to 15 metres of the water column. Treated effluent from the proposed outfall pipe is predicted to remain, or be "trapped", at a depth of approximately 45 metres or deeper. The effluent is not expected to rise to shallower depths where winds influence the currents, and therefore effluent should not be affected by the strength or direction of the wind.

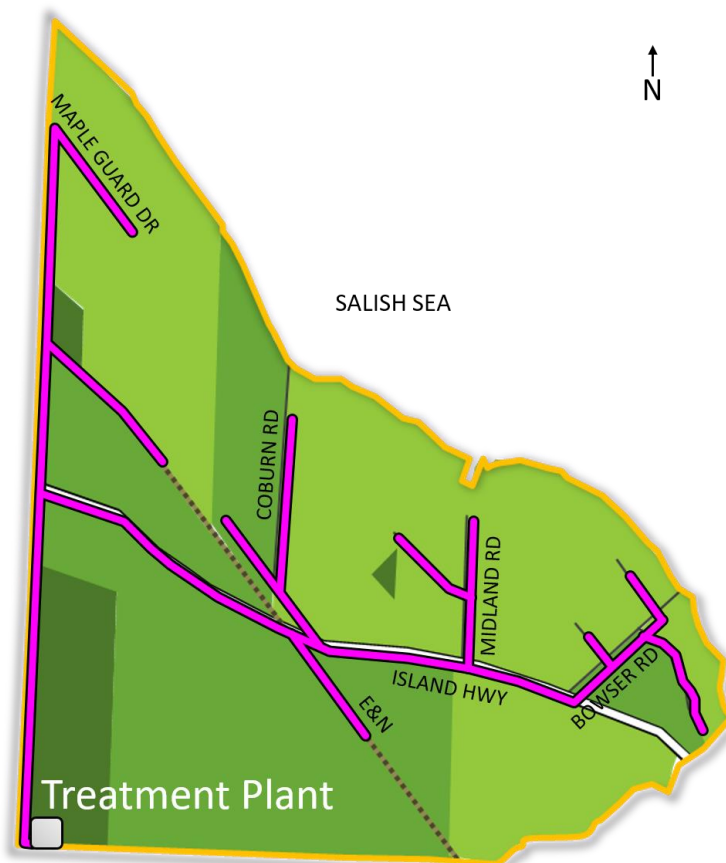
Ocean modelling will be conducted during the detailed design process for the outfall to confirm the "trapping depth", and effects of currents and winds on the dispersal of treated effluent.

Wastewater Treatment Plant

What is the location of the proposed wastewater treatment plant?

As shown on the map below, the location of the proposed wastewater treatment plant is in the southwest corner of the Bowser Village Centre, in an existing RDN crown land lease area. The site is approximately 0.5 kilometres from Highway 19A, and an access road will be constructed to access the site.

Proposed Bowser Village Centre Sanitary Sewer Service Area



What will the wastewater treatment plant look like?

The proposed wastewater treatment plant will be a single storey building with a metal roof and an area of approximately 238 m². Two concrete sequencing batch reactor tanks and an aerated sludge holding tank will be next to the building. A perimeter fence will surround the building and associated infrastructure.

What happens in the event of a power outage?

The plant is designed with a standby generator that will automatically start up and power the facility in the event of a power outage.

What measures will be in place to ensure the performance of the treatment system?

The RDN owns and successfully operates four wastewater treatment facilities across the region, conveying and treating wastewater from more than 121,000 residents. The RDN's experience is that these systems rarely have issues that result in a release into the environment.

Modern wastewater treatment plants are equipped with sensitive instrumentation to monitor critical functions, assess that the equipment is functioning within acceptable standards, and provide warnings in advance if mitigation measures are required. The design for the treatment plant also includes treatment capacity redundancies, such as backup equipment, to ensure system performance. This is a requirement of the Municipal Wastewater Regulation.

In addition, the RDN will follow a stringent permitting and approvals process. This will include the development of detailed emergency management procedures specific to the design and local conditions of the system.

What quality of effluent will the wastewater treatment plant produce?

The treatment plant will produce secondary treated effluent through Sequencing Batch Reactor (SBR) technology. The SBR treatment will remove 90-95% of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) and produce an effluent quality with an average BOD and TSS of less than 25 mg/L or better.

Secondary treatment will also meet the requirements of the Municipal Wastewater System Regulation and federal Wastewater Systems Effluent Regulations for fecal coliforms, toxicity, un-ionized ammonia, and total residual chlorine.

Secondary treated effluent will be disinfected with ultraviolet light prior to discharge to address the potential risk from bacteria, viruses and parasites. The resulting effluent is cleaner than the regulations require.

How was the secondary treatment process chosen? Were other treatment technologies considered?

The Sequencing Batch Reactor was selected in the preliminary design phase over four other secondary treatment plant technologies including: Membrane Bioreactor; Moving Bed Biofilm Reactor; Nitrifying/Denitrifying Activated Sludge; and Upflow Sludge Blanket Filtration. Selection was based on capital cost, operating costs, expandability, future regulations, green technologies and resource recovery, energy use, land area, odour potential, visual impact, ease of operation, robustness, and reliability.

The Sequencing Batch Reactor is a proven, reliable, cost effective and adaptable technology.

Will there be odours from the proposed treatment plant?

A carbon scrubber and other control measures are included in the design of the plant to reduce or eliminate odour. The plant is designed so that odours will not travel or be detected beyond the property boundary.

Ground Disposal Options Analysis

How did you rule out the option for the ground disposal of treated effluent?

Ground disposal is the process of managing treated sewage effluent in a safe manner by discharging it to a receiving ground area where the soil allows for natural infiltration and further natural treatment of the effluent. Suitability of ground disposal depends on:

- Soil type and infiltration capacity—the soil type plays a major role in facilitating the infiltration of treated effluent through its layers.
- Water table and saturation level—high water table and soil saturation levels would reduce the infiltration capacity of the soil.
- Proximity to water wells and ecologically sensitive areas, such as surface waters and protected areas—setbacks from water wells, streams, groundwater table are required.
- Transport costs
- Proximity to homes and businesses.
- Land area available, ownership, and protected areas.

The 2011 Chatwin Report considered three locations for ground disposal and concluded that two of the locations (a parcel of crown land within the Bowser Village and the area around the BC Hydro Right of Way) were not suitable. Chatwin recommended further investigation of a crown land site adjacent to the Inland Island Highway and south of Thames Creek (called “Area 2”).

The 2016 Stantec Report investigated “Area 2”, as identified in the 2011 Chatwin Report, as well as three other areas (shown on the map on the following page). Area 2 is within the Coastal Douglas Fir Conservation Area, and the BC Ministry of Forests and Natural Resource Operations have established that exploration or development of these lands is prohibited by statute.

Similarly, none of the three other sites investigated by Stantec were viable ground disposal options:

- One site (labelled 1 on the map on the following page), located within the Bowser Village, is not suitable due to its insufficient size (active water wells in the area require setbacks that reduce land available for ground disposal); high water table; and shallow, impermeable soils.
- Another site (labelled 3 on the map on the following page), located by Noonday Road, has better soils but is not suitable because of its insufficient size and proximity to adjacent development, the BC Hydro Right of Way and Nile Creek.
- A fourth site (labelled 4 on the map on the following page), located between Cowland Road and the Inland Island Highway, is not suitable because it is within the recharge area for Bowser Waterworks’ well field. Furthermore, although the Bowser area is generally characterized by soils with poor permeability, a 2016 Waterline Hydrogeological Study concluded that the aquifer near the Bowser Waterworks wells is vulnerable to surface contamination.

Map of ground disposal site options investigated by Stantec:



General Project Questions

Will First Nations be included in the permitting and approvals process?

The RDN recognizes that this project takes place on the traditional territory of First Nations Peoples. First Nations will be engaged throughout the permitting and approvals process.

Are small systems required to meet the same requirements for sampling and monitoring as larger ones?

All municipal wastewater treatment systems in BC must adhere to the sampling and monitoring requirements set out in the Municipal Wastewater Regulation and Wastewater Systems Effluent Regulations.

Has the project considered the herring run?

Herring spawn in shallow, vegetated inshore areas. Given that the proposed outfall extends approximately two kilometres from shore to a depth of 55 metres below sea level, the Stage 1 Environmental Impact Study for the project concluded that the terminus of the outfall and associated initial dilution zone are well offshore of herring spawn areas.

How will rainwater management be addressed throughout the project?

The RDN is committed to adhering to rainwater best management practices throughout the lifecycle of the project, and the completed project design will reflect this. Best management practices include minimizing impervious surfaces; slowing, detaining and infiltrating rainwater on-site; and ensuring that there is no increase to rainwater flow onto adjacent lands.

Rainwater management in relation to roadways in rural areas is under the jurisdiction of the Ministry of Transportation and Infrastructure (MOTI). Surfacing of roads constructed or impacted during construction will conform to MOTI regulations, as will construction or improvement of roadside drainage ditches. Measures will be taken during construction to mitigate and manage runoff, prevent erosion, and control sediment.

What environmental studies will be done as part of this project?

A number of environmental studies will inform the project:

- A Stage 1 Environmental Impact Study is already complete. This study will inform the detailed design process for the marine outfall. A Stage 2 Environmental Impact Study, based on field sampling of the receiving environment, will accompany the detailed design process and will ultimately have to demonstrate that the selected outfall site is appropriate and complies with regulatory requirements.
- A Construction Environmental Management Plan is required before construction of the project can begin. This plan identifies monitoring requirements and measures to protect biological, social and cultural resources, and habitat during construction.
- Receiving Environment Monitoring is required before and after construction of a marine outfall to assess the potential effects of the discharge and inform the management of the wastewater facility for the protection of human health and the environment.
- Additional studies may be required to support the applications for the following permits, approvals and authorizations: Municipal Wastewater Regulation Registration, *Fisheries Act* Request for Review, *Water Sustainability Act* approval, *Navigation Protection Act* and Crown Land tenure.

What is the capacity of the designed wastewater treatment plant?

The design contemplates a 2036 build-out population for the Bowser Village Centre of 499, based on a 5% annual growth rate. It also allows for additional treatment capacity to be added in a future expansion of the plant.

Can the Bowser sewer service area be expanded in the future?

The boundary of the proposed Bowser sewer service area is based on the boundary of Bowser Village Centre because the Regional Growth Strategy, Official Community Plan, and Bowser Village Centre Plan designate this as an area to receive future growth. The sewer service area could be expanded in the future by amending the Village Centre boundaries and associated bylaws, or if there is evidence of threat to human health or the environment from septic fields in adjacent areas.

To expand the service area in the future, an elector approval process (such as a petition) would have to be undertaken at that time to determine if owners of the potentially serviced properties support the servicing and the associated costs.

What about resource recovery? Could we use biosolids for forest fertilization or reclaimed water for irrigation?

Yes, resource recovery principles will be incorporated into this project.

Biosolids from the RDN's existing wastewater facilities are beneficially used in a Forest Fertilization Program to improve tree growth and divert them from the Regional Landfill. RDN Biosolids are applied to private TimberWest forest lands in the Nanaimo area. Biosolids production, storage and application are done according to the requirements set out in the Organic Matter Recycling Regulation. Sludge from the Bowser Wastewater Treatment

Plant would be trucked to the French Creek Pollution Control Centre to undergo further treatment to become biosolids for use in the RDN's existing Forest Fertilization Program. For more information about the RDN's Biosolids Program, visit www.rdn.bc.ca/biosolids.

Reclaimed water is treated effluent from a municipal wastewater facility that is suitable for use in accordance with the Municipal Wastewater Regulation. Reclaimed water could be used for irrigation in the future as opportunities emerge. It is important to note that irrigation is only advantageous during the dry summer months and that it is unlikely that there would be sufficient need to utilize all the effluent for irrigation purposes. Therefore, another disposal method would still be required.

For more information about the Bowser Village Centre Wastewater Project, visit www.rdn.bc.ca/bowser or contact the Project Team at bowserwastewater@rdn.bc.ca or 250-390-6560 (or toll free at 1-877-607-4111).

TO: Regional District of Nanaimo Board **MEETING:** December 12, 2017
FROM: Courtney Simpson
Senior Planner **FILE:** 6480 00 EAH
**SUBJECT: Electoral Area ‘H’ Official Community Plan Review
Amendment Bylaw 1335.06, Third Reading and Adoption**

RECOMMENDATIONS

1. That the report of the Public Hearing held on December 6, 2017 for “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be received.
2. That “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be amended as outlined in Attachment 5 of this Report.
3. That “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be read a third time as amended.
4. That “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, be adopted.

SUMMARY

This amendment bylaw updates the Electoral Area ‘H’ Official Community Plan (OCP) by replacing the main OCP text and maps, and amending policies and maps in the Bowser Village Centre Plan, which is a schedule to the main OCP. The amendment bylaw was introduced and given first and second reading on October 24, 2017, and proceeded to Public Hearing on December 6, 2017. Given public and agency input, staff recommends “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017” (see Attachment 7) be considered for third reading with amendments outlined in Attachment 5, then considered for adoption.

BACKGROUND

The Electoral Area ‘H’ OCP Review was initiated in December 2015 and included an extensive public engagement process. Amendment Bylaw No. 1335.06 was introduced and given first and second reading on October 24, 2017. Following first and second reading, referrals were sent to agencies and First Nations, and responses are included as Attachment 1. A summary of referral responses and resulting recommended changes are included in Attachment 2. A Public Information Meeting was held on November 22, 2017 where there were approximately 70 people in attendance. A summary of questions and comments from the Public Information Meeting and the referral responses were available at the Public Hearing, held on December 6, 2017. The report of the Public Hearing and submissions is attached for the Board’s consideration (see Attachments 3 and 4).

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 legislation. Having received the report of the Public Hearing eligible Board members may vote on the Bylaw.

As a result of the referral process and public input, several minor amendments are recommended at third reading. These amendments will improve readability, correct typos and omissions, and address agency concerns while still being consistent with overall OCP direction. These recommended amendments are described and explained in Attachment 5.

Regional Growth Strategy Implications

The OCP amendment bylaw recommended for adoption is consistent with the overall goals and intent of the Regional Growth Strategy (RGS) however there are a series of minor policy and mapping changes in the OCP which require an amendment to the RGS. The OCP policies that require an RGS amendment will not take effect until the RGS amendment is complete. These amendments, which are outlined in Attachment 6, come as a result of a comprehensive OCP review and following the adoption of this bylaw an amendment to the RGS will be initiated for consideration by the RDN Board.

ALTERNATIVES

1. To receive the report of the Public Hearing, give third reading as amended and adopt "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.06, 2017".
2. To receive the report of the Public Hearing and give/not give third reading and adopt/not adopt "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.06, 2017".



Courtney Simpson
csimpson@rdn.bc.ca
December 7, 2017

Reviewed by:

- P. Thompson, Manager, Long Range Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Referral Responses
2. Summary of Referral Responses
3. Report of the Public Hearing
4. Public Hearing Submissions

5. Summary of Proposed Changes to be Considered at Third Reading
6. Proposed Policies that Require Amendments to the RGS
7. Proposed Amendment Bylaw No. 1335.06, 2017

Attachment 1
Referral Responses

Simpson, Courtney

From: Amy Anaka <aanaka@acrd.bc.ca>
Sent: Monday, November 27, 2017 4:34 PM
To: Simpson, Courtney
Cc: Mike Irg; Alex Dyer; Charity Hallberg
Subject: RDN EA H OCP Review
Attachments: MISC17018_memo to Board_RDN EA H OCP Referral.pdf

Hi Courtney,

At the November 22, 2017 ACRD Regional Board of Directors meeting, the Board carried a motion to direct staff to respond to the "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335.06, 2017" that the ACRD's interests are unaffected (also see the attached memo).

Thanks for the opportunity to provide feedback.

Amy

Amy Anaka | MURP, MCIP, RPP
Junior Planner

Alberni-Clayoquot Regional District
3008 Fifth Avenue, Port Alberni, BC V9Y 2E3
250-720-2721
aanaka@acrd.bc.ca

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ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

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MEMORANDUM

TO: ACRD Board of Directors

FROM: Amy Anaka, Junior Planner

DATE: November 15, 2017

RE: Regional District of Nanaimo - Electoral Area 'H' Official Community Plan Review Referral

Recommendation:

THAT the Board of Directors accept "*Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335.06, 2017*" and direct staff to respond that the ACRD's interests are unaffected.

Background:

The Alberni-Clayoquot Regional District (ACRD) has received a referral from the Regional District of Nanaimo (RDN) for the Electoral Area 'H' Official Community Plan (OCP) bylaw amendment. The proposed OCP applies to all Electoral Area 'H' of the RDN including the unincorporated communities of Deep Bay, Bowser, and Qualicum Bay, Dunsuir, Horne Lake and Spider Lake, and surrounding rural areas.

The bylaw amendment includes an update to the current Electoral Area 'H' OCP, which was adopted in 2004, and amendments to the Bowser Village Centre Plan.

ACRD Planning staff have reviewed the proposed bylaw amendment in the context of our Official Community Plans and Zoning Bylaw and have determined the ACRD's interests are unaffected.

Prepared by:

Amy Anaka, MCIP, RPP, Junior Planner

Reviewed by:

Mike Irg, MCIP, RPP, Manager of Planning and Development

Approved by:

For: Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

MISC17018

November 27, 2017

Via Email: csimpson@rdn.bc.ca

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

Re: RDN Electoral Area 'H' Official Community Plan - Proposed

The Deep Bay Improvement District (DBID), as requested, has reviewed the proposed Official Community Plan (OCP) for Electoral Area 'H' and the DBID board of trustees offer the following comments:

Section 1, Community Values Statement (p.4)

DBID supports the statements regarding protection and sustainability of ground water

Section 2.1, Sensitive Ecosystem Polices, (p. 10)

DBID supports the protection of areas in DL 86 including the aquifer and Gainsberg Swamp

Section 2.3, Freshwater Resources, (p.14)

DBID supports the protection of aquifer recharge areas.

Section 3.3, Mineral, Gravel and Hydrocarbon Resources (p. 26)

Polices are good but DBID would like to see refined policy around intercepting ground water flow in pits in order to minimize impact to the aquifer through use of an engineer or hydrogeologist to determine buffer depths above the water level of each pit.

Section 4.2, Community and Institutional (p. 33)

DBID supports recognition of existing fire halls and services provided by local fire departments

Section 4.3, Community Water and Sewer System Polices (p. 35)

DBID supports that drilling of private wells and creation of new parcels serviced by private wells not be supported within community water systems

Section 5.8, Deep Bay Objectives (p. 51)

DBID supports protection of water quality of Baynes Sound

Section 5.8, Community Amenity Policies for Deep Bay Southwest (p. 56)

DBID requires that the wording with regards to any contributions to be made to the DBID (be it for a fire hall or any other amenity), must be in general terms only allowing flexibility to discuss with any developer the district's needs at the time of application.

Section 5.10, Alternate Forms of Rural Development Polices (p. 60)

DBID supports the protection of aquifers, well protection areas and well capture zones.

Section 7.2, Community Amenity Contributions Policies (p. 71)

DBID supports the inclusion of "Emergency response facilities and equipment".

The DBID appreciates the opportunity to comment on this draft document. If you have questions regarding the comments provided, please do not hesitate to contact this office.

Sincerely,

DEEP BAY IMPROVEMENT DISTRICT



Leslie Carter
Administrator

November 27, 2017

Courtney Simpson
Senior Planner
Strategic and Community Development
6300 Hammond Bay Rd
Nanaimo, BC V6T 6N2

Re: Review – Regional District of Nanaimo – Electoral Area ‘H’ Official Community Plan Bylaw No. 1335.06, 2017

Thank you for the opportunity to comment on the Regional District of Nanaimo – Electoral Area ‘H’ Official Community Plan. The past few years have seen significant advances in linking urban planning with a variety of health outcomes; such as, the encouragement of physical activity and healthy eating to reduce obesity, greater safety as part of an injury prevention strategy, cleaner air and healthier living environments, access to health services, age friendly spaces to encourage health equity, restoration of natural environments to promote ecosystem functioning, and improved social interactions amongst other potential health criteria.

How communities are planned and built, and the services and resources provided within them, directly impacts people’s physical, mental, and social health. These impacts are reflected in levels of social cohesion, mental, and physical fitness, chronic disease, obesity, and injury.¹ In the next 25 years BC’s population will grow 31% while the population over 65 will increase more than 100%. As the population ages, the prevalence rates of chronic conditions such as cardiovascular diseases, type 2 diabetes, and obesity will also increase.²

All of these health effects arise in part from our interaction with the built environment, e.g. the buildings, parks, schools, road systems and other infrastructure that we encounter in our daily lives. Research indicates that we can improve health and reduce illness through different approaches to planning our communities. According to the World Health Organization, 80% of some chronic diseases can be prevented through moderate exercise and improved nutrition; as well as, having well designed homes, sidewalks, transportation systems and playgrounds to help promote activity for all ages.

Overall the Official Community Plan is very good and takes into considerations many aspects of a healthy neighbourhood design that lend itself to healthy community outcomes. Island Health (VIHA) appreciates the opportunity to provide evidence-based comments for this OCP. Highlights, considerations and recommendations from the healthy built environment as well as the regulatory perspective are itemized below:

Healthy Built Environment Highlights

Healthy Neighborhood Design

Policy 5.5.6 (p.47): Supports compact development in village centres by discouraging rezoning for low density residential development. Complete, compact neighbourhoods encourage active transportation,

improving physical activity levels, especially in older adults. Regular and adequate physical activity improves health outcome, reduces the risk of chronic conditions, and helps protect against cognitive decline in older adults.

Policy 5.5.1 (p.46): Encourages location of commercial development and services within rural village centres. Access to a variety of amenities within close proximity of where people live makes active transportation and recreational physical activity more convenient.

Policy 4.2.12 (p.33): Encourage school district to make and continue to make available school/school grounds for recreation, cultural and education opportunities outside school hours. Providing access to recreation helps residents meet physical activity needs. The provision of cultural and educational opportunities provides a place for social interactions and to develop a sense of belonging to the community. Social connectedness is beneficial to overall health and is linked to improved immune response and psychological well-being.

Policy 4.2.2 (p.32): Encourage future school sites to locate where they integrate with parks, trails and open spaces. Locating schools near parks and open spaces will provide access to the natural environment and give opportunities for children to be more physically active.

Healthy Transportation

Policy 4.5.5 (p.38): Supports accessible transportation system, which in turn supports aging in place, and the independence, comfort, self-esteem, and security of everyone, including people with disabilities. Convenient access to public transit can encourage equity by enhancing mobility amongst a wide range of vulnerable groups including children, older adults, women and people with disabilities.

Policy 4.5.3 (p.38): Supports the establishment of walking/cycling trails on the E&N railway corridor should the trail transportation service cease, which will encourage physical activity and interaction with the natural environment.

Policy 5.8.3 (p.52): Promotes the design of safe walking/cycling on the shoulder or separate path during the constructing or improvement of roads. Making active transportation options safe and convenient promotes physical activity which leads to overall improvements in emotional and physical wellness, lessens obesity rates, and decreases the risk of chronic disease.

Policy 4.5.4 (p.38): Encourage the development of alternative transportation opportunities such as a mini-bus, carpooling and park & ride connections to RD transit routes. Providing opportunities for alternate transportation options reduces the number of vehicles on roadways, which will reduce vehicle emissions and provide improvements to air quality within communities.

Healthy Natural Environment

Policy 4.1.7 (p.29): Ties subdivision applications to acquisition of parkland to increase park development will preserve/increase greenspace and outdoor recreational places for people to interact with nature and serve as a place for social connections.

Policy 3.2.2 (p.24): Encourage the coordination with FLNROD and commercial forest companies to develop public access to private logging roads and trails during non-operational periods will increase the

opportunity for physical activity and access to nature. Health evidence shows a strong link between exposure and engagement with nature and the reduction of stress, chronic disease, depression, and anxiety as well as improved cognitive functions.

Policy 2.5.1 (p.18): Encourages increased density and mixed land use in rural village centres to reduce reliance on public automobiles and to increase viability of public transit. Densification and mix land use helps lessen the negative impact of sprawl, such as shorter commute times and subsequent improvements to air quality. Less time commuting also increases time for physical and leisure activities. Studies have shown a sense of community belonging increases with decreasing commute times.

Healthy Food Systems

Objective 2.5.6 (p.180): Supports efforts to maintain sustainable locally produced sources of food. Greater availability of locally produced fruits and vegetables may result in an increased consumption of these healthier food choices.

Objective 3.1.1 (p.22): Protects agricultural land resources for present and future food production. Preservation of agricultural land is vital for a sustainable healthy food system.

Policy 3.1.9 (p.23): Supports regulating the size and location of residential uses in ALR so they are farm oriented. Farmland preservation helps maintain a level and/or ability for local food production. Local food production contributes to food self-sufficiency which in turn supports healthy eating.

Policy 2.5.9 (p.19): Encourages proposals to increase production and availability of local food and discourage proposals that would reduce the future potential for local food production. Further to the above benefits to health, availability of local food can help people feel connected with the environment and community.

Healthy Housing

Policies 5.9.4 and 5.9.6 (p.57): Supports securing new affordable housing stock via housing agreements entered into by bylaws; and acquiring new housing stock/funds through community amenity contributions at time of rezoning. Access to affordable housing decreases the frequency of moving between residences. Housing stability helps to reduce stress and allows people to take better care of themselves and their families. As well, living in adequate housing is strongly associated with an increased sense of safety, decreased crime and improved social connectedness when compared to living in poor quality housing. These factors help people enjoy better health and an improved quality of life.

Objective 5.9.3 (p.57): Encourages universal design of all housing for accessibility to people with disabilities and for older people. Housing made accessible to people with disabilities allows them to continue to live independently in their homes.

Policy 5.9.3 (p.57): Encourages locating multi-unit seniors and affordable housing developments in rural village centres to be close to amenities and transit. The location of affordable and accessible housing near amenities, especially within walking distances, improves access to healthy food, services and opportunities for social interactions, and helps reduce inequities in health outcomes based on age and income.

Policy 5.9.2 (p.57): Supports secondary suites in rural, rural residential and rural village centres. Secondary suites will increase the stock of affordable rental housing. Affordable housing will allow people greater disposable income to buy necessities such as healthy food and medications. Secondary suites can facilitate aging in place by allowing an ageing family member to live independently with the benefits of living nearby or, by allowing a senior to bring in a tenant to offset costs.

Additional encouraging themes:

The Official Community Plan addresses the impact of climate change in the region and identifies reduction of greenhouse gases through initiatives that lower emissions from transportation and buildings. Climate change initiatives that cluster development and improve housing standards also support the healthy built environment and lead to positive health outcomes. Improvements in air quality and complete, compact communities lessen the burden of chronic disease and increase social connectedness.

As the introduction states the median age of residents in the plan area is 58.8 years old, about 15 years above the provincial average, and are expected to have significant implications on land use, housing and services. The proposed OCP focuses on meeting the needs of an aging population particularly around housing, transportation and community services. A focus on the needs of older adults is a focus on the health of older adults, which will benefit the community as a whole.

Section 1.4: “Consistency with Regional Growth Strategy”, ties the OCP to the goals that have been established through the Regional Growth Strategy. In doing so it recognizes and strengthens policy development addressing affordable housing, accessible and sustainable transportation, and complete and compact neighbourhoods for overall positive outcomes on the health of communities.

Regulatory Considerations

Drinking Water

- The District operates three water systems within the OCP area, Deep Bay Water District, Bowser Water District, and Qualicum Bay Horne Lake Water District. Consideration should be given to the age of the water systems infrastructure. Ongoing improvements/upgrades may be needed to ensure the systems are maintained and well operated on a continual basis. Under the *Drinking Water Protection Act* and *Regulation*, any construction, installation, alteration or extension of a water supply system must be issued a construction permit from our Public Health Engineer (for more information: <http://www.viha.ca/mho/water>).
- Initiatives to achieve water quality objectives should be adopted; including but not limited to, the Ministry of Health’s *Guidelines (microbiological) on Maintaining Water Quality in Distribution Systems* and the *Drinking Water Treatment Objectives (Microbiological) for Ground Water Supplies in British Columbia* provides guidance on microbiological objectives that need to be achieved for water distribution systems and for ground water sources, respectively. Give thought to how current treatment goals (e.g. manganese) may assist the achievement of these guidelines.

- Wellhead protection plans for each of the improvement districts identify specific concerns for each system and provide recommendations such as educate the public about water conservation and protection. Island Health encourages each drinking water system to adhere to recommendations outlined in these documents.
- Individual households within the Plan area acquire water for domestic purposes from various sources, including surface and groundwater supplies. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development governs the *Water Sustainability Act* and *Regulation* which requires approval to divert and use water from a stream (includes lake) or an aquifer.

Sewerage Disposal

- Policies 4.3.5 and 4.3.6 supports the development of community sewer systems within the rural village centres and the provision of community sewers outside rural village centres where a threat to public health or the environment may be present due to current wastewater management methods. Adequately maintained community sewer systems provide centralized wastewater disposal to lessen impact on land, water courses and reduce risk to public health. Community sewers also allow for more compact neighbourhood design which lends itself to increased walkability and more positive health outcomes.
- Policy 4.3.9 supports the establishment of a mandatory septic maintenance program in all areas not served by a community sewer system. Properly maintained sewage systems help lessen the risk of system failure and subsequent threats to human health and the environment.

Horne Lake Strata Properties

- Island Health is hesitant to support the re-designation of the Horne Lake Strata properties from recreational to full time residential, due to the recreational nature of the properties, with small lot sizes serviced by individual sewerage disposal systems in the form of pump and haul holding tanks, and individual domestic water intakes into Horne Lake. The current sewage disposal systems may not be adequate to meet the needs of full time use. The small lot size may not support more robust in-ground disposal methods, and a community system may not be feasible. Horne Lake serves as a source of drinking water for 400 recreational properties and a regional park. Impacts on this drinking water source, due to full time occupancy, particular from sewage disposal will need to be fully considered.

Development Potential

- An overarching goal of the Plan is to support development within rural village nodes. Island Health supports cluster development and the movement away from onsite sewage disposal to community systems. However, where land development involves the creation of lots that will be serviced by onsite sewage disposal Island Health *Subdivision Standards* will need to be met.

Mixed Use Areas and Home-based Businesses

- Island Health supports the promotion of healthy food options such as, markets within walking distance of where people live and ability to improve food security through farmers markets. However, to ensure food safety all food premises must meet the provisions of the Food Premises Regulation. Additionally, the Guidelines for the sale of Foods at Temporary Markets may pertain to vendors at local markets.

Recommendations under Island Health’s Healthy Built Environment Initiative

- According to the World Health Organization, local governments are uniquely positioned to improve the health of their citizens. Local governments often have some level of responsibility for the social determinants of health, such as housing, transportation, and the form and character of the built environment; have the ability to bring together different sectors, promoting collaboration and action; and have a greater understanding of local needs. The OCP makes some reference to health; however, the District could consider more explicitly linking goals, objectives and policies to improving the social determinants of health and well-being.
- The District’s promotion for affordable housing options is commendable. According to the Qualicum Local Health Area Profile, the median household income is lower than that of the province.³ Increasing access to affordable housing through the provision of various forms and types does have proven health benefits. Strengthen policies within section 5.9 though initiatives such as applying the Deep Bay’s policy (5.8.25.a) necessitating 10% of dwelling units to be affordable could be applied to the plan area as a whole; and putting measures in place to limit the amount rental stock that can be used for short term rentals will help improve options for area residents to secure long-term affordable housing. As well, more clearly defined guidance around what is considered affordable may be of benefit to the district in achieving this objective.
- Horne Lake serves the domestic water needs of 400 recreational properties and a regional park. Consider the inclusion of initiatives that support the protection of Horne Lake as a source of domestic water.
- The importance of home-based businesses is recognized within the Community Values Statement. Specific objectives or policies could lend further support to this. Home-based businesses help achieve compact and complete neighbourhoods that lead to improvements in health.
- Agricultural initiative, supporting the preservation of farmland to ensure the ability for local food production, is maintained are included in the OCP. Consider expanding these initiatives to include community gardens. Research suggests that small-scale agricultural activities, like community gardens help build local food knowledge and preference while adding to the local food supply. Community gardens have the added benefit of providing a space that encourages neighbourly interactions.
- Consider opportunities for partnerships between local food producers and institutions (e.g. farm-to-school programs) that could strengthen local farm operations and bring fresh food to local residents.

- Recreation policy 5.7.2 includes a list of considerations to be included into the potential impacts and benefits study to be conducted on the re-designation of the Horne Lake Strata properties into residential use. Consider applying the healthy built environment lens to the impacts and benefits of this re-designation.
- Proposed policies on transportation speaks to wayfinding signage to serve the needs of locals and the travelling public. Ideally signage will incorporate wayfinding for trails, cycling and pedestrian paths to promote and encourage physical activity and engagement with nature.
- Secondary suites are a great way to increase the affordable housing stock. Give thought to parking issues that may arise. Secondary suites can result in utilization of on-street parking, which could lead to congestion of parked cars and decreased visibility resulting in possible road safety concerns, and an increased risk or perceived risk in vehicles colliding with pedestrians or cyclists.
- Deep Bay policy 5.8.21 promoting active transportation by placing priority on pedestrian and bicycle mobility over vehicles for road design, is specific to Deep Bay. In addition to the benefit of physical activity on health by providing opportunities for active transportation, this policy lends itself towards improvements in air quality and reduces risks of injuries. It is a forward thinking policy with significant benefits to health. Consider the inclusion of such a policy to the plan area as a whole.
- The OCP addresses greenhouse gas reduction and reduction of vehicle emissions throughout. Air quality improvements can be achieved also through initiatives that target the reduction of pm2.5 levels from backyard burning and solid fuel burning appliances.

Yours in Health,



Paul Hasselback, MD, MSc, FRCPC
Medical Health Officer

PH/td

cc: Elizabeth Thomson, District Environmental Health Officer, Parksville, Island Health
Shaun Malakoe, Senior Environmental Health Officer, Nanaimo, Island Health
Angela Wheeler, Regional Built Environment Consultant, Island Health

¹ Provincial Health Services Authority (PHSA) (2008). *Introduction to Land Use Planning for Health Professionals*. Retrieved June 5, 2017 from: <http://www.phsa.ca/Documents/introductiontolanduseplanningforhealthprofessional.pdf>

² PlanH. (2014). *How do Local Governments Improve Health and Community Well-being? A Resource Guide for Local Governments*. Retrieved June 5, 2017 from: http://planh.ca/sites/default/files/planh_local_government_guide-web_0.pdf

³ Island Health (2015), *Qualicum Local Health Area Profile 2015*. Retrieved November 27, 2017 from: <http://www.viha.ca/NR/rdonlyres/A5B10BE8-A6F2-414B-8100-CDC0DDCA61CE/0/QualicumLHAProfile2015V2.pdf>



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November 20, 2017

By email csimpson@rdn.bc.ca

Courtney Simpson, Senior Planner
Strategic and Community Development
Regional District of Nanaimo

Dear Ms. Simpson:

Re: Electoral Area 'H' Official Community Plan

Thank you for the opportunity to provide comments on the proposed Official Community Plan. Both the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee support the approval of Proposed Bylaw No. 1335.06, 2017 (Electoral Area 'H' Official Community Plan), and requested staff include a copy of the Islands Trust staff report dated November 14, 2017 and the following comments to the RDN Board:

- a) The subject marine area of Proposed Bylaw No. 1335.06, 2017 is within the Ballenas Winchelsea Islands Local Trust Area of the Islands Trust, and adjacent to the Denman Local Trust Area but located outside the respective Official Community Plan areas;
- b) Pursuant to Islands Trust Policy Manual 5.9ii ([Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area](#)) the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee has reviewed the proposed zoning amendments and deems Proposed Bylaw No. 1335.06, 2017 to be consistent with the [Islands Trust object and policy statement](#);
- c) The Local Trust Committee strongly encourages the Regional District Board to implement policy 9 in Section 4.3 Community Water and Sewer Systems, to implement a mandatory septic maintenance program; and
- d) The RDN Board be asked to consider amending proposed Map 1 of the OCP to include the jurisdictional boundaries of the Local Trust Area for the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee".

Best Regards,

Sonja Zupanec, Island Planner
Local Planning Services
Islands Trust

*Preserving **Island** communities, culture and environment*

CONDUCTING OF THE VOTE

FOR A

SECTION 26 RESOLUTION-WITHOUT-MEETING

Section 26 RWM No.

EX-LTC-RWM-2017.3

November 16, 2017

(Staff to complete)

Date Chair Directs Conduct of Vote
(Staff to complete)

It was MOVED and SECONDED

"THAT the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request staff to prepare a referral response to the Regional District of Nanaimo Board to support the approval of Proposed Bylaw No. 1335.06, 2017 (Electoral Area 'H' Official Community Plan), and include a copy of the Islands Trust staff report dated November 14, 2017 and the following comments:

- a) **The subject marine area of Proposed Bylaw No. 1335.06, 2017 is within the Ballenas Winchelsea Islands Local Trust Area of the Islands Trust, but located outside the respective Official Community Plan areas;**
- b) **Pursuant to Islands Trust Policy Manual 5.9ii (Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area) the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) has reviewed the proposed zoning amendments and deems Proposed Bylaw No. 1335.06, 2017 to be consistent with the Islands Trust object and policy statement;**
- c) **The Local Trust Committee strongly encourages the Regional District Board to implement policy 9 in Section 4.3 Community Water and Sewer Systems, to implement a mandatory septic maintenance program; and**
- d) **The RDN Board be asked to consider amending proposed Map 1 of the OCP to include the jurisdictional boundaries of the Local Trust Area for the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands)".**

All members of the LTC requested to vote:

November 16, 2017

Date transmitted to Trustees

PLEASE VOTE ON THE ABOVE MOTION BY COMPLETING THE BALLOTS BELOW:

IN FAVOUR

OPPOSED

George Grams

Response In Writing or By Phone

November 16, 2017

Date

IN FAVOUR

OPPOSED

Peter Luckham

Response In Writing or By Phone

November 16, 2017

Date

IN FAVOUR

OPPOSED

Laura Busheikin

Response In Writing or By Phone

November 16, 2017

Date

IN FAVOUR

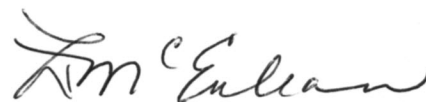
OPPOSED

Susan Morrison

Response In Writing or By Phone

November 16, 2017

Date



SIGNATURE OF RECORDING STAFF

Denman Island Local Trust Committee Regular Business Meeting November 14, 2017

DE-2017-085

It was MOVED and SECONDED

that the Denman Island Local Trust Committee request staff to prepare a referral response to the Regional District of Nanaimo Board to support the approval of Proposed Bylaw No. 1335.06, 2017 (Electoral Area 'H' Official Community Plan), and include a copy of the Islands Trust staff report dated November 14, 2017 and the following comments:

- a) The subject marine area of Proposed Bylaw No. 1335.06, 2017 is within the Ballenas Winchelsea Islands Local Trust Area of the Islands Trust, and adjacent to the Denman Island Local Trust Area but located outside the respective Official Community Plan areas;
- b) Pursuant to Islands Trust Policy Manual 5.9ii (Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area) the [Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands)/Denman Island Local Trust Committee] has reviewed the proposed zoning amendments and deems Proposed Bylaw No. 1335.06, 2017 to be consistent with the Islands Trust object and policy statements;
- c) The Local Trust Committee strongly encourages the Regional District Board to implement policy 9 in section 4.3 Community Water and Sewer Systems, to implement a mandatory septic maintenance program; and
- d) the RDN Board be asked to consider amending proposed Map 1 of the OCP to include the jurisdictional boundaries of the Local Trust Areas for both the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee.

CARRIED



File No.: 3445-30
(RDN Referral – Electoral
Area ‘H’ OCP)

DATE OF MEETING: November 14, 2017

TO: Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Team

SUBJECT: Regional District of Nanaimo Referral - Proposed Bylaw 1335.06, 2017
Electoral Area ‘H’ Official Community Plan

RECOMMENDATION

1. That the [Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) /Denman Island Local Trust Committee] request staff to prepare a referral response to the Regional District of Nanaimo Board to support the approval of Proposed Bylaw No. 1335.06, 2017 (Electoral Area ‘H’ Official Community Plan), and include a copy of the Islands Trust staff report dated November 14, 2017 and the following comments:
 - a) The subject marine area of Proposed Bylaw No. 1335.06, 2017 is within the Ballenas Winchelsea Islands Local Trust Area of the Islands Trust, and adjacent to the Denman Island Local Trust Area but located outside the respective Official Community Plan areas;
 - b) Pursuant to Islands Trust Policy Manual 5.9ii ([Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area](#)) the [Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands)/Denman Island Local Trust Committee] has reviewed the proposed zoning amendments and deems Proposed Bylaw No. 1335.06, 2017 to be consistent with the [Islands Trust object and policy statement](#);
 - c) The Local Trust Committee strongly encourages the Regional District Board to implement policy 9 in Section 4.3 Community Water and Sewer Systems, to implement a mandatory septic maintenance program; and
 - d) The RDN Board be asked to consider amending proposed Map 1 of the OCP to include the jurisdictional boundaries of the Local Trust Areas for both the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee.

REPORT SUMMARY

The purpose of this report is to provide a recommended referral response to the Nanaimo Regional District Board (RDN) regarding the proposed review of the Official Community Plan that applies to all of Electoral Area ‘H’ of the RDN, including the unincorporated communities of Deep Bay, Bowser, Qualicum Bay, Dunsmuir, Horne Lake, Spider Lake and surrounding areas. Area ‘H’ boundaries coincide with the marine area of the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and is directly adjacent to the Denman Local Trust Area boundary.

BACKGROUND

The current Electoral Area 'H' Official Community Plan (OCP) was adopted by the RDN in 2004, and in 2010 the Bowser Village Plan was adopted as part of the OCP through extensive public engagement. Since 2015 the RDN has been working on proposed revisions including enhanced development permit areas (DPA's) to the OCP. The RDN gave first and second reading to [Proposed Bylaw 1335.06, 2017](#) in October 2017 and has referred the bylaw to agencies and First Nations for comment.

ANALYSIS

Policy/Regulatory

Pursuant to Islands Trust Policy Manual 5.9ii '*Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area*', Policy 2.1, the LTC is to provide advocacy comments based on the object of the Trust, the Islands Trust Policy Statement and any relevant Official Community Plan.

Islands Trust Policy Statement:

The Policy Statement is fundamental to the operations of the Islands Trust. It is also used by external agencies such as the regional districts whose jurisdiction coincides with the Islands Trust Area to determine if their plans and policies are compatible with those of Islands Trust. The following Islands Trust Policy Statements are relevant to the consideration of the proposed OCP:

3.1.11 Trust Council encourages agents of the government of British Columbia or the Government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, acquisitions, conservation covenants and careful management.

3.3.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.

4.5.3 It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.

Through the use of policies and development permit areas, proposed bylaw 1135.06, 2017 would provide protection to the area's environmentally sensitive features such as aquifers, streams, coastal areas, eagle and heron nests. The OCP includes policies that would apply at the time of rezoning, policies that would encourage property owners to protect these sensitive areas, and policies that communicate the community's preference to other levels of government and other agencies.

4.5.4 It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.

The proposed OCP provides protection to the marine shoreline and 30 metres seaward of the natural boundary of the sea through a Marine Development Permit Area and prohibition of private docks.

5.6.1 Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and

property of natural, historic, cultural, aesthetic, educational or scientific heritage — should be identified, preserved, protected and enhanced.

The proposed OCP includes objectives and policies specific to the protection of archaeological sites and other sites of First Nations significance.

Official Community Plan:

The proposed marine area does not fall within the Denman or Ballenas-Winchelsea Islands OCP planning areas. However, the following relevant OCP advocacy policies do apply to the proposed OCP:

Denman Island OCP

“C.3 Advocacy Policy 1) Advocacy Policy 1 The Ministry of Transportation and Infrastructure and the Water Management Branch of the Ministry of Environment are encouraged to regulate the drainage of upland surface water and the maintenance of septic systems...”

Although this Denman OCP policy advocates that the Ministry of Transportation regulate the maintenance of septic systems, the Electoral Area ‘H’ proposed OCP contains the following policy in section 4.3 Policy 9:

“This Plan supports establishing a mandatory septic maintenance program in all areas not serviced by community sewer system in order to protect the environment including surface, marine and ground water from contamination.”

Ballenas-Winchelsea Islands OCP

Section 3.7 Policies for Parks, Recreation and Conservation Areas

“3.7.10 The LTC should encourage the regional district and provincial and federal governments to identify and designate areas for low impact recreational activities that reflect the undisturbed nature of the area and discourage facilities and opportunities for high impact recreational activities in the planning area.”

Section 3.9 Transportation Policies

“3.9.2 The LTC should support efforts by residents, local governments and agencies to ensure that reasonable access including safe passage and moorage is provided to the plan area from adjacent regional districts and municipalities.”

Land Use Bylaw:

The proposed OCP includes a marine area that is within an un-zoned portion of the Ballenas-Winchelsea Islands Local Trust Area; however, the RDN currently has several marine zones under Zoning Bylaw No. 500.

Protocols

At this time, only the Gabriola Island Local Trust Committee has a protocol agreement with the RDN, which sets out the principals for cooperation and communication between the respective agencies.

Agencies

The proposed OCP is being referred to several agencies.

First Nations

The proposed OCP is being referred to several First Nations.

Rationale for Recommendation

Proposed Bylaw 1335.06, 2017 would introduce a new OCP for Electoral Area 'H' that is consistent with the Islands Trust Policy Statement and neighbouring Local Trust Area OCP's. Staff recommends support of the proposed OCP as indicated on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

2. Provide additional comments in support or not in support of the proposed bylaw

The LTC may provide additional comments to the RDN Board either in support or non-support of the proposed OCP.

NEXT STEPS

Staff will forward the LTC resolution to the RDN Board.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	November 6, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 6, 2017

ATTACHMENTS

1. Letter from RDN – October 27, 2017

Simpson, Courtney

From: Schmidt, Heike MAH:EX <Heike.Schmidt@gov.bc.ca>
Sent: Tuesday, November 28, 2017 8:29 AM
To: Simpson, Courtney
Subject: RE: Response to bylaw referral: Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.06, 2017

Dear Courtney Simpson:

Thank you for referring the draft Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.06, 2017 (OCP) to the Ministry of Municipal Affairs and Housing (Ministry) for comment. Please consider this email as the Ministry's response to your referral. As part of the OCP review process it is important to address the key challenges your local government is facing, as well as to explore opportunities for community partnerships and collaboration. In keeping with referral best practices, please ensure that you have referred the proposed bylaw to the appropriate ministries, First Nations and other agencies that may have significant interests in the specific actions and policies identified in the proposed bylaw before entering into the final bylaw approval and adoption process. Please also ensure that you keep a detailed record of your First Nations referral efforts as outlined in the *Interim Guide to First Nations Engagement on Local Government Statutory Approvals*:

http://www.cscd.gov.bc.ca/lgd/gov_structure/library/First_Nations_Engagement_Guide.pdf.

Furthermore, in the proposed OCP policy you are encouraging the Provincial government to undertake new floodplain mapping for use by local governments in planning for sea level rise and other impacts of climate change. As part of the Community Emergency Preparedness Fund, the Province of BC, through the Union of British Columbia Municipalities (UBCM), is providing funding to eligible local governments for flood risk assessment, flood mapping and flood mitigation planning. For the funding eligibility criteria and more information on how to apply, please visit the following link to the UBCM website: <http://www.ubcm.ca/EN/main/funding/lgps/community-emergency-preparedness-fund.html>.

The Ministry has no concerns with the proposed OCP at this time, subject to any provincial interests that may be raised through your broader referral process. I trust this will help you with your ongoing work. If you have further questions, please feel free to contact me.

Thank you again for referring the proposed bylaw to the Ministry.

Best regards,
Heike Schmidt

Heike Schmidt, *Dipl.-Ing., MCIP, RPP* | Senior Planner
Intergovernmental Relations and Planning Branch | Ministry of Municipal Affairs and Housing
Phone: 778-698-5367 | Email: heike.schmidt@gov.bc.ca

From: [Pearson, Michael TRAN:EX](#)
To: [Simpson, Courtney](#)
Cc: [Edgar, David D TRAN:EX](#); [Learn, Jessica TRAN:EX](#)
Subject: Re: Referral of Official Community Plan Bylaw for Electoral Area "H"
Date: Wednesday, December 06, 2017 9:21:11 AM
Attachments: [image001.png](#)
[image004.png](#)

Hello Courtenay,

Thanks for the email yesterday. We have a few comments for you:

1. Map 4 shows a "road diet" for the area Hwy.19A from Gainsberg to Cook Creek. Does this refer to a desire to take this from the current 4 lanes down to 2 lane? It would be difficult for our Ministry to support a road diet on Hwy.19A. Four lane segments allow for good opportunities for drivers to pass slowing moving vehicles. These passing areas minimize unsafe passing elsewhere. We'd be interested in understanding why the RDN wants a road diet and open to discussion on ideas.

2. Map 4 shows traffic calming on Corcan Road. We would need to discuss what is envisioned to know if we can support it. For example currently our Ministry would be okay with using speed reader boards but would not all speed bumps.

3. The ministry is supportive of addition of shoulders along Highway 19A as funding permits and in conjunction with resurfacing and capital improvement projects.

4. Legend shows 'Speed reduction" but Its not clear where this is on the map.

If you have any questions or would like to discuss further please let us know.

Regards,

Mike Pearson, P. Eng.
District Manager

On Dec 5, 2017, at 1:48 PM, Simpson, Courtney <CSimpson@rdn.bc.ca<<mailto:CSimpson@rdn.bc.ca>>> wrote:

Hi Mike,

Further to our phone conversation, here is our referral of the Area 'H' OCP Bylaw.

For some background, Dave Edgar was involved in the Active Transportation Plan development, which is referred to in the OCP. I also had conversations with Dave about the "Road Network Plan" that we have in all of our OCP's that used to be provided by MoTI. I understood from him that this wasn't being done any more, or at least not in the format we could easily use for an OCP map. So our map of the transportation network has changed and does still include roads but also includes active transportation routes. You can find that as Map 4 in the OCP.

Please let me know if you have any questions.

Thanks,
Courtney

Courtney Simpson
Senior Planner, Long Range Planning

Regional District of Nanaimo

6300 Hammond Bay Road

Nanaimo, BC V9T 6N2

T: (250) 390-6510 | Direct: (250) 390-6563 | Email: csimpson@rdn.bc.ca<<mailto:username@rdn.bc.ca>>

<image001.png><<http://www.rdn.bc.ca/>> <image002.jpg>

<<https://www.facebook.com/RegionalDistrictofNanaimo/>> <image003.jpg><<https://twitter.com/RDNanaimo>>

<image004.png><<http://www.getinvolved.rdn.ca/>>

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<Ministry of Transportation October 27.pdf>



Qualicum Bay-Home Lake Waterworks District
234 Lions Way, Qualicum Bay, BC V9K 2E2
Tel: (250) 757-8507 ~ Office: Mon-Fri, 12:30-4:00 pm

November 28, 2017

Courtney Simpson, Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Re: Electoral Area 'H' Official Community Plan Review

With regards to your request for comments on the proposed Official Community Plan (OCP) as it relates to the Qualicum Bay Home Lake Water District, the trustees held a special meeting on November 28, 2017 and raised the following concerns:

- Community Water and Sewer System Policies – To what extent does liase mean?
- The trustees have concerns that the current OCP land use regulations as it pertains to our wellhead capture zone may not be sufficient enough to protect our ground water from contamination.
- Community Water Systems be notified of failing septic systems located within their wellhead capture zone.

Thank you for your consideration of our ideas.

Yours truly,

Leigh Campbell

Leigh Campbell
Administrator

**Attachment 2
Summary of Referral Responses**

Referral Agency or First Nation	Response	Recommendation
Alberni-Clayoquot Regional District	Interests unaffected	
Deep Bay Improvement District (DBID)	<p>Support for several specific policies as outlined in their letter and the following requests for changes:</p> <p>Section 3.3 Mineral, Gravel and Hydrocarbon Resources: Policies are good but DBID would like to see refined policy around intercepting ground water flow in pits in order to minimize impact to the aquifer through use of an engineer or hydrogeologist to determine buffer depths above the water level of each pit.</p> <p>Section 5.8 Deep Bay, Policy 24.b)iv. – Amenity policies for Deep Bay Southwest: DBID requires that the wording with regards to any contributions to be made to the DBID (be it for a fire hall or any other amenity), must be in general terms only, allowing flexibility to discuss with any developer the district’s need at the time of application.</p>	<p>Add a new advocacy policy to Section 3.3 as follows:</p> <p>“The Province will be encouraged to require a groundwater study prior to approving any excavations or drilling above known aquifers or in well protection areas for community water systems as shown on Map 2.b in order to determine aquifer depth and minimize impact on the aquifer.”</p> <p>Amend Section 5.8 Policy 24.b)iv. so that it reads as follows:</p> <p>“financial contribution to capital improvements or purchases of the Deep Bay Improvement District’s fire protection service.”</p>
Islands Trust - Denman Island Local Trust Committee and Executive Committee acting as a Local Trust Committee (Ballenas – Winchelsea)	<ul style="list-style-type: none"> • The Local Trust Committee strongly encourages the Regional District Board to implement policy 9 in Section 4.3 Community Water and Sewer Systems, to implement a mandatory septic maintenance program; and • The RDN Board be asked to consider amending proposed Map 1 of the OCP to include the jurisdictional boundaries of the Local Trust Area for the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) and Denman Island Local Trust Committee”. 	<p>Instead of amending Map 1, staff recommends referring to the Islands Trust Area in the text of Section 1. The primary purpose of the map is to indicate the Plan Area Boundary, and it includes a few geographical references for interpretation. The text includes additional information about adjacent jurisdictions. The recommended amendment is as follows:</p> <p>To Section 1 – Introduction and Purpose, paragraph 3, insert the following text after “to the south.”:</p> <p>“The marine waters of the Plan Area are also within</p>

Referral Agency or First Nation	Response	Recommendation
		the Islands Trust Area which includes islands in the Strait of Georgia and surrounding waters.”
Island Health	<p>Support for many policies is highlighted in their letter dated November 27, 2017. Their concerns and suggestions are listed below:</p> <ul style="list-style-type: none"> <li data-bbox="390 446 1247 906">• Island Health is hesitant to support the re-designation of the Horne Lake Strata properties from recreational to full time residential, due to the recreational nature of the properties, with small lot sizes serviced by individual sewerage disposal systems in the form of pump and haul holding tanks, and individual domestic water intakes into Horne Lake. The current sewage disposal systems may not be adequate to meet the needs of full time use. The small lot size may not support more robust in-ground disposal methods, and a community system may not be feasible. Horne Lake serves as a source of drinking water for 400 recreational properties and a regional park. Impacts on this drinking water source, due to full time occupancy, particular from sewage disposal will need to be fully considered. <li data-bbox="390 927 1247 1027">• The OCP makes some reference to health; however, the District could consider more explicitly linking goals, objectives and policies to improving the social determinants of health and well-being. <li data-bbox="390 1049 1247 1365">• Re Affordable Housing: Strengthen policies within section 5.9 though initiatives such as applying the Deep Bay’s policy (5.8.25.a) necessitating 10% of dwelling units to be affordable could be applied to the plan area as a whole; and putting measures in place to limit the amount rental stock that can be used for short term rentals will help improve options for area residents to secure long-term affordable housing. As well, more clearly defined guidance around what is considered affordable may be of benefit to the district in achieving this objective. 	<p>This concern has been acknowledged in the OCP Review process so far. Due to this concern and others, the relevant policy supports a <u>study</u> of the impacts and benefits of re-designation to residential, and through this study there would be further consultation with Island Health.</p> <p>Consider this suggestion in future OCP reviews.</p> <p>Affordable housing is identified as a community. This suggestion will be further considered in future OCP reviews.</p>

Referral Agency or First Nation	Response	Recommendation
	<ul style="list-style-type: none"> • Horne Lake serves the domestic water needs of 400 recreational properties and a regional park. Consider the inclusion of initiatives that support the protection of Horne Lake as a source of domestic water. 	<p>To Section 2.3 Freshwater Resources, add the following:</p> <p>In the introduction, to the beginning of the third paragraph, add “Horne Lake is a domestic water source for 400 recreational properties and a regional park.”</p>
	<ul style="list-style-type: none"> • The importance of home-based businesses is recognized within the Community Values Statement. Specific objectives or policies could lend further support to this. Home-based businesses help achieve compact and complete neighbourhoods that lead to improvements in health. 	<p>The zoning bylaw includes specific regulations for home based businesses.</p>
	<ul style="list-style-type: none"> • Agricultural initiative, supporting the preservation of farmland to ensure the ability for local food production, is maintained are included in the OCP. Consider expanding these initiatives to include community gardens. Research suggests that small-scale agricultural activities, like community gardens help build local food knowledge and preference while adding to the local food supply. Community gardens have the added benefit of providing a space that encourages neighbourly interactions. 	<p>To Development Permit Area 8 – Qualicum Bay and Dunsmuir Village Centres, add the following guideline (which is already proposed for Bowser Village Centre Development Permit Area) as new number 15 and renumber the rest of the guidelines accordingly:</p> <p>“The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/ or community gardens, arbours and associated planting, bee hives.)”</p>
	<ul style="list-style-type: none"> • Consider opportunities for partnerships between local food producers and institutions (e.g. farm-to-school programs) that could strengthen local farm operations and bring fresh food to local residents. 	<p>Add a new advocacy policy to section 3.1 as follows:</p> <p>“School District 69, local farmers and farm organizations are encouraged to coordinate bringing fresh local food to schools as part of a school food program.”</p>

Referral Agency or First Nation	Response	Recommendation
	<ul style="list-style-type: none"> Recreation policy 5.7.2 includes a list of considerations to be included into the potential impacts and benefits study to be conducted on the re-designation of the Horne Lake Strata properties into residential use. Consider applying the healthy built environment lens to the impacts and benefits of this re-designation. 	<p>To Policy 5.7.2, add new sub-policy c) and renumber the rest of the sub-policies accordingly: “Analysis of the healthy built environment characteristics of the area to assess suitability for residential use.”</p>
	<ul style="list-style-type: none"> Proposed policies on transportation speaks to wayfinding signage to serve the needs of locals and the travelling public. Ideally signage will incorporate wayfinding for trails, cycling and pedestrian paths to promote and encourage physical activity and engagement with nature. 	<p>This refers to Policy 4.4.6, which does not preclude signage for trails, cycling and pedestrian paths. No specific amendment recommended to the OCP.</p>
	<ul style="list-style-type: none"> Secondary suites are a great way to increase the affordable housing stock. Give thought to parking issues that may arise. Secondary suites can result in utilization of on-street parking, which could lead to congestion of parked cars and decreased visibility resulting in possible road safety concerns, and an increased risk or perceived risk in vehicles colliding with pedestrians or cyclists. 	<p>Parking regulations are contained within the zoning bylaw. No specific amendment recommended to the OCP.</p>
	<ul style="list-style-type: none"> Deep Bay policy 5.8.21 promoting active transportation by placing priority on pedestrian and bicycle mobility over vehicles for road design, is specific to Deep Bay. In addition to the benefit of physical activity on health by providing opportunities for active transportation, this policy lends itself towards improvements in air quality and reduces risks of injuries. It is a forward thinking policy with significant benefits to health. Consider the inclusion of such a policy to the plan area as a whole. 	<p>Policies in Section 4.4 support active transportation improvements. No specific amendment recommended to the OCP.</p>
	<ul style="list-style-type: none"> The OCP addresses greenhouse gas reduction and reduction of vehicle emissions throughout. Air quality improvements can be achieved also through initiatives that target the reduction of pm2.5 levels from backyard burning and solid fuel burning appliances. 	<p>To Section 2.5, add new advocacy policy 16 as follows: “The Regional District will work with relevant agencies to address air quality concerns.”</p>

Referral Agency or First Nation	Response	Recommendation
Ministry of Municipal Affairs and Housing	No concerns	
Ministry of Transportation and Infrastructure	<ul style="list-style-type: none"> • Map 4 shows a "road diet" for the area Hwy.19A from Gainsberg to Cook Creek. Does this refer to a desire to take this from the current 4 lanes down to 2 lane? It would be difficult for our Ministry to support a road diet on Hwy.19A. Four lane segments allow for good opportunities for drivers to pass slowing moving vehicles. These passing areas minimize unsafe passing elsewhere. We'd be interested in understanding why the RDN wants a road diet and open to discussion on ideas. • Map 4 shows traffic calming on Corcan Road. We would need to discuss what is envisioned to know if we can support it. For example currently our Ministry would be okay with using speed reader boards but would not all speed bumps. • The ministry is supportive of addition of shoulders along Highway 19A as funding permits and in conjunction with resurfacing and capital improvement projects. • Legend shows "Speed reduction" but Its not clear where this is on the map. 	<p>No specific amendment in response to first three bullets is recommended. Responded to MoTI with answers to their questions and noting that further discussion will be required with on the details of implementing recommended projects.</p> <p>To Map 4, add the speed reduction symbol on Highway 19A from Northdowne Rd to Driftwood Rd for consistency with the Active Transportation Plan as intended.</p>
Qualicum Bay Horne Lake Waterworks District	<ul style="list-style-type: none"> • Community Water and Sewer System Policies – To what extent does liaison mean? • The trustees have concerns that the current OCP land use regulations as it pertains to our wellhead capture zone may not be sufficient enough to protect our ground water from contamination. • Community Water Systems be notified of failing septic systems located within their wellhead capture zone. 	<p>No specific amendment recommended to the OCP. Staff advises that new OCP policy and development permit area guidelines improves protection of groundwater resources through regulating development that is already allowed in these areas, and limits new uses that could contaminate groundwater. Staff will respond to District and follow up on these questions.</p>

REPORT OF THE PUBLIC HEARING

FOR REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN
BYLAW NO. 1335.06, 2017

Wednesday, December 6, 2017, 7:00 P.M.
Lighthouse Community Hall
240 Lions Way, Qualicum Bay, BC

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 for the Regional District of Nanaimo:

Bill Veenhof	Chair, Director, Electoral Area 'H'
Geoff Garbutt	General Manager, Strategic and Community Development
Paul Thompson	Manager of Long Range Planning
Courtney Simpson	Senior Planner
Nick Redpath	Planner

There were approximately 60 members of the public in attendance.

The Chair, Director Veenhof called the hearing to order at 7:02 pm, introduced those attending the meeting from the Regional District of Nanaimo.

The Chair, Director Veenhof acknowledged that the Public Hearing was being held in the traditional territory of Qualicum First Nation, and welcomed Chief Michael Recalma who was in the audience. He thanked everyone for being involved in the process and how deeply appreciative he is of the strong efforts of the community to get to where we are today.

Courtney Simpson, Senior Planner provided a description of the Bylaw and read the list of agencies who had provided a response to the bylaw referral, and a list of individuals who made submissions prior to the start of the Public Hearing.

The Chair, Director Veenhof outlined the Public Hearing procedures and invited submissions with respect to the proposed Bylaw from the audience.

Dave Simpson, 5521 Deep Bay Drive

Mr. Simpson stated that it was a good plan and should be passed and it was important that aquaculture was finally identified. He noted that watersheds and wellhead protection were positive environmental steps. Mr. Simpson noted that there were good things in the plan regarding local First Nations. He mentioned a caveat about density transfer as it only exists in limited local governments throughout BC and it should be used as a test area first before being expanded to other areas.

Don Milburn, 5461 Deep Bay Drive

Mr. Milburn stated that it was a good plan and is in favour. He felt the plan touched on a lot of important issues and felt the process for Deep Bay Southwest was an extremely positive thing for the community and that the community amenities are first rate. Mr. Milburn noted that he would like to see future developments having to tie in with sewer. He mentioned he would also like to see various areas being developed to look at a holistic approach to sewer instead of little, disconnected systems, essentially tie it all together. Mr. Milburn felt that the boat was missed on a few items, that there were good proposals for other developments, but that it was too bad not to be able to look at them in a positive light. Overall he felt it was a good plan and hoped it passes.

Margaret Healey, 200 Chrome Point Road

Mrs. Healey stated that she supports amendments to the Area 'H' Official Community Plan and provided a written submission.

Dave Healey, 200 Chrome Point Road

Mr. Healey stated he has been a resident here for 50 years and supports the amendment to the Area 'H' Official Community Plan.

Jim Crawford Lots A, B, C in Deep Bay

Mr. Crawford stated that he lives in White Rock, BC and represents Bayne Sound Investments Ltd. He noted that he has been a member of the working group and supports the amendments to the Area 'H' OCP and on behalf of Baynes Sound Investments, thanked the RDN for the process and community engagement and is in favour of it all. He also mentioned that he spoke with the Vancouver Island University (VIU) vice president who said that VIU encourages and supports the better access to its field station. Mr. Crawford said that Bayne Sound Investments is committed to providing that access. Mr. Crawford finished by thanking all of the members of the working group that came out to give their time to help in the process.

Kevin Jones, 1125 Spider Lake Road

Mr. Jones said he would like to see services at the Horne Lake Road/Highway 19 area. He noted that in the rural areas there are no services and that he started a discussion on Facebook for the community, putting the idea of servicing out there, and that it received lots of support. He noted that services in this area would be needed if Horne Lake was to move to full-time residences.

Deb and Ed Hughes, Mackenzie Road

Mr. and Mrs. Hughes submitted a signed written statement.

Peter Ravensberger, Deep Bay

Mr. Ravensberger stated at the first meeting he attended years ago, he didn't think there would be as much growth as predicted. He mentioned that a lot has happened since then, that it was a large country with a small population and that Vancouver Island was only going to get more popular as many people want to live here and that the proposal for more housing must move on.

Enke Ravensberger, Deep Bay

Mrs. Ravensberger stated that she supports the amendments and plans.

John Gurak, Gainsberg Road

Mr. Gurak stated he had attended a number of meetings and was very happy with the Official Community Plan coming to fruition and is in support of it.

Amar Baines, Lots A, B and C in Deep Bay

Mr. Baines stated he supports the Official Community Plan.

Tom Plensky, 5484 Deep Bay Drive

Mr. Plensky stated he is in support of amendments and is speaking on behalf of the young workers of the shellfish industry who couldn't make it tonight but that were in support.

Keith Reid, 7400 Island Hwy

Mr. Reid stated he has been involved in last two Official Community Plan working groups and supports the amendments, feels that they are positive step forward.

Candace Cowan, 4681 Thompson Drive

Mrs. Cowan stated she supports the plan.

Cathy Bergman, 36 Buccaneer Beach Road

Ms. Bergman stated that she hopes it is an environmentally sustainable plan, but has her doubts. She wondered if the support for rural village system was justified by bad septic and wondered where the testing and scientific evidence for this is. She wondered how we will know whether effluent going into the Salish Sea comes from bad septic or from effluent and whether the sewer is environmentally sustainable. She reiterated that she hopes the plan is environmentally sustainable and wants to stay in the area and not have to sell her house and move due to environmental degradation and mentioned she was disappointed a greener solution could not be found. She noted that she desires the area to be a densified community with a sustainable plan and a unique seaside village community.

Colin Thompson, 4737 Maple Guard Drive

Mr. Thompson stated that he came from North Van and is a proponent of change. He stated he was disappointed the sewer system was only open to a small number of residents and he was not included. He wondered what the rationale for 300 dwelling units being proposed for Bayne Sound Investment Ltd. when only 100-150 dwelling units were estimated to be needed to support growth over the next five years. He noted that he believes money talks and people like him walk and stated that without grant money for the proposed sewage system, we wouldn't be here talking about it being accepted.

Bob Goodwin, Gladys Road

Mr. Goodwin stated that the Official Community Plan and Regional Growth Strategy were not consistent and had concerns with the sewer system pumping effluent into the Sound and that the plan abandoned environmental protection when it is the corner stone of the growth strategy.

Collen Bartram, Gladys Road

Mrs. Bartram stated that Section 4 of the Official Community Plan was in support for sewer systems and wondered if a decision had been made yet as to where the outfall will go.

Tom Gates, Representative of Area H Ratepayers

Mr. Gates stated that the Official Community Plan supports the provision of full community sewer and water within village centres and asked if there are plans to have many effluent pipelines going into the

ocean, or will it all be going out of one big pipe. He noted that he was concerned with environmental effects in the sea from sewer outfall and is disappointed that ground disposal systems are not being proposed instead of pumping effluent into the ocean. He said he is disappointed that areas such as the seed orchard have been discounted for ground disposal. He noted that Section 4, Community Resources supports development of sewer systems in rural village centres and thinks it needs to be changed as it is inconsistent with a pipe pumping into the ocean is proposed.

The Chair, Director Veenhof called for further submissions a first time.

The Chair, Director Veenhof called for submissions a second time.

The Chair, Director Veenhof called for submissions a third and final time. Hearing none, the Chair thanked those in attendance and announced that the Public Hearing was now closed at 7:35 PM.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD:

A handwritten signature in black ink, appearing to read "Nick Redpath". The signature is stylized and written in a cursive-like font.

Nick Redpath, Recorder

Attachment 4
Public Hearing Submissions

Regional District of Nanaimo
Public Hearing
Dec 6, 2017
Lighthouse Community Hall.
Qualicum Bay B.C.

My name is Margaret Healey, I live on
200 Brome Pt Rd in Deep Bay, VOR1G0.
I have owned property in Area H for 49 years.
This memo is in writing by hand as my home
was broken into last week and my computer was
stolen.

I support the amendment to the area H official
community plan as of December 6, 2017.

Also, I am putting in a cover letter from
27 property owners and 4 renters who have
signed letters of support to amend the area
H official community plan. The original
letters are on file in the Regional District
of Nanaimo office. These people live within
a 1/4 mile of Deep Bay.

The final cover letter of letters of support
states there were 65 in total letters of
support to amend the Area H Community
Plan.

Also I have included the copies of the letters of support for Deep Bay & area H that the people in our area H have signed.

The original signed letters were delivered by me by hand to the Regional District of Nanaimo. They were signed & dated by the residents. Please consider that not all residents can attend the public meetings for various reasons.

Lastly I am submitting my own letter of support for Baynes Sound Investments my immediate neighbor in Deep Bay as our community needs many amenities that they can supply us should they put an application in to develop in the future.

Thank you for the opportunity to present this information

cc- Director Bill Veenhof

Margaret Healey

Planning Department,
Regional District of Nanaimo.
6300 Hammond Bay Road,
Nanaimo, B.C.
V9T 6N2

May 25, 2011

To the Attention of Mr. Paul Thompson,

Re: Letters from Deep Bay Property Owners
9 of a total of 40 who live Directly in Deep Bay (31 sent in May 10th)
and 25 who live in area H. for a total of 65 letters.

Dear Sir:

Please find the enclosed signed letters of Support to amend the Regional Growth Strategy and area "H" Official Community Plan (OCP) to include Deep Bay as a Rural Village Centre supporting the application of Baynes Sound Investments Ltd. for the proposed Deep Bay Development.

These letters are a small sampling of many long time residents and property owners, for Deep Bay, the total of 40 signatures counting previous letters sent in, with 691 years of property ownership, that includes 34 property owners, 5 renters and 1 new home owner. For area H, there are 25 letters, as with Deep Bay many long time residents, the longest being 45 years, some of which have gone to school in Bowser and are now raising their family in area H and now operate businesses in area H. In fact in one of the families there are three generations since the 1960's.

Many of these people are what you might call part the silent majority, they rarely attend meetings, feel they were fortunate to be able to settle in area H and earn a living nearby. They also feel that others should have the chance to do the same. Consequently they are supporting

a well controlled development in Deep Bay and in turn an amendment to the Regional Growth Strategy

Plan to accommodate Baynes Sound Investments proposed development.

As for myself, I arrived in area H in 1972, purchasing a small Resort in Bowser. in 1978, I moved to Deep Bay where I plan to stay. With a total of 39 years owning property in area H and Deep Bay, I hope to see in my lifetime a development that promotes a green environment allowing the natural beauty and waters of Deep Bay to remain pristine.

Sincerely,

Margaret Healey
200 Crome Pt. Road, Deep Bay
Bowser, B.C. VOR 1G0

Planning Department,
Regional District of Nanaimo,
6300 Hammond Bay Road, Nanaimo, B.C.
V9T 6N2

May 10, 2011

To the Attention of Mr. Paul Thompson:

Re: Letters from 27 Property Owners and 4 Renters Who Directly Live In
Deep Bay Proper (within 1/4 mile of Deep Bay)

Dear Sir:

Please find 31 enclosed signed letters of Support to amend the Regional Growth Strategy and area "H" Official Community Plan (OCP) to include Deep Bay as a Rural Village Centre supporting the application of Baynes Sound Investments Ltd. for the proposed Deep Bay Development.

Four of the letters are from renters, some of which are interested in purchasing a home in Deep Bay should the opportunity arise.

I Have taken the time to add the number of years the 31 Renters and Property owners have owned and lived on their property.

A few have moved from the Bowser area to be in Deep Bay, but most have been here for the duration.

The approximate number of years counting each signature is 564 years total.

These people know the area of Deep Bay very well and support it being designated as a Rural Village Centre.

We are the fastest growing, largest employer in the area with a New World Class University Research Station directly in Deep Bay.

Sincerely,

Margaret Healey 39 year resident and property owner Deep Bay and Area H
200 Crome Pt. Road, Deep Bay
Bowser, B.C.
VOR 1GO

cc Dave Bartram Director Area H of the Regional District of Nanaimo

Planning Department,
Regional District of Nanaimo,
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

To the Attention of Mr. Paul Thompson:

Letter of Support

Dear Sir:

As a resident of the Deep Bay Community, I support amending the Regional Growth Strategy and Area 'H' Official Community Plan (OCP) to include Deep Bay as a Rural Village Centre, supporting the application of Baynes Sound Investments Ltd. for the proposed Deep Bay Development.

My reasons for this are as follows:

1. In 1996 Bowser, Dunsmuir, and Qualicum Bay were designated as Villages "in recognition of their existing and anticipated future role in concentrating retail, service, institutional, recreational and tourist activity". While it was decided to focus on developing a plan for Bowser Village Centre first, the majority of the Village Planning Advisory Group agreed that the Deep Bay Area should be reviewed along with Qualicum Bay and Dunsmuir when considering the role and status of other Village Centres in Electoral Area 'H' (*Bowser Village Plan, Regional District of Nanaimo, 2010*).
2. Currently, there are approximately 1200 residents in the Deep Bay area.
3. Deep Bay has an established Fire Department (of at least 30 years), and supports it's own water system.
4. The Shellfish Industry is the largest employer in Area H, specifically within Deep Bay, and is planning to expand their production in the near future.
5. Vancouver Island University has a seven (7) acre satellite campus in Deep Bay, which is dedicated to the research, development, and conservation of marine life and the Shellfish Industry. This Center for Shellfish Research supports the competitive, social and environmental sustainability of the B.C. Shellfish aquaculture industry. The programming for the Centre includes scientific, environmental, economic and public engagement. This new facility is expected to draw a large number of people to the community for the various programmed events.
6. Currently the Deep Bay Harbour moors approximately 357 commercial and pleasure boats, during the busy spring and summer seasons, under the administration of the Deep Bay Harbour Authority. The Harbour Authority has plans for expansion.
7. Tourism within Deep Bay is currently centered around nautical activities in the Deep Bay Harbour. The VIU Center for Shellfish and Marine Research program will soon provide added tourism opportunities. In addition, the proposed Deep Bay Development, will also increase tourism through the development of the proposed RV Resort.
8. The proposed Baynes Sound Investments Ltd. Deep Bay Development will add an environmentally friendly, sustainable development to the existing Deep Bay community. The development proposes a mix of residential units, seniors housing, retail and commercial space, a community centre with recreational opportunities, parks and open spaces, a first class RV Resort with supporting amenities and a dry land storage facility, all of which will

provide the much needed accommodation and amenities for students, working people, retirees, and tourists, as well as the members of the existing community. The proposed development will also provide a new entrance to Deep Bay from Highway 19A and provide a second emergency exit.

The planned development is centered around the principles of sustainability, supporting the planning direction of the Regional District, as well as the very foundation of the Centre for Shellfish Research.

In summary, the recent and proposed developments within the community of Deep Bay fully support an amendment to the OCP allowing for the designation of Deep Bay as a Rural Village Centre within Electoral Area 'H'.

Please consider that it is time to designate Deep Bay as a Rural Village Centre allowing the Concentration of Commercial Development at the Bowser Village Centre.

Thank you for this consideration.

Sincerely

cc Dave Bartram Regional Director, Electoral Area H

Planning Department,
Regional District of Nanaimo,
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

To the Attention of Mr. Paul Thompson:

Letter of Support

Dear Sir:

As a resident of Electoral Area H, I support amending the Regional Growth Strategy and Area 'H' Official Community Plan (OCP) to include Deep Bay as a Rural Village Centre, supporting the application of Baynes Sound Investments Ltd. for the proposed Deep Bay Development.

My reasons for this are as follows:

1. In 1996 Bowser, Dunsmuir, and Qualicum Bay were designated as Villages "in recognition of their existing and anticipated future role in concentrating retail, service, institutional, recreational and tourist activity". While it was decided to focus on developing a plan for Bowser Village Centre first, the majority of the Village Planning Advisory Group agreed that the Deep Bay Area should be reviewed along with Qualicum Bay and Dunsmuir when considering the role and status of other Village Centres in Electoral Area 'H' (*Bowser Village Plan, Regional District of Nanaimo, 2010*).
2. Currently, there are approximately 1200 residents in the Deep Bay area.
3. Deep Bay has an established Fire Department (of at least 30 years), and supports it's own water system.
4. The Shellfish Industry is the largest employer in Area H, specifically within Deep Bay, and is planning to expand their production in the near future.
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6. Currently the Deep Bay Harbour moors approximately 357 commercial and pleasure boats, during the busy spring and summer seasons, under the administration of the Deep Bay Harbour Authority. The Harbour Authority has plans for expansion.
7. Tourism within Deep Bay is currently centered around nautical activities in the Deep Bay Harbour. The VIU Center for Shellfish and Marine Research program will soon provide added tourism opportunities. In addition, the proposed Deep Bay Development, will also increase tourism through the development of the proposed RV Resort.
8. The proposed Baynes Sound Investments Ltd. Deep Bay Development will add an environmentally friendly, sustainable development to the existing Deep Bay community. The development proposes a mix of residential units, seniors housing, retail and commercial space, a community centre with recreational opportunities, parks and open spaces, a first class RV Resort with supporting amenities and a dry land storage facility, all of which will

- provide the much needed accommodation and amenities for students, working people, retirees, and tourists, as well as the members of the existing community.
The proposed development will also provide a new entrance to Deep Bay from Highway 19A and provide a second emergency exit.

The planned development is centered around the principles of sustainability, supporting the planning direction of the Regional District, as well as the very foundation of the Centre for Shellfish Research.

In summary, the recent and proposed developments within the community of Deep Bay fully support an amendment to the OCP allowing for the designation of Deep Bay as a Rural Village Centre within Electoral Area 'H'.

Please consider that it is time to designate Deep Bay as a Rural Village Centre allowing the Concentration of Commercial Development at the Bowser Village Centre.

Thank you for this consideration.

Sincerely

cc Dave Bartram Regional Director, Electoral Area H

Page 1
April 9, 2013

From:
Margaret and David Healey,
200 Crome Point Road,
Bowser, (Deep Bay), B.C.
VORIGO

To:
Chairman and Electoral Directors,
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, B.C.
V9T 6N2

PRESENTATION TO THE BOARD OF DIRECTORS:
BY MARGARET HEALEY
SIGNED BY BOTH MARGARET AND DAVID HEALEY

Mr. Chairman and Electoral Directors;

My name is Margaret Healey, presenting for Margaret and David Healey.

We are the immediate neighbors of the property owned by Baynes Sound Investments. We are situated directly in Deep Bay on 206 feet of waterfront overlooking Baynes Sound. The property is our Family Home and we have owned it since 1979. (34 years)
Previously I owned a Fishing Resort in Bowser (1972-1976)
My husband came to Deep Bay in the early 1960's.
We are well connected to our Community in area H through volunteer work for the past 41 years. I have served on the APC and Arena Commission for a number of terms in earlier years, as well as numerous boards of Directors in Area H.
We are Commercial Fishers and Deep Bay is our Home Port.

As Residents of Deep Bay and area H, we support amending the Regional Growth Strategy and area H Official Community Plans to include Deep Bay as a Rural Village Centre, supporting the Application of Baynes Sound Investments Ltd. for the proposed Deep Bay Development.

We have made it our business to acquaint ourselves with the two past owners and present owners Over the past 35 years.
The present owners have held numerous information and consultation meetings and consulted our community at great length.
They have done their due diligence regarding water, sewer, biology and archaeological sensitive areas. They have hired Randall Arendt who is a world renowned landscape planner, site designer and an advocate in conservation planning. His plan for Deep Bay shows 51% in park and open space.

In fact 102 acres has been set aside for walking trails, community gardens as well as a community building with a fitness room. I understand these will be open to the public.

Mr. Arendt gave our Community a presentation on March 13, 2008 and was later hired by Baynes Sound Investments to present a Charett on how to plan a village.

This was a well attended all day affair and all members of area H were invited.

The developers have held other meetings asking input from the Community.

On August 30, 2011, I attended a Blessing of the Land and Welcome to the Land Ceremony on the Baynes Sound lands overlooking Deep Bay. This Ceremony was performed by Qualicum First Nations and K'omoks First Nations. The Elders spoke eloquently in their welcome to Baynes Sound Investments on their once traditional lands. The welcome dances from each area were beautiful.

In my opinion, Baynes Sound Investments has done more due diligence than any other developer has done in Area H in the past 35 years.

WHY DEEP BAY SHOULD BECOME A RURAL VILLAGE CENTRE

Deep Bay Improvement District has approximately 1400 residents.

Deep bay has an excellently administrated water system with enough water to supply the proposed development.

For 35 plus years, Deep Bay has had its own well run, well equipped Fire Department (separate from Bowser)

There is presently a shortage of land for development in Deep Bay.

Deep Bay Harbor has just been expanded, currently there are 357 boats moored, including pleasure and commercial, as well Deep Bay has its own yacht club.

The Shellfish Industry in Deep Bay is world class and is about to triple its production in the near future. It is the largest employer in the district.

Vancouver Island University has recently built a 30 million dollar Marine Research Station on 7 dedicated acres on the proposed development lands. Since opening its doors it has had hundreds of visitors on any given day, including schools. On March 30, the University held an open house and they were overwhelmed and delighted with 1270 visitors.

This is just the beginning as Deep Bay is now on the map world wide with the state of the art Research Centre and the Oyster farms that supply first class oysters all over the world.

BENEFITS TO DEEP BAY

The developer would provide a Road access from highway 19A into their property.

This will alleviate traffic down the only road to Deep Bay, Gainsberg Road, making it safer for residents to exit their property.

Gainsberg Road has been blocked by falling trees during winter months, once for 3 days.

With the proposed development of mixed housing, single family detached, single family attached,

Page 3 continued

multi family, and seniors housing, considering a look to the future.

The only other recent development in Deep Bay has been sold out for the past 3 years.

At this time there is NO other area available in Deep Bay for Development.

Older residents wishing to stay in Deep Bay would have a choice. Students and workers could live closer to their school and work.

The addition of the proposed Development would result in an infusion of funds to the Deep Bay Improvement District that would enable older infrastructure to be replaced without added taxes to Residents presently in our improvement district.

Presently there is a small campground with limited space for tourists in Deep Bay as well as an Auto Camp that is full all season. There is a small motel that rents to permanent tenants.

We NEED accommodation for our visitors. Most of the earlier Resorts in area H have gone to strata and cottages are individually owned.

MY PERSONAL SURVEY OF DEEP BAY RESIDENTS AND AREA H RESIDENTS

In the past a handful of people against all development have monopolized and disrupted many of our public meetings. Many of these people or their contemporaries monopolized the meetings formulating OCP and RGS in area H which we now find outdated and overbearing.

Many of the "Silent Majority" and long time residents including my husband refuse to attend meetings for the above reasons.

To that end, at my own expense and time I visited a number of the people who have lived in area H for many years. They do not go to meetings for various reasons.

I obtained 65 letters of support for Deep Bay to become a Rural Village Centre including the support of Baynes Sound Development to become a Rural Village Centre. They supported an amendment to the Regional Growth Strategy and the OCP to accommodate a well controlled Development by Baynes Sound Investments. I mailed the letters to the RDN with a cover letter that I am attaching today.

27 of the 65 support letters that are in the file at the RDN live within ¼ mile of Deep Bay Proper.

There is no doubt that I could get many more letters signed.

As a neighbor and property owner living next door to a large tract of land that is developable, I honestly feel that I have done my due diligence to ensure the proposed development by Baynes Sound will be an asset to Deep Bay.

I feel we are fortunate to have these people who will invest, consult, and perhaps live in our Community in the future.

Please consider that Mr. Veenhof, our area Director has done his utmost to hear the wishes of our Community.

Thank you for your time to consider this matter. Please vote YES to help Deep Bay grow responsibly into the future in an environmentally safe planned development.

Margaret and David Healey

enclosures: cover letters of support (2)...Copy of 65 letters signed (at RDN)... Blessing of the Land

Huock Estate Developments Ltd

Ed Hughes Ed@huock.ca Mike Larock Mike@huock.ca

Director Bill Veenhof
Regional District of Nanaimo Planning Department
6300 Hammond Bay Rd
Nanaimo, B.C. V9T 6N2

Dear Director Veenhof,

**RE: Written Submission for Public Hearing Regional District of Nanaimo Electoral Area 'H'
Official Community Plan Bylaw No. 1335.06, 2017**

Thank you for the opportunity to provide some input into the Official Community Plan (OCP) public engagement process in advance of the public information meeting December 6, 2017.

One property that has been consistently discussed in the OCP review is the unique property that bounds the corners of the Horne Lake Road and the Inland Island Highway Intersection. Area residents and the travelling public all agree that this is an important location for services in the near future. The OCP needs to recognize the public value of this important location and enable wise development in this area. We are concerned that the current draft content encompassing the Horne Lake Rd and Inland Island Highway Intersection does not go far enough to capture this public benefit.

Huock Estate Developments is the owner of the properties at the intersection and we are pleased that the RDN asked us to present proposed development options at the Public Forum in November 2016. The Working Group, established by the RDN to provide input into OCP content for the electoral area, worked diligently with RDN staff to gather community input about potential future development of this particular site and make recommendations regarding the potential references in the OCP.

We heard that *the community supported an environmentally and culturally focused multi-use, commercial/light industrial zoning of the Horne Lake Intersection area*. Most of the public who participated, or offered comment at other times, expressed support for the proposed site-specific statement for the OCP and this statement formed part of the initial draft OCP.

The November 2016 version of OCP content safeguards the public interest in property development by:

1. Retaining control of approvals with the RDN
2. Seeking public input and support of the planned use

The following statement is the preferred kind of content for the OCP and is available on the RDN OCP website. The statement is proposed to achieve public protection and wise future development:

The OCP supports the development of services for the local public and travelling public at the Horne Lake Road and Inland Island Highway Intersection, the lot legally described as LOT 1, DISTRICT LOT 90, NEWCASTLE DISTRICT, PLAN EPP41641).

Huock Estate Developments Ltd

Ed Hughes Ed@huock.ca Mike Larock Mike@huock.ca

The community envisions services that improve the economic diversity of the Plan Area by supporting multi-use, commercial/light industrial zoning, subject to the following:

a) Amendment of the Regional Growth Strategy Refers to Horne Lake Intersection lot of 32 acres. This policy aims to support a limited size and scope of commercial / light industrial use in exchange for land for a Regional District of Nanaimo ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN - BYLAW NO. xxxx DRAFT v.1.0 Page 10

b) Prior to approval of a rezoning for commercial or light industrial uses, land must be provided for a visitor information area that includes a public rest area, and an agreement secured with appropriate agencies and/or societies for the ownership and/or management of such areas. The specific nature and scale of the visitor information area will be related to the value of the proposed rezoning and subject to community consultation.

c) The total land area to be rezoned must be limited to that needed for the proposed use, and the scale of the use must be supported by evidence of a current market need. Should additional lands be needed in the future for expansion of the use, amendment to this Plan can be considered at that time.

d) The nature of the proposed development is demonstrated to be appropriate to the location, and not reasonably able to be provided or desirable within the existing Village Centre.

e) The development is screened from the highway to maintain the natural visual characteristics, and where visibility from the highway is deemed essential to the proposed use, urban design and architecture is employed.

f) Pedestrian and cyclist access is provided.

The current draft available for the December 6, 2017 public hearing neither recognizes this stated preference, nor does it capture the agreement of the public Working Group. The current draft of the OCP does not include site-specific policies, but relies on other new policies that may allow additional development opportunities. From a development standpoint, without a site-specific policy, it leaves future growth and development unpredictable and vague. We are concerned, and we request that the current draft recognize the public value of this important location by incorporating the kind of wording provided.

If the current OCP draft content for the Horne Lake Rd and Island Highway Intersection goes forward and the proposed wording is not included, then the significant community support received thus far needs to be noted and referenced when considering future development.

Sincerely,



Ed Hughes and Mike Larock

Huock Estate Developments

Christo Kuun
Faye Road Lot 6 & 7 Proposal
Area 'H' OCP Review
Dec.6, 2017

Dear RDN Planning Staff,

I am very disappointed with the current Proposed OCP Bylaw, specifically with regards to the decision of my property, "Two Faye Road Lots Near Bowser Elementary". I first spoke publically about my property proposal at the Deep Bay Workshop on Sept.17, 2016.ⁱ Following this, I made a formal and more detailed presentation at the Community Development Forum on Nov.1, 2016.ⁱⁱ The RDN Planning Staff had encouraged and welcomed local property owners to present their development plans that would require an amendment to the OCP. The forum marked the beginning of a year-long journey working closely with Planner Simpson, the Working Group, and community members to develop a suitable policy of my proposal to include in the OCP.

Throughout the process, I received very strong community support for my development, including 60 signed letters submitted to the RDN Planning Staff and additional comment submissions sent directly to Planner Simpson.ⁱⁱⁱ Most notably, letters of support were received from residents who live on Faye Road. Unfortunately the extent of my support was downplayed in the Public Submissions Document; rather than including a copy of each letter, only one example letter was shown with a small note in the corner of the page stating that 60 copies of the letter were received. My proposal was discussed at several Working Group meetings. The specifics of the proposal evolved in response to various feedback, but was always met with overall support. One of the community amenities that I proposed with my development was a trail from the end of Faye Road to Thompson Clark – Ocean Trail. The Parents Advisory Council at Bowser Elementary supported this amenity, as they wanted linkages from the school which are safe.^{iv} I was also proposing to protect the environmentally sensitive wetland area on my property by keeping that area undeveloped, and by creating walking trails (which would limit where people could walk and prevent vegetation from being stomped all over). This protected area could have been beneficially be used by the Bowser School children for nature study (currently, the students walk to a property at the corner of Jamieson Rd and Faye Rd for outdoor education). The many native plants, nurse trees, and old cedars that are on the property, as well as the ecosystem of the pond, would have been a great setting for student exploration and learning. Since the property is directly across from the school, it would have been easy access for the children.

Throughout this process, there was never any indication that my proposal would be completely excluded from the current Proposed OCP Bylaw. Over the last year, I worked closely with Planner Simpson to revise and adjust my property policy with each new draft. I was also able to find a legal method for securing an affordable housing requirement in a written policy (by obtaining example documents used by the City of Langford). Until I presented these documents, the RDN did not have a method in place for holding a development accountable to provide affordable housing. According to the RDN Planning Staff, the reasoning for their decision to remove my property policy from the OCP is that *“Draft Version 3 does not include site-specific policies, instead relying on other new policies that may allow additional development opportunities at these locations, specifically Rural Policies 4 and 5 and Alternative Forms of Rural Development.”*^v If the OCP did not intend to include site-specific policies, it raises the question of why the RDN Planning Staff encourage property owners to present proposals in the first place (at the Community Development Forum). I do not believe that the RDN Planning Staff’s reasoning for denying my proposal is acceptable because a very detailed site-specific policy *has* been created for the Deep Bay Southwest development and is included in the current Proposed OCP Bylaw. If a site-specific policy was created for Deep Bay Southwest (which currently has the same Rural zoning as my property), then other site-specific policies should have been allowed to be included in the OCP.

In Draft Version 2, there were *“three significant, potential changes to the development strategy that are subject to further community input prior to recommendation from the RDN in the form of draft OCP language.”*^{vi} Out of the three developments, the “Horne Lake Intersection with Highway 19” property owner and myself were denied any policy in the OCP, while Deep Bay Southwest remained in the OCP. Both myself and the Horne Lake/Highway 19 property owner are long-time residents of Area H (I have lived in Deep Bay for 43 years), while the current developers of Deep Bay Southwest are a company from the mainland. During the time between Draft Version 2 and 3, I received significant, positive community input in support for my development (the 60 letters and independent submissions mentioned above). This comment from a community member (who was very active through the OCP process) aptly expresses my thoughts towards the decision in the current Proposed OCP Bylaw: *“The Horne Lake/19 and Faye Road proposals have been reduced to the point that they are on the same footing as a number of similar unknown projects that might come forward in the future, despite their proponents spending considerable amounts of time and energy and the community looking favourably.”*^{vii}

For the final recommendation of my proposal from the RDN (in Draft Version 2), it stated that *“these draft policies would also support the transfer of potential dwellings from another lot or lots to reach the desired total of 16, and this location has obvious community value in establishing a trail to connect with Thompson Clark - Ocean Trail. While relying on the Alternative Forms of Rural Development policies does not immediately provide the owner with the number of units they*

asked for, it provides a path forward to transfer potential units from another lot or lots, without compromising the regional growth objectives.^{viii} Deep Bay Southwest has been granted a maximum of 300 dwelling units (50 they are currently allowed plus 250 additional units) to be obtained through density transfer. The current policies for the Alternative Forms of Rural Development stated that Rural zoning (which is what both Deep Bay Southwest and my Faye Road property fall under) can have 1.5 times the allowed density. Since Deep Bay Southwest has been granted an exception of 5 times their current density, I believe it was reasonable for myself to ask for an increase from 4 to 16 density (4 times my current density). The increase of 8 densities is very minimal and would not have a negative impact on the area. Asking for an increase in 8 versus Deep Bay Southwest's increase in 250 is incomparable, but still those developers have been granted their proposal. Another example of a huge concession that has been made for site-specific Deep Bay Southwest is that they have been allowed to build up to four-plexes, while the Rural zoning states that dwellings may only be single.

The result of my property proposal policy being excluded in the current Proposed OCP Bylaw is disappointing. The RDN Planning Staff did not have the courtesy to email me directly to inform me of the final outcome of my property policy, despite working closely with them over the last year. Once again, the reason for excluding my property was not justifiable (due to the inclusion of Deep Bay Southwest as a site-specific policy in the OCP), but I did not receive any further explanation for the RDN Planning Staff's decision. The OCP review process is about *allowing change* in Area 'H' that complies with the community vision. I feel the OCP review process is flawed if community support is not properly taken into account. The fact that Bill Veenhof is both the Electoral Area 'H' representative and the Board Chair of the RDN Board of Directors may have caused a conflict of interest by supporting the RDN's agenda and not the community's. In general, there seemed to be a lack of transparency with the RDN's overall agenda of what they wanted the OCP to look like, and public consultation was just a required (not desired) step in the process.

Sincerely,

Christo Kuun

ⁱ Document- Sept.17, 2016: "Report on Deep Bay Workshop":
<http://www.rdn.bc.ca/events/attachments/evID7463evattID3269.pdf> p.3, 26-30

ⁱⁱ Document- Nov.14, 2016: "Report on Development Forum" (from Community Development Forum held on Nov.1, 2016):
<http://www.rdn.bc.ca/events/attachments/evID7529evattID3088.pdf> p.4

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- iii Document- May 26 - Sept.7 2017: "Public Submissions on Draft Version 2":
<http://www.rdn.bc.ca/cms/wpattachments/wpID3629atID8686.pdf> pp.20, 21, 22, 23, 26, 28, 41-42
- iv Document- Nov.15, 2016: "Working Group Meeting Record":
<http://www.rdn.bc.ca/events/attachments/evID7522evattID3122.pdf> p.4
- v Document- Sept. 2017: "Summary of Changes in Draft Version 3"
http://www.rdn.bc.ca/dms/documents/planning/area-h---ocp-review/draft-version-3/summary_of_changes_draft_ocp_v3.pdf p.2
- vi Document- May 2017: "Summary of Changes Draft OCP Version 2"
<http://www.rdn.bc.ca/cms/wpattachments/wpID3629atID8419.pdf> pp.4-5
- vii Document- Oct.8-23, 2017: "Public Submissions on Draft Version 3"
http://www.rdn.bc.ca/dms/documents/planning/area-h---ocp-review/draft-version-3/public_submissions_on_draft_v3.pdf p.3
- viii Document- June 19, 2017: "Draft Version 2 Explained: Property Specific Development Requests"
<http://www.rdn.bc.ca/cms/wpattachments/wpID3629atID8487.pdf> p.3

From: [Planning Email](#)
To: [Simpson, Courtney](#)
Cc: [Thompson, Paul](#)
Subject: FW: Amendment Bylaw 1335.06
Date: Wednesday, December 06, 2017 9:08:42 AM

See below.

-----Original Message-----

From: Don M [<mailto:grandelfe@gmail.com>]
Sent: Tuesday, December 05, 2017 3:55 PM
To: Planning Email
Subject: Amendment Bylaw 1335.06

Dear Sirs: Regarding Bylaw 1335.06

I oppose this bylaw in it's entirety.I don't believe in removing land from our dwindling ALR to enrich the large landowners in the area.I also oppose and rezoning to accommodate subdivisions.I moved here for peace and quiet, not non stop construction noise followed by an increase in our population.

. Yours Truly Don Mussell
5346 Gainsberg Road
Bowser
V0r 1G0
Dec. 6 2017

From: [Planning Email](#)
To: [Simpson, Courtney](#)
Cc: [Thompson, Paul](#)
Subject: FW: Electoral Area "H" Official Community Plan Bylaw No. 1335.06, 2017
Date: Wednesday, December 06, 2017 9:07:19 AM

[See below.](#)

From: grandelfe@gmail.com [mailto:grandelfe@gmail.com]
Sent: Tuesday, December 05, 2017 3:50 PM
To: Planning Email
Subject: Electoral Area 'H' Official Community Plan Bylaw No. 1335.06, 2017

Don Mussell
5346 Gainsberg Road

Bowser V0r1G0 Dear Sirs: I am against the Bylaw proposal in it's entirety. I serves to take out valuable agriculture land out of our dwindling ALR land reserve, at a time where our food supplies are becoming further dependant on a distant Californian supply. This change only serves to enrich the large land owners of this area ,and degrades the lifestyle of everyone else. More houses, cars and people, with the increase in crime and noise, that follows, is not why the majority of people moved to this area for. They came for peace and tranquility, and to enjoy the nature filled lifestyle this area abounds. Subdividing farmland and then building as many houses as they can on it, is the main reason that I left Surrey and the Lower Mainland. It appears the same developers have followed me here to do the same thing as they did in Surrey.

"Baynes Sound Developments," are unscrupulous and have had an adverse environmental impact on the are I came from in Surrey.

I personally witnessed these developers bulldoze fill into a Riparian gap [behind my property]protected by the fisheries act. There were no further runs of Salmon in the creek that connects to it. There was a small run of Pink Salmon before that. The Cook Family should learn to enjoy their land as agricultural land, instead of removing it and it's potential food supply forever. This is only for their financial gain, just as Baynes sound Developments have the same incentive. They too removed their land from the ALR, at a time when we need more local food supply not less. There is no point in having an ALR if we take from it and build houses on it.

The local residents of Deep Bay and Bowser, should begin a letter writing campaign informing the NDP-Green Party coalition about the large landowners and The Regional district politicians, that are attempting to remove this large amount of ALR land for development. There should be more safeguards to protect us from this kind of environmental intrusion.

Yours Truly Donald
Mussell

Attachment 5
Summary of Proposed Changes to be Considered at Third Reading

The following is a list of amendments to “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”, recommended to be made at Third Reading:

Bylaw 1335 Schedule	Relevant Section / Policy	Recommended Amendment	Rationale
Schedule A - OCP	Contents Under “Maps forming part of this plan”	Rename Map 8 from “Steep Slopes Development Permit Area” to “Coastal Steep Slope Development Permit Area”	Correct inconsistency between text title and map title
Schedule A - OCP	To Section 1 – Introduction and Purpose, paragraph 3	Insert the following text after “to the south.”: “The marine waters of the Plan Area are also within the Islands Trust Area which includes islands in the Strait of Georgia and surrounding waters.”	Response to request from Islands Trust
Schedule A - OCP	Section 2.3 - Freshwater Resources, introduction, second paragraph	Delete the sentence “The Plan Area is within the Big Qualicum River Water Region (See Map XX?)” and replace with “The Big Qualicum River Water Region includes all of the Plan Area and small sections of adjacent electoral areas”	Correct map reference – map of water region not in the OCP
Schedule A - OCP	Section 2.4 - Marine Environment, to policy 6.c.	after “leased”, add “for that purpose”	Correct typo
Schedule A - OCP	Section 2.5 – Climate Change and Energy	Add new advocacy policy 16 as follows: “The Regional District will work with relevant agencies to address air quality concerns.”	Response to request from Island Health
Schedule A - OCP	Section 3.3 – Mineral, Gravel and Hydrocarbon Resources	Add a new advocacy policy as follows: “4. The Province will be encouraged to require a groundwater study prior to approving any excavations or drilling above known aquifers or in well protection areas for community water systems as shown on Map 2.b in order to determine aquifer depth and minimize impact on the aquifer.”	Response to request from Deep Bay Improvement District

Bylaw 1335 Schedule	Relevant Section / Policy	Recommended Amendment	Rationale
Schedule A - OCP	Section 4.3 - Community Water and Sewer Systems, Policy 9	Delete the word “mandatory” before “septic maintenance program”	In response to advice from internal review. Enables support for a broader range of septic maintenance programs that could be implemented.
Schedule A - OCP	Section 5.7 – Recreation, Policy 2	Add new sub-policy c) and renumber the rest of the sub-policies accordingly: “Analysis of the healthy built environment characteristics of the area to assess suitability for residential use.”	Response to request from Island Health
Schedule A - OCP	Section 5.8 – Deep Bay Policy 24.b)iv.	Revise policy so that iv. reads as follows: “financial contribution to capital improvements or purchases of the Deep Bay Improvement District’s fire protection service.”	Response to request from Deep Bay Improvement District
Schedule A - OCP	Section 5.9 - Affordable and Accessible Housing, introduction, second paragraph	Delete the number “24%” and replace with “21%”	Updated with 2016 Census data now available.
Schedule A - OCP	Section 5.11 Temporary Use Permits, in the introduction, second paragraph,	Delete “commercial or industrial activities” and replace with “temporary uses”	Correction for accuracy
Schedule A - OCP	Section 7 - Implementation, introduction, first paragraph	Delete “Map No. 2” and replace with “Map No. 5”.	Correct typo
Schedule A - OCP	Section 7.1 Implementation Actions	To the table, in the furthest left column, which is divided into three sections, add the following text in vertical orientation from top to bottom: “The Natural Environment; Community Resources; Dev. Strategy”.	Housekeeping amendment

Bylaw 1335 Schedule	Relevant Section / Policy	Recommended Amendment	Rationale
Schedule A - OCP	Section 8 – Development Permit Areas, DPA 8 – Qualicum Bay and Dunsmuir Village Centres	Add new guideline 15 as follows, and renumber the rest of the guidelines accordingly: “The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/ or community gardens, arbours and associated planting, bee hives.)”	Response to request from Island Health. Becomes consistent with Bowser Village Plan Development Permit Area for this policy.
Schedule A – OCP	Map 2a – Environmental Features	Replace the existing map with the map shown in 5b	Includes new eagle nest mapping that has just been received and was not yet available at earlier readings.
Schedule A – OCP	Map 4 – Transportation	To the Title, add “Active” before Transportation; from the legend, delete “major roads” and its symbol; and add the speed reduction symbol on Highway 19A from Northdowne Rd to Driftwood Rd.	Housekeeping correction, and for consistency with the Active Transportation Plan as intended.
Schedule A – OCP	Map 6 – Environmentally Sensitive Areas Development Permit Areas	Replace the existing map with the map shown in 5c	Includes new eagle nest mapping that has just been received and was not yet available at earlier readings. Also housekeeping amendment to clearly identify on the map that all nest, whether mapped or not, are within the development permit area.
Schedule A – OCP	Map 8 – Steep Slopes Development Permit Area	Replace the existing map with the map shown in Attachment 6a.	Corrects title inconsistency with the text of the development permit area. Also adds road right-of-ways to the development permit area where they end at the coast and meet the slope criteria.
Schedule B – Bowser Village Centre Plan	Map 4.1.3	Remove the word “Legend” located below the scale bar.	Housekeeping amendment

Bylaw 1335 Schedule	Relevant Section / Policy	Recommended Amendment	Rationale
Schedule B – Bowser Village Centre Plan	Section 4.2.5 Civic & Cultural, under the heading “Building Size”	After “Maximum building size 1,000 sq m (10,764 sq ft)”, add “except for residential buildings.”	To allow for Bowser Seniors Housing Society to propose a building of larger square footage, as their work with BC Housing indicates a larger size is needed to be cost effective for operation of such a housing facility.
Schedule B – Bowser Village Centre Plan	Map 4.2.7	Replace with the revised map shown in Attachment 5d that greys out the Bowser Village Centre leaving only the Future Use Area showing different land uses.	As a result of public feedback that the current shading showing one concept of land uses for the Bowser Village Centre that was ultimately not adopted into the bylaw is confusing.
Schedule B – Bowser Village Centre Plan	Section 5 Development Permit Area	To Applicability 2, delete “construction of new buildings and structures” and replace with “construction of, addition to, or alteration of a building or structure”.	Returning to existing wording of exemption based on input received.
Schedule B – Bowser Village Centre Plan	Section 5 Development Permit Area	Under Section 8 – Guidelines, renumber guidelines to be consecutive rather than re-starting at “1” underneath each sub-heading	Housekeeping amendment

Attachment 5a
Summary of Proposed Changes to be Considered at Third Reading – OCP Map 8



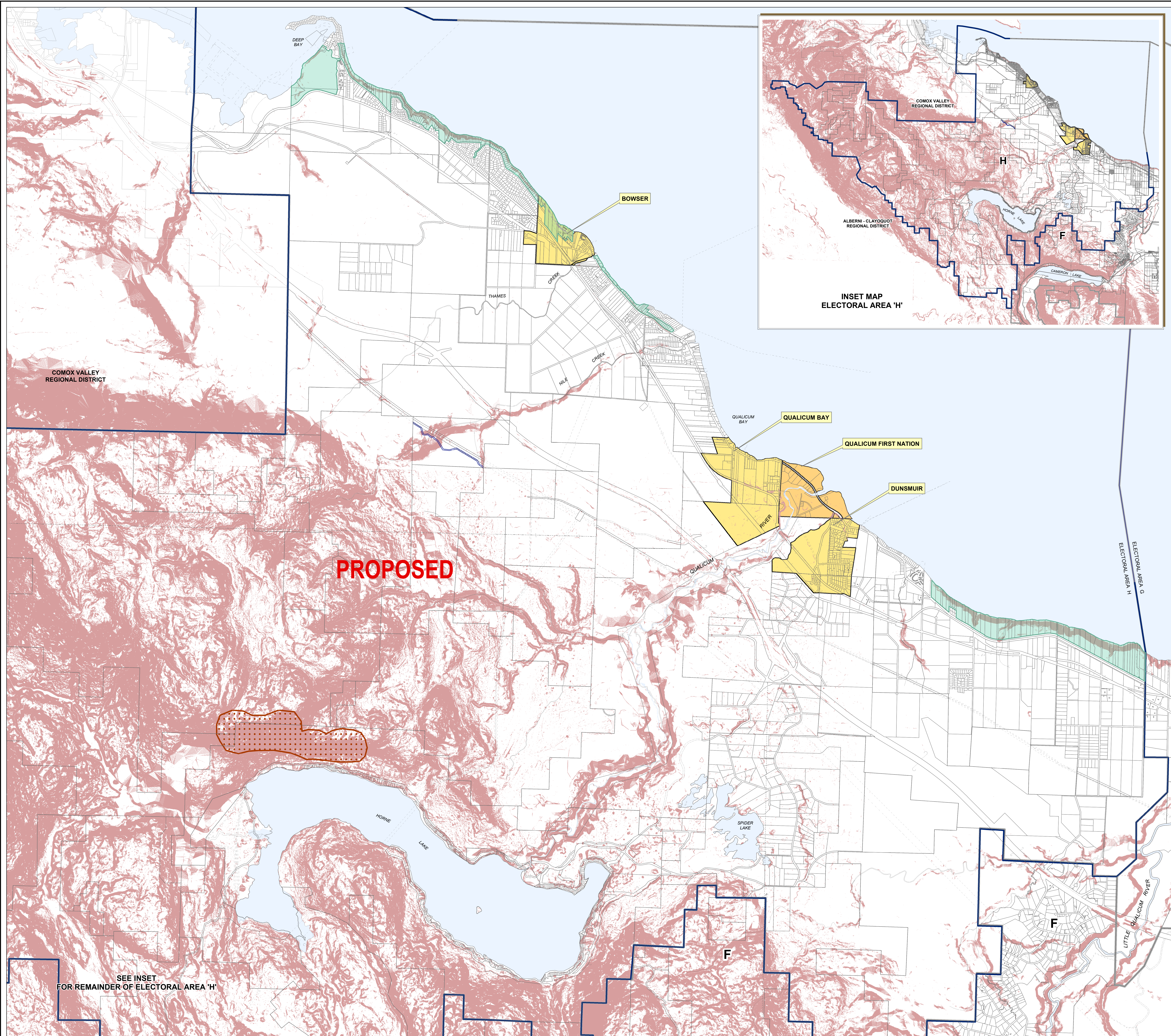
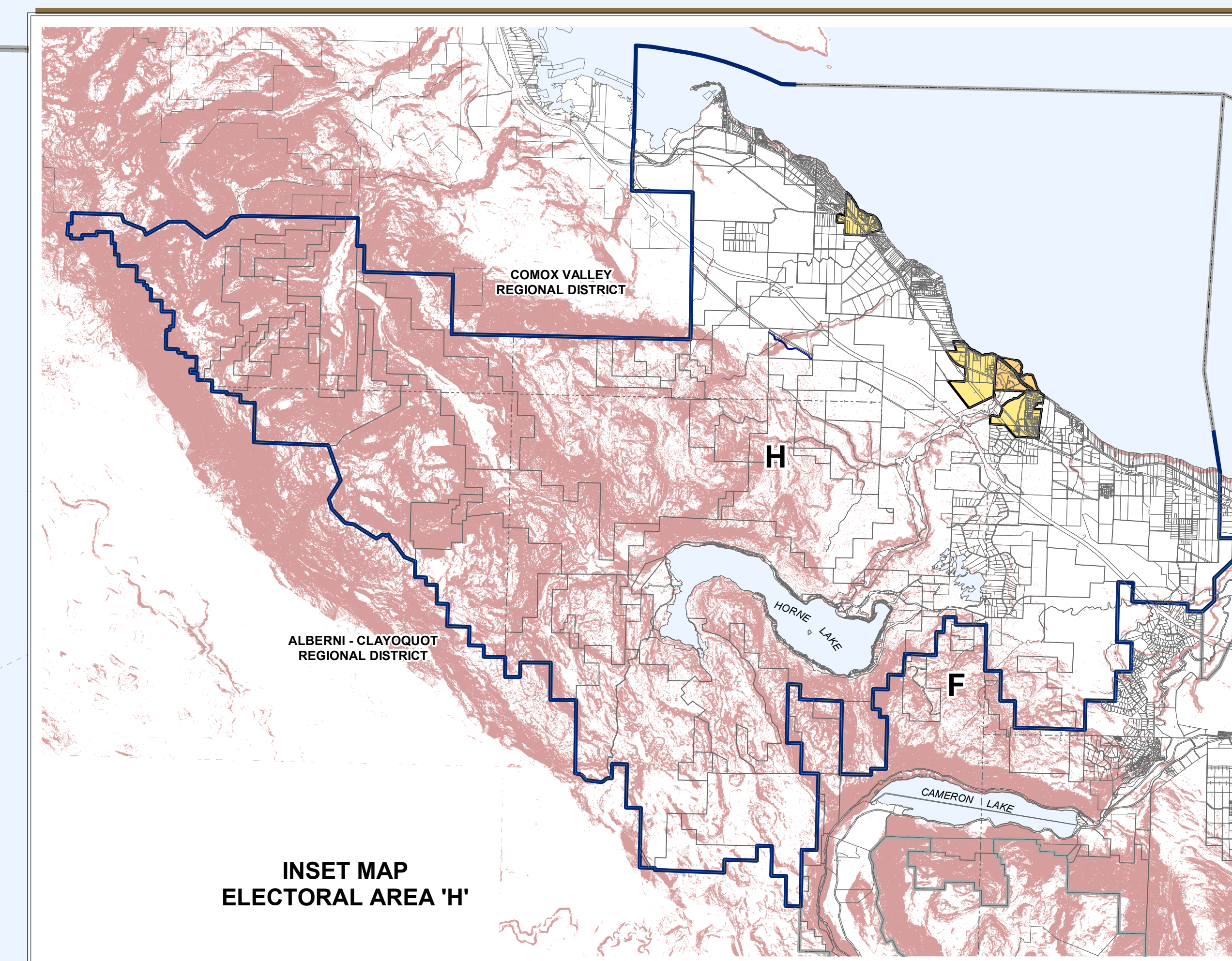
ELECTORAL AREA H OFFICIAL COMMUNITY PLAN

MAP NO. 8 COASTAL STEEP SLOPE HAZARD DEVELOPMENT PERMIT AREA

- Electoral H Official Community Plan Area Boundary
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation
- Land With 30 Percent Slope or Greater
- Mt. Mark Slide Area

Development Permit Area No. 5 Steep Slopes

- Development Permit Area



PROPOSED

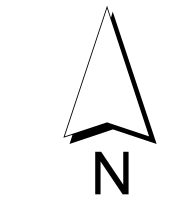
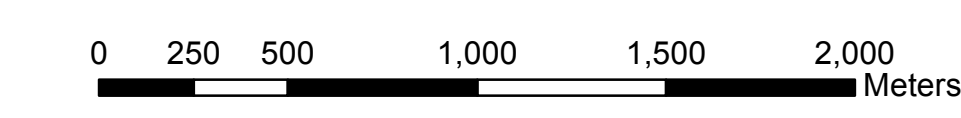
PROPOSED

SEE INSET
FOR REMAINDER OF ELECTORAL AREA 'H'

Chairperson

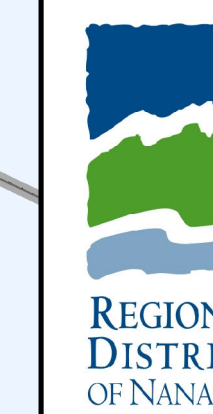
Corporate Officer

BYLAW NO. 1335.06



November 27, 2017

Attachment 5b
Summary of Proposed Changes to be Considered at Third Reading – OCP Map 2a



ELECTORAL AREA H OFFICIAL COMMUNITY PLAN

MAP NO. 2 ENVIRONMENTAL FEATURES AND PROTECTED AREAS

- Eagle Tree
Source: Wildlife Tree Service 2017
- Great Blue Heron Colonies
Source: Province of BC 2016
- Watercourses
- Electoral Area H Official Community Plan Area Boundary
- Wetlands, Ducks Unlimited
- Wetlands, Fresh Water Atlas
- Old Growth Management Areas
- Bowser Ecological Reserve
- Coastal Douglas Fir Land Use Order (Crown Land)
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation

Significant Environmental Features of Village Areas

- Miscellaneous
- New ESA/SEI
- Veteran Tree
- Stream (Estimated)
- Dunes
- Lodgepole Pine Forest
- Wetland

SOURCE: M.Mather & T. Giesbrecht, 2002. Biophysical analysis of village nodes in Electoral Area H.

Sensitive Ecosystem Inventory

- Coastal Bluff**
Vegetated rocky islet, rocky shoreline/grassland, rocky shoreline/moss, coastal cliff.
- Terrestrial Herbaceous**
Natural grasslands or bryophyte-dominated vegetation, including rock outcrop/grassland and rock outcrop/moss types >20% shrub cover.
- Older Forest**
Forest ecosystem with dominant age class > 100 years; coniferous, mixed with broadleaf component > 15%.
- Riparian**
All stages of floodplain vegetation including riparian vegetation associated with gullies.
- Sparsely Vegetated**
Ecosystems with sparse vegetation; cliff, sand dune, spit.
- Wetland**
Ecosystem with wet soil and moisture-dependent plants; bog, fen, marsh, swamp, shallow water, wet meadow.
- Woodland**
Open woodlands (stands of Garry oak, and mixed stands of Garry oak/Arbutus, Garry oak/Douglas-fir, Arbutus/Douglas-fir).

Areas With General Biodiversity Values

- Seasonally flooded agricultural field**
- Second Growth Forest**
Forested ecosystem with dominant age class 60 - 100 years; coniferous, mixed with broadleaf component > 15%.

Source: Sensitive Ecosystems of East Vancouver Island & Gulf Islands. Environment Canada and the BC Ministry of Environment, Lands and Parks. March, 2004

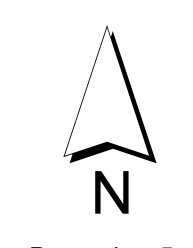
PROPOSED

Chairperson

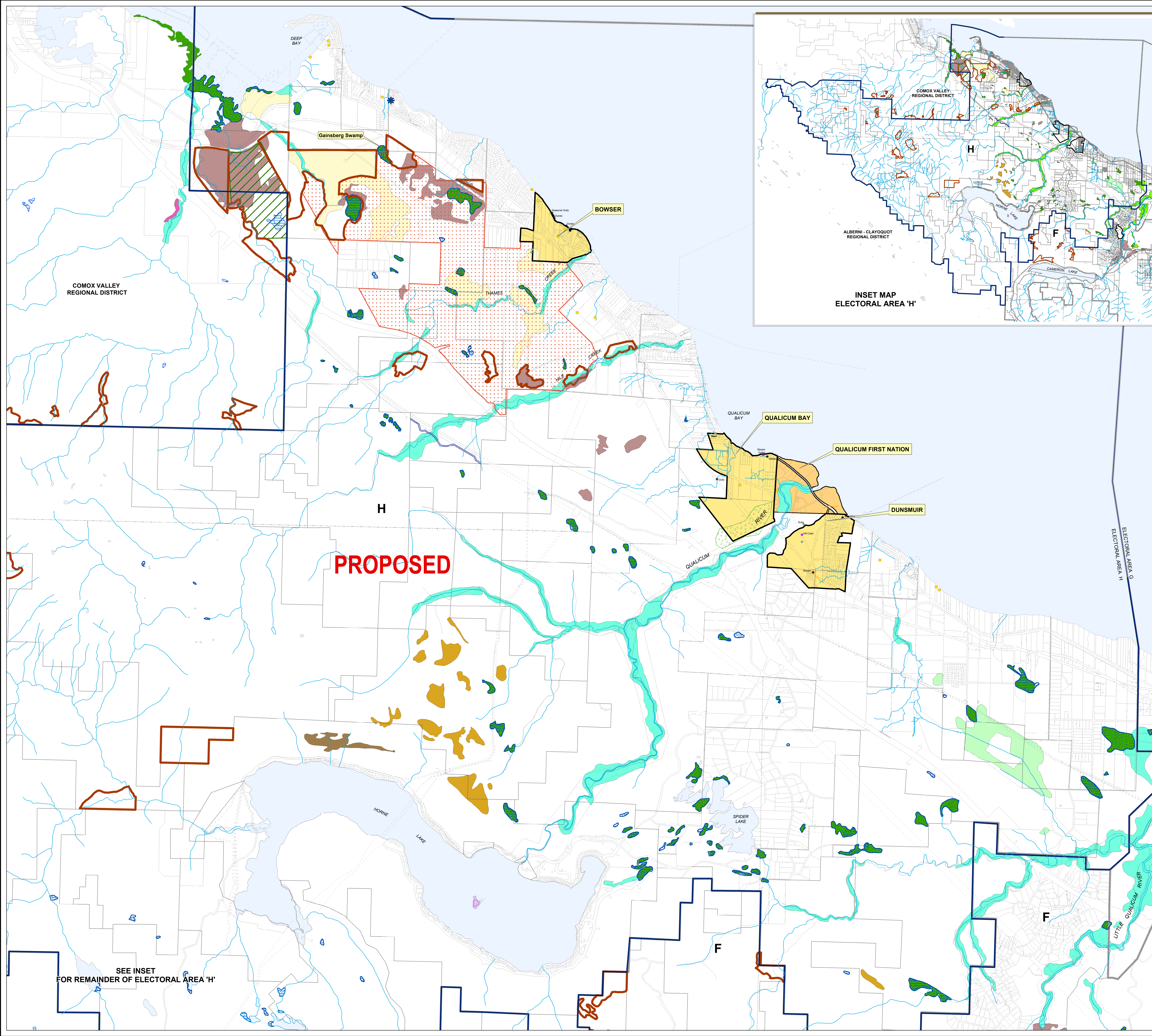
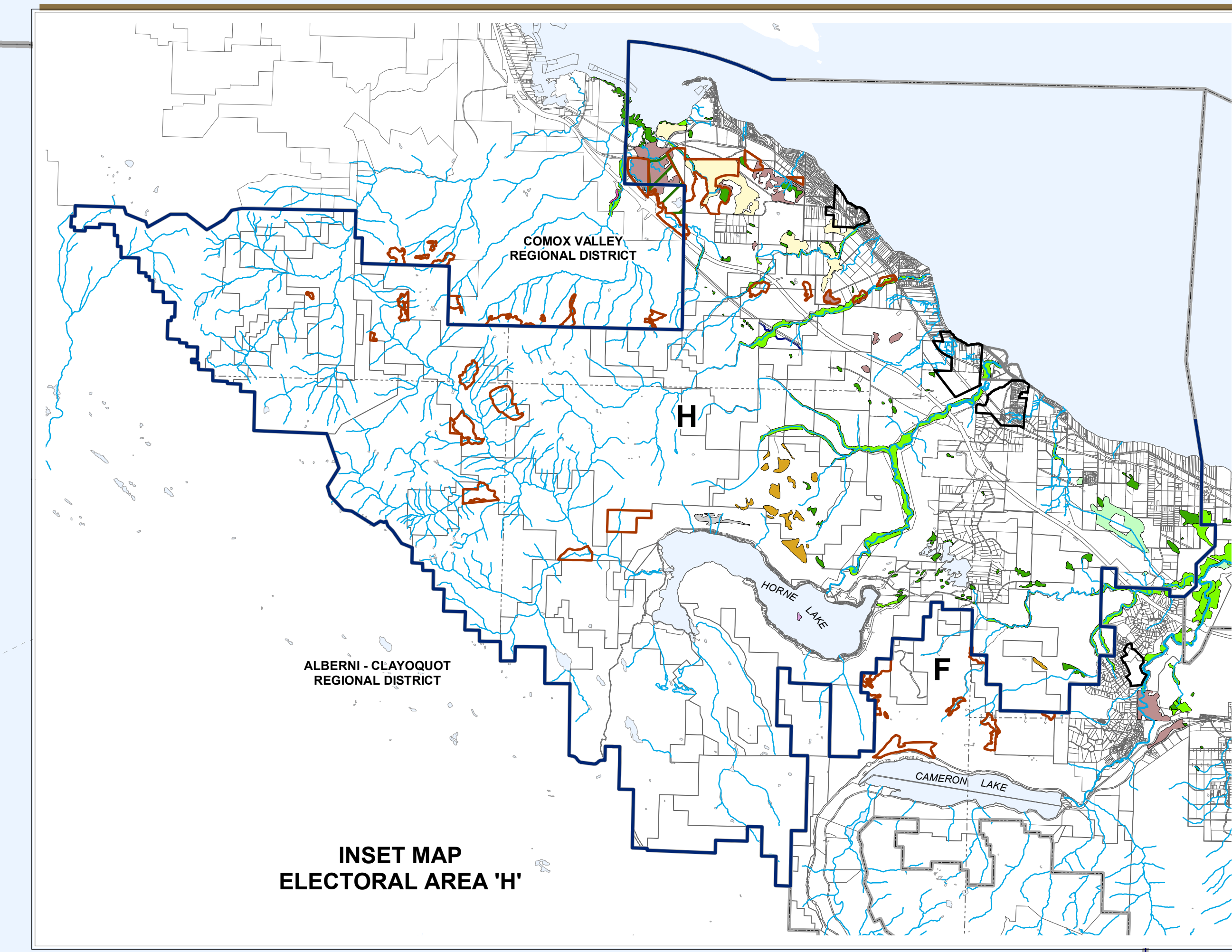
Corporate Officer

BYLAW NO. 1335.06

0 250 500 1,000 1,500 2,000 Meters



December 5, 2017



PROPOSED

SEE INSET FOR REMAINDER OF ELECTORAL AREA 'H'

Attachment 5c
Summary of Proposed Changes to be Considered at Third Reading – OCP Map 6



ELECTORAL AREA H OFFICIAL COMMUNITY PLAN

MAP NO. 6 ENVIRONMENTALLY SENSITIVE DEVELOPMENT PERMIT AREAS

- Electoral Area H Official Community Plan Area Boundary
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation

Development Permit Area No. 1 Freshwater and Fish Habitat Protection

- All Mapped and Unmapped Streams that are Subject to the "Riparian Areas Regulation" within the shaded area shown on inset Map
- Qualicum River, Thames Creek and Nile Creek
- Watercourses
- Waterbodies
- Wetlands (Compiled from multiple sources)

Development Permit Area No. 2 Eagle and Heron Nesting Trees

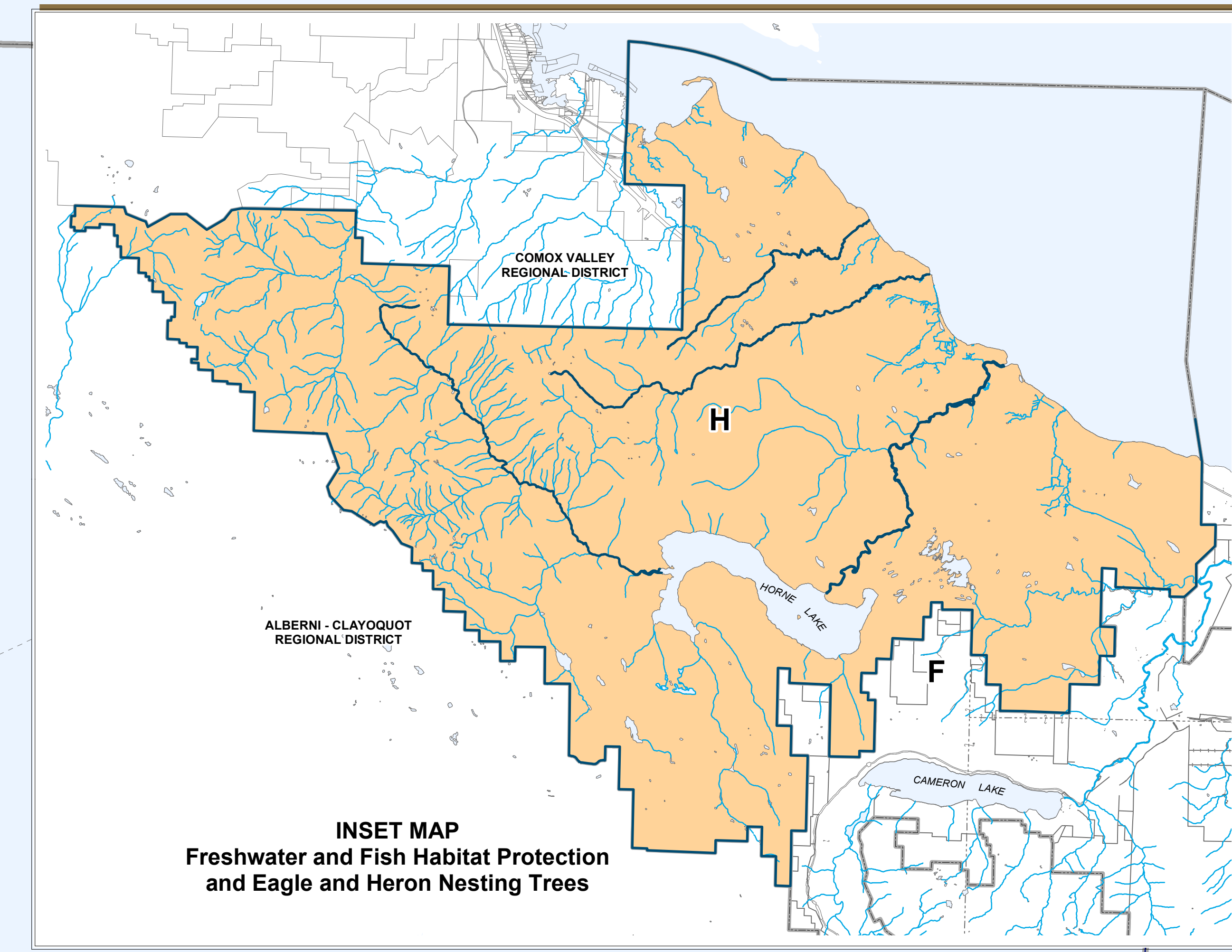
- All Mapped and Unmapped eagle and heron nesting trees within the shaded area shown on inset map
- Blue Heron Nesting Site
- Bald Eagle Nesting Tree
Source: Wildlife Tree Service 2017

Development Permit Area No. 3 Aquifers

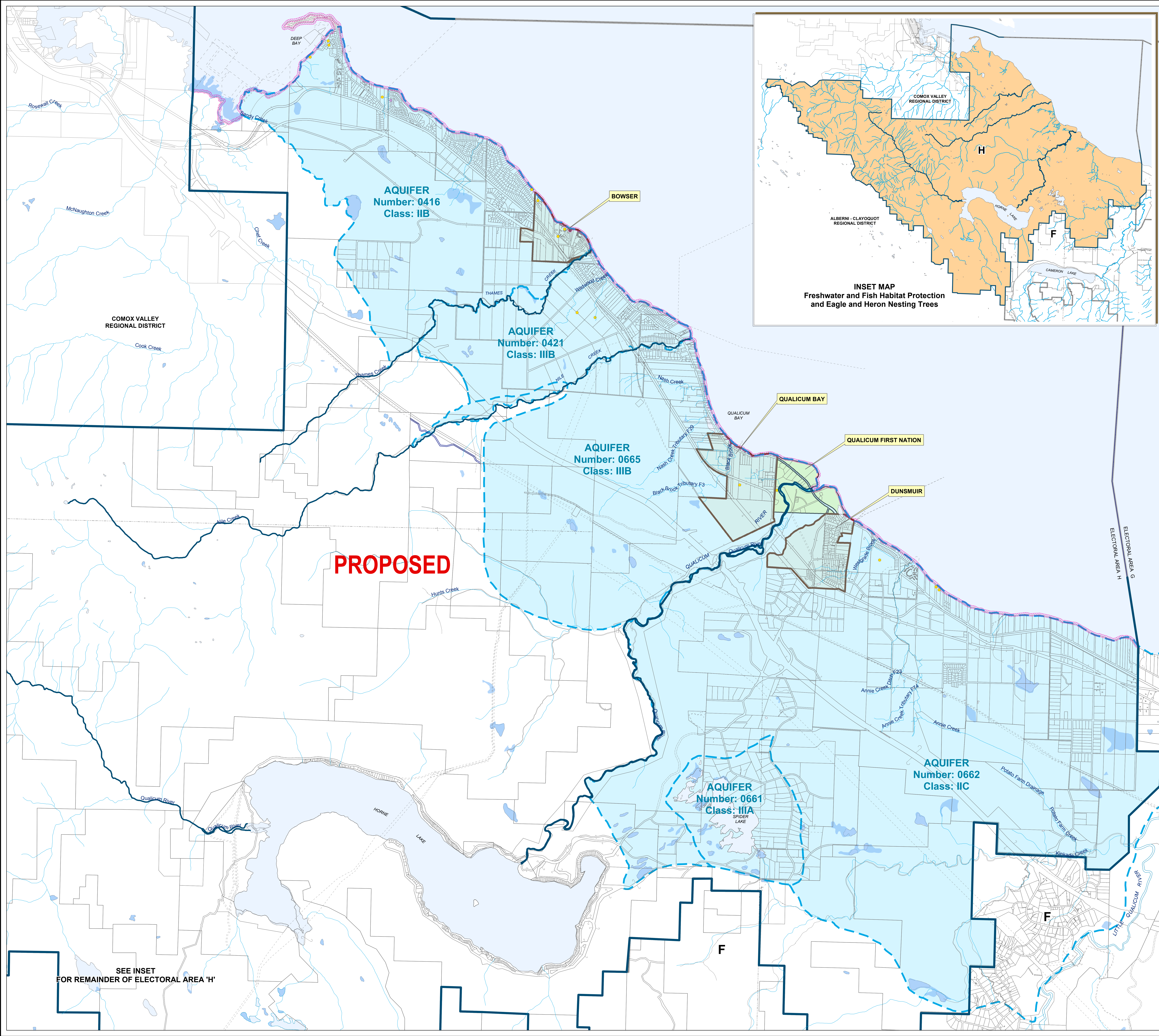
- Aquifer
- Classification
- Development Subclass
- II - Moderate Demand
(demand is moderate relative to productivity)
 - III - Light Demand
(demand is light relative to productivity)
- Vulnerability Subclass
(vulnerability to contamination from surface source)
- A - High
 - B - Moderate
 - C - Low

Development Permit Area No. 4 Marine Coast

- Development Permit Area No. 4 - Marine Coast



INSET MAP
Freshwater and Fish Habitat Protection
and Eagle and Heron Nesting Trees



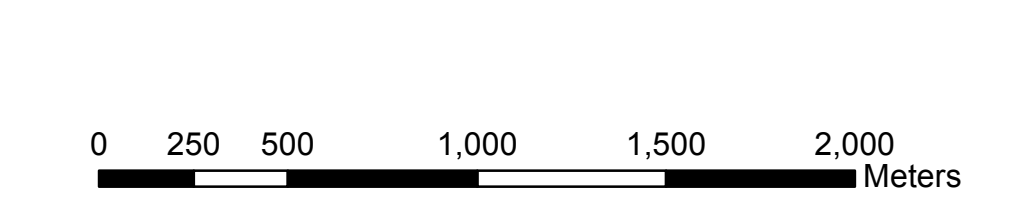
PROPOSED

PROPOSED

SEE INSET
FOR REMAINDER OF ELECTORAL AREA 'H'

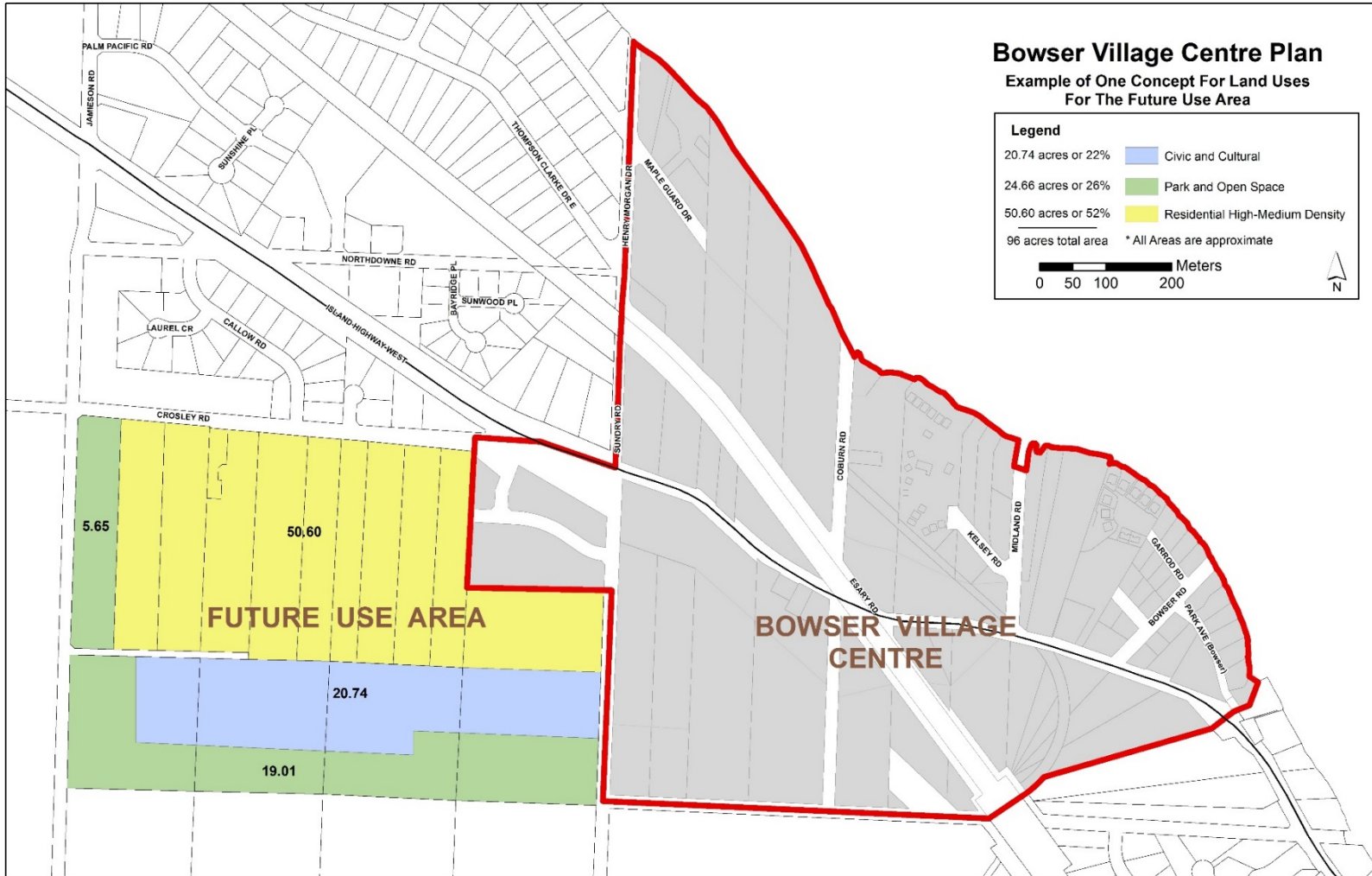
Chairperson _____ Corporate Officer _____

BYLAW NO. 1335.06



December 5, 2017

Attachment 5d
Summary of Proposed Changes to be Considered at Third Reading – Bowser Village Plan Map 4.2.7



Attachment 6
Proposed Policies that Require Amendments to the RGS

OCP Section / Policy	RGS Policy / Map	Rationale
<p><i>Section 5.10, Policy 2.e</i> “Subject to Regional Growth Strategy Amendment, shared wastewater disposal and shared provision of water are supported in the Rural Residential designation of this Plan in order to allow for smaller residential lots and a larger protected parcel”</p>	<p>10.2 “Not support the provision of new community water and/or sewer services to land designated as Rural Residential or Resource Lands and Open Space...”</p>	<p>Section 5.10 of the draft OCP implements RGS policy 5.13 to encourage alternative forms of rural development. In this context, shared wastewater and water should be allowed, or the ability to achieve these alternative forms of rural development will be significantly limited.</p>
<p><i>Section 5.5</i> “Rural Village Centres”</p>	<p>10.3 “only support new community water and wastewater systems that are publically owned.”</p>	<p>In addition to the above where small, privately owned systems are to be supported through alternative forms of rural development policies, this OCP also supports them in Village Centres not served by community wastewater systems. Although there are policies supporting establishment of community sewer in Dunsmuir and Qualicum Bay Village Centres, there is nothing on the horizon. This RGS policy would inhibit their ability to grow into the compact, mixed use centres before a community wastewater system is constructed.</p>
<p><i>Section 5.10 Alternative Forms of Rural Development</i> - transfer of dwelling unit potential</p>	<p>10.7 “Not rezone lands for higher density until community water and sewer services can be provided.”</p>	<p>Transfer of dwelling unit potential will result in higher density for a specific site. Higher densities will not always require community water and sewer as even though density is higher for a particular development the new lots may have on-site services or just community water.</p>

OCP Section / Policy	RGS Policy / Map	Rationale
<p><i>Bowser Village Centre Plan</i> change to re-designate one lot from the Future Use Area to the Bowser Village Centre</p> <p><i>All Maps - Bowser Village Centre</i> boundary to include new area</p>	<p>Appendix B Sheet 1 - Growth Containment Boundary for Bowser Village Centre</p> <p>Map 4 – Land Use Designations</p>	<p>This addition to the Bowser Village Centre will facilitate construction of road access to the Crown lots leased by the RDN for seniors housing.</p>
<p><i>All maps</i> –south-east boundary realignment</p>	<p>Map 4 - Growth Containment Boundary for Bowser Village Centre</p> <p>Appendix B, Sheet 1</p>	<p>The realignment of the south-eastern boundary from following Thames Creek to following property lines will bring it into consistency with the Bowser sewer service area boundary.</p>
<p><i>Map 5 Land Use Designations</i></p> <p>Change one lot containing addresses 870, 860 and 850 Spider Lake Road from Resource to Rural designation.</p>	<p>Map 4 – Land Use Designations</p> <p>Change from Resource Lands and Open Space to Rural Residential</p>	<p>The parcel was removed from the Agricultural Land Reserve (ALR) in the past yet retains the Resource designation. This OCP changes the designation to Rural for consistency with rural lands not in the ALR. It is now consistent with the designation of neighbouring properties.</p>

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1335.06**

**A Bylaw to Amend Regional District of Nanaimo Electoral Area ‘H’
Official Community Plan Bylaw No. 1335, 2003”**

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

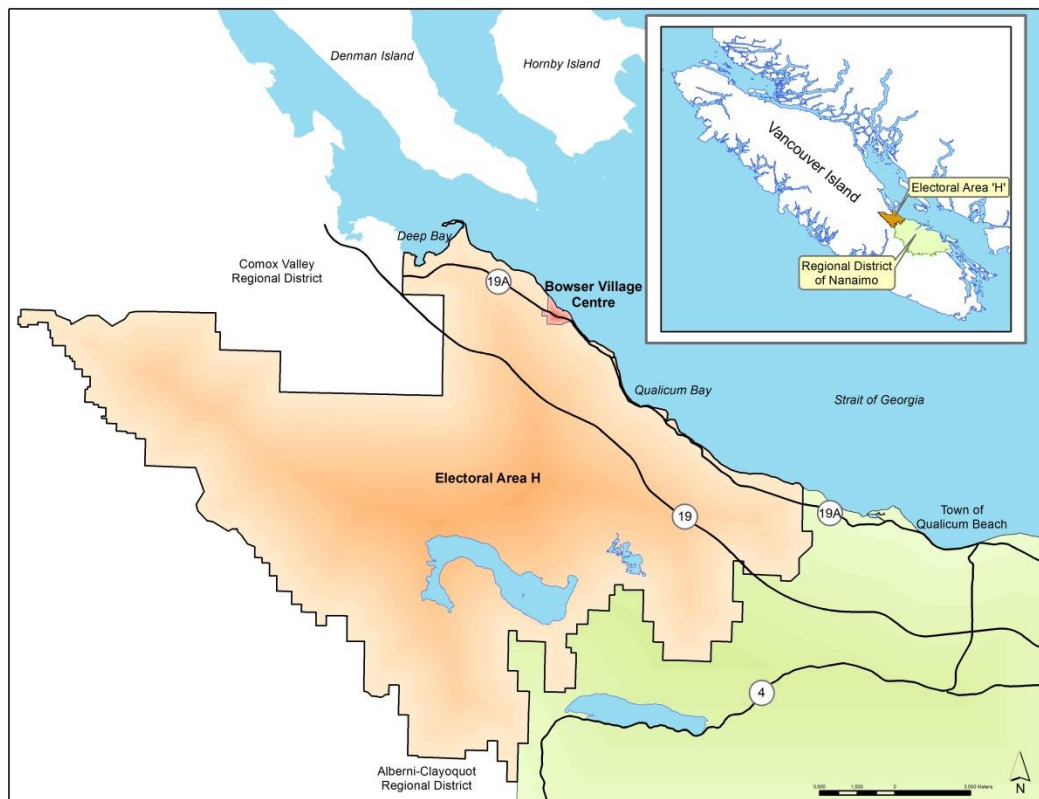
1. TITLE

This Bylaw may be cited as “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.06, 2017”.

2. AMENDMENT

“Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003” is hereby amended as follows:

- a) by deleting Schedule ‘A’ Electoral Area ‘H’ Official Community Plan, and replacing it with Schedule ‘A’ attached to and forming part of this bylaw.
- b) by amending Schedule ‘B’ Bowser Village Centre Plan as follows:
 - 1. by deleting Map 1.3.1 and replacing with the following:



2. by deleting Map 1.4.1 and replacing with the following:



3. by deleting the last paragraph in Section 1.5 that reads: “The Bowser Village Centre Plan takes precedence over, and replaces references to the Bowser Village Centre in Section 5.5 and Appendix A: 2 of the 2004 Electoral Area ‘H’ OCP.”
4. by adding to Section 1.9 the following text at the end of the third to last paragraph, after “2004” and before the period: “and 2017”
5. by adding policy 1.1.2 and text in the associated “related action”, “time” and “who” columns as follows:

Policy: “Rezoning proposals shall meet the density target in the “more realistic” column of Figure 4.1.5 at a minimum. Where the full build-out of a property is intended to be phased or developed over time, the rezoning should include a plan for phasing where the full build-out meets the objectives and policies of this Plan.”

Related action: “d. When reviewing rezoning applications, require that the “more realistic” density targets are the minimum density of the new zone.”

Who: “RDN”

Time: “Ongoing”

6. by adding policy 1.4.6 and text in the associated “related action”, “time” and “who” columns as follows:

Policy: “If a wastewater management system exists within Bowser Village Centre, connection to the system is a requirement of any rezoning or amendment to this Plan.”

Related action: “j. Establish a process for requiring connection to wastewater management system at time of rezoning.”

Who: “RDN”

Time: “Short Term”

7. by adding policy 3.4.6 and text in the associated “related action”, “time” and “who” columns as follows:

Policy: “The RDN supports establishment of a seniors housing facility on the two Crown lots leased for that purpose.”

Related action: “h. Support the Bowser Seniors Housing Society in the process towards establishing a seniors housing facility.”

Who: “RDN Com”

Time: “Ongoing”

8. by adding policy 3.4.7 and text in the associated “related action”, “time” and “who” columns as follows:

Policy: “Rezoning of LOT A, DISTRICT LOT 85, NEWCASTLE DISTRICT, PLAN EPP67156 at the corner of Crosley Road and Highway 19A will only be supported if a road is constructed to access the Seniors Housing site described in 3.4.6 above.”

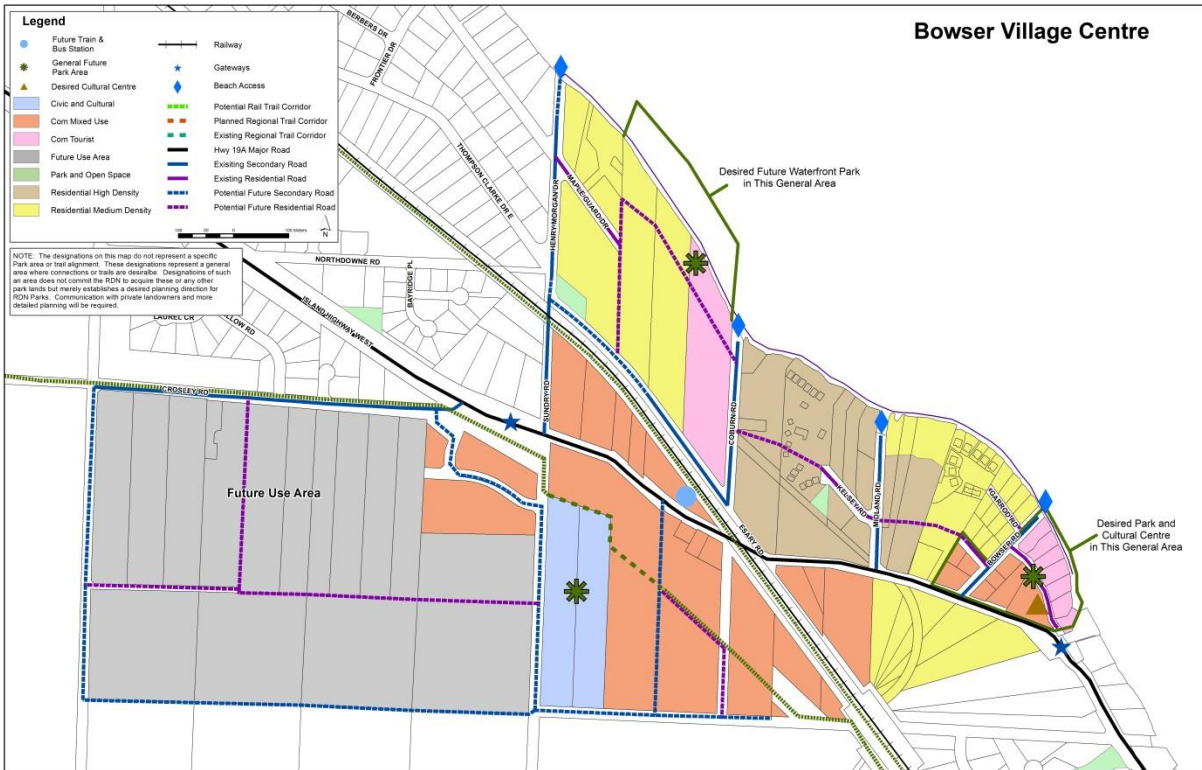
Related action: “i. Ensure that the road is constructed as a condition of any rezoning. This lot was taken from the Future Use Area and added to the Commercial Mixed Use designation of the Bowser Village Plan in 2017, on the condition that prior to rezoning, the owner would construct, at their cost, a road to access the future Seniors Housing on adjacent Crown lots.”

Who: “RDN”

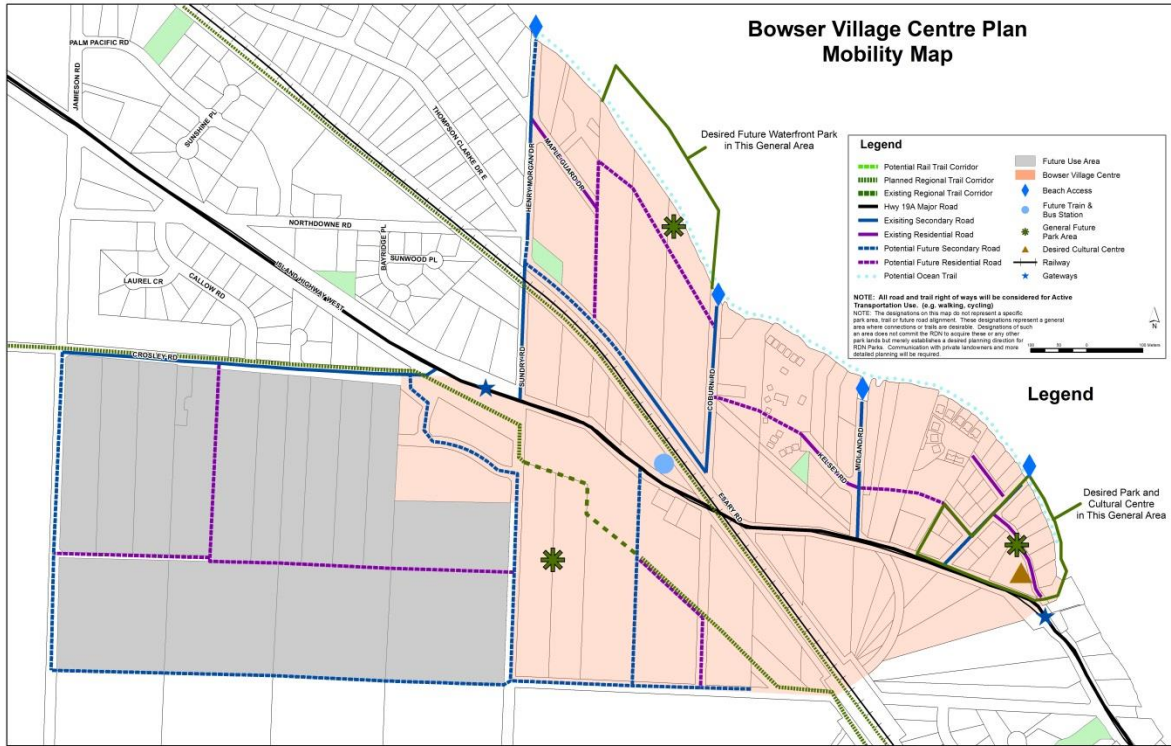
Time: “Ongoing”

9. by deleting the following text in policy 6.1.3: “as identified through a BEAT plan for Bowser Village Centre”, and replacing with “as identified in the Electoral Area ‘H’ Active Transportation Plan, 2017”

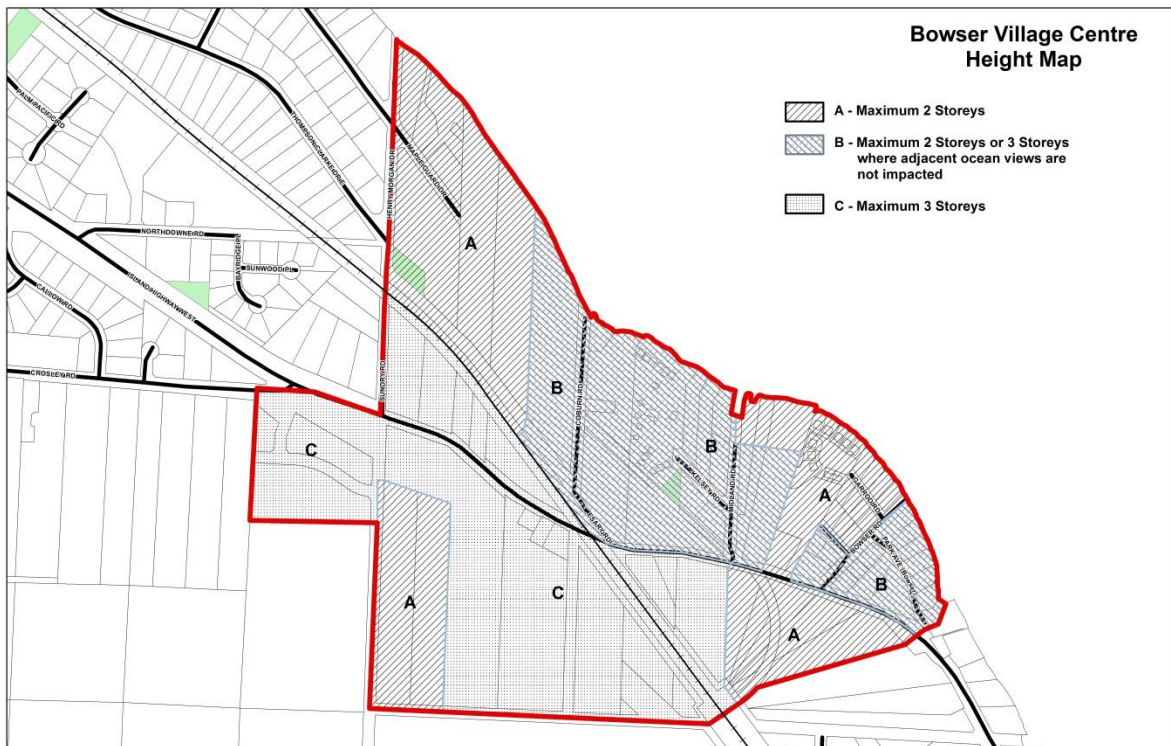
10. by adding to policy 6.1.4 the following text after “community”: “to implement the Electoral Area ‘H’ Active Transportation Plan, 2017”, and deleting the following text: “to develop and implement a plan to create a safer environment for pedestrians, cyclists and scooters that considers”
11. by deleting Map 4.1.2 and replacing with the following:



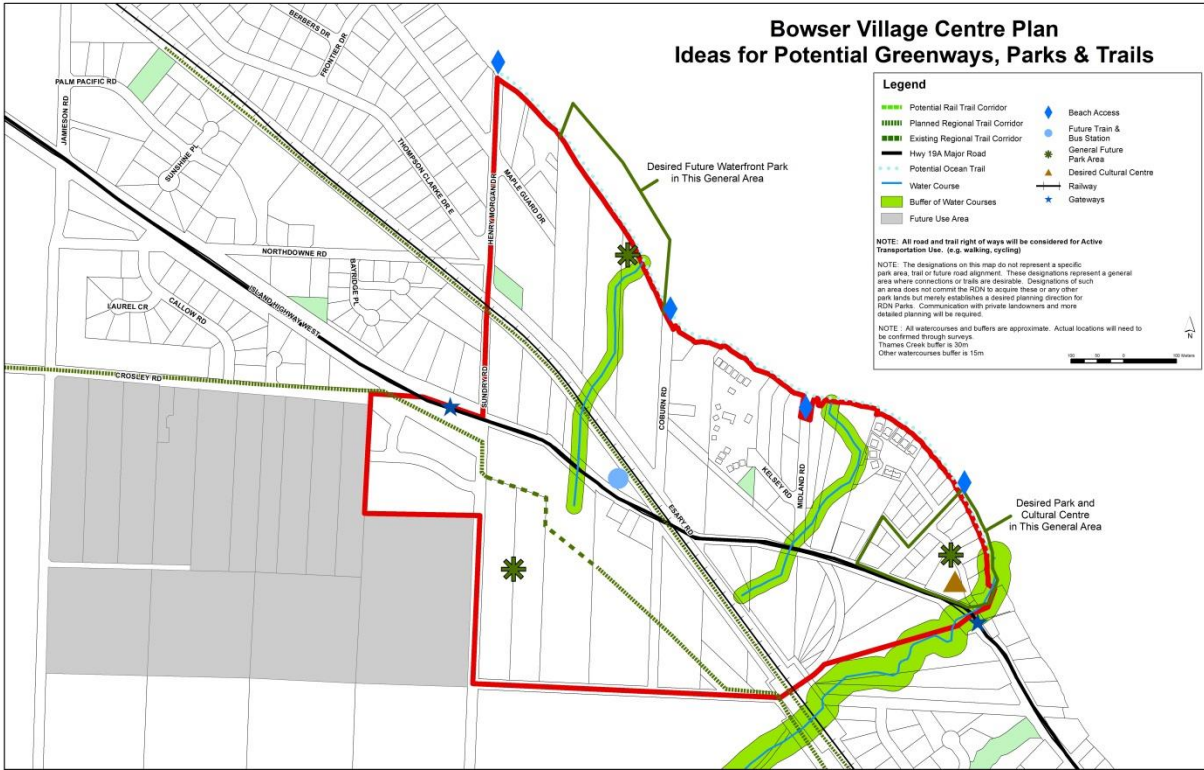
12. by deleting Map 4.1.3 and replacing with the following:



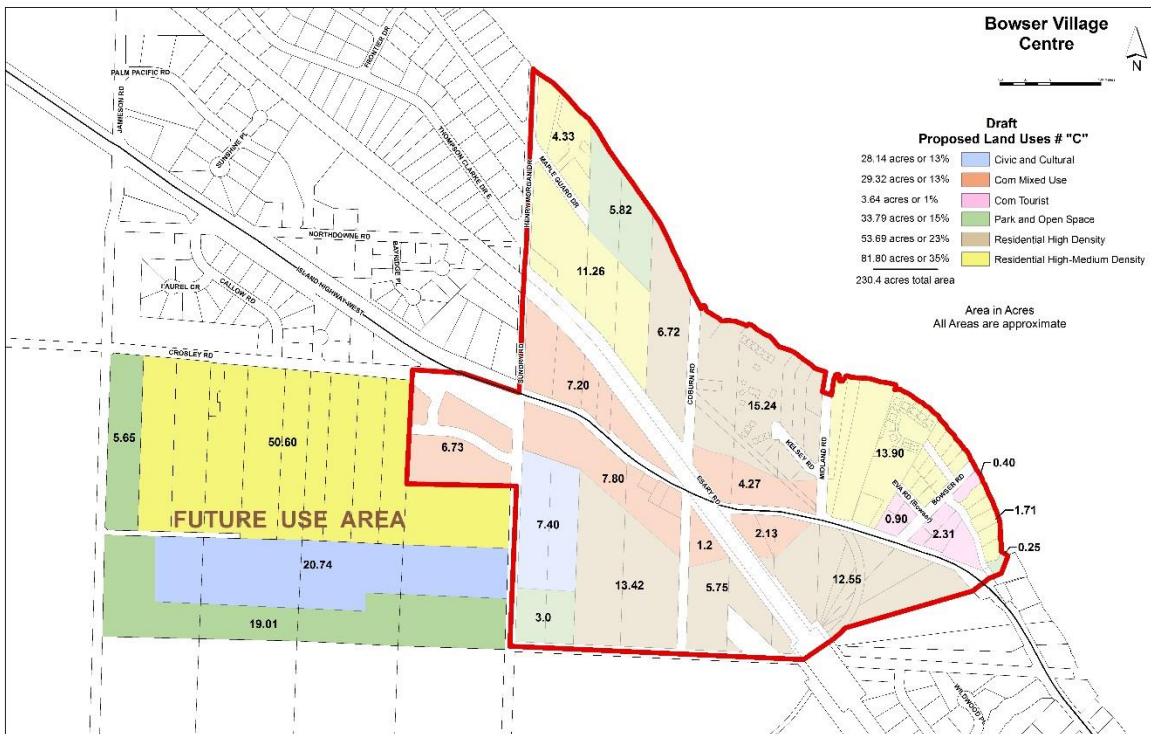
13. by deleting Map 4.1.4 and replacing with the following:



14. by deleting Map 4.2.6 and replacing with the following:



15. by deleting Map 4.2.7 and replacing with the following:



16. by deleting Section 5 "Development Permit Area" and replacing with Schedule 'B' attached to and forming part of this bylaw
- c) by deleting Section 1 (Title) and replacing it with the following:
 1. Title

This Bylaw may be cited as "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2017".

Introduced and read two times this 24th day of October, 2017.

Considered in conjunction with the Regional District of Nanaimo Financial Plan, Liquid Waste Management Plan, and Solid Waste Management Plan this 14th day of November, 2017.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this 6th day of December, 2017.

Read a third time this ___ day of _____ 20 XX.

Adopted this ___ day of _____ 20 XX.

Chair

Corporate Officer

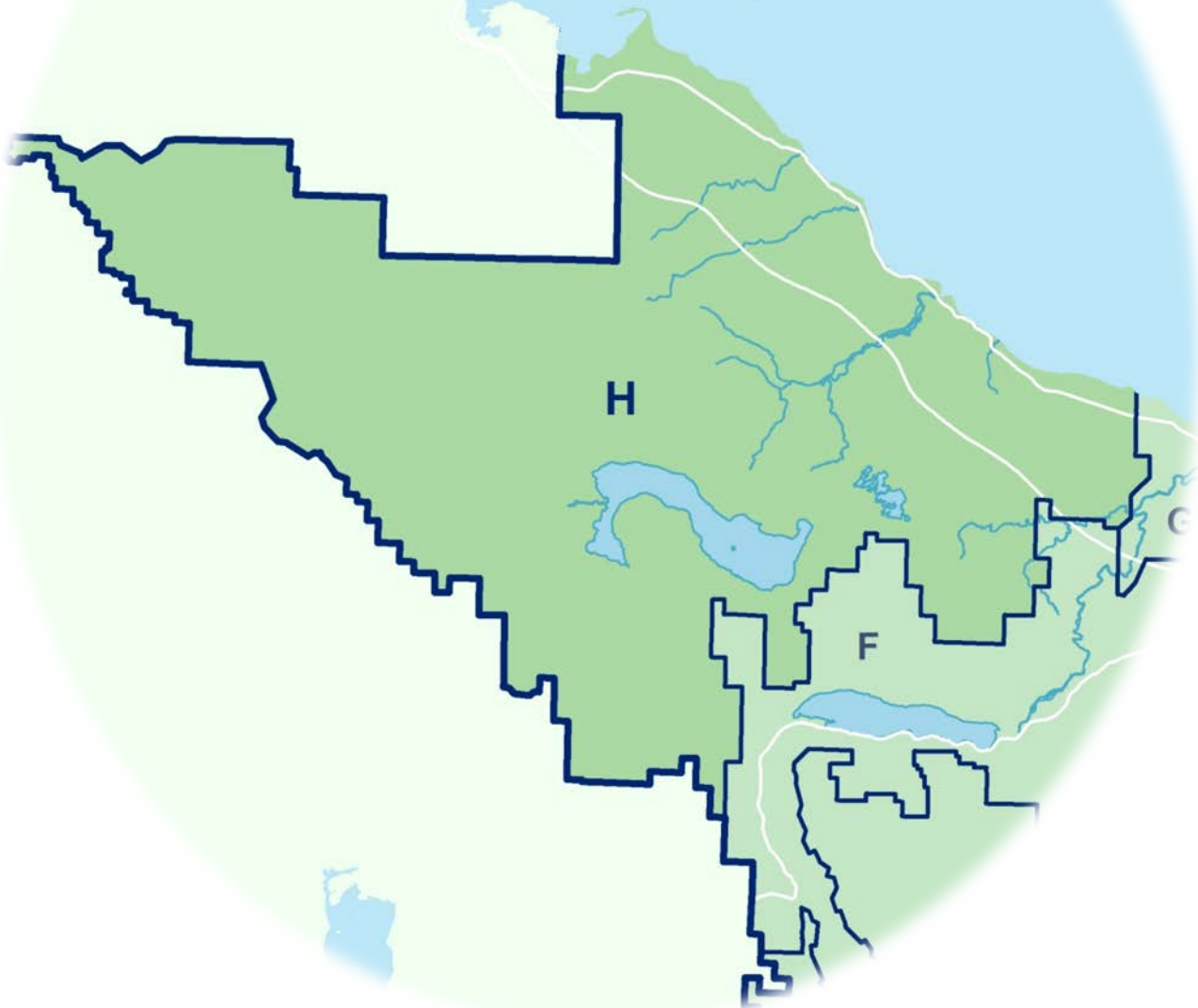
Schedule 'A'

to accompany "Regional District of Nanaimo
Electoral Area 'H' Official Community Plan
Amendment Bylaw No. 1335.06, 2017"



Electoral Area 'H' Official Community Plan

Bylaw No. 1335, 2017 amendment



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Maps forming part of this Plan:

1. Electoral Area ‘H’ Official Community Plan Area (Page 1)
 - 2a. Environmental Features
 - 2b. Groundwater
3. Community Resources
4. Active Transportation
5. Land Use Designations
6. Environmentally Sensitive Areas Development Permit Areas
7. Form and Character and Farmland Protection Development Permit Areas
8. Steep Slopes Development Permit Area

SCHEDULE A – POLICY DOCUMENT

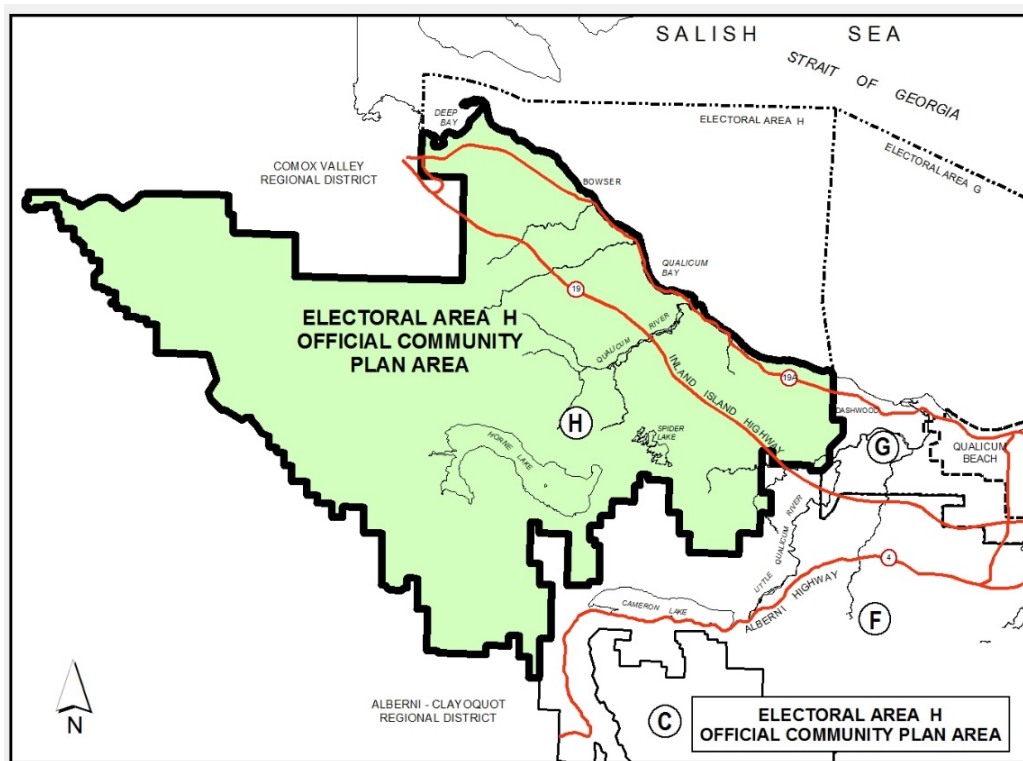
SECTION 1 - INTRODUCTION AND PURPOSE

The *Local Government Act* defines an Official Community Plan as a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government.

The purpose of the Electoral Area 'H' Official Community Plan (OCP) is to provide a comprehensive set of objectives and policies for managing existing and future uses of land, coastal areas and the surface of the water within the Plan Area. The objectives and policies contained in this OCP are a reflection of community values and the regulations of the local, provincial, and federal government with interests in the Plan Area.

The Electoral Area 'H' Official Community Plan Area includes approximately 28,615 hectares of land and is bordered by the Comox Valley Regional District to the north, Alberni-Clayoquot Regional District to the west, the Strait of Georgia to the east, and Electoral Areas 'G' and 'F' to the south. The Qualicum First Nation community is surrounded by Electoral Area 'H'. For the purposes of community planning and this OCP, the Qualicum First Nation community is recognized as independent yet at the same time a part of the fabric of the Plan Area.

The Plan Area is shown on Map No. 1 and includes 26,320 km of coastline and several distinct neighbourhoods including Deep Bay, Bowser, Qualicum Bay, Qualicum First Nation, Dunsmuir, Shaw Hill/Baylis Area, Spider Lake, and Horne Lake.



Map 1: Electoral Area H Official Community Plan Area

It is important to distinguish the OCP from land use and subdivision bylaws. The OCP acts as a guide for the RDN Board, land developers, consultants, property owners, and other agencies in determining community desired uses for land and water surfaces in the community. The Plan provides direction and a basis for the preparation of related bylaws to regulate land use and development. In addition, the Plan will also provide criteria from which development proposals will be considered by the community and the RDN Board.

The Electoral Area 'H' Official Community Plan has been prepared based on the direction provided by the community in the "Community Values Statement". This OCP has benefited from past work from the previous 'Shaw Hill—Deep Bay Official Community Plan' and the Regional Growth Strategy (RGS). The Plan will guide development in a manner that reflects the "Community Value Statement" and "Development Guideline Criteria" drafted by the residents of Electoral Area 'H' for the 2004 OCP. Additionally, in 2016 – 2017 this OCP went through a significant update process with engagement from the community.

The intent of this OCP is to provide direction on how the Plan Area will grow and change over the next 10-30 years. However, with changes in legislation, growth projection expectations, changing attitudes of the residents and landowners, and amendments to the RGS, the Plan should be reviewed as necessary.

1.1 Population Growth, Demographics, and Housing Needs

The population of the Plan Area increased from 1,648 residents in 1986 to 3,884 residents in 2016. During this time, the Area experienced two distinct periods of growth; annual population growth of over five percent per year in the late 1980s and early 1990s, followed by a period of slower growth starting in the later half of the 1990s that continued through 2016.

Taking a modest growth rate of 6% which is the average of the past two census periods, the population will surpass 5,000 people by the 2036 census. This estimate is based on a linear growth and does not take into account changing growth rate from year-to-year due to the age structure of the population or migration.

Population estimates are imperfect. They are only estimates and cannot factor in future influences of climate, economy and migration. They also do not anticipate any new government initiatives in land use policies, development or housing.

**Table 1: Electoral Area 'H'
Growth Rate, 1991 - 2016**

Census Year	Population	Growth Rate
1986	1805	10%
1991	2357	31%
1996	2951	25%
2001	2108	5%
2006	3474	12%
2011	3509	1%
2016	3884	11%

The Area's population has aged significantly since 1981 with the majority of the population now over the age of fifty. In 2016 the median age of residents was 58.8 years old compared with the provincial median age of 43.0 years old. This trend is expected to continue which has significant implications for land use, housing, services and employment.

The estimated population growth rate has the potential to translate into demand for an additional 100-150 dwelling units in Electoral Area 'H' over the next five years. With the continued trend of an ageing population it is anticipated that some of this demand will be for housing that is sought by the senior's population such as smaller dwellings close to amenities or a seniors' housing facility. Housing needs over this time period will generally be accommodated in the Rural Village Centres and through the infill and subdivision of existing Rural and Rural Residential Lands and within surrounding municipalities that have greater levels of services.

1.2 Public Engagement

This Electoral Area 'H' Official Community Plan (OCP) is the result of two comprehensive public consultation processes. First in 2003-2004, and again in 2016-2017 when updates were made to the Plan. In 2003-2004 the community came together to discuss key issue areas, to establish community priorities and to outline the vision for the future development of the area in Community Values and Development Guideline Criteria Statements.

A public engagement process began in 2016 for an update to this OCP. It was initiated with an online survey asking community members to describe what has changed and what has stayed the same in their community since the last OCP Review, and what are the most important issues for the community right now. Through a series of public open houses and Community Working Group meetings, these issues were further explored. A project website, email subscriber list, and outreach activities at local events aimed to spread the word about the project and invite input via email, letter, and meeting with the lead planner at weekly office hours held in Bowser.

The resulting updates to the OCP confirm continued relevance of the Community Values and Development Guideline Criteria, and add renewed emphasis on economic development, affordable housing, active transportation (such as walking and cycling) and climate change adaptation.

The Regional District of Nanaimo (Regional District) recognizes the need for ongoing public consultation through the implementation of this Plan. The community will continue to be consulted through public information meetings held on development applications and through other ongoing Regional District consultation initiatives.

1.3 Community Values Statement

The Plan Area is made up of distinct neighbourhoods that have a diverse range of activities and interests but share many common values. Over the years, the area has developed to accommodate a broad mix of rural, residential, recreational, tourist, small scale commercial, and resource uses with an emphasis on mutual respect and diversity. The combination of climate, spectacular natural environment, outdoor recreation opportunities, water resources, entrepreneurial spirit, and the progressive attitude of residents have resulted in a highly desirable and vibrant community.

Given the attributes of the area, residents recognize that there will be pressure for change and development in their neighbourhoods. As the future unfolds, residents will embrace compatible development, while at the same time maintaining the values that are fundamental to the health and prosperity of the community. The future growth and development of the community will require that a balance is struck among these values. These values have been formed based on the input and priorities of the residents who make up the neighbourhoods of the Plan Area and will be used to help guide future decisions on development proposals, environmental protection initiatives, and infrastructure development for the community, the Regional District and senior government agencies. These values are as follows:

Community Values Statement

1. Protect rural character and contain urban development to village nodes;
2. Identify and protect watersheds and aquifers from degradation, inappropriate development and pollution to ensure a continued safe water supply;
3. Recognition that the sustainable development of the area must be linked to groundwater quality and quantity for all residents;
4. Protection and promotion of natural, environmental, and geographic features;
5. Support for development regulations to protect environmentally sensitive areas, natural hazard lands, the marine/freshwater foreshores, and aquifer recharge areas;
6. Recognition that a comprehensive approach to managing sewage/septage is required;
7. Recognition that a comprehensive approach to stormwater management is required;
8. Support for a diversified economy, focusing on small scale commercial, human service sectors, and tourism, primarily within the Rural Village Centres;
9. Support for economic diversity in new and existing developments that complement the rural integrity of Area 'H';
10. Recognition of the importance of home based businesses in the growth and diversification of the area;
11. Respect for First Nations, as well as consultation and collaboration to develop approaches to issues of mutual interest;
12. Protection of resource lands for suitable resource uses;
13. Minimize the encroachment of incompatible land uses;
14. Recognition of Horne Lake as a unique recreational opportunity;
15. Support for environmentally responsible shellfish aquaculture, recreational and commercial fishery, and salmon enhancement;
16. Recognize and support Deep Bay Harbour as a viable commercial and recreational port;
17. Preservation and enhancement of green space, access to public lands, integrated trails and beaches;
18. Recognize the need for and continued support for Electoral Area 'H' local schools and community centres;
19. Promotion of a mixed community providing economic opportunities, affordable housing, and services for all residents;
20. Recognition and support for enhanced transportation corridors; and
21. Require comprehensive public consultation with respect to decisions about the future development of all lands and services within our communities.

1.4 Consistency with Regional Growth Strategy

Electoral Area 'H' is one of seven electoral areas within the Regional District of Nanaimo. These electoral areas, in partnership with the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach, and the District of Lantzville have agreed to limit sprawl and contain development through the adoption of a Regional Growth Strategy. The Regional Growth Strategy (RGS) articulates a vision of a desirable, future Region and sets out eleven goals for attaining this vision. In accordance with Section 445 of the *Local Government Act*, this OCP must be consistent with the Regional Growth Strategy. In response to the RGS goals, the Electoral Area 'H' OCP does the following:

RGS Goal 1: Prepare for Climate Change and Reduce Energy Consumption

In accordance with Section 437(3) of the *Local Government Act*, this OCP includes targets for greenhouse gas emissions reduction and policies and actions to achieve the targets; this OCP encourages increased density and a mix of uses in Village Centres to reduce the reliance of residents on the private automobile and to increase viability of public transit. The need to understand the future impacts of climate change is addressed in this OCP, as well as steps that need to be taken to adapt to these impacts.

RGS Goal 2: Protect the Environment

Through the use of policies and development permit areas, this OCP provides protection to the area's environmentally sensitive features such as aquifers, streams, coastal areas, eagle and heron nests. The OCP includes policies that apply at the time of rezoning, policies that encourage property owners to protect these sensitive areas, and policies that communicate the community's preference to other levels of government and other agencies.

RGS Goal 3: Coordinate Land Use and Mobility

This OCP supports land use patterns and mobility networks to reduce automobile dependency and provide for efficient movement of people and goods. This plan supports the creation of compact communities served by active transportation networks and a multi-modal system of transportation that includes the automobile, transit, cycle and foot.

RGS Goal 4: Concentrate Housing and Jobs in Rural Villages and Urban Growth Centres

This OCP supports a range of housing types and sizes, as well as areas for commercial and mixed-use development within rural villages. In doing so, the plan provides opportunities for people to live closer to their place of employment and the services that they require on a daily basis; thereby reducing auto dependency and creating vibrant rural communities.

RGS Goal 5: Enhance Rural Integrity

This OCP seeks to enhance rural integrity by supporting agricultural, aquaculture, forestry and small-scale economic and tourism opportunities in the residential areas outside Village Centres. It also provides opportunities for more efficient use of land by supporting alternative approaches to subdivision and development that allow residential dwelling potential to be clustered into a smaller footprint or transferred from other areas where there is land set aside for community or environmental benefit.

RGS Goal 6: Facilitate the Provision of Affordable Housing

This OCP supports the provision of affordable housing through policies that provide for the creation of a range of parcel sizes and housing types and support secondary suites. This OCP also supports the provision of affordable housing as a community amenity, and supports establishment of seniors housing in Bowser Village Centres on Crown lots leased for that purpose, and expansion of existing seniors housing in Qualicum Bay Village Centre.

RGS Goal 7: Enhance Economic Resiliency

This OCP encourages and supports a range of light industrial, commercial and institutional development in appropriate locations. The Bowser Village Centre Plan encourages economic development as the economic centre of the area. Policies for the other Village Centre recognizes the focus of Qualicum Bay on tourist and resort commercial services, and Dunsmuir with its location along Horne Lake Road serves as a “gateway” to the coastal resorts, scenic and recreational opportunities within the Plan Area with a vision to develop into a comprehensive mixed-use community. In the rural areas, redevelopment of the historic tourist accommodation is encouraged, as well as new small-scale tourist accommodation and small scale service commercial.

RGS Goal 8: Enhance Food Security

This OCP recognizes the value of agricultural land for land-based farming, and marine areas for shellfish aquaculture, for present and future food production. It also recognizes the unique position of this area to grow an economy related to aquaculture and processing. This OCP includes a designation for the Agricultural Land Reserve, and policies aimed at maintaining agricultural land and providing resources to farmers.

RGS Goal 9: Celebrate Pride of Place

The Community Values Statement in this OCP grounds the entire Plan in values in which the community takes pride. The natural environment, history of tourism, recreation and fishing, are all recognized with policies to support their continuation and enhancement.

RGS Goal 10: Provide Services Efficiently

This OCP supports efficient, cost-effective community services by encouraging growth into well-defined compact areas at densities that support the efficient use of land and are capable of funding the long-term maintenance and operating costs of these services. The plan supports the provision of community water and sewer to areas within the GCB for the purpose of facilitating the additional development supported by this plan. The plan also recognizes that these services may be required outside of the GCB to address health or environmental concerns, but not to facilitate additional development beyond that which is supported without community water or sewer servicing.

RGS Goal 11: Enhance Cooperation Among Jurisdictions

This OCP supports ongoing communication and cooperation among jurisdictions throughout, with many of the advocacy policies aimed at collaborating with other jurisdictions to meet the objectives of this Plan.

1.5 Legislative Framework

This Official Community Plan has been prepared in accordance with the provisions of Part 14 of the *Local Government Act*, implementing Regional District policies for land use and development. All bylaws, permits issued and works undertaken within the Plan Area shall be consistent with the provision of this Plan. The Community Plan may be implemented by regulatory bylaws of the Regional District including the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987".

1.6 Organization of the Plan

This Official Community Plan includes text and corresponding maps; it is organized around the key issue areas identified during the public consultation processes, and includes development permit areas which are regulatory tools that assist in implementing objectives and policies of this Plan.

Each section of the Plan contains objectives and policies. Objectives express the community's values and long term aspirations. They are the community's statements of what is important to the residents and land owners of Electoral Area 'H'. Policies express the community's response to these objectives. The policies are the 'how to' for each objective and provide specific direction to the Regional District Board, the community, land developers, and provincial and federal agencies on future uses in the Plan Area. Abbreviations used in this Plan include the following:

RDN- Regional District of Nanaimo

RGS - Regional Growth Strategy

ALR - Agricultural Land Reserve

MOTI - Ministry of Transportation and Infrastructure

DPA - Development Permit Area

OCP - Official Community Plan

ALC – Agricultural Land Commission

DFO - Department of Fisheries and Oceans Canada

MOE – Ministry of Environment

If any section, subsection, sentence, clause or phrase in this Bylaw is for any reason held to be invalid by the decision of any court, such section, subsection, sentence, clause or phrase may be severed from the remaining portion of this Bylaw.

SECTION 2 – THE NATURAL ENVIRONMENT

2.1 Sensitive Ecosystems

2.2 Natural Hazard Areas

2.3 Freshwater Resources

2.4 Marine Environment

2.5 Climate Change & Energy

Residents are drawn to the Plan Area for its rural characteristics enhanced by abundant natural features, the coastal area, numerous watercourses, streams, wetlands, lakes and areas of natural forest. The protection of these natural features is critically important to residents throughout the plan review process.

The majority of the developed land in the Plan Area is within the Coastal Douglas Fir moist maritime biogeoclimatic sub-zone (CDFmm) which is limited to low elevations along southeastern Vancouver Island from Bowser to Victoria, the Gulf Islands south of Cortes Island, and a narrow strip along the Sunshine Coast.

It is the smallest and most at-risk zone in British Columbia. Of all the zones in the province, the CDFmm zone has been most altered by human activities, and less than 1% remains as old growth forests.

The marine environment including intertidal and subtidal areas, are diverse ecosystems sensitive to human activity. The coastline is a focal point of the Plan Area for tourism, recreation, and residential development. This plan aims to protect the integrity of these ecosystems while continuing to allow development subject to conditions.

In addition to the protection afforded through local government bylaws, the protection of environmentally sensitive features falls under the jurisdiction of federal, and provincial, governments. Fisheries and Oceans Canada and the Provincial Ministry of Forests, Lands Natural Resources Operations and Ministry of Environment are responsible for protecting fisheries and water resources through legislation such as the *Fish Protection Act*, the *Water Sustainability Act*, and the *Waste Management Act*.

The natural environment of the Plan Area also includes areas subject to natural hazards such as floodplain, steep slopes, areas of active erosion, forest fire and earthquakes.



Photo: Meghan Towers

2.1 Sensitive Ecosystems

INTRODUCTION

Only fragments of the rich mosaic of ecosystems in the coastal lowlands of east Vancouver Island remain after over a century of logging and human activities. In the late 1990's the Province of BC created a "Sensitive Ecosystem Inventory" of ecosystem remnants in the coastal lowlands of east Vancouver Island and the adjacent Gulf Islands. These sensitive ecosystems as well as location of known eagle nests and heron rookeries, are shown on Map No. 2.

Sensitive ecosystems and their component plants and animals are in need of protection not only because they are rare, but also for the significant role they play in creating healthy and attractive communities for people. Wetlands purify drinking water and help provide protection from flooding through natural stormwater management. Forests clean the air, refresh the spirit and provide visual relief from urban settings. Riparian forests are cool, moist havens during hot, dry summers. Significant features in the Plan Area include the Deep Bay estuary, Thames and Nile Creeks, Cook Creek, and the Big Qualicum River. All coastal areas fronting the Strait of Georgia are important and sensitive ecosystems, and they are addressed specifically in section 2.4.

Parks and protected areas are shown on Map No. 3. Protection of sensitive ecosystems on private land largely relies on stewardship by property owners.

Within the Plan Area, the location of known Great Blue Heron and Bald Eagle nests are shown on Map No. 2. They are protected from damage or destruction under the *Wildlife Act*. In addition, the Great Blue Heron is federally and provincially listed as a species of special concern meaning that it is not immediately threatened but is particularly susceptible to disturbance due to human activities or natural events.

Other plants, animals and ecosystems at risk are studied, inventoried and ranked as to their level of threat by the federal and provincial governments. They are not mapped in this OCP but may be identified at the site level and require consideration in development proposals.

This sensitive ecosystem data will continue to be refined as mapping data and other information becomes available. Amendments to Map No. 2 may be undertaken to reflect changing on-site conditions or more comprehensive environmental assessments.

SENSITIVE ECOSYSTEM POLICIES

1. Streams, floodplain areas, watercourses, and Bald Eagle and Great Blue Heron nesting trees, and the entire coastline of the Plan Area, are designated as development permit areas to allow for the evaluation of development proposals with the objective of protecting these features.
2. The Regional District shall preserve sensitive ecosystem areas, their living resources, and connections between them in a natural condition and maintain these areas free of development and human activity to the maximum extent possible.

OBJECTIVES

1. *Identify* sensitive ecosystems and wildlife habitat.
2. *Maintain* a healthy environment and *preserve* and *protect* sensitive ecosystems and wildlife habitat.
3. *Support* the establishment of new protected areas for wildlife and sensitive ecosystems.
4. *Provide* education about sensitive ecosystems and wildlife habitat and *encourage* sustainable land use practices.

3. The Regional District shall only support amendments to this Plan on or near sensitive ecosystems or near eagle or heron nesting trees where the applicant or appropriate authority presents evidence that the proposed development will not adversely affect the environmentally sensitive areas, and that development design reflects best management practices.
4. Notwithstanding Policy 2.1.3 above, this Plan supports the Agricultural Land Commission's mandate of preserving and encouraging the development of Agricultural Land Reserve lands, and supports the development of farmland in a manner that recognizes and protects environmentally sensitive features on these lands.
5. The Regional District shall support and encourage the retention, enhancement or development of wildlife corridors to ensure that safe and secure routes are available to wildlife in the Plan Area.
6. The Regional District shall support the identification and designation of areas for the protection of sensitive ecosystems in perpetuity. In particular, the Regional District shall support initiatives associated with the following areas: provincial protected areas, provincial parks, ecological reserves, fisheries reserves and hatcheries, wildlife refuge, waterfowl habitat, and Regional District park land.
7. The Regional District supports the protection and conservation of the following priority sensitive ecosystem areas:
 - a) Crown Land west of Deep Bay including Gainsburg Swamp and the unconfined aquifer on Crown Land in District Lot 86;
 - b) Proposed Protected Area expansion of Horne Lake Caves Provincial Park located at the west end of Horne Lake at the mouth of the Qualicum River tributary;
 - c) Expansion of Spider Lake Provincial Park to include Illusion Lake; and
 - d) Protection of Annie's Woods (*PID 006 696 252; Lot 36, Plan 1967 DL 81, Newcastle Land District*), located on Crown Lands at Grovehill Road adjacent to the Island Highway through the establishment of an ecological reserve in recognition of the old growth forest values on site.
8. The Regional District will collaborate with other levels of government, First Nations, non-governmental organizations, and neighbouring local governments in inventorying, mapping, and conserving sensitive ecosystems, including development of consistent approaches to shared watersheds.

ADVOCACY POLICIES

9. The habitat protection initiatives of the BC Ministry of Environment and Fisheries and Oceans Canada along rivers, streams, and wetland areas shall be strongly supported and complemented with Regional District park land and greenway protection initiatives.

2.2 Natural Hazard Areas

INTRODUCTION

Natural hazard areas are sources of potentially dangerous chance events. Examples of natural hazards are: flooding, landslide, forest fire, strong winds, and earthquakes. Natural hazard areas are often also areas of high environmental value. Known areas of potential hazard are identified on Map No. 2.

Flooding

Within the Plan Area the lands surrounding river mouths and estuaries have the highest flood risk. Other areas with flood potential are isolated lowland areas and shore land adjoining watercourses, lakes, creeks, and wetlands. The Horne Lake area also faces the risk of potential flooding as the rate of water released from the Big Qualicum River Dam can modify the level of the lake significantly.

Low-lying coastal lands bordering the Strait of Georgia are expected to experience increasing flood risk with sea level rise and increasing frequency and severity of storms due to climate change. Flood risk for lands on the marine coast is different from that of freshwater bodies and streams. Flooding at the marine coast is caused by wave run-up at high tides during storm events that is likely to recede relatively quickly and unlike riverine flooding, does not produce substantial flows that would cause bank erosion.

The lower reach of Nash Creek is a particularly notable environment where it parallels the shoreline before exiting into the Strait of Georgia and in doing so passes through several residential lots of relatively small size. Flood events in the past have been relieved by the creation of outflow weirs, but this area continues to be an active environment.

Landslide

The Horne Lake road and Mount Mark slide areas are known areas with potential for mass movement of land. Steep Slopes along the marine coastline are also a major concern within the Plan Area. Some areas along the marine coastline are straddling steep wave cut bluffs (with slopes between 30% and 60%) and are composed of unconsolidated sand. The threat of landslides is particularly concerning in areas where homes have been constructed near the edges or below these unstable slopes. A submarine landslide at the west end of Mapleguard Spit (also known as Deep Bay Spit) was recorded as a result of the 1946 earthquake. Outside of the developed area, the highland and mountain areas are particularly susceptible to mass movements of land, such as rock falls and avalanches.

Wildfire

Between 2006 and 2007, Community Wildfire Protection Plans were developed for Bow Horne Bay Fire Service Area, Deep Bay Improvement District, and the Horne Lake area. There are a number of areas where extreme interface fire risk is identified. It is important that FireSmart recommendations for building and landscaping are encouraged to mitigate any loss of life, property and the environment as a result of forest fires.

Strong Winds

Wind storms can have a significant impact on the Plan Area causing power outages, downed trees across roads, and damage to buildings and structures. A particularly damaging wind is known as the “Qualicum”, a strong

OBJECTIVES

1. ***Protect* area residents from loss of property and personal injury.**
2. ***Direct* development away from natural hazard areas where possible, and where development does occur in or near a natural hazard area, ensure appropriate measures are taken to mitigate the impacts.**
3. ***Mitigate* and *adapt* to the impacts of climate change on hazardous conditions within the Plan Area.**
4. ***Encourage* use of FireSmart recommendations to reduce the susceptibility of buildings and property to wildfire.**

southerly that moves across Vancouver Island, passes over Horne Lake, and out on to the Strait of Georgia typically between Crome Island and Qualicum Beach.

Earthquake

Seismic activity is a distinct possibility within the Plan Area. Vancouver Island is classified as a high risk for seismic activity by Natural Resources Canada. A major earthquake may result in serious damage to the Plan Area. Potential damage caused by seismic activity may be further exacerbated given that many buildings and structures within the Plan Area that may have been constructed on or adjacent to unstable slopes, and/or below Building Code standards.

The hazard land mapping will continue to be refined as mapping data and other information becomes available. Changes to Map No. 2 may be undertaken to reflect changing on-site conditions or more comprehensive hazard assessments.

NATURAL HAZARD AREAS POLICIES

1. Natural Hazard areas shall be designated as Development Permit Areas to ensure that proposed development is reviewed by the appropriate professionals so that it is protected from hazardous conditions.
2. The Regional District will map low lying areas anticipated to be impacted by sea level rise, develop an understanding of the long term impacts, and consider implementing measures to mitigate and adapt to these impacts.
3. The Regional District will implement recommendations of Community Wildfire Protection Plans and update the Plans on an ongoing basis.
4. The Regional District will consider adopting a development permit area for protection of development from wildfire hazard.

ADVOCACY POLICIES

5. Property owners are encouraged to adopt FireSmart recommendations such as vegetation management and use of fire-resistant building materials.
6. BC Hydro and local landowners are encouraged to cooperate in regular removal of invasive/flammable plant species (i.e. broom) along power lines.
7. In the event of an emergency such as earthquake or power outage, residents and businesses are encouraged to be prepared to care for themselves for a minimum of 72 hours (three days), and up to two weeks.

2.3 Freshwater Resources

INTRODUCTION

The Plan Area contains many streams, watercourses, wetlands, and aquifers. Each of these natural resources is worthy of protection through careful land use planning both for their importance in supporting human settlements in the area, and for their value as significant ecosystems. It is recognized that there may be many significant areas of groundwater that have not yet been identified, and identification of these special features is an ongoing process. The Drinking Water and Watershed Protection program of the Regional District works to continually improve our knowledge and understanding of groundwater and surface water resources.

The Regional District of Nanaimo has seven major water regions, which are basin-scale geographic areas defined by common surface water drainage and groundwater aquifer features. The Plan Area is within the Big Qualicum River Water Region (See Map XX?). The Big Qualicum River and its tributaries, which include Hunts Creek and Horne Lake, comprise the largest watershed in the Plan Area. Other watercourses within the Plan Area include Nile Creek, Thames Creek, Chef Creek, Fletcher Creek, and the Deep Bay Estuary area.

Spider and Illusion Lakes are part of an enclosed drainage system with no surface outflow streams. The enclosed nature of the drainage system makes both of these lakes susceptible to potential negative impacts caused by contaminated runoff and increased erosion. Best practice rainwater management is essential to ensure that runoff does not impact the environmental integrity as well as the recreational appeal of these lakes.

Groundwater resources are particularly important to the Plan Area as residents rely on these resources for both domestic water and agricultural supplies. Three water Improvement Districts supply potable water to approximately 64% of dwellings, representing 1,540 connections, with the balance of parcels utilizing on-site wells.

In certain locations, particularly in the central and eastern portions of the Plan Area, soils are thin and fractured bedrock is common.

As a result, both surface and groundwater sources may be sporadic and unreliable and residents of this area wish to maintain the integrity of these resources through land use management. By contrast, the Deep Bay – Bowser area is characterized by well-draining sand and gravel that has high groundwater yields but is vulnerable to surface contamination. (2016. Waterline Resources Inc. “Hydrogeological Review of Aquifers in Electoral Area ‘H’ in support of the Official Community Plan Update”).

The protection and sustainability of groundwater and surface water supplies are critical to maintaining the rural character of the Plan Area and protecting the natural environment.

OBJECTIVES

1. *Identify and protect* freshwater resources and ecosystems to maintain their natural habitat, environmental quality and quantity, aesthetic appeal, and recreational value.
2. *Conserve, protect and enhance* the quality and quantity of freshwater sources for existing and future agricultural and domestic uses in cooperation with local and provincial water authorities and landowners.
3. *Recognize* that the quality and quantity of domestic water supply is essential and land development must be planned in a manner that minimizes impact on existing aquifers and groundwater sources.
4. *Consider* the potential impact of increased demand or risk of contamination on aquifers as a result of new development when making any land use decisions.
5. *Recognize* the value of natural rainwater retention and encourage rainwater management during development that mimics natural processes.

FRESHWATER RESOURCES POLICIES

1. Streams, lakes, wetlands and aquifer areas are designated as Development Permit Areas to allow for evaluation of development proposals pursuant to the objectives of this section. Both mapped and unmapped streams are included in the development permit area, and where streams move over time or mapping accuracy is improved, mapped streams will be updated on maps in the Plan.
2. Aquifer recharge areas should be protected, particularly those within the well protection areas or well capture zones of community water supply wells. The site of the now closed Bowser Seed Orchard should not have any use that could contaminate the aquifer as it is within the recharge area of the nearby Bowser Waterworks wells.
3. Applications to amend this Plan or the relevant zoning bylaw must consider potential impacts to surface and groundwater, as outlined in Section 5.1 *Development Guideline Criteria*.
4. Due to its unique environment and very sensitive enclosed drainage system, the Regional District will not support any introduction of motors to Spider or Illusion Lakes.

ADVOCACY POLICIES

5. The Regional District shall request that the Approving Officer require subdivisions to be designed to maintain the hydraulic regime of streams while providing sufficient drainage in a manner which does not interfere with groundwater recharge or allow the intrusion of erosion material into natural watercourses, streams, lakes, and wetlands.
6. The Regional District shall encourage the Approving Officer to require protective covenants or the designation of Return to Crown along the bed of, and buffering riparian corridor of watercourses, streams, creeks, lakes and wetlands wherever subdivision on adjacent land is proposed. The Regional District shall encourage the Ministry of Forests, Lands and Natural Resources Operations to ensure a future use of the Bowser Seed Orchard lands that contribute to the protection of aquifer and community water supply wells.
7. The Regional District shall support and encourage the restoration and enhancement of streams and their riparian corridors wherever possible by community groups, corporate bodies or land owners.
8. The Regional District shall coordinate with the Province in sharing data about aquifers and groundwater, to ensure the most current information is used in decisions that affect the Plan Area.

2.4 Marine Environment

INTRODUCTION

The marine coastline is a focal point of the Plan Area, representing diverse ecosystems, which are sensitive to human activity and jurisdictionally complex. Historically, the marine coastline has been the focus of residential and tourist commercial development.

The majority of the marine coastline in the Plan Area is composed of sand and gravel. Except for the protected harbour of Deep Bay, the coastline is exposed to significant wave energy from prevailing winter storms from the southeast. This combination of sand and gravel beaches, high wave energy and longshore drift means the shoreline is constantly changing; some areas are eroding while others are accreting, and backshore bluffs in some areas are susceptible to erosion and landslides. Estuaries are areas of high biodiversity as well as high energy, resulting in actively changing shorelines and flood risk.

The marine environment of the Plan Area, both intertidal and subtidal, comprises habitats that ensure the existence of rich species diversity. Included are fish, birds, mammals, invertebrates such as shellfish, and many plant species such as eelgrass. This region is an important area for herring spawning, for other forage fish, is home to salmon enroute to their spawning sites in the Area's streams, is a salmon nursery area, and part of an Important Bird Area.

The marine environment supports a shellfish aquaculture industry focused in the Deep Bay estuary and one area east of Chrome Island where there is a scallop farm. Commercial fishing fleets visit the area primarily in the spring for the herring fishery and prawning, and later in the year for salmon. Recreational fishing is a popular activity for residents and tourists, including sport fishing, fly fishing and shellfish harvesting.

MARINE ENVIRONMENT POLICIES

1. The marine shores and nearshore waters of the Plan Area is designated a Development Permit Area to allow for the evaluation of development proposals with the objective of protecting the natural environment and natural coastal processes.
2. The waters 1000 m from the foreshore beginning at Deep Bay spit and extending to the eastern boundary of the Plan Area are designated as a "Marine" land use designation in this Plan and are subject to the objectives and policies in this section of this Plan.
3. The Plan recognizes the existing shellfish aquaculture leases. All water lots leased for shellfish aquaculture purposes shall be zoned accordingly.
4. The use of shoreline stabilization measures on Crown foreshore, in a manner that obstructs public access to and along public beaches or foreshore areas, shall not be supported. All works below the high

OBJECTIVES

1. **Recognize** the foreshore, waterfront and marine areas as an integral part of the community, and as a major destination for leisure, commercial and recreational pursuits.
2. **Recognize** the marine environment as a finite resource.
3. **Support** the development of shellfish aquaculture.
4. **Protect** the integrity of marine ecosystems and natural coastal processes.
5. **Maintain and enhance** public pedestrian access to and along the shoreline.
6. **Advocate** cooperation and coordination among agencies responsible for the use and management of marine foreshore and upland resources.
7. **Advance** public ownership and stewardship of the waterfront.

water mark require Fisheries and Oceans Canada approval and Crown foreshore lease or license from the Province. Where approval for Crown foreshore use is obtained, the Regional District may support proposals for shoreline stabilization measures below the high water mark, provided they are designed so that public access along the coastline is not inhibited, and do not have negative environmental impacts.

5. The Regional District will only consider permitting structural modification of the shoreline, such as those composed of lock blocks, poured concrete or rip rap, where it can be demonstrated that such a modification is necessary to protect an existing use or structure and that a Green Shores (softer) approach to shoreline protection is not a practical alternative. In addition, the construction of shoreline stabilization measures including marine retaining walls must be in compliance with the Regional District's Marine Retaining Wall Policy B1-09, as amended or replaced from time to time.
6. The integrity of marine ecosystems and natural coastal processes should be maintained by:
 - a. discouraging uses that disrupt natural features and processes, and encouraging owners of shoreline properties to retain, wherever possible, native vegetation and natural features on areas sloping towards the foreshore;
 - b. land use regulations that provide for waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures; and
 - c. promoting conservation of the marine environment below the high water mark without precluding aquaculture within areas leased f.
7. The Regional District supports the use of Crown foreshore for shoreline protection works following *Green Shores* approaches of the Stewardship Centre of BC, when designed by qualified professionals and where it does not impede public access along the shoreline.
8. In order to maintain public beach road rights-of-way whether or not they are currently improved, encroachment onto them by adjacent private property owners and approval of permits from Ministry of Transportation and Infrastructure to formalize the encroachment are generally not supported.
9. Private, residential docks are not supported by this Plan. Limited development of boat ramps is supported and subject to development permit area guidelines.
10. Marinas are supported within the Deep Bay Harbour, subject to development permit area guidelines.
11. Rezoning proposals for waterfront lots must demonstrate a high level of wastewater treatment to protect the marine environment from contamination.

ADVOCACY POLICIES

12. The Regional District will work with the Ministry of Transportation and Infrastructure to improve public beach accesses within road rights-of-way where appropriate.
13. The Regional District shall encourage those who live and recreate on the foreshore and in the waters of the Plan Area to adopt environmentally responsible practices to protect these sensitive ecosystems.
14. Development activities as well as commercial operations such as fishing and aquaculture are encouraged to follow best management practices to minimize environmental impact.
15. The Ministry of Agriculture and Fisheries and Oceans Canada are encouraged to consult with local residents and the Regional District prior to issuing any new or amended licenses for seaweed harvesting on the foreshore of the Plan Area, and are encouraged to communicate with local residents and the

Regional District about the terms of the licenses and ongoing scientific study of the sustainability of the fishery.

16. The Regional District will coordinate shoreline management with the Ministry of Transportation and Infrastructure as owner of foreshore areas of beach access road rights-of-way.
17. Island Health or other appropriate government ministry is encouraged to study the impact on marine water quality from onsite wastewater treatment near the foreshore.

2.5 Climate Change and Energy

INTRODUCTION

The climate worldwide is changing, and observations in this region over the past 100 years show that average annual temperature, average annual precipitation, and the surface temperature of the Strait of Georgia have all increased. There are many impacts of these changes that will affect the sensitive ecosystems, species at risk, natural hazards, groundwater, and the people and businesses that rely on them. Some of the most significant impacts to be expected include ocean acidification; hotter, drier summers causing drought and increased risk of wildfire; and increasing frequency and severity of storms coupled with sea level rise causing more significant and frequent flooding events. Decisions and plans made today should look to anticipate the future effects of climate change and adapt to, or mitigate them.

Climate change mitigation refers to the ongoing attempts to prevent significant climate change through the reduction of greenhouse gasses (GHG) in the atmosphere. Mitigation locally can also provide direct community benefits including reduced energy costs, reduced vulnerability to energy markets, economic development, and more resilient communities. The greatest contributors to greenhouse gasses in the Regional District are transportation and buildings.

Adaptation refers to actions taken to respond to the impacts of climate change by reducing the associated risks. Examples of adaptation actions include modifications of coastal development to account for sea level rise, changes to agricultural crops better suited to hotter and drier summers, or reduction of water use.

In 2007, the Province of BC set province-wide greenhouse gas emission reduction targets of 33% below 2007 levels by 2020 and 80% by 2080. In addition, the Province amended the *Local Government Act* to require that an official community plan include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government with respect to achieving those targets.

Throughout this Plan, there are objectives and policies in relevant sections to address climate change adaptation and mitigation. The Implementation section of this Plan includes specific actions the Regional District can take to effect changes.

CLIMATE CHANGE POLICIES

1. This Plan encourages increased density and a mix of uses in Rural Village Centres to reduce the reliance of residents on the private automobile and to increase viability of public transit. Rezoning proposals within Rural Village Centres should contribute to neighbourhood form that facilitates energy efficient modes of transportation such as walking, cycling, or public transit and contributes to implementation of the Active Transportation Plan, 2017 where applicable.

OBJECTIVES

1. *Reduce* greenhouse gas emissions to 33% below 2007 levels by 2020 and 80% by 2050, as identified in the RDN Community Energy and Emission Plan.
2. *Support* energy conservation and greenhouse gas emission reduction at the community and at the site-specific scale.
3. *Identify* anticipated local climate changes, associated impacts, and potential adaptation actions.
4. *Encourage* energy efficiency in buildings and site design.
5. *Recognize* the importance of natural areas for carbon sequestration.
6. *Support* efforts to maintain sustainable, locally produced sources of food.
7. *Promote* private and public infrastructure that uses energy more efficiently.

2. Outside Rural Village Centres, alternative forms of rural development that contribute to a reduction in greenhouse gas emissions through design and in some cases also through conservation of natural areas that sequester carbon, are encouraged through policies in Section 5.10 of this Plan.
3. The Regional District should develop tools and incentives to facilitate the encouragement of development in Village Centres.
4. In all parts of the Plan Area, rezoning proposals should contribute to implementation of the Active Transportation Plan, 2017 where the location of the property to be rezoned allows.
5. Greater energy efficiency, water conservation and greenhouse gas emission reductions in the development and redevelopment of sites and buildings shall be encouraged through development permit area guidelines, community amenity contribution policies, and the continued use of a sustainability checklist in conjunction with the BC Energy Step Code of the BC Building Code during rezoning and development permit application processes.
6. The Regional District will provide education and resources to the building industry, owner-builders, and consumers about energy efficiency in renovations and new construction, and pursue partnerships with the private sector for green building demonstration projects such as net zero homes.
7. This Plan supports recovery of energy and materials from both public and private sector waste streams that may be used to service communities or facilities.
8. This Plan supports proposals for renewable energy generation as an economic opportunity for residents and businesses that show compatibility with surrounding land uses and the environment by mitigating noise, vibration, visual impacts by distance separations, screening and buffering. The Regional District should develop criteria in order to enable evaluation of these and any other relevant community impacts of such proposals.
9. Agricultural land and aquaculture areas are recognized as necessary for current and future local food production. Proposals to increase production and availability of local food are encouraged, and proposals that would reduce the future potential for local food production are discouraged.
10. The Regional District should work with First Nations, the public and stakeholders to develop a climate change adaptation plan including an assessment of vulnerability and risk of climate change impacts such as sea level rise, hotter and drier summers, changes to agriculture, and increased frequency and severity of storms.
11. The marine coast is designated a development permit area to allow for the protection of the natural environment, its ecosystems and biological diversity, which includes evaluation of the resiliency of coastal development to climate change, and the impacts on natural coastal processes..
12. The Regional District recognizes the role of forests in carbon sequestration, which is an important component of climate change mitigation.

ADVOCACY POLICIES

13. The Provincial government is encouraged to undertake new floodplain mapping for use by local governments in planning for sea level rise and other impacts of climate change.
14. Residents are encouraged to install wiring for an electric vehicle charging station in all new home and garage construction for ease and cost-effectiveness of installing the charging station itself in the future.

15. The Regional District encourages installation of electric vehicle charging stations in commercial and community areas.

SECTION 3 – NATURAL RESOURCE MANAGEMENT

3.1 Agriculture and Aquaculture

3.2 Forestry

3.3 Mineral, Gravel and Hydrocarbon Resources



Natural resources in this section refer to those areas and features that are relied on by industries for growing or rearing foods and for extracting commodities such as lumber or gravel. These natural resource industries are an important part of the economy in the Plan Area, and are important for food security and for sustainable growth and development when products can be used locally.

Many of these industries rely on a healthy natural environment to thrive and can be a barometer for ecosystem health. In turn, the health of the ecosystems rely on sustainable industry practices being established and followed.

3.1 Agriculture and Aquaculture

INTRODUCTION

Agriculture and aquaculture are important activities as economic drivers and as part of a local food system. They rely on land and water that is designated for these purposes and on the health of the ecosystems of which they are a part.

A local food system allows farmers, food producers, and their customers to interact either face-to-face at the point of sale or through community partnerships or initiatives which encourage local products. It also supports a “farm to plate” relationship by encouraging farm products to be grown, stored, processed, sold and handled locally.

The Province designated an Agricultural Land Reserve (ALR) in the early 1970’s based on maps of agricultural land capability. In 1987 the boundary was reviewed in the Plan Area and elsewhere on Vancouver Island based on new mapping at a larger scale and other local considerations, resulting in some lands being added to the ALR and some removed. Currently, 24% of the Plan Area is designated as ALR.

The mandate of the Agricultural Land Commission is to ensure the future productivity of lands within the ALR. Non-agricultural development, including subdivision or non-farm use of these lands is not permitted without Agricultural Land Commission approval.

Shellfish aquaculture is a significant industry for the province of BC, and much of the production is within Baynes Sound. The main species farmed are clams, mussels, oysters and scallops. The Plan Area includes the southern part of Baynes Sound as well as Deep Bay Harbour which is an important port for the industry. The rest of Baynes Sound is within the Comox Valley Regional District and the Islands Trust.

The community is supportive of the aquaculture industry in recognition of its contribution to the local economy, and also for increased availability of local shellfish at stores and restaurants.

AGRICULTURE AND AQUACULTURE POLICIES

1. The Regional District supports the Agricultural Land Commission's mandate of preserving and encouraging the use of land for agriculture.
2. The retention of large land holdings within the ALR is encouraged, to maintain future opportunities for farm use.
3. The Regional District discourages encroachment and fragmentation of farmland by non-farm related uses, particularly land that is known to be of high value for agriculture.

OBJECTIVES

1. *Protect* agricultural land resources of the Plan Area for present and future food production.
2. *Support* the aquaculture industry by protecting marine water quality and supporting associated land-based activities in suitable locations.
3. *Recognize* and protect the needs and activities of agricultural and aquaculture operations when considering residential uses on adjacent lands and vice versa.
4. *Advocate* for comprehensive resource management decisions where agricultural land is competing with forestry, or environmental protection objectives.
5. *Encourage* sustainable farming methods in order to protect fresh and marine water resources and adjacent properties.
6. *Ensure* that the quantity and quality of the water supply is protected.

4. The availability of water for agriculture irrigation should be maintained and impacts considered when there are proposals for land use change or development in surrounding areas.
5. Land-based components of aquaculture such as rearing, processing, storing and distributing shellfish or aquatic plants are supported:
 - a) in the ALR where considered a farm use; and
 - b) in the Resource Lands and Rural Lands designations in a location that is not expected to negatively impact the natural environment or the use and enjoyment of nearby properties; and for land in the Rural designation, also pursuant to Rural Lands Policy 4 which supports rezoning for service commercial uses subject to a list of criteria.
6. Subdivision of land adjacent to the ALR is regulated by development permit to prevent future conflicts between agricultural uses and other adjacent uses.
7. Agrology reports submitted in support of applications for subdivision within or exclusion from the ALR should fully consider non-soil based farming activities and environmental best practices.
8. The Regional District supports the continued referral to the Agricultural Advisory Committee of land use applications and amendments to this Plan that affect land in the ALR.
9. The Regional District should consider regulating the size and location of residential uses in the ALR so that they are farm-oriented and do not reduce the likelihood that the land will be farmed in the future.

ADVOCACY POLICIES

10. The owners of land adjacent to ALR lands are encouraged to provide a vegetative buffer between their lands and the ALR lands and follow all Ministry of Agriculture policies and best management practices.
11. The Ministry of Agriculture and local farm organizations are encouraged to assist and support owners of agricultural land with options and opportunities related to all aspects of farming, including business development and other land tenure options if they are unable to or uninterested in farming.
12. The Ministry of Transportation and Infrastructure and other relevant agencies are encouraged to ensure that the location and construction of new roads, utility or communication rights-of-way should be sited to avoid ALR lands wherever possible. Where unavoidable, these rights-of-way should be sited in a manner that will cause minimal impact on agricultural operations. Alignments should avoid road endings or stubs which point directly into the ALR and half roads along the ALR boundary, and be established in consultation with affected landowners and the Agricultural Land Commission

3.2 Forestry

INTRODUCTION

Forestry is a significant land use in the majority of the Plan Area. Private Managed Forest Lands cover 56% of the land base, and there are also large areas of Provincial Forest owned by the Crown. Most of these Crown lands are concentrated between Qualicum Bay and Deep Bay and in the lowland areas of the Plan Area. In 2010, part of this Crown Provincial Forest was protected under a Coastal Douglas Fir Land Use Order where harvesting is no longer permitted.

Although most of the first growth forests in the Plan Area have long since been harvested, second growth forests are now in various stages of maturity. This Plan supports the protection of forest lands for silviculture in the same manner as agricultural lands are protected for agriculture, and also supports protection of significant forest lands for conservation purposes. Where policies in this section relate to matters beyond the jurisdiction of the Regional District, they serve only as broad objectives to help guide senior governments and private forest landowners in decisions for the management of forest lands.

OBJECTIVES

1. ***Ensure*** the Area's forest lands are managed on a sustained yield basis and are protected against activities that may disrupt their renewable resource potential.
2. ***Support*** sustainable forestry practices.
3. ***Support*** the Area's forest lands availability for recreational enjoyment and education.
4. ***Encourage*** best use of FireSmart recommendations to reduce susceptibility of buildings and property to wildfire.

FORESTRY POLICIES

1. This Plan supports the use of Resource Lands for forestry-related uses where appropriately zoned. In addition, the Plan supports the use of Resource Lands for recreational activities (such as hiking trails), where such uses do not contribute to the degradation of the natural environment and are permitted by the landowner.
2. The Regional District shall coordinate with the Ministry of Forests, Lands and Natural Resource Operations and commercial forest companies to develop public access to private logging roads and trails during non-operational periods, except in times of high or extreme fire hazard or active logging.

ADVOCACY POLICIES

3. The Province and private forest land owners shall be encouraged to manage their forest lands so that they do not:
 - a. Pose a threat to the quantity and quality of fresh water within the drainage system of watercourses, streams, lakes or wetlands;
 - b. Alter the aesthetic appeal and visual integrity of the Plan Area;
 - c. Disturb areas of unique vegetation or wildlife; and
 - d. Increase, or contribute to, soil erosion.
4. The Ministry of Forests, Lands and Natural Resource Operations and commercial forest companies shall be encouraged to ensure the sustainability of outdoor recreation in the natural woodlands of this area in conjunction with the management of the forest. This would include supporting the public access to

private logging roads and areas during non-operational periods , except in times of high or extreme fire hazard or active logging.

5. The Regional District will encourage Provincial leadership towards ensuring environmentally sound forestry practices on private forest land.
6. The Ministry of Forests, Lands and Natural Resource Operations, commercial forest companies and private forest landowners will be encouraged to use FireSmart recommendations to reduce susceptibility of buildings and property to wildfire.

3.3 Mineral, Gravel and Hydrocarbon Resources

INTRODUCTION

The predominant known mineral resource within the Plan Area is gravel concentrations around Horne Lake, Spider Lake, and Nile Creek. Other potential resources include deposits of limestone and clay. It is important to note that aggregate resources such as sand and gravel have greater potential value in mineral production than metallic metals and hydrocarbon resources in the Plan Area. As other areas become depleted of aggregate resources or are lost to development, there may be increasing pressure for access to aggregates in the Plan Area.

The regulation of aggregate extraction falls primarily within the jurisdiction of the Ministry of Energy & Mines and the Ministry of Forests, Lands & Natural Resource Operations. The province is responsible for operational issues, such as public/worker safety, environmental protection, closure and reclamation of aggregate operations. The Regional District may regulate areas where processing of aggregate resources is permitted. The Regional District cannot regulate mining and mineral exploration activities as they are subject to the *Mines Act* and *Mineral Tenure Act*.

The objectives and policies of this section remain broad in nature to offer guidance to senior governments in their decision-making process, as part of the referral process.

OBJECTIVES

1. ***Protect* lands underlain by gravel, sand, mineral or hydrocarbon resources from surface developments, which would render them inaccessible.**
2. ***Minimize* conflicts between extraction activities and adjacent land and water uses.**
3. ***Support* good conservation practices during mining operations so as not to prejudice the long-term renewable resource potential of the area.**
4. ***Encourage* site rehabilitation and reclamation of damaged landscapes for subsequent productive use and environmental protection.**

MINERAL, GRAVEL AND HYDROCARBON RESOURCES POLICIES

1. Prior to allowing development in an area underlain by mineral resources, the feasibility of removing the resource should be adequately considered by the province and the Regional District.
2. The Regional District will recommend that environmentally sound reclamation and conservation practices be undertaken at all mineral and aggregate resource extraction operations to protect long-term resource potential in the Plan Area. Specifically, where a mine or earthworks may cause significant disturbance to the surface of the land, the Province shall be encouraged to require that a performance bond be posted to ensure the proper reclamation of the damaged landscape (this reclamation is controlled by Part 10 of the *Mines Act*, Health, Safety and Reclamation Code).

ADVOCACY POLICIES

3. The Province will be encouraged to provide adequate consideration to possible impacts on neighbouring residential and/or rural parcels and the natural environment prior to issuing a permit considering a new mining operation or re-opening an old mine (or pit). Particular attention should be focused on assessing the potential impacts of resource removal on the quantity or quality of surface and groundwater or social impact on neighbouring residences. This information should be referred to the Regional District and adjoining landowners for comment prior to a decision.

SECTION 4 – COMMUNITY RESOURCES

4.1 Parks and Open Space

4.2 Community and Institutional

4.3 Community Water and Sewer Systems

4.4 Transportation Network

4.5 Public Transportation

4.6 Marine Transportation



Peter Mason and Dagmar Seydel at the Magnolia Court Summer Market

Photo credit: Corinne Roby

The community resources described in this section include parks and open space, centres of education and community life, infrastructure, and transportation services.

Where these lands or services are not under the direct jurisdiction of the Regional District, planning relies on coordination with other organizations, levels of government, and First Nations.

4.1 Parks and Open Space

INTRODUCTION

Lands set aside for recreation and active transportation in the Plan Area include the Regional District’s regional and community parks and trails, provincial parks, and federal fisheries lands on the Big Qualicum River and at Horne Lake. These are shown on Map No. 3 Community Resources. This section focuses primarily on parks for public use, and Section 2.1 of this Plan addresses sensitive ecosystem protection.

There are extensive trail networks on Crown lands and Private Managed Forest Land in the Plan Area; however, their long-term protection is not guaranteed. The Regional District does not have the resources to consider managing informal trail systems on Crown lands, but support them through mapping, and by working with community groups with interest in trail building and marketing. Private Managed Forest Lands are not considered publicly accessible; historic use of logging roads and trails for recreation in these areas is common, but since the tenure is private there is no guarantee of ongoing protection of the trails or public access.

There is a sports field at the Lions Community Hall property. Henry Morgan Park near the Bowser Village Centre includes a playground, shelter and washroom. Dunsmuir Community Park has a small tennis court and basketball half-court, and at the time of updating this Plan in 2017, there were plans for improvements to this park in the near future.

There are numerous unconstructed road rights-of-way in the Plan Area, some of which were dedicated in the past for highway plans that never came to fruition. These rights-of-ways are assets for future trail construction and are an integral part of Regional District trail and active transportation planning.

PARKS AND OPEN SPACE POLICIES

1. Parkland and trails shall be permitted in all land use designations.
2. This Plan designates all Provincial/Crown lands above known unconfined aquifers as Park Lands to protect finite groundwater resources into the future.
3. This Plan designates Department of Fisheries and Ocean owned properties along the Big Qualicum River, at Horne Lake, and that part Block 40, plan 1339R, Alberni Land District as Park Land to protect this important river and regional park area.

OBJECTIVES

1. *Ensure* that parks and recreational uses form an integral part of the community infrastructure.
2. *Recognize* the importance of regionally significant parks and natural features.
3. *Support* the parkland acquisition strategies of the Regional District’s Regional Parks and Trails Plan and the Community Parks and Trails Strategy.
4. *Support* public open space opportunities on Provincial, Federal, and Regional District park lands.
5. *Improve* public water access, and linear recreational connections.
6. *Identify, maintain and improve* wildlife corridors.
7. *Work* with public and private institutions to facilitate integration of schools, community halls, the E&N Rail Corridor, and associated open space as an integral part of the community parks and open space system.
8. *Encourage* private forest land owners to continue to make their land available for public recreation.

4. Although park land is supported for the protection of environmentally sensitive features, protection of these features should be in addition to the minimum 5% park land dedication in the *Local Government Act*.
5. Parkland proposals should provide a benefit to the community and lands with no benefit to the community should not be accepted.
6. It is strongly preferred that land being considered for parkland be maintained in its original state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which requires cleared lands.
7. Pursuant to the *Local Government Act*, at the time of subdivision the Regional District shall determine whether the owner of land being subdivided shall:
 - a. provide without compensation, useable park land equivalent to 5% of the parcel size and in a location acceptable to the Regional District Board, or
 - b. pay to the Regional District an amount that equals the market value of the land that may be required for park purposes, or
 - c. provide a combination of land and cash to the satisfaction of the Regional District Board.
8. In areas where parkland is desired, developers are encouraged to dedicate greater than 5% parkland.
9. Known priorities and criteria for park acquisition must be considered and given priority at the time of park dedication such as those indicated in this Plan or by any other Plan of the Regional District such as the Community Parks and Trails Strategy, the Regional Parks and Trails Plan, or Active Transportation Plan. Key priorities for parkland acquisition and development in the Plan Area include:
 - a. “Olympic Torch Relay Trail” that would connect the Lighthouse Country Regional Trail through Bowser Village Centre;
 - b. Historic Horne Lake Trail;
 - c. Trails in Oakdowne Park through License of Occupation with the Province;
 - d. Connection between the Bowser Elementary at the end of Faye Road and the Thompson Clark Ocean Trail Community Trail via unconstructed Jackrabbit Road;
 - e. Those identified in Section 2.1 Sensitive Ecosystems Policy 7 of this Plan; and
 - f. Those identified in Goal 4.1 of Schedule B, the Bowser Village Centre Plan.
10. The Regional District shall evaluate the suitability of parkland proposals and may also consider parks and publicly accessible open space provision through means other than subdivision approval in accordance with Policy 11 of this Section.
11. The Regional District may consider accepting parkland at the time of subdivision or rezoning on any land within the Plan Area where there is an opportunity for park dedication to meet one or more of the following preferred park criteria:
 - a. The land improves access to water including the ocean, a lake and any other watercourse.
 - b. The land is identified for parkland, trail, or conservation area by this Plan or any other RDN parks and trails plan.

- c. The land connects parks and natural areas, contributing to an interconnected greenways network that links neighbourhoods to parks, schools and cultural resources.
 - d. The land includes areas for the protection of environmentally sensitive areas to be retained in a natural, undisturbed state or archaeological features to be protected, although generally the protection of environmentally sensitive lands or archaeological features should be in addition to the minimum parkland dedication requirements pursuant to the *Local Government Act*.
 - e. The land includes viewpoints and opportunities for nature appreciation and/or focal features such as a public square or community gathering space in village centres.
 - f. Land that is a single contiguous parcel is preferred where other parkland acquisition criteria are not considered to offer a greater community benefit.
 - g. The subject property contains a locally or regionally significant feature or ecosystem that if preserved or managed would result in a net benefit to the community
 - h. Notwithstanding lands deemed appropriate for environmental protection by a qualified environmental professional, the land in question must be useable land that would be suitable for a multitude of recreational uses such as baseball diamonds, tennis courts, children’s tot lots, and basketball courts.
 - i. Preference shall be given to the acquisition of those lands identified in Map No. 3 for future community and regional parks, trails and corridors, and natural areas, and Map No. 2b for well protection areas and recharge areas for community water systems. However, other lands may be considered in accordance with the criteria outlined in this policy.
12. The Regional District will not support encroachment applications into rights of way to beach areas, the foreshore, streams, or watercourses in the Plan Area.
 13. All trails proposed on lands located within the Agricultural Land Reserve shall require approval from the Agricultural Land Commission and should be developed and used in accordance with the Ministry of Agriculture’s publication titled “*A Guide to Using and Developing Trails in Farm and Ranch Areas*”.
 14. When responding to referrals from the Ministry of Transportation and Infrastructure for road closure applications, the Regional District will:
 - a. consider the value of retaining the right-of-way as public land for recreation and active transportation purposes;
 - b. refer to its parks and trails and active transportation plans and strategies, and
 - c. not support the closure if retaining the right-of-way as public land will benefit parks and trail development or active transportation.
 15. This Plan supports the creation of a parks development cost charge bylaw to support acquisition and development of select Community Park amenities.
 16. The Regional District recognizes that public involvement is essential in the planning, acquisition, and development of the community and regional parks. Consultation with the public, as well as parks and recreation commissions, volunteer groups and service organizations is encouraged and is considered vital for the success of the Parks System.

ADVOCACY POLICIES

17. The Regional District shall encourage management of Crown lands as Parks/Reserve south and west of Bowser along Nile Creek, Thames Creek, Lymn/Chef Creek, Gainsburg Swamp, Annie’s Woods and the unconfined aquifer on Crown Land in District Lot 86 (see Map No. 2).
18. The Regional District shall support the prohibition of motors on Spider Lake to protect the water quality and the existing character of human-powered recreation.
19. The Regional District shall encourage the Province and forest companies to provide opportunities for controlled use of trails and private logging roads during non-operation periods for outdoor recreation except during times of high and extreme fire hazard.
20. The Regional District shall encourage and support volunteer assistance in the development and management of community parks, Streamkeeper projects and trails.
21. Partnerships among residents, landowners, business owners, and government agencies to improve Park Lands are encouraged and supported by this Plan.

4.2 Community and Institutional

INTRODUCTION

Community and institutional uses include facilities such as schools, universities, religious and service organizations, community halls, community care facilities, fire halls, ambulance stations, and marinas and wharfs in the Plan Area.

Institutional uses are permitted in all designations of this Plan, and these uses generally require appropriate institutional zoning prior to the use of land for such purposes.

School District No. 69 has jurisdiction for the Bowser Elementary School, the single public school within the Plan Area (high school students attend school in Qualicum Beach or Courtenay). With current school enrollment and population trends, there is no anticipated need for additional school facilities over the next 10 years.

Community fire protection is provided by three volunteer fire departments in the Plan Area. The Deep Bay Volunteer Fire Department is administered and financed by the Deep Bay Improvement District, and the Bow-Horn Bay and Dashwood are volunteer fire department societies financed by property taxes collected through the Regional District.

While current community and institutional facilities are found throughout the Plan Area, future uses shall be encouraged to locate within the Rural Village Centres. Some of the key existing community and institutional facilities are illustrated on Map No. 3.

COMMUNITY AND INSTITUTIONAL POLICIES

1. Institutional uses will be permitted in all land use designations in this Plan but may require rezoning to institutional use.
2. The Regional District shall encourage the integration of future school sites into Rural Village Centres and integrate their location with the parks, trails and open space network.
3. This Plan supports the continued service of Bowser Elementary School. The Regional District shall work with School District No. 69 on the long-term plans for this school.
4. The Regional District will consider future agreements with the School District to implement the School Site Acquisition Provisions in the *Local Government Act*.
5. The Regional District shall encourage new proposals for institutional facilities to be situated within the Village Centres, except where a location outside of a Village Centre is demonstrated to be more appropriate or essential to its use.
6. Establishment of a cemetery in the Plan Area is supported subject to rezoning and adherence with applicable provincial requirements.

OBJECTIVES

1. **Work with School District No. 69 in planning for the future needs of the community and coordination of school site and parks and open space planning.**
2. **Encourage community use and support of community facilities.**
3. **Direct the location of new institutional facilities for public assembly, for educational, religion, cultural and service organizations to Village Centres.**
4. **Recognize the existing emergency services provided within the Plan Area.**
5. **Support coordination for providing emergency services for existing and future residents.**
6. **Support the strategic location of fire halls and future ambulance and police stations to serve the growing needs within the Plan Area.**

7. The Plan recognizes the location of existing fire halls, and fully supports the valuable volunteer fire fighting and emergency services provided by the Deep Bay, Bow Horn Bay, and Dashwood Volunteer Fire Departments.
8. The Regional District will continue to develop coordination, communication, and information sharing with Improvement Districts and volunteer fire departments to ensure that adequate fire fighting services are able to accommodate the future development of the Rural Village Centres at Dunsmuir, Qualicum Bay, and Bowser and to improve fire protection service to rural areas, to include, but not be limited to, development of emergency evacuation plans and encouragement of community emergency preparedness, in coordination with the appropriate federal and provincial government agencies.
9. The Regional District will coordinate with fire departments in planning for future growth and development and in review of applications to amend this Plan and the zoning bylaw.
10. At the time of updating this Plan in 2017, the Regional District is coordinating an expansion of a Crown lease area at the end of Shayla Road near Spider Lake for the Bow-Horn Bay Volunteer Fire Department to construct a new hall. This Plan supports consideration of expansion of the Bow-Horn Bay Volunteer Fire Department service area to the south-west up to and including the properties around the shores of Horne Lake.

ADVOCACY POLICIES

11. The Regional District encourages public consultation with District 69 School Trustees on any future plans or uses for area schools.
12. The Regional District shall encourage the School District to complement other community facilities by continuing to be make available schools and school grounds for recreation, cultural activities, and educational programs during non-school hours.
13. The Regional District encourages Vancouver Island University to continue community programming and events at its Marine Research Station and to integrate its future growth and development with the surrounding community.
14. The Ministry of Transportation and Infrastructure is encouraged to request that all proposed subdivision plans are reviewed by the relevant fire department.

4.3 Community Water and Sewer Systems

INTRODUCTION

There are three community water systems that serve the developed coastal area. These are Deep Bay Water District, Bowser Water District, and Qualicum Bay Horne Lake Water District. The Plan Area relies on groundwater resources in the vicinity of Bowser and Dunsmuir. These areas have an undefined quantity of water in unconfined Quadra Sands and associated aquifers. The water quantity and quality continues to be sufficient and is expected to remain so if precautions are taken to protect this valuable resource.

Deep Bay Improvement District:

A 2016 *Aquifer and Well Protection Plan for the Deep Bay Improvement District* by Payne Engineering Geology identifies a well protection area for the District's wells. Approximately 80% of the well protection area is within the Coastal Douglas Fir land use order area which is designated for ecosystem protection and therefore effectively also offers some protection for the Deep Bay Improvement District wells. The rest of the well protection area is on private property within the Agricultural Land Reserve.

Bowser Waterworks:

A 2015 *Aquifer and Wellhead Protection Plan for Bowser Waterworks District* by Payne Engineering Geology identifies a wellhead protection area for the District's wells in close proximity to its wells on Crosley Road. The well capture zone extends from the wells south and west through Crown Land that was formerly the Bowser Seed Orchard, and including private properties on Cowland Road. All of the wells and some of the protection area are within the Coastal Douglas Fir land use order area which effectively offers some protection. The site of the former Bowser Seed Orchard is not protected by the Coastal Douglas Fir land use order area and any proposed future use of that property should be considered in relation to potential contamination of the water supply for Bowser Waterworks.

Qualicum Bay Horne Lake Water District:

A 2017 *Well Protection Plan* for Qualicum Bay Horne Lake Waterworks identifies a well protection area for the District's wells that extends upslope to Highway 19. The well capture zone extends further up slope, and both of these areas include rural and agricultural properties, as well as the inland highway. The Well Protection Plan also identifies an area at risk of artesian conditions below its wells, which requires care during development to protect from uncontrolled artesian flow.

OBJECTIVES

1. *Encourage* the efficient location of public utilities to serve the needs of residents.
2. *Liaise* with the local water purveyors to ensure water quantity and quality is sufficient and can be sustained for current and future development.
3. *Identify and protect* groundwater recharge areas.
4. *Advocate* the environmentally safe and economically feasible development of community sewer systems.
5. *Prepare* strategies for provision of community wastewater services within Village Centres, in coordination with the Qualicum First Nation for Dunsmuir and Qualicum Bay.
6. Support provision of community sewer outside of village centres where there is a threat to public health or the environment due to the wastewater management method being used.
7. *Support* provision of community water and sewer outside of village centres where necessary to support other goals of this plan related to alternative forms of rural development.

COMMUNITY WATER AND SEWER SYSTEM POLICIES

1. The Regional District recognizes the important role played by Improvement Districts in providing community water and will liaise to ensure adequate quantity and quality of water is available for any future development.
2. Where identified, groundwater recharge areas and well protection areas shall be protected through land use regulation and development permit area.
3. Except for agriculturally-designated lands, the Regional District does not support the drilling of wells for domestic purposes where community water services exist and have adequate capacity to meet reasonable domestic demand.
4. In the absence of a groundwater protection bylaw that otherwise recommends such development, the creation of new parcels, serviced by private wells within community water services areas, is not supported.
5. This Plan supports the comprehensive development of community sewer systems within the Rural Village Centres.
6. This Plan supports provision of community sewer outside of Rural Village Centres where there is a threat to public health or the environment due to the wastewater management method being used.
7. Provision of community water and sewer outside of Rural Village Centres is supported where necessary to achieve other objectives of this plan related to alternative forms of rural development, and where small systems are not proposed to be owned by the Regional District. Implementation of this policy is subject to amendment of the Regional Growth Strategy.
8. This Plan supports locating future community infrastructure where it will have the least impact to environmentally sensitive areas and the environment.
9. This Plan supports establishing a mandatory septic maintenance program in all areas not served by community sewer system in order to protect the environment including surface, marine and ground water from contamination.

4.4 Transportation Network

INTRODUCTION

The effective integration of transportation modes such as automobile, transit, cycling and walking creates well connected communities and results in other significant benefits. Communities that have good active transportation facilities that are well connected with other modes such as public transit, have lower rates of obesity and chronic illness. In addition, transportation networks that provide alternatives to automobile travel help reduce greenhouse gas emissions. The recreational trail system is addressed in section 4.1 of this Plan and is part of the overall transportation network. Movement around the Plan Area by foot or bicycle can include a combination of road shoulders and off-road trails.

Island Highway No. 19A had long been the sole vehicular route connecting north and south Island communities until the completion of the Inland Island Highway No. 19 in the late 1990's. Today, both of these highways accommodate passenger, freight and service transportation up and down the Island. The Plan Area includes two major intersections connecting the Inland Island Highway with Island Highway No. 19A: at Horne Lake Road and Cook Creek Road. The highways and major roads in the Plan Area are shown on Map No. 3.

Emergency access to neighbourhoods with only one road in and out is a concern for residents. New road connections are desired in two key locations where Gainsburg Road is the only access: new access connecting Highway 19A with the western portion of Gainsburg Road, and a connection between Thompson Clark Drive and Ocean Trail.

TRANSPORTATION NETWORK POLICIES

1. The Regional District supports improvements to the efficiency, effectiveness, and safety of Island Highway No. 19A including the safety of those travelling by foot, bicycle or other non-vehicular means on the road shoulders.
2. The Regional District supports the eventual upgrading of Inland Island Highway No. 19 intersections to overhead interchanges at Horne Lake and Cook Creek Roads.
3. The Regional District shall coordinate with the Ministry of Transportation and Infrastructure for developing bicycle and pedestrian routes along Island Highway No. 19A and other roads to implement the Active Transportation Plan, 2017.
4. Known priorities for active transportation facilities in the Active Transportation Plan, 2017 must be considered at the time of rezoning for community amenity contribution pursuant to policies in Section

OBJECTIVES

1. *Accommodate* safe, efficient, and effective passenger, freight, and service transportation throughout the Plan Area.
2. *Enable* safe, non-vehicular mobility through improved walking and cycling trails or routes between neighbourhoods, schools and commercial areas.
3. *Improve* safe bicycle and pedestrian routes on Island Highway No. 19A.
4. *Support* the visual protection of the Inland Island Highway Corridor with buffer areas including setbacks, greenways, and landscaping requirements.
5. *Encourage* appropriately located wayfinding and tourist and attraction signage on Island Highway Nos. 19 and 19A.
6. *Encourage* second road accesses to neighbourhoods with only one way in and out.

6.2 of this Plan. At the time of adoption of this Plan, key priorities for active transportation facilities include:

- a. Pedestrian crossings of Highway 19A in Bowser near Magnolia Court, at Coburn Road, and near Lions Way
 - b. Paved shoulder on all of Highway 19A with a higher priority on the section from Crosley Road to just north of Fisheries Road
 - c. Improvements to safety of walking and cycling on Faye Road
 - d. Trail construction on unopened Jackrabbit Road that connects the end of Faye Road to the Thompson Clark Ocean Trail Community Trail
 - e. Shoulder widening on Gainsburg Road
5. Preserve the natural visual character of the rural portions of Highway Corridors on Highways 19, and 19A.

ADVOCACY POLICIES

6. The Ministry of Transportation and Infrastructure is encouraged to improve bicycle and pedestrian routes on Highway No. 19A in coordination with the Regional District and pursuant to the Active Transportation Plan, 2017.
7. The Ministry of Transportation and Infrastructure is encouraged to coordinate with the Regional District and local business community to ensure that wayfinding and tourist and attraction signage is current and best serves the needs of the local community and travelling public.
8. The Ministry of Transportation and Infrastructure is encouraged to construct or require through subdivision, roads that provide a second access to neighbourhoods with only one way in and out.
9. The Ministry of Transportation and Infrastructure is encouraged to improve the safety of Horne Lake Road between the Highway 19 and Highway 19A which may include realignment if the opportunity exists.

4.5 Public Transportation

INTRODUCTION

As of the 2017 review of this Plan, VIA Rail's passenger train service has not run through the Plan Area for several years and its future is uncertain. The E&N rail corridor remains a valuable community asset that if not used for rail, should be used for as a non-vehicular (active) transportation and recreation corridor.

In 2014, Regional District of Nanaimo Transit Services began operating a bus to and from Deep Bay and connecting to Nanaimo via Qualicum Beach in the morning and afternoon on Tuesdays. The service is planned for expansion to 5 days per week in September, 2017. It is a long standing desire for this community to have public transit connection north into the Comox Valley Regional District, where many residents travel to regularly for work, shopping and appointments as it is often more convenient than travelling to Nanaimo. Transit service in the Comox Valley Regional District currently goes as far south as Fanny Bay, less than 10 km from where transit service ends in Deep Bay. Focussing growth and development in Rural Village Centres will make continued expansion of the frequency of service more viable.

OBJECTIVES

1. *Support* existing transit service in Area 'H' and *encourage* expansion.
2. *Support* the development of commuter transportation opportunities for residents of Area 'H' in addition to the current transit service.
3. *Protect* the E&N railway line as a continuous linear transportation corridor by designating the lands as a transportation corridor for rail travel and for non-vehicular mobility options.

PUBLIC TRANSPORTATION POLICIES

1. The E&N Railway corridor lands shall be designated Transportation Corridor where subdivision is not supported.
2. The Regional District shall support the development of public transportation nodes in Rural Village Centres such as bus shelters in strategic locations linked with active transportation facilities.
3. Should rail transportation services cease to exist, this Plan supports the establishment of walking and cycling trails on the E&N railway corridor.
4. The Regional District shall encourage the development of alternative transportation opportunities such as mini-bus commuter services, carpooling, and park and ride connections to Regional District Transit routes in consultation with Regional District Transit Services.
5. The Regional District supports accessibility in public transportation; an accessible transportation system works to support aging place, and the independence, comfort, self esteem, and security of everyone, including people with disabilities.

ADVOCACY POLICIES

6. BC Transit and the Comox Valley Regional District are encouraged to work with the Regional District of Nanaimo to develop a public transit connection between the Deep Bay area and transit in the Comox Valley Regional District.

4.6 Marine Transportation

INTRODUCTION

The Deep Bay Harbour provides opportunities for recreational and commercial marine transportation. Commercial fishing, shellfish aquaculture, and recreational boat travel are accommodated within the Deep Bay Harbour.

The Government Wharf provides facilities for commercial fishing, shellfish aquaculture and recreational vessels, and the adjacent private marina is home to the Deep Bay Yacht Club which shares a floating clubhouse with the Lighthouse Country Marine Rescue Society. The Deep Bay Harbour Authority manages the federal government wharf on behalf of DFO Small Craft Harbours Program. There is a privately owned boat ramp adjacent to the parking lot for the Harbour.

There are no publically-owned boat launches in the Plan Area, however there is a private boat launch open to the general public to the south of the marina parking lot.

OBJECTIVES

1. *Recognize* the role of the Deep Bay Harbour Authority in managing the federal government wharf at Deep Bay.
2. *Encourage* opportunities for recreational and commercial marine transportation from Deep Bay Harbour.
3. *Support* solutions to marina parking lot overflow for vehicles and trailers.

MARINE TRANSPORTATION POLICIES

1. The Regional District encourages the tourist, recreational, fishing and aquaculture industries to continue their use of Deep Bay Harbour.
2. The Regional District recognizes the importance of existing private boat launch in the Plan Area for recreation, tourism, and emergencies, but does not support development of new private boat launches due to their impact on the foreshore environment
3. This Plan supports development of new public boat launches in locations with minimal environmental impact and sufficient trailer parking, and subject to development permit area guidelines.
4. The Regional District shall develop a plan in coordination with the Deep Bay Harbour Authority and local businesses for accommodating overflow parking for the harbour.
5. The Regional Board shall not consider rezoning the surface of the water in Deep Bay Harbour without consultation with the Deep Bay Harbour Authority and local residents.

ADVOCACY POLICIES

6. The Regional District encourages the Deep Bay Harbour Authority to provide additional off-street parking to reduce reliance on the nearby road shoulders for boat trailer parking during the busy season.

SECTION 5 – THE DEVELOPMENT STRATEGY

5.1 Development Guideline Criteria

5.7 Recreation

5.2 Resource

5.8 Deep Bay

5.3 Rural

5.9 Affordable and Accessible Housing

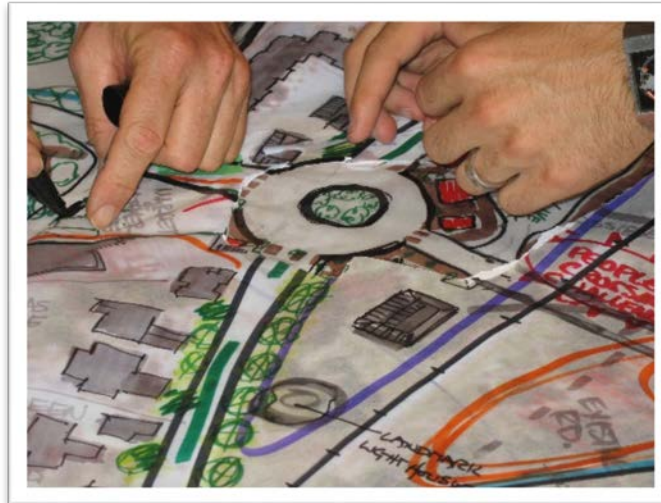
5.4 Rural Residential

5.10 Alternative Forms of Rural Development

5.5 Rural Village Centres

5.11 Temporary Use Permits

5.6 Tourist Commercial



The Development Strategy is a key component of this Plan and sets the parameters for development within the community. The development strategy provides a framework for focusing future growth into Rural Village Centres and protecting rural character. The strategy for this Plan is driven by the Community Values Statement (see Section 1 of this OCP) and the Development Guideline Criteria (paragraph 5.1) and is consistent with the Regional Growth Strategy (RGS). Where revisions during the 2016/17 review of this Plan added policies that require changes to the RGS, the actions or uses identified in the policies shall not be supported unless there is an amendment to the RGS.

The Development Strategy is illustrated through mapped 'Land Use Designations' that match the written objectives and policies to land uses, densities and parcel sizes. These Designations are shown on Map No. 5.

There are three designated Rural Village Centres in this OCP: Dunsmuir, Qualicum Bay, and Bowser. In addition, the area near Deep Bay Harbour is an important focal point for marine, aquaculture, and tourism industries, and neighbourhood services for local residents.

This Plan encourages and supports Home Based Businesses as an economic activity conducted as an accessory use on any parcel consistent with zoning regulations.

5.1 Development Guideline Criteria

In Electoral Area 'H', prior to considering an application to amend this Official Community Plan or the applicable zoning bylaw, an applicant must show that the proposal:

1. Is consistent with the Community Values Statement, the rest of the Official Community Plan and the Regional Growth Strategy;
2. Preserves and protects the rural character of the area and contains urban development to the Rural Village Nodes;
3. Protects and promotes natural, environmental, and geographic features through an environmental impact study.
4. Where outside a community water service area, identifies a source of water with sufficient quantity and quality for the proposed use and mitigation measures for any anticipated impacts on the aquifer or surface water through a hydro-geologic assessment in accordance with the Board Policy on "Groundwater – Application requirements for rezoning of un-serviced lands" as amended from time to time.
5. Preserves, enhances, and dedicates useable parkland that provides linkages to public lands, and integrated trail system and waterfront access where appropriate;
6. Minimizes greenhouse gas emissions resulting from the development through energy efficient site design, and consideration of active transportation where applicable.
7. Proposes a comprehensive approach to management and disposal of sewage and/or septage;
8. Proposes a comprehensive approach to drainage and management of rainwater demonstrating that impervious surfaces are minimized, slowing, detaining and infiltrating rainwater is considered, and that there is no increase to rainwater flow onto adjacent lands;
9. Protects and conserves archaeological sites through adherence to the provincial *Heritage Conservation Act*;
10. Has been presented to the community for review and comment on the overall proposal including any studies prepared to satisfy the above.

Where development is within a community water service area:

11. the Regional District will refer the application to the local water provider for comment.

DEVELOPMENT APPROVAL INFORMATION – CIRCUMSTANCES AND SPECIAL CONDITIONS

12. Applicants for zoning amendment, development permit, or temporary use permit in all designations of this Plan may be required to provide development approval information.
13. This Plan attempts to embrace compatible development while at the same time maintaining the values that are fundamental to the health and prosperity of the community. In order to achieve the goals of this Plan and ensure compatibility with the Community Values Statement and the Development Guideline Criteria, future land use and development decisions must consider the anticipated impacts of proposed development on the environment and community resources; the Plan Area is designated a development approval information area. Development approval information may be required to ensure that development may be adequately serviced and accommodated in a manner that sustains natural resources, environmentally sensitive areas and protects rural character while containing urban development to Rural Village nodes. Development approval information may be required to help the Regional District of Nanaimo determine appropriate uses, density and siting of future development.

5.2 Resource

INTRODUCTION

This land use designation applies to lands that are used and valued for agriculture, land-based components of aquaculture, forestry, natural resource extraction, or environmental conservation. All lands within the Agricultural Land Reserve are in this land use designation. Lands that are classified as Private Managed Forest Lands and large parcel Crown lands (other than those designated as Park Lands) are also within this land use designation.

Where land is in the Agricultural Land Reserve and is proposed for subdivision or a non-farm use, approval must first be obtained from the Agricultural Land Commission.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the Regional District. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government in planning and decision-making.

RESOURCE POLICIES

1. Lands within this designation shall have a minimum permitted parcel size of 50.0 hectares, except for lands within the Agricultural Land Reserve.
2. Lands within the Agricultural Land Reserve are designated “Resource – Agricultural”, and an 8.0-hectare minimum permitted parcel size is supported .
3. Notwithstanding Resource Policy 2 above, any lands within the Agricultural Land Reserve having a minimum permitted parcel size of less than 8.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum parcel size.

ADVOCACY POLICIES

4. Areas with environmentally sensitive or significant ecological resources within the Resource Lands designation are identified on Map No. 3. Protection of these areas shall be encouraged through federal, provincial, Regional District or private initiatives and incentives. The Regional District may consider proposals for increased development on a portion of a property to facilitate conservation of the environmentally sensitive areas elsewhere on the property, where the proposal meets the values, criteria, objectives and policies of this Plan.
5. All development in the Resource designation is encouraged to follow FireSmart recommendations to reduce the susceptibility of buildings and property to fire.

OBJECTIVES

1. *Maintain* the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. *Encourage* more comprehensive management of the resource land base.
3. *Protect* the environment.
4. *Encourage* and protect outdoor recreational opportunities.
5. Encourage farm activities on productive agricultural lands.
6. *Protect* agricultural lands for present and future food production.

5.3 Rural

INTRODUCTION

This land use designation applies to large lots, not located within the Agricultural Land Reserve, and generally 2.0 hectares or more in size. These lands are intended to provide for traditional rural pursuits, and serve as a buffer between Resource Lands and the more urbanized areas of Electoral Area 'H'. This designation also applies to lands in the Spider Lake Area, where larger parcel sizes are the typical form of development and where residents in the area promote the retention of large parcel sizes to protect each individual property's privacy and rural quality of life.

Rural lands are characterized by the suitability to accommodate unserviced rural activities. These parcels typically have an adequate water supply and wastewater can be treated and disposed of through on-site ground disposal systems.

RURAL POLICIES

1. Lands within the Rural designation shall have a minimum permitted parcel size of 4.0 hectares.
2. Notwithstanding Rural Policy 1, any lands within the Rural designation having a minimum permitted parcel size of less than 4.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum permitted parcel size (these parcels are illustrated on Map No. 5).
3. In addition, notwithstanding 5.3.2, lands within the Rural land use designation may be considered for a rezoning to the 2.0 hectare minimum permitted parcel size where the proposal meets the following criteria:
 - a) One dwelling unit per parcel
 - b) Bare land strata subdivision shall not be permitted
 - c) No frontage relaxation required
 - d) No further road dedication to accommodate parcel frontage or additional parcels (as verified as of the date of adoption of this Plan)
 - e) Provision of a comprehensive plan for subdivision of the area being rezoned with a report from a recognized professional with geotechnical and geohydraulic experience indicating an assessment of the environmental suitability of the subdivision that is accepted by the RDN, Water, Land and Air Protection, and the Environmental Health Officer.
4. New residential development shall be permitted at a maximum density of 1 dwelling unit per 2.0 hectares to a maximum of 2 per parcel. Allowing two dwellings on a lot in rural areas supports affordable housing and aging in place.
5. Secondary suites are supported in the Rural designation and regulated by the applicable zoning bylaw. Secondary suites are not included in the count of dwellings for the purpose of determining permitted dwelling density in this Plan.
6. While this Plan recognizes an existing Industrial parcel within the Plan Area that is currently zoned for Industrial use, this Plan does not support additional heavy industrial zoning within the Rural designation. This Plan does support rezoning for additional light industrial use, or "service commercial" use in the

OBJECTIVES

1. **Preserve** the rural character of lands within the Plan Area.
2. **Contain** the extent of growth of urban and suburban lands.
3. **Encourage** alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.
4. **Support** Tourist Commercial and service commercial development that is compatible with the local area and adjacent properties.

Rural designation provided it is a value-added shellfish aquaculture use or small scale and suitable to the location by demonstrating the following:

- a) does not negatively impact ground or surface water or sensitive ecosystems;
 - b) does not unduly affect neighbouring properties through its scale and impacts such as noise, odour and significant increase to traffic;
 - c) is visually screened from neighbouring properties and roads; and
 - d) provides a community need that is not provided elsewhere in the Plan Area or where its location is optimal to the use.
7. This Plan supports rezoning for Tourist Commercial uses in the Rural Designation provided it complies with policies in section 5.6 of this Plan.

5.4 Rural Residential

INTRODUCTION

The Rural Residential designation recognizes the existing pattern of smaller lots primarily along the coastal areas near Highway No. 19A. All lots in the Rural Residential designation are served by one of the three improvement districts: Deep Bay Improvement District, Bowser Waterworks District, and Qualicum Bay Horne Lake Waterworks District.

Most lots in this designation are subdivided to their full potential with some infill subdivision potential remaining. However, the potential of some of the larger parcels may be constrained due to ground and soil conditions. It is essential that further infilling be provided in compliance with Ministry of Health regulations.

RURAL RESIDENTIAL POLICIES

1. The Rural Residential designation maintains the existing single and duplex residential and neighbourhood characteristics of the area.
2. Lands in the Rural Residential designation shall have a minimum permitted parcel size of 2000 m².
3. Residential development on Rural Residential designated lands shall be permitted at a maximum density of 1 dwelling unit per 2000 m² (5 units per hectare) with community water service to a maximum of two dwelling units per lot
4. Secondary suites are supported in the Rural Residential designation and regulated by the zoning bylaw. Secondary suites are not included in the count of dwellings for the purpose of determining permitted dwelling density in this Plan.
5. Existing small scale commercial uses in Rural Residential areas shall be recognized for their benefits including accessibility and social contribution to the character of their neighbourhoods.

OBJECTIVES

1. *Protect and enhance* the characteristics of the Rural Residential neighbourhoods.
2. *Ensure* that the rural residential areas with natural hazards along the coastal shore of the Plan Area are identified and that development is protected from hazardous conditions.
3. *Ensure* that environmentally sensitive areas along marine and riparian coastlines within rural residential areas are protected from impacts associated with development.
4. *Encourage* alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.

5.5 Rural Village Centres

INTRODUCTION

Dunsmuir, Qualicum Bay and Bowser are designated as Rural Village Centres, which are the mixed-use ‘focal points’ of the Plan Area, and are intended to support a variety of commercial, recreational, community and professional services, as well as residential development. It is anticipated that future residential growth in the Plan Area will be accommodated within the Rural Village Centres, which will include a range of housing types. The objectives and policies below are intended to guide the development of these centres as strong community focal points. The Bowser Village Centre Plan (Schedule B) should be referred to for objectives and policies for that Rural Village Centre.

The Bowser Village Centre Plan is the principal guiding document for all land use decisions within the Bowser Village Centre boundary. The Bowser Village Centre Plan forms a part of this Plan as a schedule to the Electoral Area ‘H’ OCP. Where a particular issue is not covered by the Bowser Village Centre Plan, the Electoral Area ‘H’ OCP will be consulted for direction. Where a conflict exists between the OCP and the Bowser Village Centre Plan, the designations and/or policies of the Bowser Village Centre Plan will take precedence within the designated Bowser Village Centre Plan Area.

For Qualicum Bay and Dunsmuir Rural Village Centres, the Rural Village Centre land use designation encourages further mixed use, residential and commercial zoning of land as part of comprehensive development of the centres. Existing local commercial sites may be redeveloped over time which will benefit the viability, character and form of the Rural Village Centres.

The **Qualicum Bay Village Centre** with its central location serves as the main commercial area for Qualicum Bay. The focus for this village centre is on tourist and resort commercial services.

The **Dunsmuir Village Centre** with its location along Horne Lake Road serves as a “gateway” to the coastal resorts, scenic and recreational opportunities within the Plan Area. The vision for this village centre is the development of a comprehensive mixed-use community.

RURAL VILLAGE CENTRES POLICIES

1. New commercial sites shall only be located within Rural Village Centres with the exception of service commercial and Tourist Commercial uses pursuant to Rural Policies 4 and 5.
2. Lands within the Rural Village Centres are designated as Development Permit Areas for revitalization of an area in which a commercial use is permitted, and to establish objectives for the form and character of commercial and industrial development.

OBJECTIVES

1. *Concentrate* compatible uses within the Rural Village Centres.
2. *Promote* the provision of full community services (sewer and water) to parcels within the Rural Village Centre Designation.
3. *Encourage* development of mixed commercial uses in the Rural Village Centre designation.
4. *Avoid* conflicts between residential and commercial uses.
5. *Ensure* that the type and scale of commercial development follows community preferences.
6. *Encourage* the location of commercial development and services to support Rural Village Centres and serve the needs of local residents and the traveling public.
7. *Accommodate* a range of housing types and sizes, including affordable housing.

3. Bowser Village Centre is the primary commercial and service centre of the Plan Area. All land use within the Bowser Village Centre boundary must be consistent with the Bowser Village Centre Plan.
4. Affordable housing is encouraged to be located within the Rural Village Centre designation through secondary suites where suitable, and through amenity contribution at the time of rezoning.
5. Development within Rural Village Centres must be consistent with the objectives and policies of this section and with Section 5.1 Development Guideline Criteria.
6. In order to achieve a compact form of development in Village Centres, rezoning for low-density residential development generally less than 15 units per hectare will not be supported. Incremental development over time is supported where an initial phase or phases are clustered on a portion of a property to allow for future development on the rest of the property.
7. Rezoning which includes a privately owned wastewater treatment system must be accompanied by a covenant requiring connection to a Regional District sewer service should one be established.
8. A future review of this Plan should consider reducing the area of Qualicum Bay and Dunsmuir Village Centres and re-designating them as Local Service Areas in order to focus the commercial mixed-use centre of the area in Bowser, and encourage local services or tourist commercial uses in the other two Village Centres.

5.6 Tourist Commercial

INTRODUCTION

Beyond the boundaries of the Rural Village Centres, it is recognized that there are commercial uses that cater to the traveling public and are generally located along the Highway No. 19A corridor and near Deep Bay Harbour. These tourism-related commercial uses include a variety of facilities: marinas, cabins, boat launches, small resorts, motels, and recreational vehicle parks. In recent years, many of the tourist accommodation businesses have closed or converted to year-round housing and community members have expressed a need for more tourist accommodation.

TOURIST COMMERCIAL POLICIES

1. This Plan recognizes existing tourist commercial uses in the Plan Area. These uses will be encouraged to continue and the Regional District will consider rezoning applications for expansion of such facilities subject to Development Permit Area guidelines.
2. Lands designated as Tourist Commercial shall be within designated development permit areas.
3. This Plan supports rezoning for new, small-scale, tourist commercial use in the Rural designation provided it:
 - a) is primarily accommodation intended to serve the travelling public and may include associated tourism services
 - b) is not expected to negatively impact ground or surface water or sensitive ecosystems;
 - c) does not unduly affect neighbouring properties through its scale and impacts such as noise and significant increase to traffic; and
 - d) complies with the objectives and policies of this Plan.
4. The Regional District shall not support strata conversion of tourist commercial uses to residential uses where it would reduce opportunities for tourism.
5. Proposals for new or expanded tourist commercial accommodation should consider providing staff housing on site, and the Regional District will consider securing the staff housing through housing agreement.

OBJECTIVES

1. **Recognize** existing tourist commercial uses in the Plan Area.
2. **Encourage** the development of the coastal zone of the Plan Area as a tourist commercial destination in a manner that does not detract from Qualicum Bay Village Centre and the Bowser Village Centre as the focus for tourism services.
3. **Ensure** that the type and scale of new tourist commercial development follows community preference as determined through public consultation.

5.7 Recreation

INTRODUCTION

The Plan Area includes various Recreation Land uses that may be distinguished from Tourist Commercial Land uses by their orientation to recreational-type activities benefiting from rural environmental settings. At the time of writing this Plan there are three areas with this designation: Arrowsmith Golf course, Spider Lake Springs Resort, and the seasonal, off-grid strata community around the shores of Horne Lake. The latter two such Recreation Lands provide regular seasonal use opportunities to a longer-term resort population than would normally be associated with hotels, motels, overnight campgrounds or RV parks.

OBJECTIVES

1. *Recognize* existing recreation resort uses in the Plan Area.
2. *Ensure* that recreation resort uses are developed in a manner that does not have negative impact on the environment.
3. *Consider* conditions under which Horne Lake Strata could be re-designated for residential use.

RECREATION POLICIES

1. Lands designated as Recreation Lands shall be within designated Development Permit Areas in order to assure that the type and scale of future expansions or alterations to the recreational development does not impact on the environment or the character of surrounding neighbourhoods.
2. This Plan supports a study of the impacts and benefits of re-designating the Horne Lake Strata properties (legally described in Strata Plan VIS5160) to residential use. If the considerations listed in this policy are addressed to the satisfaction of the Regional District, this Plan supports the re-designation. During the 2016/17 review of this Plan, many Horne Lake Strata property owners indicated they would like to make their recreational home their primary residence and be permitted to live there year-round. The following should be included in the study, as well as any other relevant considerations, and the study will be completed by the property owner(s) in consultation with the Regional District:
 - a) Analysis of the impacts and benefits to the region of the loss of 400 recreational lots; this change could put pressure on other areas for new recreational development.
 - b) Analysis of the impacts and benefits to the region of adding 400 residential lots outside the Growth Containment Boundary. While these lots are existing and there are some similarities between the impact of recreational and residential use, the study should provide an understanding of the increased expectation of services by residents such as school bussing, road improvements, and solid waste collection. The analysis should also include how the new market of year-round residential dwellings and lots at Horne Lake would affect the market demand inside the Growth Containment Boundary.
 - c) Consultation with the Ministry of Environment and Fisheries and Oceans Canada, and an analysis of the impacts and benefits to the watershed of increasing the intensity of use to full-time with recommended mitigation measures. Horne Lake is within a significant watershed that includes the Big Qualicum River and supports salmon populations, and the existing recreational lots are located within a sensitive riparian area.
 - d) Consultation with Island Health regarding the potential need for community water and wastewater treatment to be established. The existing methods of wastewater disposal and provision of potable water were established for seasonal occupancy; wastewater disposal is through pump and haul, and provision of water is under water license for individual intakes from Horne Lake.
 - e) Access, road condition, emergency, utilities.

- f) Assessment of the expansion of hydro service to the properties.
- g) Analysis of improvements required for emergency services, including analysis of expansion of the Bow-Horn Bay fire service area to include the Horne Lake Strata.

5.8 Deep Bay

INTRODUCTION

The Deep Bay Harbour is a focal point of the Plan Area with several existing properties designated as Tourist Commercial. It is the only natural harbour in the Plan Area, is important to the aquaculture industry and for pleasure craft, and includes a marina operated by the Deep Bay Harbour Authority and adjacent private marina. It is an important local commercial area, and small-scale growth and development of the area is encouraged to support economic development including marine, aquaculture, tourism, and services for local residents while maintaining the primarily residential character beyond the immediate area of the marina.

Deep Bay is at the southern end of Baynes Sound which is a significant and economically important shellfish aquaculture area, has cultural significance as a major settlement for First Nations people in the past, and is ecologically important, designated as an Important Bird Area.

There is a strong sense of community identity, and the area covered by the Deep Bay Improvement District is often referred to by residents as what they consider to be the boundaries of the community of “Deep Bay”.

As identified at a community workshop in September, 2016, the vision for the Deep Bay community includes many things that are shared with the rest of the Plan Area such as protection of the natural environment and drinking water, and some that are unique to the local neighbourhood. The objectives and policies in this section of the Plan are intended to reflect the community vision unique to the Deep Bay area.

The presence of archaeological sites is a limiting factor for future development, as is sea level rise and climate change impacts particularly on the Deep Bay Spit.

The Vancouver Island University Marine Field Station is a recent addition to Deep Bay and draws students, researchers, and tourists to the area. Services and accommodations that are complimentary to the Marine Station could be developed to support it and to better connect it with the rest of the Deep Bay community.

Two large, undeveloped lots located between the developed portion of Deep Bay and the Marine Station known as Deep Bay Southwest, have been identified for possible additional development. Policies related to the development of these lots are found in this section.

OBJECTIVES

1. *Support* a diversity of businesses related to the marine, aquaculture and tourism industries.
2. *Encourage* growth of marine recreational opportunities.
3. *Encourage* commercial development of the area near the Deep Bay Harbour in a way that compliments and supports marine, aquaculture, and tourism activities, or provides services for local residents, while supporting Bowser Village Centre as the commercial and service centre for the area.
4. *Recognize* and *protect* archaeological sites.
5. *Improve* road connections.
6. *Ensure* compatibility and support for the Vancouver Island University Marine Station.
7. *Maintain* and *enhance* the sense of community, safe walking routes and trails, and natural environment.
8. *Provide* housing options for different ages and income levels.
9. *Ensure* wastewater disposal and rainwater management does not negatively impact the water quality of Baynes Sound.
10. *Recognize* the constraints to redevelopment of small waterfront lots, particularly on Deep Bay Spit.

DEEP BAY POLICIES

1. Redevelopment in the existing Tourist Commercial designation in the Deep Bay area is encouraged where it compliments and supports the marine, aquaculture and tourism industries centred around the harbour, and where sufficient off-street parking is provided.
2. Rezoning proposals for tourist commercial use in the Rural Residential or Rural designations near the Deep Bay Harbour may be supported if the proposal compliments and supports the marine, aquaculture or tourism industries, provides sufficient off street parking, is consistent with Tourist Commercial policies in section 5.6, and is of a scale consistent with the primarily residential character of the area.
3. When new roads are constructed or existing roads are improved, they should be designed to allow for safe walking and cycling on the shoulder or a separated path.
4. A second public boat launch in Deep Bay is supported, subject to development permit area guidelines to ensure that environmental impact is minimized, and subject to sufficient off-street trailer parking being provided.

ADVOCACY POLICIES

5. Fisheries and Oceans Canada is encouraged to ensure derelict vessels are removed before they become an environmental or navigational hazard.
6. The Deep Bay Harbour Authority is encouraged to communicate with local residents and the Regional District regarding plans for expansion or other changes to facilities.
7. The Provincial government is encouraged to communicate with local residents regarding permits for beach cast seaweed harvest, and to consider the impact of the harvest on the enjoyment of waterfront property and on the marine and intertidal ecosystems and on archaeological sites when considering issuing and renewing permits.
8. The Provincial government and the shellfish aquaculture industry are encouraged to monitor water quality of Baynes Sound in order to determine if poorly-functioning onsite wastewater treatment systems are having an impact on the marine environment.

DEEP BAY SOUTHWEST

“Deep Bay Southwest” is a land use designation of this Plan comprised of two lots totaling approximately 75 hectares. Deep Bay Southwest is envisioned as a clustered residential development with tourist commercial and service commercial uses that complement the Deep Bay Harbour, existing tourist commercial uses, residential neighbourhoods, and the Deep Bay Marine Field Station. Development of Deep Bay Southwest must meet the objectives of the Deep Bay Section 5.8 and is pursuant to the following policies 9 to 25 of this section and all other relevant policies in this Plan.

Table 2 Dwelling and tourist accommodation maximums and secondary suite estimate for Deep Bay Southwest

Type of Unit	Fixed maximum	Estimated within maximum of 300	Possible scenario	Total
Dwelling unit through cluster (policy 10)		50		50
Dwelling unit through transfer (policy 11)		250		250
Tourist accommodation unit (policy 15)	40			40
Secondary suite			75 ¹	75
Total	40	300	75	415

¹ This possible scenario is for illustrative purposes and is based on 50% of dwellings being single (150) and therefore permitted a secondary suite, and 50% of those permitted being constructed (75).

RESIDENTIAL POLICIES FOR DEEP BAY SOUTHWEST

9. The objectives and policies of the Rural designation in Section 5.3 apply to Deep Bay Southwest, and the policies in this section 5.8 support further development if specific access, servicing and amenities are provided.
10. In the Deep Bay Southwest designation, clustering residential dwelling unit potential is supported pursuant to Alternative Forms of Rural Development Policies in Section 5.10 through reduction of minimum lot size. Adjacent parcels may be considered as a single parcel for the purposes of design of the development.
11. The Deep Bay Southwest designation is an eligible receiver area for transfer of dwelling unit potential pursuant to Alternative Forms of Rural Development Policies in Section 5.10. Despite the maximum increase in number of dwelling units to receiver parcels in Section 5.10, Deep Bay Southwest may have a total of 300 residential units. For clarity, this does not include secondary suites, which are permitted in addition to this number.
12. The form of residential development must be consistent with the following:
 - a) dwelling units must include a mix of housing choices including single, townhouses to a maximum of a four-plex, and courtyard housing; and
 - b) secondary suites are permitted within single dwelling units.
13. Residential development is designated a development permit area for establishment of objectives for the form and character of intensive residential and multi-family residential development Area in accordance with Section 488.1 of the *Local Government Act*.
14. For subdivision of Deep Bay Southwest under the current zoning regulations, the Approving Officer is requested to require the following:

- a) road access from Gainsburg Road to the development through the portion of Lot A that splits Deep Bay Creek 2 Community Park to ensure that the existing driveway extending beyond Crome Point Road and to the Deep Bay Marine Station is not used as the public access;
- b) road dedication from Highway 19A and construction to a level for emergency access;
- c) upgrades to Gainsburg Road necessary due to increased traffic which may include improvements for safety of bicycle and pedestrian travel;
- d) high level of wastewater treatment to ensure protection of the water quality of Baynes Sound;
- e) connection to the existing Deep Bay Waterworks community water system in accordance with Improvement District bylaws; and
- f) rainwater management designed to ensure protection of the water quality of Baynes Sound.

TOURIST COMMERCIAL POLICIES FOR DEEP BAY SOUTHWEST

- 15. In Deep Bay Southwest, the following tourist commercial uses are supported pursuant to Tourist Commercial Policy 3 in Section 5.6:
 - a) small-scale, 2 storey lodge-type accommodations with up to 20 rooms and up to 20 small cabins not exceeding 50 m² in gross floor area, which provide temporary accommodation to the travelling public as well as students and researchers and the adjacent Vancouver Island University Deep Bay Marine Field Station; and
 - b) restaurant, small-scale recreation facilities, and other amenities related to tourism services and that are not expected to compete with Bowser Village Centre as the commercial centre of the area.
- 16. In Deep Bay Southwest, tourist commercial uses are designated a Development Permit Area for establishment of objectives for the form and character of commercial development in accordance with Section 488.1 of the *Local Government Act*.

SERVICE COMMERCIAL POLICIES FOR DEEP BAY SOUTHWEST

- 17. In Deep Bay Southwest, service commercial uses that complement and enhance the aquaculture industry, aquaculture research, and marine tourism and business are supported pursuant to Rural Policy 4 in Section 5.3 that supports rezoning for service commercial use.

ENVIRONMENTAL DESIGN AND CLIMATE CHANGE POLICIES FOR DEEP BAY SOUTHWEST

- 18. In Deep Bay Southwest, in addition to meeting Development Guideline Criteria in section 5.1 of this Plan, development proposals must also demonstrate that:
 - a) site design establishes areas to remain free from development and disturbance including the marine coastline, steep slopes, wetlands, ravines and watercourses, archaeological sites, and environmentally sensitive areas including eagle nest and perch trees;
 - b) approximately 40% of the area of each lot in which development is proposed (Lot A or Lot B) is free from development for environmental protection and/or public use in perpetuity;
 - c) on the portion of Lot C that is within the well protection area for the Deep Bay Improvement District wells, no uses that have the potential to contaminate the aquifer should be permitted, subject to approval from the Agricultural Land Commission for any proposed restrictions to agricultural use;
 - d) the area described in 18b above is intended to meet the requirements of Alternative Forms of Rural Development policies in Section 5.10 in order to allow for smaller minimum lot sizes and/or transfer of potential dwelling units; and

e) site design retains trees and vegetation where possible in and around the housing and tourist commercial development areas.

19. In Deep Bay Southwest, commercial and residential development is designated a development permit area for establishment of objectives to promote the reduction of greenhouse gas emissions, to promote water conservation and to promote energy conservation in accordance with section 488.1 of the *Local Government Act*.

ACCESS AND SERVICING POLICIES FOR DEEP BAY SOUTHWEST

20. Development proposals for Deep Bay Southwest must meet Development Guideline Criteria in Section 5.1. In addition, a high standard of wastewater treatment must be met in order to protect the waters of Baynes Sound from contamination.

21. In Deep Bay Southwest, road layout and design must emphasize pedestrian and bicycle mobility over vehicles in order to promote active transportation, and all roads must include roadside paths or trails for safe walking and cycling.

22. As a condition of any rezoning under Alternative Forms of Rural Development policies in Section 5.10, or to permit tourist commercial or service commercial use under Section 5.3 and Section 5.6:

a) road access must be constructed from Gainsburg Road to the development through the portion of Lot A that splits Deep Bay Creek 2 Community Park to ensure that the existing driveway extending beyond Crome Point Road and to the Deep Bay Marine Station is not used as the public access;

b) a road must be dedicated through the development and directly to Highway 19A and constructed to a level suitable for emergency access from the Deep Bay area and service vehicle access during construction; and

c) a road must be dedicated to the Vancouver Island University Deep Bay Marine Station property.

23. As a condition of any rezoning to permit additional residential units that would take the total number in Deep Bay Southwest to greater than 50, the road access directly to Highway 19A must be constructed to Ministry of Transportation and Infrastructure standards as a public road and must include a separated trail for active transportation.

COMMUNITY AMENITY POLICIES FOR DEEP BAY SOUTHWEST

24. The following community amenities have been identified as desirable in the Deep Bay area in general and on the Deep Bay Southwest properties specifically. In addition to Section 7.2, which identifies community amenity contributions, the following must be provided at the time of rezoning of Deep Bay Southwest, with the extent of amenity contributions being related to the additional value conferred on the land.

a) For rezoning pursuant to policy 10 (clustering):

i. construction of a comprehensive trail and park system that is connected to the rest of Deep Bay trail system, to the existing Deep Bay community, the Vancouver Island University Marine Research Station and waterfront viewing and picnic areas. The trail network must be publically owned or with legal public access. The trail network should be designed with areas along the trail in appropriate locations of a width suitable to be developed into playgrounds or meeting areas;

ii. an area for boat trailer parking located as near to the Deep Bay Harbour as possible. At the time of writing this Plan, the portion of Lot A approximately 0.65 ha in area between

Gainsburg Road and a portion of Deep Bay Creek 2 Community Park is identified as a suitable location. Other potential locations can be explored at the time of rezoning application;

- b) For rezoning pursuant to policy 15 (tourist commercial), policy 17 (service commercial), or policy 11 (transfer) or combination thereof:
 - i. a small scale, publically accessible recreational building as part of the tourist commercial development;
 - ii. provision of affordable housing secured by housing agreement, or contribution to a Regional District affordable housing fund, should one be established;
 - iii. development of the parking area indicated in Policy 24a)ii above including clearing, grading, surfacing, and any other associated improvements to create a trailer parking area; and
 - iv. contribution to construction of a new fire hall for Deep Bay Improvement District taking into account the existing community's contribution through taxation to raise the required funds.
- c) Additionally, for rezoning pursuant to policy 11 (transfer):
 - i. a sewage collection, treatment and disposal system for the development, to be owned and operated by the Regional District, capable of expansion to at least 320 additional connections outside of Deep Bay Southwest which represents the number of existing dwellings accessible by road from Gainsburg Road.

REGIONAL GROWTH STRATEGY AMENDMENT FOR DEEP BAY SOUTHWEST

25. Subject to an amendment to the Regional Growth Strategy, Deep Bay Southwest may have up to 300 residential dwelling units without the requirement to transfer the residential dwelling unit potential from eligible donor parcels. The development must be in accordance with policies 9-24 above, the full extent of access, servicing and community amenities identified in these policies must be provided, and in addition:
- a) ten percent of dwelling units must be affordable as secured by housing agreement, and the form of affordability may be rental or affordable home ownership; and
 - b) the sewer collection system must also be constructed to the satisfaction of the Regional District, beyond the boundaries of Deep Bay Southwest to include at least the lots on Crome Point Road, Deep Bay Drive and Burne Road. This is to include all costs and works associated with design and approvals, to be determined at rezoning stage.

FUTURE REVIEW OF DEEP BAY SOUTHWEST POLICIES

26. During a future review of this Plan, the policies for Deep Bay Southwest should be reviewed in consideration of housing demand, growth patterns, and community need.

5.9 Affordable and Accessible Housing

INTRODUCTION

Area ‘H’ has a high retirement population with most of the recent population growth in the 50 – 70 age group. Increasing housing options to enable seniors to stay within the community as they age, and to allow people of all ages and abilities with moderate or low incomes to find adequate housing are important goals for this community.

Housing is more affordable in the Plan Area than the rest of the Regional District and the province, yet 24% of households spend over 30% of their household income on housing, a commonly accepted measure of housing affordability (2011 Census). A 2009 Regional District-wide housing needs study identified that there is an insufficient supply of affordable housing throughout the region. A 2010 Affordable Housing Action Plan made recommendations for OCPs that have been included in objectives and policies in this section.

There is currently one seniors housing development in the Plan Area owned and operated by the Qualicum Bay Lions with 20 units, 10 of which are subsidized. In 2012, two Crown parcels in Bowser Village Centre were leased by the Regional District for several community purposes including a seniors supportive living housing complex. The Bowser Seniors Housing Society is currently developing plans to construct and manage such a facility on these lots.

AFFORDABLE AND ACCESSIBLE HOUSING POLICIES

1. This Plan supports the provision of affordable housing and does not prohibit rental housing or community care facilities under Section 20 of the *Community Care and Assisted Living Act*, in any land use designation in or any future zone created to implement this Plan.
2. Secondary suites are supported in the Rural, Rural Residential and Rural Village Centre land use designations.
3. Multi-unit seniors and affordable housing developments should be located in Rural Village Centres to be close to community amenities and transit.
4. The Regional District should use housing agreements entered into by bylaw, to secure new affordable housing stock.
5. Notwithstanding Agriculture and Aquaculture Policies 3 and 4, the Regional District supports the expansion of the seniors’ subsidized housing development operated by the Qualicum Bay Lions, at the end of Lions Way.
6. Acquire affordable housing through provision of community amenity contributions at the time of rezoning, either through the housing itself or contribution to a Regional District affordable housing fund should one be established.

OBJECTIVES

1. ***Support and facilitate*** the provision of affordable, attainable and accessible housing.
2. ***Increase*** the supply of housing to meet the needs of seniors, youth, those with special needs, those with moderate or low incomes, and the homeless.
3. ***Encourage*** universal design of all housing for accessibility to people with disabilities and older people.

ADVOCACY POLICIES

7. The Regional District is supportive of partnerships between all levels of government and community groups to provide sufficient housing to meet the needs of a diverse community.
8. The Regional District encourages that all new housing, particularly secondary suites and rental housing, are constructed to universal design standards for accessibility to people with disabilities and older people.
9. The Regional District supports the Bowser Seniors Housing Society in their work to establish seniors supporting housing the Bowser Village Centre.
10. The Regional District supports energy retrofits to existing housing stock through education and rebates.

5.10 Alternative Forms of Rural Development

INTRODUCTION

In order to encourage more sustainable forms of rural development outside the Growth Containment Boundary (Rural Village Centres), this section provides opportunities for flexibility in minimum lot size and for transfer of dwelling unit potential where the overall number of potential dwelling units does not increase outside the Rural Village Centres.

Flexibility in minimum lot size and transfer of dwelling unit potential facilitates moving future residential development from sensitive and important areas to other areas more suited to development. These sensitive or important areas can be protected for a number of purposes such as aquifer protection, ecological conservation, agriculture, or public parks, trails and facilities.

ALTERNATIVE FORMS OF RURAL DEVELOPMENT POLICIES

1. Rezoning to permit subdivision with a smaller minimum lot size than otherwise set in this Plan is supported in the Rural Residential and Rural designations provided the proposal does not result in more dwellings than what is permitted by this Plan or the zoning bylaw at the time the application is made, and where it meets the following criteria. Where more than one dwelling unit is permitted on a lot by the current zoning bylaw, each dwelling unit can be counted as a lot where subdivision is designed pursuant to this policy.
 - a) Residential development is clustered on an area of land that has the best capacity for residential development and the least value for agriculture, ecological protection, aquifer protection, or another public good purpose.
 - b) An area of significance (the “protected parcel”) is protected in perpetuity for agricultural, , ecological, aquifer protection, or other public good purposes. No further subdivision of the protected parcel is permitted and this is ensured through rezoning and either covenant, transfer of ownership to a public body, or both.
 - c) The protected parcel must meet one of the following criteria:
 - i. If protected for agriculture, the parcel is suitable for farming as confirmed by an Agrologist, and included in the ALR, If protected for ecological values, a report from a Registered Professional Biologist must indicate the ecological values that warrant protection, and recommend the size and location of the protected parcel to protect those values.
 - ii. If protected for aquifer protection, the parcel must be within the groundwater recharge area or well protection area of a community water system and a hydrogeological report indicates that moving the residential use to another part of the development is expected to have a positive impact on aquifer protection.

OBJECTIVES

1. *Encourage* creativity in forms of rural development without increasing the overall number of dwelling units permitted outside the Growth Containment Boundary.
2. *Support* the transfer of potential dwelling units in rural areas where residual lands are conserved in perpetuity for agricultural, ecological, aquifer protection purposes or other public good purposes.
3. *Support* retention of large land holdings for agriculture and forestry.

- iii. If protected for other public good purposes, proposals may include donation of land for a community need such as a fire hall, school, playing field, or other community or institutional use, where an organization or government body has agreed to own and manage the parcel for that use.
 - d) The minimum lot size of the residential lots is sufficient to provide onsite wastewater disposal in a manner that does not degrade from the environment or water sources. In areas that are not within an existing community water system, the minimum lot size must also be sufficient for onsite provision of water.
 - e) Subject to Regional Growth Strategy amendment, shared wastewater disposal and shared provision of water are supported in the Rural Residential designation of this Plan in order to allow for smaller residential lots and a larger protected parcel.
 - f) In the Rural Residential designation, single and duplex dwelling units are permitted, and in the Rural designation, dwelling units may only be single.
 - g) Adjacent parcels may be considered as a single parcel for the purpose of subdivision design under this section.
2. Rezoning to permit transfer of dwelling unit potential involving lands outside the Growth Containment Boundary is supported by this Plan provided the proposal does not result in more dwellings than what is permitted by this Plan or the zoning bylaw at the time the application is made and where the proposal is consistent with the following. The parcel of land from which the dwelling unit potential is removed is referred to as the “donor parcel”, and the parcel of land to which the dwelling unit potential is transferred is referred to as the “receiver parcel”.
- a) Donor parcels shall be in the Resource – Agricultural, Rural or Rural Residential land use designations.
 - b) Removing or reducing development potential will benefit agriculture, ecological protection, aquifer protection, archaeological protection, or provide another public good purpose.
 - c) Receiver parcels shall be in the Rural and Rural Residential land use designations and only in the area eastward of Highway 19
 - d) The portion of the receiver parcel to be developed shall not include a sensitive ecosystem, hazardous area, archaeological site, or be within a well protection area or well capture zone for a community water system.
 - e) In the Rural Residential designation, the maximum number of potential dwelling units on a receiver parcel is equal to twice the number of potential dwelling units on the receiver parcel before the transfer.
 - f) In the Rural designation, the maximum number of potential dwelling units on a receiver parcel is equal to 1.5 times the number of potential dwelling units on the receiver parcel before the transfer.
 - g) The transfer is achieved by simultaneously amending the zoning on the donor and receiver parcels to reflect the changed subdivision potential or permitted number of units on each.
 - h) The donor parcel or the portion of the donor parcel with no residential development potential must be conserved in perpetuity for agricultural, ecological protection, archaeological site protection, aquifer protection, or other public good purpose.
 - i) If all of the potential dwelling units are transferred from the donor parcel or a portion of the donor parcel that is intended to become a separate lot, ownership of that lot must be transferred to a public body.

3. Calculation of the number of potential dwelling units available for reduction of minimum lot size in Policy 1 or transfer from a donor parcel in Policy 2, will be through the following steps:
 - Step 1:** The area of the donor parcel is divided by the minimum average lot size for the zone in which the donor parcel is located (in the absence of a minimum average lot size, the minimum lot size shall be used).

If this calculation results in 4 or more lots, it will be re-calculated reducing the parcel area by 20% before dividing by the minimum average or minimum lot size. This is to account for such requirements as road, sensitive areas, and park dedication that would likely be required if the donor parcel itself were to be subdivided.

If one dwelling unit is permitted per lot in the applicable zone for the donor parcel, then the number of potential dwelling units available for transfer equals the number of potential lots calculated in Step 1.
 - Step 2:** If more than one dwelling unit is permitted per lot in the applicable zone for the donor parcel, then another step is required as follows. To the resulting number of potential dwelling units from Step 1, the additional number of dwelling units permitted on each lot is added to the total number of potential dwelling units available for transfer. For clarity, a secondary suite is not counted as a dwelling unit for the purposes of this section.
4. The future use of a protected parcel or donor parcel in Policy 1 or 2 must be ensured through zoning that allows a reduced level of development or only a public use, registration of covenant to ensure the land will be conserved for the intended use in perpetuity, and one of the following:
 - a) Dedication to a public body or non-governmental conservation organization
 - b) inclusion in the Agricultural Land Reserve
 - c) Heritage designation as outlined in Section 611 of the Local Government Act
 - d) Protection mechanisms developed in consultation with First Nations where there are sites of significance to First Nations.
5. Applications where the donor parcel or protected parcel is in the Agricultural Land Reserve will be subject to the approval of the Agricultural Land Commission. If the existing zone regulations on a donor parcel in the Agricultural Land Reserve allows for two dwellings, potential for two dwellings units must remain in order to be consistent with the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* that permits up to two dwelling units on a parcel where the second dwelling meets certain conditions.
6. Applicants for a zoning amendment to reduce minimum lot size or transfer potential dwelling units may be required to provide Development Approval Information for the special conditions outlined in Section 5.1 of this Plan.
7. Applicants shall hold a community information meeting prior to submitting a rezoning application in order to gauge community support, and to have the opportunity to incorporate changes suggested from the community before making a formal application. The Regional District will be notified of the meeting, and a record of the meeting must be kept and submitted with the application.
8. Transfer of dwelling potential may involve lands covered by other Official Community Plans of the Regional District of Nanaimo, subject to supportive policies in the relevant plan.

GUIDELINES FOR APPLICATIONS FOR TRANSFER OF DWELLING POTENTIAL

1. Generally, applications should demonstrate the overall unsuitability of the donor parcel for the zoned dwelling potential and the overall suitability of the receiver parcel for an increase in dwelling potential.
2. The Regional District should give consideration to the suitability of the receiver parcel for the proposed level of development. The following criteria, as appropriate, should be used in assessing the suitability of the land for development:
 - a) environmental values are identified prior to site clearing and design.
 - b) development is located away from areas with high environmental values, and natural buffers placed between the development site and sensitive features.
 - c) development is concentrated in areas with lower environmental values.
 - d) development is located away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.
 - e) the impacts of roads are minimized and development is located in proximity to and accessible to existing services, constructed roads and transit, and the development should have the potential to contribute to reducing community dependence of travel by automobile.
 - f) the fragmentation of habitat is minimized.
 - g) potable water quality is maintained and an adequate supply is available to support the permitted level of development.
 - h) air quality is maintained and energy efficient design, greenhouse gas emissions and climate change adaptation are considered.
 - i) energy- and water-efficient development is designed to conserve natural resources.
 - j) that the development would not compromise archaeological, First Nations cultural, historical, heritage sites or significant or outstanding landscape features.
 - k) that the development would be located away from groundwater recharge areas or well protection areas of a community water system.
3. Applications should be accompanied by a site plan that shows how the transferred development potential will be arranged to reduce impacts on the surrounding neighbourhood.

5.11 Temporary Use Permits

INTRODUCTION

To maintain and encourage a vibrant and sustainable economy and provide flexibility in zoning regulations, this plan supports the issuance of temporary use permits within the Plan Area as described below.

The Regional District may issue a permit by resolution that allows commercial or industrial activities to take place under the conditions specified in the permit, including the posting of security to ensure compliance with the terms of the permit. Notice of the intent to consider the issuance of a permit must be given. Under a temporary use permit the specified uses may be carried out for a period of up to three years and the permit may be renewed for up to a further three years. Applicants may be required to provide development approval information pursuant to sections 5.1.10 and 5.1.11 of this Plan.

OBJECTIVES

1. *Support appropriate commercial and industrial development both inside and outside Village Centres on a temporary basis.*
2. *Ensure that the integrity of an existing neighbourhood would not be adversely disrupted should an application for a temporary uses permit be approved.*

TEMPORARY USE PERMIT POLICIES

1. The Regional District will consider issuance of temporary use permits on any parcel to temporarily allow a use not permitted by the relevant zoning bylaw. The following general conditions will guide the consideration of such applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.
 - a) The applicant demonstrates how any anticipated impact on the surrounding area will be mitigated (for example: noise, light, hours of operation, dust, odour, vibration, aesthetic impact, etc.).
 - b) The applicant provides a projection of anticipated impact on local road networks, and proposes mitigating measures if necessary.
 - c) The applicant provides an assessment of the impact of the proposed use on the natural environment, including groundwater, wildlife, and environmentally sensitive areas.
 - d) The applicant provides a rationale for the suitability of the location and the inability to conduct the use in another area where the use is already permitted.
 - e) The Regional District may specify conditions in a permit including, but not limited to, environmental protection measures, odour abatement, hours of operation, buffering, and groundwater protection and may require the posting of a bond or other applicable security to ensure compliance with the conditions of the permit.
 - f) Submission of a satisfactory decommissioning and reclamation plan, which may require a security deposit to be held by the RDN until completion of the proposed works.
 - g) The proposal addresses concerns related to visual integrity and buffering of the Inland Island Highway if applicable.
 - h) Where the land is in the ALR, approval from the Provincial Agricultural Land Commission is required.

2. Notwithstanding any other policy in this plan, should a temporary use continue to prove satisfactory upon completion of the terms of the renewed permit, a rezoning to permit the continued use of the subject property for the use authorized by the temporary use permit may be supported without an amendment to this plan. Note that an amendment to the RGS may be required.
3. The RDN may require security and/or an undertaking to secure the conditions of the permit in accordance with the *Local Government Act*.



SECTION 6 – FIRST NATIONS AND RECONCILIATION

6.1 Partnerships and Economic Opportunities

6.2 Heritage Site Protection

6.1 Partnerships and Economic Opportunities

INTRODUCTION

For at least 8,000 years, the area covered by this Plan has been home to Aboriginal people and is part of their traditional territory. Traditional territory describes the ancestral and contemporary connections of Indigenous peoples to a geographical area. Territories may be defined by kinship ties, occupation, seasonal travel routes, trade networks, management of resources, and cultural and linguistic connections to place.

There are several First Nations who assert Aboriginal rights in this area, and who the Regional District engages with on land use planning initiatives. Aboriginal rights are practices, customs or traditions integral to a distinctive culture of a First Nation and they may be historically connected to a particular area of land. Examples may include hunting, fishing, plant gathering and use of wood for domestic purposes. More than one First Nation may have rights in the same area and the types of rights may vary across communities. An important sub category of Aboriginal rights is Aboriginal title. Aboriginal title refers to Aboriginal rights to land based on long-standing land use and occupancy by contemporary Indigenous peoples and their ancestors as the original peoples in Canada.

The Qualicum First Nation has a federally-designated Reserve at the mouth of the Big Qualicum River where their home community is located today. The Plan Area does not include Federal lands such as this Reserve, but it surrounds these lands. For the purposes of community planning and this OCP, the Qualicum First Nation community is recognized as part of the fabric of the Plan Area. The Qualicum First Nation operates a large campground on their Reserve lands which is a significant portion of the tourist accommodation in the area.

In 2016, the Qualicum First Nation and the Regional District signed a cooperation protocol. The Qualicum First Nation is seeking economic development opportunities in the area.

OBJECTIVES

1. *Recognize* that First Nations assert Aboriginal title and rights within the Plan Area.
2. *Encourage* Qualicum First Nation's economic development initiatives.
3. *Seek* partnerships with Qualicum First Nation related to Regional District servicing.

POLICIES

1. The Regional District will engage with First Nations on land use planning initiatives and amendments to this Plan.
2. The Regional District will continue to provide street numbering service to the Qualicum First Nation.
3. The Regional District will work with Qualicum First Nation to explore the coordination of community services. These areas may include recreation programming, infrastructure services such as water and liquid waste, and public transit.
4. The Regional District encourages economic development initiatives of the Qualicum First Nation to advance the process of reconciliation at the local level.
5. In accordance with Board commitment to reconciliation, the Regional District supports economic development initiatives of the Qualicum First Nation on lands that are added or intended to be added to Reserve, without amendment to this Plan.

6.2 Heritage Site Protection

INTRODUCTION

First Nations heritage sites include archaeological sites as well as other places of cultural importance that do not necessarily have any physical marker. Archaeological sites consist of the physical remains of past human activity and are essential to understanding and appreciating the cultural history of the region.

Archaeological sites are protected under the *Heritage Conservation Act*, and it is illegal to disturb them without a permit. The Regional District contributes to protection of archaeological site by informing property owners who make land use application or enquiry if their proposed development is on or near an identified archaeological site, or if it is within an area of high potential to encounter an unrecorded archaeological site.

In 2017 the Regional District undertook an Archaeological Overview Assessment for the Plan Area. This Assessment will be used to inform a property owner if a proposed development is in an area of high archaeological potential. In this area, high archaeological potential is mainly found close to water bodies including the sea, lakes, and rivers as well as between Horne Lake and Port Alberni which is a historic travel route.

POLICIES

1. All development applications will be reviewed for the presence of recorded archaeological sites, and for having high potential to contain unrecorded archaeological sites. Applicants will be notified if the proposed development is in conflict with a recorded archaeological site or in an area with significant potential to contain an unrecorded, protected archaeological site. Notification may include direction to contact the BC Archaeology Branch for more information, or direction to engage a professional consulting archaeologist to determine if an archaeological impact assessment is necessary to manage development related impacts.
2. In order to protect and preserve archaeological sites or a First Nations heritage site when planning for development, this Plan supports measures available to property owners and the Board including applications to change or vary zoning, setbacks or parking requirements.
3. When considering applications to amend this Plan or the zoning bylaw for land with a known archaeological site, other First Nations heritage site, or area of high archaeological potential, the Regional District may require development approval information to assess the impacts of the proposal. This Plan does not support proposed development where there are unavoidable conflicts with significant archaeological sites, unless measures are required to manage the impacts.
4. Where possible, applicants should modify or revise development proposals to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of an archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities.

OBJECTIVES

1. ***Encourage* protection of archaeological sites and other sites of First Nations significance.**
2. ***Improve* public awareness of the importance of protecting archaeological sites.**

5. The Regional District should, in cooperation with the Qualicum First Nation and relevant agencies, develop improved methods of determining and assessing impacts on potential archaeological sites, or other First Nations heritage sites, when it is considering development applications.

SECTION 7 – IMPLEMENTATION

7.1 Implementation Actions

7.2 Community Amenity Contributions



The Electoral Area 'H' Official Community Plan has been prepared in accordance with the provisions of the Local Government Act. The objectives and policies of this Plan are reflected in the land use designations as illustrated on Map No. 2.

The implementation of this Plan must remain consistent with the Regional District of Nanaimo initiatives including the Regional Growth Strategy, water, liquid waste and solid waste management plans and other regional strategic initiatives. Implementation will also require continued coordination with Regional District member municipalities, surrounding electoral areas, First Nations, local water districts, and senior levels of government.

This Plan will be implemented through a variety of measures, including through development, new bylaws, amended or new legislation, and the direct involvement of Area 'H' citizens. Certain measures are to be implemented immediately; others may require years to complete. Some implementation measures are intended to be ongoing, such as providing increased opportunities for citizen involvement in planning in Area 'H'. The involvement of senior levels of government is required for some initiatives, others will only be implemented through the involvement of the business community and citizens in Area 'H'.

7.1 Implementation Actions

The following chart outlines key implementation actions and the responsible party (or parties) for each action. Senior government refers to provincial or federal agencies with jurisdiction in the Plan Area. RDN refers to all departments within the Regional District of Nanaimo. Community refers to the citizens of Electoral Area ‘H’. The timing of implementation actions set out as follows:

- Immediate (to be initiated and/or completed in 2018)
- Short Term (to be completed within 5 years, prior to the next scheduled review of this Plan)
- Long Term (to be completed over the next 20 to 25 years, as part of the implementation of the Regional Growth Strategy)
- Ongoing (to be initiated in the short term with no planned date of completion).

	Action Item	Timing	Responsibility Of:		
			Senior Gov.	RDN	Community
	Update and improve sensitive ecosystem mapping	Ongoing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	Implement Community Wildfire Protection Plans	Short Term	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Undertake a study on the impacts of sea level rise and prepare options for mitigation and adaptation	Immediate	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	Promote and incentivize Green Shores shoreline development and amend Floodplain Bylaw	Short Term		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Provide community education about FireSmart	Ongoing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Support stream restoration	Ongoing		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Prepare climate change adaptation plan	Short Term		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Adopt a regional parks development cost charge bylaw	Short Term		<input checked="" type="checkbox"/>	
	Develop existing and acquire new parks and trails	Ongoing		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Explore expansion of Bow-Horn Bay Fire Department Service Area to include Horne Lake	Immediate		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Implement top priorities of Active Transportation Plan	Immediate	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Improve signage for businesses on Inland Island Highway	Immediate	<input checked="" type="checkbox"/>		
	Connect Regional District of Nanaimo Transit to Comox Valley Regional District Transit from Deep Bay area	Short Term			
	Increase off street boat trailer parking in Deep Bay	Short Term	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Improve knowledge and protection of aquifers	Ongoing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Ensure site of Bowser Seed Orchard protected for groundwater recharge	Short Term	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Review the location, size and boundaries of Rural Village centres and consider changes.	Short Term		<input checked="" type="checkbox"/>	
	Create plans for all Rural Village Centres	Long Term		<input checked="" type="checkbox"/>	
	Create affordable and accessible housing	Ongoing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Provide education on wildfire protection	Short Term		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

7.2 Community Amenity Contributions

INTRODUCTION

To facilitate the acquisition and development of amenities of value to the residents of Electoral Area 'H'; this section provides a framework for negotiating amenities in consideration of changes to the zoning bylaw for increased development potential. The basic premise of development amenities is that the increased value, often conveyed with the approval of a new zoning designation, should be shared between the community and the developer. Negotiating public amenities as a part of an application to develop land can be a "win-win" arrangement, in which both the community benefits from acquiring these amenities while the developer benefits from the increased value associated with having those amenities on or nearby the site.

OBJECTIVES

1. **Acquire and develop public amenities of value to Plan Area residents in conjunction with development.**

COMMUNITY AMENITY CONTRIBUTIONS POLICIES

1. In recognition of the increased value usually conferred on land in the course of rezoning, and the need for new development to contribute to the amenities and services from which they will also benefit, development proposals that include rezoning should generally be requested to include some public amenity as a part of the completed project.
2. In determining the appropriate amenities, the provisions of this section as well as any other applicable sections of this OCP or policies and plans of the Regional District will provide guidance.
3. Amenities should be customized for each rezoning proposal with consideration of various factors such as the following:
 - a. Developer and community input
 - b. Location of project
 - c. Increase in density
 - d. Projected burden on community infrastructure and facilities
 - e. Financial viability
4. The following list of potential amenities should be considered, not in any order of priority:
 - a. Affordable housing
 - b. Transit stop infrastructure such as pull-outs and shelters
 - c. Trails and paths, particularly those that are identified in existing Regional District plans
 - d. Emergency response facilities and equipment
 - e. Entrance / Gateway signage, infrastructure and beautification
 - f. Rest stop at Horne Lake Road and Highway 19A
 - g. Tourist information signage, area, or facility
 - h. Parks, conservation lands, outdoor gathering spaces and play areas (in the case of subdivision, in excess of 5% required under the *Local Government Act*)
 - i. Cross walks
 - j. Green building features including energy efficient and net-zero-ready construction
 - k. Design amenities
 - l. Electric vehicle charging station

SECTION 8 – DEVELOPMENT PERMIT AREAS

General Policies and Exemptions

DPA 1 – Freshwater and Fish Habitat Protection

DPA 2 – Eagle and Heron Nesting Trees

DPA 3 - Aquifers

DPA 4 – Marine Coast

DPA 5 – Steep Slope Hazard

DPA 6 – Farmland Protection

DPA 7 – Rural Commercial

DPA 8 – Qualicum Bay and Dunsmuir Village Centres

DPA 9 – Deep Bay Southwest

In addition to the objectives and policies stated in the Plan, the Regional District has, pursuant to Section 488 and 489 of the *Local Government Act* designated certain lands as Development Permit Areas.

In general terms, the purpose of a development permit area is to regulate certain aspects of development that are not directly addressed in the zoning bylaw or building bylaw, and where the Regional District considers that special conditions exist in accordance with one or more of the following categories:

- a. Protection of the natural environment, its ecosystems and biological diversity;
- b. Protection of development from hazardous conditions;
- c. Protection of farming;
- d. Revitalization of an area in which commercial use is permitted;
- e. Establishment of objectives for the form and character of commercial, industrial, multi-family or intensive residential development; and
- f. To promote conservation of water and energy and the reduction of greenhouse gas (GHG) emissions.

General Policies and Exemptions

INTRODUCTION

The following general policies and exemptions apply to all development permit areas. In addition, specific guidelines and exemptions that apply to each development permit area follows.

GENERAL POLICIES

1. Designated development permit areas are shown on Map Nos. 6, 7 and 8.
2. Where land is designated within a development permit area, a landowner is required to obtain a development permit prior to either subdivision of the land, the construction of, addition to or alteration of a building or structure on the land, or the alteration of the land within a development permit area, except where exemptions apply.
3. Where land is within more than one development permit area, only one development permit application is required, and the application will be subject to meeting the guidelines of all applicable development permit areas.
4. To minimize development within development permit areas, the Board may consider variances to or support exemptions from the land use and subdivision bylaw in accordance with Regional District Board Policy No. B1.5 “Development Variance Permit, Development Permit with Variance & Floodplain Exemptions Application Evaluation”, as amended from time to time.

GENERAL EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor or by the Regional District.
2. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as “farm” under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than 5 years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
3. Interior alterations or renovations to existing buildings or structures within the existing building footprint.
4. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a. Emergency flood or protection works;
 - b. Clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
 - c. Any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

5. Removal of trees deemed hazardous by a certified arborist or Registered Professional Forester that pose an immediate threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
6. The small-scale, manual removal of invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with 'Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014' published by the B.C. Ministry of Environment, or any subsequent editions.
7. Except for where the *Riparian Areas Regulation* applies, the removal of invasive plants or noxious weeds or planting of non-invasive, native vegetation at a large scale involving machinery, for the purpose of enhancing the habitat values and/or soil stability, provided:
 - a. the works are conducted in accordance with a re-vegetation plan prepared by a qualified professional (e.g., biologist, QEP or landscape architect);
 - b. the planting is carried out in accordance with the guidelines provided in "Develop With Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014", published by Ministry or any subsequent editions;
 - c. the Regional District is notified of works commencing; and
 - d. sediment control measures are established to prevent discharge into a stream, as required.
8. Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the Water Sustainability Act.
9. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as "Forest Lands" on the property assessment.
10. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area Guidelines as determined by the Regional District.
11. Subdivision where no land alteration is to occur and involving only line adjustment or lot consolidation.

DPA 1 – Freshwater and Fish Habitat Protection

DESIGNATION

The Freshwater and Fish Habitat Protection Development Permit Area is shown on Map No. 6, and applies to all mapped and unmapped streams subject to the *Riparian Areas Regulation* (RAR) of the *Riparian Areas Protection Act*, and all other mapped and unmapped lakes, wetlands, ponds and watercourses. Specifically, the Development Permit Area is defined as follows:

Where the RAR applies:

All mapped and unmapped “streams” and “riparian assessment areas: as defined in the RAR as follows:

- a) for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;
- b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
- c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

Where the RAR does not apply:

- a) For Lakes, Wetlands, and Ponds – the development permit area shall be 15 metres as measured from the high water mark.
- b) For all other Watercourses – the development permit area shall be 15 metres as measured from the high water mark or top of the bank, whichever is greater.

This development permit area also applies in estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in these areas the Marine Coast Development Permit Area also applies.

AUTHORITY

The Freshwater and Fish Habitat Protection Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

Terms used in this development permit area that are defined in the provincial *Riparian Areas Regulation* (RAR), of the *Riparian Areas Protection Act*, are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time. This Regulation and Act may be obtained from the provincial Ministry of Forests, Lands and Natural Resource Operations or from the BC Laws website.

JUSTIFICATION

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizing stream banks by holding soil in place. Plant root systems enhance the soil’s ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water

to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Erosion of banks and slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the *Riparian Areas Regulation* are met.

OBJECTIVES

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this Development Permit Area, unless specifically exempted:

1. removal, alteration, disruption, or destruction of vegetation;
2. disturbance of soils; including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-impervious surfaces;
5. flood protection works;
6. construction of roads, trails, docks, wharves, and bridges; and
7. subdivision of land.

The following specific activities require a development permit where the Riparian Areas regulation applies:

8. provision and maintenance of sewer and water services;
9. development of drainage systems; and
10. development of utility corridors.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Area – General Exemptions.

Exemptions Applicable to all Watercourses:

2. Where Provincial and Federal approvals have been obtained for Stream Enhancement and Fish and Wildlife Habitat restoration, notification to the Regional District has been given and the works are carried out in compliance with Provincial and Federal legislation.
3. All park or parkland ancillary uses not containing commercial, residential, or industrial activities.
4. Changes in and about a stream approved under Section 11 of the Water Sustainability Act, provided there are no associated upland works outside of Section 11 approval.

Exemptions Applicable to Streams under the Riparian Areas Regulation only:

5. For streams subject to the RAR, in the case where a simple assessment is submitted which assign a Streamside Protection and Enhancement Area (SPEA), a development proposed outside of the SPEA where:
 - a. the assessment report has been completed by a Qualified Environmental Professional (QEP) in accordance with the Riparian Areas Regulation Assessment Methods; and
 - b. notification of the assessment report has been received by the provincial ministry responsible and the Regional District.
6. Subdivision where:
 - a. a QEP has determined there are no streams subject to the RAR, or their associated riparian assessment areas, on the subject property, or
 - b. no new parcel lines or amendments to existing parcel lines are being proposed within the Riparian Assessment Area, the minimum lot size is met exclusive of the SPEA, and no works are proposed within the Riparian Assessment Area.

Exemptions Applicable to this development permit area where the RAR does not apply:

7. Where the *Riparian Areas Regulation* does not apply, a property owner may construct a single trail within this development permit area in accordance with the principals and standards of “Access Near Aquatic Areas” of the Stewardship Series published by the provincial and federal governments, and subject to the following conditions:
 - a. the trail provides the most direct route of feasible passage through the development permit area;
 - b. sensitive habitat will not be negatively impacted by the presence of the trail and where there is limited excavation and removal of native soils;
 - c. the ground is stable, i.e. erodible stream banks or other erosion prone areas shall be avoided;
 - d. no motorized vehicles are permitted on the trail;
 - e. the trail is not to exceed a maximum width of 1.5 metres;
 - f. no trees, which are greater than 5 metres in height and 10 centimetres in diameter, are to be removed; instead limbing and pruning of trees shall be done, where necessary, to facilitate the construction of the single trail;
 - g. the trail’s surface shall only be composed of pervious materials.

2. Where the *Riparian Areas Regulation* does not apply, minor additions to existing buildings or structures to a maximum of 25% of the ground floor area, provided that the addition is located on the side or part of the building or structure most distant from the waterbody or stream.
3. Where the *Riparian Areas Regulation* does not apply, second storey addition, excluding cantilevered construction, to a legally sited structure, provided the second storey addition is within the existing footprint of the existing structure.
4. The construction of a small accessory building or structure such as a pump house, gazebo, garden shed or play house if all the following apply:
 - a) the building is located within an existing landscaped area;
 - b) no native trees with a diameter at breast height of 20 cm or greater are removed;
 - c) there is no permanent foundation;
 - d) the building is located a minimum of 10 metres from the high water mark or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
 - e) the total area of the small accessory building is less than 10 metres square.

GUIDELINES

Development permits shall be issued in accordance with the following:

1. An assessment must be prepared by a Registered Professional Biologist (a Qualified Environmental Professional for streams applicable the RAR) with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list which of the guidelines in this development permit area are applicable and how the proposed development is consistent with them and should indicate on a site plan, areas to remain free from development. See Guideline 12 for additional requirements of this report for streams applicable to the RAR.
2. If development or alteration of land is proposed within the development permit area, it shall be located where it will cause the least impact on the stream or waterbody. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided.
3. Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional to the satisfaction of the Regional District.
4. For the Streamside Protection and Enhancement Area (SPEA) or where the applicant's biologist or other qualified professional recommends other specific areas that must remain free from development:
 - a. the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
 - b. prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the areas to be protected through to the completion of the development.
5. The applicant's biologist or QEP may be required to provide confirmation to the Regional District that the property has been developed in accordance with the QEPs recommendations.

Guidelines Related to Rainwater Management and Protection of Development from Hazardous Conditions

6. Treated effluent and diverted rainwater collection and discharge systems on commercial, industrial, multi-residential, intensive residential and other developments where there is potential for silt and petroleum-based contaminants to enter a watercourse directly or infiltrate into the ground will require the provision for grease, oil, and sedimentation removal facilities and the on-going maintenance of these facilities.
7. Directing drainage of rainwater from development sites into the Stream Protection Enhancement Area (SPEA) and other watercourses and water bodies shall be avoided. Instead, rainwater is to be managed on-site with an emphasis on infiltration approaches to management. If impacts cannot be avoided through on-site infiltration, a sediment and erosion control plan may be required, and grading plan may be required where fill is placed near the freshwater feature.
8. In low-lying areas subject to flooding, development should not increase the flood risk on the subject property or on adjacent or nearby properties.
9. Where there is a slope greater than 30% over a minimum horizontal distance of 10 m, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering may be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development. The geotechnical report will form part of the Development Permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

Additional Guidelines Applicable to Streams Subject to the Riparian Area Regulations (RAR)

10. No development shall take place within any SPEA except where:
 - a. a QEP has determined that no serious harm is likely to occur or that it can be mitigated by following prescribed measures; or
 - b. the owner has obtained an authorization under subsection 35(2) the *Fisheries Act*.
11. The Regional District shall require the applicant to retain a qualified environmental professional (QEP), at the expense of the applicant, for the purpose of preparing an assessment report, pursuant to Section 4(2) of the *Riparian Areas Regulation* (RAR) and the RAR Assessment Methodology Guidebook, and the assessment report must be electronically submitted to the provincial ministry responsible, via the Riparian Area Regulations Notification System, and a copy must be provided to the Regional District.
12. In addition to implementing the measures in the assessment report, to ensure the integrity of the SPEA the Regional District and landowner may consider the following:
 - c. dedicate back to the Crown or Regional District all or part of the SPEA,
 - d. gift to a nature preservation organization all or part of the SPEA, or
 - e. register a restrictive covenant or conservation covenant on title securing the measures prescribed in the assessment report.
13. For the purpose of subdivision design, proposed lot configuration should consider the protection of the SPEA. The proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the SPEA.
14. In the case of a proposed subdivision within the development permit area, minimum parcel size should be met exclusive of the SPEA.

15. Permanent fencing and/or other means of clearly delineating the SPEA boundary such as signage must be installed to the satisfaction of the Regional District prior to land alteration and in the case of subdivision prior to the Regional District notifying the Approving Officer that the conditions of the development permit have been met. Fencing must be designed to allow for the free and uninterrupted movement of organisms between riparian and upland ecosystems and must be maintained in good order.

DPA 2 – Eagle and Heron Nesting Trees

DESIGNATION

The Eagle and Heron Nesting Trees Development Permit Area is shown on Map No. 6, The development permit area is defined as follows:

- a) For **Bald Eagle Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing bald eagle nests and is a 60 metre radius from the nesting tree; the “nesting tree area”.
- b) For **Great Blue Heron Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing great blue heron nests, and shall be a 60 metre radius from the nesting tree; the “nesting tree area”.

The location and characteristics of the eagle and heron nesting trees identified on Map No. 6 of this plan are intended to provide an approximate location only. Ground-truthing may be required by Regional District staff, a Registered Professional Biologist or British Columbia Land Surveyor to accurately determine the geographical location and characteristics of the features identified.

AUTHORITY

The Eagle and Heron Nesting Trees Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

JUSTIFICATION

Nesting birds such as the Great Blue Heron and Bald Eagle are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, now and for the future.

Pacific Great Blue Herons are a Species of Special Concern in Canada and are Blue-listed in British Columbia. There are only about 500 nests on Vancouver Island and the Gulf Islands. Bald Eagles are territorial and generally require 1000 meters between nesting sites. Both species nest near lakes, rivers and shorelines throughout BC where they are close their food source. The loss of available nesting habitat near their food source, as well as disturbance from human presence, reduces the birds’ ability to thrive and successfully raise their young. While Section 34 of the *Wildlife Act* provides for the protection of Bald Eagles and Pacific Great Blue Herons and several other at risk bird species, this development permit protects the nesting habitat essential to ensuring breeding populations are maintained.

OBJECTIVES

1. To implement Regional Growth Strategy Policy 2.14 to protect sensitive eagle and heron nests from the impacts of development.
2. To reflect the Community Value in this Official Community Plan of “support for development regulations to protect environmentally sensitive areas, natural hazard lands, the marine/freshwater foreshores, and aquifer recharge areas”.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of natural features, including mature and native vegetation;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Area – General Exemptions.
2. The landowner has offered and entered into a restrictive covenant to maintain an acceptable no disturbance buffer as determined by a registered professional biologist.
3. A registered professional biologist with relevant experience has confirmed in writing that no Bald Eagle, or no Great Blue Heron has established a nest and is present during the breeding and nesting season. In general terms, this is from February to June for Great Blue Herons; and January to September for Bald Eagles
4. Removal, trimming or alteration of vegetation other than the nest tree; onsite sewage disposal system installations and well drilling within the nest tree development permit area is permitted without an environmentally sensitive areas development permit where:
 - a) the activity is conducted entirely outside of the nesting season which is from February to June for Pacific Great Herons and January to September for Bald Eagles, or
 - b) a registered professional biologist with relevant experience has confirmed in writing that the activity will not negatively impact the nest tree and/or nesting tree area.

GUIDELINES

Development permits shall be issued in accordance with the following:

1. Development shall be located where it will cause the least impact to the environmentally sensitive areas. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided.
2. Where the applicant's biologist or other qualified professional recommends specific areas that must remain free from development and/or identifies a natural feature for protection:
 - a. the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
 - b. prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within any area to be protected through to the completion of the development.
3. The Regional District, as a condition of the issuance of a development permit, shall, where feasible require compliance with any or all conditions and recommendations in the assessment report prepared by the registered biologist or other qualified professional.
4. The Regional District will require the applicant to provide a biophysical assessment prepared by a registered professional biologist with relevant experience to assess the potential impact of the

proposed development on the function of the nest tree and alteration within the 60 metre development permit area (or that portion of the development permit area on the subject property). The report should include, but is not limited, to the following:

- a. define the study area and the proposed activities in relation to the nesting tree area, including map(s) identify the location of nesting trees, 60 metre nesting tree area and proposed or existing buildings and structures;
 - b. identify the breeding season;
 - c. assess the impacts of the proposed activities in relation to the resident birds (i.e., Bald Eagle or Great Blue Heron) and prescribe appropriate measures to preserve, protect, restore or enhance the function of the nesting tree area and any alteration of the 60 metre development permit area (or that portion of the development permit area on the subject property);
 - d. provide recommendations on how to mitigate negative impacts during and after construction, if permitted under the *Wildlife Act*, to protect the long term integrity of the nesting habitat.
 - e. In developing recommendations and best practices for the protection of the nesting tree and nesting tree area, the biologist should review and reference '*Guidelines for Ecosystem and Species Protection*' and/or '*Guidelines for Raptor Conservation during Urban and Rural Land Development in BC*' found in '*Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*', published by the B.C. Ministry of Environment, or any subsequent editions.
5. Where a biophysical assessment report is required, the recommendations will form part of the Development Permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.
 6. The applicant's biologist may be required to provide confirmation to the Regional District that the property has been developed in accordance with their recommendations.

DPA 3 – Aquifers

DESIGNATION

The Aquifers Development Permit Area is shown on Map No. 6 and applies to the land above all known aquifers.

AUTHORITY

The Aquifers Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

JUSTIFICATION

Aquifers are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, and community value as a drinking water source now and for the future.

Aquifers and surface water are connected and interact with each other as typically, surface waters recharge aquifers in months with precipitation and snow melt. The groundwater system contributes to baseflow in rivers and streams, maintaining habitat for fish, wildlife and plants and is the sole domestic water supply for many residents. Maintaining both water quality and quantity requires careful management for the long-term sustainability of ecosystems and drinking water values. Within the Big Qualicum Water Region, the sand and gravel aquifers are productive, though vulnerable to surface contamination. Significant surface water features in the water region include the Big Qualicum River, Rosewall Creek, Thames Creek, Nile Creek and Horne Lake and Spider Lake.

Care must be taken in construction methods, excavation, surface drainage and the storage, handling and manufacture and use of products on parcels of land within this DPA to avoid contamination of the underlying aquifer and to protect and promote its sustainable use as a drinking water source. Penetration of the aquitard that confines the aquifer could cause an uncontrolled release of large volumes of groundwater under artesian pressure.

OBJECTIVES

1. To implement Regional Growth Strategy Policy 2.14 to protect groundwater aquifers and environmentally sensitive areas from contamination and reduced supply caused by land use and development activities.
2. To reflect Community Value in this Official Community Plan of “support for development regulations to protect environmentally sensitive areas, natural hazard lands, the marine/freshwater foreshores, and aquifer recharge areas”.
3. To protect the integrity of the low-permeable till layer (the aquitard) in the area identified as at risk of artesian conditions.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of natural features, including mature and native vegetation;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;

3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces;
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*; and
6. excavation or sub-surface disturbance in the sub-area defined as “risk of artesian conditions”.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Area – General Exemptions.
2. Construction, renovation, repair or addition to a single dwelling unit, duplex dwelling unit, secondary suite, accessory building, or structure, except for excavation of a depth greater than 1.5 m in the area of “risk of artesian conditions”.
3. Onsite wastewater disposal system installation meeting the requirements of the *Sewerage System Regulation* of the *Public Health Act*.
4. Subdivision of land where a maximum of three parcels are proposed, including the remainder, where the subject property has a “low” vulnerability as identified on Map No. 6 - Environmentally Sensitive Development Permit Areas.
5. Subdivision of land where the application is limited to lot line adjustment and no additional parcels are created.
6. Subdivision of land where each lot has an approved connection to a community water system.

GUIDELINES

Development permits shall be issued in accordance with the following:

1. A report must be prepared by a Professional Engineer or Geoscientist with experience in hydrogeology. The report should follow the Regional District “Guidelines for Preparation of Hydrogeological Reports” as amended from time to time, and should also include, but is not limited, to the following:
 - a. definition of the study area and the relationship of the proposed development to the protected aquifer, including map(s) indicating community water well locations;
 - b. recharge area and capture zone analysis for existing and proposed new wells;
 - c. an assessment of the ability of the aquifer to accommodate additional groundwater demand proposed by the development, which shall include the anticipated water demand of the proposed uses based on the development potential of the subject property based on the current zoning;
 - d. identification of potential impacts on adjacent properties and land uses; and
 - e. recommendations on what measures are required to ensure the quality and quantity of water in the aquifer is protected.
2. Where a proposed development will include any of the purposes or activities listed in Schedule 2 of the Contaminated Sites Regulation, (B.C. Reg. 375/96), a report prepared by a Professional Engineer or Geoscientist with experience in hydrogeology shall be required to confirm the protection of the aquifer in relation to the intended uses. The report should include, but is not limited, to the following:
 - a. define the study area and the relationship of the proposed development to the protected aquifer, including map(s) indicating well locations, proposed or existing above ground or

- underground fuel storage tanks, abandoned or operational water wells, and underground utilities, such as water, sanitary, and storm water drainage or natural gas lines;
- b. assess the potential for contamination and the expected results should a spill occur;
 - c. identify appropriate site-specific groundwater protection measures;
 - d. address site design, and best management practices for site drainage, sewage disposal and hazardous material use, handling, storage, disposal and spill response; and
 - e. provide recommendations, a conclusion and a reference site layout plan.
3. Where a proposed development is within the sub-area “risk of artesian conditions”:
 - a. the professional report shall determine the depth of the overlying till aquitard, and provide recommendations for its protection during excavation, well drilling, and construction; and
 - b. wells must be drilled by a registered well driller who is qualified to control artesian flow.
 4. Where a proposed development is within the well protection area or well capture zone of a community water system as shown for information on Map 2b, the professional report must refer to the relevant well protection plan and provide recommendations for the development to ensure mitigation of any potential risk to the community water source.
 5. Recommendations within the professional report will form part of the development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.
 6. Developments that are found to pose detrimental impact(s) on either the quality or quantity of groundwater which cannot be adequately mitigated shall not be supported by the Regional District.

DPA 4 – Marine Coast

DESIGNATION

The Marine Coast Development Permit Area is shown on Map No. 6 and applies to all lands 30 metres seaward of the present natural boundary, and 15 metres upland from the present natural boundary. In estuarine areas, it applies upstream, both on land and water, to the extent of tidal influence. For clarity, in estuarine areas the Freshwater and Fish Habitat Development Permit Area also applies.

AUTHORITY

The Marine Coast Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions, pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

JUSTIFICATION

The marine coast of the Plan Area is primarily composed of high and low bank sand and gravel shorelines, with estuarine coastline found in Deep Bay. Except for the protected harbour of Deep Bay, the shoreline is exposed to significant wave energy from prevailing winter storms from the southeast. The combination of a sand and gravel shoreline and high wave energy means the shoreline is actively changing; some areas are eroding while others are accreting. The intertidal and nearshore biological communities of sand and gravel shores are dominated by burrowing invertebrates such as worms and clams that live in the sediment, and attract large concentrations of birds. Eelgrass, an important habitat, often grows in sand/mud substrates and is sensitive to disruption of sand and gravel shores.

The Plan Area's shorelines have high ecological value and need to be carefully managed to avoid potential negative impacts of development. They are particularly sensitive to human activities that disrupt sediment processes, such as seawalls, or upland development that is poorly sited, including vegetation clearing for yard areas. Upland development over the years has significantly altered the native coastal vegetation so that in many areas there is little habitat and natural erosion protection value left. Backshore vegetation (dune grass, salt adapted plants and shrubs) forms a distinct habitat zone and is important in stabilizing the upland sediments and preventing erosion.

OBJECTIVES

1. To work towards the “protection of the environment” goal of the Regional Growth Strategy, in particular by following the policy to “minimize impacts of development in coastal zones by ensuring use of low impact development”.
2. To pursue the Community Value in this Official Community Plan of “support for development of regulations to protect environmentally sensitive areas, natural hazard lands, the marine/freshwater foreshore, and aquifer recharge areas”.
3. To plan and regulate new development in a manner that preserves, protects and restores the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.
4. To balance development opportunities with the ecological conservation and restoration of the shoreline environment.
5. To maintain the public's safe use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of vegetation, including trees, plants and shrubs;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

5. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
6. The placement of impermanent structures such as benches, tables and garden ornaments.
7. Repair, maintenance, or alteration of existing legal buildings, structures or utilities except for shoreline protection structures, provided the footprint of the building is not expanded (a building permit may still be required). For clarity, repair, maintenance, alteration or reconstruction of shoreline protection works such as rip rap and stacked rocks, requires a development permit whether or not they meet the definition of “structure” in other bylaws of the Regional District.
8. Minor additions to existing buildings or structures to a maximum of 25% of the ground floor area, provided that the addition is located on the side or part of the building or structure most distant from the foreshore.
9. A second storey addition, excluding cantilevered construction, to a legally sited structure, provided the second storey addition is within the existing footprint of the existing structure.
10. Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing.
11. Construction of a fence so long as no native trees with a diameter at breast height of 20 cm or greater are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence.
12. Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land.
13. The construction of a small accessory building or structure such as a pump house, gazebo, garden shed or play house if all the following apply;
 - f) The building is located within an existing landscaped area;
 - g) No native trees with a diameter at breast height of 20 cm or greater are removed;
 - h) There is no permanent foundation
 - i) The building is located a minimum of 10 metres from the natural boundary of sea or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
 - j) The total area of the small accessory building is less than 10 square metres.

14. The installation of mooring buoys.
15. Aquaculture operations.

GUIDELINES

General Guidelines

1. Development within the development permit area should be limited and not negatively impact the ecological health of the immediate area, disrupt coastal sediment transport processes, or impede public access along the shore.
2. An assessment must be prepared by a Registered Professional Biologist with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list which of the guidelines in this development permit area are applicable and how the proposed development is consistent with them and should indicate on a site plan, areas for yard and driveway and areas to remain free from development.
3. Existing native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion:
 - a. Dune grass is particularly sensitive to foot traffic and often keeping foot traffic away through fencing or signage can result in regeneration in short time periods. Replanting of dune grass and associated plants where it has been previously disturbed may be a condition of a development permit.
 - b. Coniferous trees provide important perches for eagles, and older trees may be used by eagles for nests. It is important that some trees are retained or replanted within and close to the development permit area when properties are developed, even if the trees are young.
 - c. Trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading, storage of fill or building materials, and other development activities.
 - d. Temporary fencing at a prescribed distance from the natural boundary or top of bank should be required to protect the shoreline vegetation.
4. New or additions to upland buildings and structures should be located and designed to avoid the need for shore protection works throughout the life of the building or structure. Only if all options to locate and design without the need for shore protection measures are exhausted should such works be considered.
5. Shore protection measures shall not be allowed for the sole purpose of reducing the setback pursuant to the Floodplain Bylaw.
6. Where shoreline protection works are proposed they shall be designed by a Professional Engineer and:
 - a. be limited to that necessary to prevent damage to existing structures or established uses on adjacent upland;
 - b. be the 'softest' possible shore protection measure that will still provide satisfactory protection;
 - c. not be expected to cause erosion or other physical damage to adjacent or down-current properties;
 - d. address compatibility with any adjacent shore protection works; and

- e. in compliance with the Regional District’s Marine Retaining Wall Policy B1-09, as amended or replaced from time to time.
7. Where protection from erosion is proposed as either new works or replacement, every effort will be made to design shoreline protection in accordance with the *Green Shores* programs of the Stewardship Centre of BC. These programs provide resources for, and examples of, shoreline erosion protection involving creation or maintenance of low-angle slopes allowing for dissipation of wave energy, retaining native plants and habitat, and providing a natural appearance. Some *Green Shores* approaches rely on use of the beach below the natural boundary, which requires permission from the Province.
8. Where erosion protection works are proposed below the natural boundary, they should not obstruct public access along the foreshore or beach.
9. Heavy equipment shall not be permitted on the beach unless existing conditions do not permit upland access and, if required, mitigation methods acceptable to the RDN shall be identified as part of the application. Procedures shall be in compliance with the Regional District’s Marine Retaining Wall Policy B1-09, as amended or replaced from time to time. For commercial and multi-family developments, the *Green Shores for Coastal Developments* program of the Stewardship Centre of BC should be reviewed and referenced and every effort made to design the development in accordance with its recommendations and best practices.
10. Entirely ‘hard’ structural shore protection measures such as concrete walls, lock block, or stacked rock (rip rap), may be considered as a last resort only when a geotechnical and biophysical analysis demonstrates that:
 - a. the erosion is not being caused by upland conditions, such as the loss of vegetation and drainage associated with upland development;
 - b. All possible on-site drainage solutions away from the shoreline edge have been exhausted;
 - c. Green Shores non-structural or structural measures are not feasible or not sufficient to address the stabilization issues;
 - d. The shore protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
 - e. All shore protection structures are installed upland of the present natural boundary of the sea.
11. Where the installation of a hydrothermal and geexchange unit is proposed, the Regional District will require the applicant to provide a report by a Registered Professional Biologist with experience in marine ecology, to assess the potential impact of the proposed installation on the marine environment, public users of the foreshore, the anchoring of vessels, and First Nation shellfish harvesting, and provide recommendations to restore or enhance those areas impacted by the proposed development.
12. Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works within the development permit area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional.
13. The applicant’s biologist or engineer may be required to provide confirmation to the Regional District that the property has been developed in accordance with their recommendations.

Guidelines Applicable to Subdivisions and New Development

14. Subdivisions shall be designed so that the new lots will not require shore protection measures in order for useable, safe building sites to be created when considering sea level rise, over a 100 year time horizon.
15. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis.
16. New driveways, parking lots, and wastewater disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the design and construction of the road, parking lot or wastewater disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met. These works may be required to be completed prior to final approval of the subdivision.

Guidelines Applicable to Vegetation Management, Restoration and Enhancement

17. If the area has been previously cleared of native vegetation or is cleared during the process of development, replanting should be required in accordance with these guidelines and according to the recommendations of a Registered Professional Biologist. Where it is not practical to replace all vegetation that is or has been removed, replanting should be focused on the areas of highest ecological value such as foreshore dune grass ecosystems, trees suitable for eagle perching, or other areas identified in the biophysical assessment. Areas of undisturbed bedrock exposed to the surface of natural sparsely vegetated areas should not require planting.
18. Vegetation species used in replanting, restoration or enhancement should be salt and wind tolerant, and selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or wildlife habitat values as needed. A minor amount of suitably adapted, non-invasive, non-native vegetation may also be considered acceptable subject to supportive recommendations in a biophysical report.
19. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense within that time in the next regular planting season.

Guidelines Applicable to Beach Nourishment and Upland Fill

20. Fill on land above of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration, and the Regional District may require a sediment and erosion plan.
21. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design. This would also require permission from the Province.

Guidelines Applicable to Commercial and Industrial Development

22. New boating facilities that provide moorage shall not be constructed unless access is available to adequate and convenient facilities for pump-out of holding tanks.

23. New boat maintenance and repair facilities shall be designed, located and operated in a way that ensures there will be no discharge of toxic materials from boats (fuels, oils, maintenance by-products, etc.)
24. In order to minimize the impact on aquatic life, lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cutoff angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.
25. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.

Guidelines Applicable to Boat Launch Facilities or Ramps

26. Boat launch ramps are the least desirable of all water access structures and may only be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes. The ramp width should be minimized, and paved strips versus a full concrete pad is preferable. Development Permit applications must demonstrate all applicable provincial and federal guidelines have been followed and approvals are in place.

DPA 5 – Coastal Steep Slope Hazard

DESIGNATION

The Coastal Steep Slope Hazard Development Permit Area is shown on Map No. 8 and applies to those lands within the development permit area with a slope angle of 30 percent or greater for a minimum horizontal distance of 10 metres along the marine coast.

AUTHORITY

The Coastal Steep Slope Development Permit Area is designated a development permit area for the protection of development from hazardous conditions, pursuant to Section 488(1) (b) of the *Local Government Act*.

JUSTIFICATION

Steep slopes are generally found along the marine and riverine coast as well as the Horne Lake Road and the Mount Mark slide area. The threat of landslides is particularly concerning in areas where homes have been constructed near the edges or below unstable slopes.

The development permit area boundaries were derived from 2 metre contour and digital elevation mapping obtained by the Province of BC in 2017. The Regional District isolated areas where this mapping shows a slope of 30% or greater along the marine coast, to improve the boundaries of the the previous Hazard Lands Development Permit Area. The “Mount Mark Slide” area and other, isolated areas of 30% slope are shown on Map No. 8 for reference but do not form part of this development permit area. Riverine slope hazard is addressed in Development Permit Area 1 and the Horne Lake area slope hazard has been addressed through the subdivision of the Horne Lake Strata in the early 2000’s.

OBJECTIVES

1. To minimize the risk to people and property from slope hazard;
2. To develop safely and minimize the impacts on or near steeply sloped lands, including the potential run out area below steep slopes;
3. To reduce slope hazards and landslide risk to people and property by carefully managing development and construction practices on or near steeply sloped lands;
4. To avoid alteration of steeply sloped lands that may cause increased instability of the land or adjacent areas;
5. To encourage ongoing maintenance and monitoring of steep slopes.

APPLICABILITY

A development permit is required for the following activities wherever they occur within a development permit area, unless specifically exempted:

1. alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and the removal of top soils;
2. construction or erection of buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces;
4. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Where a building permit is required for the proposed development, the Regional District building inspector has either required an assessment report by a Professional Engineer with experience in geotechnical engineering or determined that one is not required, and no other land alterations, buildings or structures, is proposed.
3. Subdivision where land alteration such as installation of driveways or services, is not required as part of the subdivision.
4. Subdivision where no new parcel lines or amendments to existing parcel lines are proposed within the development permit area.
5. Where there is no steep slope hazard, confirmation of which may require a letter from a Professional Engineer with experience in geotechnical engineering.

GUIDELINES

1. An assessment report prepared by a Professional Engineer with experience in geotechnical engineering shall be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development.
2. No unnecessary disturbance of the steep slope shall be permitted. Site development shall preserve natural vegetation on steep slopes and retain the natural terrain, topography of the site, and minimize cutting into the slopes.
3. Prior to construction commencing, the installation of temporary fencing or flagged stakes marking any areas to be avoided due to hazardous conditions, is required.
4. The geotechnical report will form part of the Development Permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

DPA 6 – Farmland Protection

DESIGNATION

The Farmland Protection Development Permit Area is shown on Map No. 7 and applies to all properties adjacent to lands designated within the Provincial Agricultural Land Reserve (ALR).

AUTHORITY

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

JUSTIFICATION

This development permit area concerns lands adjoining or adjacent to land within the ALR. The Regional District acknowledges that development of land adjoining or in close proximity to farmlands may compromise the agricultural use of ALR lands. As such, these lands require special treatment in order to protect the long-term agricultural potential of these areas.

OBJECTIVES

1. To pursue the Community Value in this Official Community Plan of “protection of resource lands for sustainable resource use”.
2. To protect the agricultural land resource of the Plan Area for present and future production of food and other agricultural products.

APPLICABILITY

A development permit is required for the following activities wherever they occur within the Development Permit Area, unless specifically exempted:

1. Subdivision of land as defined in the *Land Title Act* or bare land strata under the *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Lands within the ALR.
3. Lot line adjustment or where subdivision does not result in an increase in the number of potential dwelling units.
4. Subdivision of land for public utility, nature reserve, or park use.

GUIDELINES

1. Subdivision design must minimize the impacts that may occur between farm and non-farm uses on adjacent ALR lands including but not limited to the following:
 - a. Site design to allow the clustering of lots, buildings or structures away from ALR lands.
 - b. Avoid road endings or stubs which point directly into the ALR, and half roads along the ALR boundary, except where required for access by farm vehicles.

- c. Where a parkland dedication is required, the dedication should be located next to the ALR boundary and include the required vegetated buffer outlined in Development Permit Area Guideline No.3 below.
2. For land to be subdivided that is adjacent to or adjoining an ALR boundary, a 15 metre wide vegetated buffer should be retained, or established and maintained. All buffer areas shall generally be designed and landscaped using materials set out in *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions.
3. Within the vegetated buffer area mature trees shall be preserved and where possible integrated with the new landscaping. The planting of trees is strongly encouraged.
4. Plant layout, spacing and support shall generally be in accordance with *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions. The planting material should include non-invasive, low maintenance, native vegetation which can thrive with little or no fertilizer.
5. No new buildings and structures, except for fencing, shall be situated within the 15 metre vegetated buffer area.
6. A Section 219 covenant as per the *Land Title Act* for the vegetation buffer area may be required which restricts the removal of vegetation and the construction of any buildings or structures other than fencing within the buffer area.
7. Where the introduction of vegetation is required within the Development Permit Area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.

DPA 7 – Rural Commercial

DESIGNATION

The Rural Commercial Development Permit Area is shown on Map No. 7, and applies to those lands designated Resort Commercial and Tourist Commercial, which are outside of Village Centres, and also applies to lands rezoned for Tourist Commercial and Service Commercial uses in the Rural designation.

AUTHORITY

The Rural Commercial Development Permit Area is designated a development permit area to establish objectives for the form and character of commercial and industrial development, for protection of the natural environment, its ecosystems and biodiversity, for establishment of objectives to promote energy conservation, water conservation and reduction of greenhouse gas emissions pursuant to Section 488(1)(a)(f)(h)(i) and (j) of the *Local Government Act*.

JUSTIFICATION

Outside of the Village Centres, commercial uses generally cater to the traveling public and are generally located within a short distance of the Highway No. 19A corridor. The variety and intensity of uses associated with tourism-related commercial uses and service commercial uses may compromise the aesthetic appeal of the rural landscape, cause conflict with adjacent residential uses and impact environmental values.

OBJECTIVES

1. To ensure that new or additional commercial and service commercial uses outside of Rural Village Centers are developed in a manner that is consistent with and enhances the rural character of the area and minimizes negative impacts on the natural environment and nearby residential uses.

APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meter in height.
2. Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
3. Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
4. Construction of a building or structure with a total floor area of 10 square meters or less which is not visible from a public roadway.

5. Addition to an existing building or structure that is screened from view from a public roadway or other public space by the existing building or structure.
6. Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.
7. Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
8. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

GUIDELINES

1. The character of the development will generally:
 - a. be designed to utilize the existing topography and vegetation in a manner that is visually unobtrusive and blends into the surrounding landscape,
 - b. be designed to mimic the natural water balance by maximizing infiltration of uncontaminated rainwater,
 - c. integrated with and enhance the character of existing development to avoid mass and character that would be overwhelming to adjacent non-commercial properties, and
 - d. include gathering places such as seating areas, patios, garden entry areas that are visible and accessible and encourage pedestrian uses, where possible.
2. Incorporating natural materials to create a “west coast” style into the design is encouraged.
3. Where buildings present an aspect to the highway or to highly visible areas, continuous blank wall surfaces (longer than 5 meters) shall be avoided. Consider using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.
4. Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s *Community Parks and Trails Strategy*, *Regional Parks and Trails Plan*, or *Active Transportation Plan*, and any subsequent editions.
5. Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
6. Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
7. Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
8. All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
9. For land to be developed where it abuts a residential zoned property(s), a landscaped buffer shall be retained or planted to provide a visual screen.

10. Porous and permeable surfaces should be used where practical and techniques such as rain gardens and vegetative swales to assist in the treatment of rainwater runoff from a site are encouraged in accordance with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions. The Regional District may require a rainwater management plan prepared by a professional engineer or other qualified professional.
11. Mature trees shall be preserved and, where possible, integrated with new landscaping. The planting of trees is strongly encouraged.
12. Proposed new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions.
13. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified professional to the satisfaction of the Regional District.
14. Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lightening is encouraged.
15. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
16. Signage should be visually unobtrusive and grouped whenever possible. Particular emphasis should be given to signage that is complementary to the scenic qualities of the area and requires a minimal amount of lighting to be effective. Animated, flashing, oscillating or moving signs and roof top signs shall be avoided to retain a rural appearance and not be distracting to drivers.

DPA 8 – Qualicum Bay and Dunsmuir Village Centres

DESIGNATION

The Qualicum Bay and Dunsmuir Village Centres Development Permit Area is shown on Map No. 7, and applies to Qualicum Bay and Dunsmuir Village Centres.

AUTHORITY

The Qualicum Bay and Dunsmuir Village Centers Development Permit Area is designated a development permit area for revitalization of an area in which a commercial use is permitted, to establish objectives for the form or character of intensive residential development and commercial, industrial or multi-family development, for protection of the natural environment, its ecosystems and biodiversity, for establishment of objectives to promote energy conservation, water conservation and reduction of greenhouse gas emissions pursuant to Section 488(1)(a)(d)(e)(f)(h)(i) and (j) of the *Local Government Act*.

JUSTIFICATION

The Regional Growth Strategy recognizes three areas as the Village Centres for Electoral Area ‘H’. (The Bowser Village Centre is subject of its own Plan and DPA, so is not included here.) Village Centres are included within a development permit area due to the existing commercial activities and in recognition of the opportunity to integrate multi-family residential and tourist oriented commercial, institutional, service commercial development or mixed-use development into one or more of these locations.

In establishing these centres, it is important to ensure compatibility of development with adjacent land uses, to recognize the importance of visual appearance and design of development, and to ensure that future development within the villages has a positive impact on the long-term needs of the community. The Village DPA guidelines focus on village commercial, institutional, and residential themes while maintaining the rural and residential characteristics of the surrounding communities.

The **Qualicum Bay Village Centre** with its central location serves as the main commercial area for Qualicum Bay. The focus for this village centre is on tourist and resort commercial services.

The **Dunsmuir Village Centre** with its location along Horne Lake Road serves as a “gateway” to the coastal resorts, scenic and recreational opportunities within the Plan Area. The vision for this village centre is the development of a comprehensive mixed-use community.

OBJECTIVES

1. To pursue the Community Values in this Official Community Plan to “support for a diversified economy, focusing on small scale commercial, human service sectors, and tourism within the Rural Village Centres.
2. To provide a safe and cohesive village area that enhances the relationship between the built and natural environment through building design and landscaping.

APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meters in height.
2. Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
3. Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
4. Addition to an existing building or structure that is not visible from a public roadway or other public spaces.
5. Subdivision of land except for intensive residential which for the purpose of this exemption, means any residential development with an average minimum parcel size less than 2000 m² or density greater than 5 dwellings per ha whether fee simple or strata.
6. Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
7. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

GUIDELINES

1. For Qualicum Bay Village Centre, tourist and business frontage for the Village shall be encouraged to be oriented toward the central portion of District Lot 20, Newcastle District and shall provide linkage and integration with the existing commercial lands along the Island Highway No. 19A and institutional uses including the Lighthouse Community Hall, seniors housing and park land.
2. For Dunsmuir Village Centre, the tourist and business frontage for the Village shall be encouraged to be oriented toward Horne Lake Road and existing commercial areas along the Island Highway No. 19A. New development shall provide pedestrian and vehicle linkages with the existing residential areas and currently vacant lands adjacent to Horne Lake Road.
3. The character of commercial development will generally:
 - a. be integrated with and enhance the character of the existing development,
 - b. be designed with a mix of commercial building styles, and constructed as small scale, low-rise structures that are clustered together,
 - c. be oriented toward adjacent streets where possible, and
 - d. be designed to have separate buildings or buildings that appear as small, individual buildings rather than a single large building.
5. The character of multi-family development will generally:
 - a. be in keeping with the village character and surrounding residential or rural areas,
 - b. provide a range of housing types,
 - c. be clustered in small groups,
 - d. provide pedestrian linkages to areas beyond the development,
 - e. be ground oriented wherever possible; and
 - f. incorporate landscaping to separate residential clusters.

6. Incorporating natural materials to create a “west coast” style into the design is encouraged.
7. Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s Community Parks and Trails Strategy, Regional Parks and Trails Plan, or Active Transportation Plan, and any subsequent editions.
8. Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
9. Development shall not be separated or ‘gated’ with walled or fenced enclaves.
10. Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
11. Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
12. All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
13. Sites and buildings must be designed to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such as porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, re-use systems and other techniques. Water quality should be maintained by ensuring that no deleterious substances enter ground or surface water. Rainwater should be managed onsite wherever possible, and management approaches should be aligned with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions. The Regional District may require a rainwater management plan prepared by a professional engineer or other qualified professional.
14. Applicants are encouraged to refer to the most recent edition of the British Columbia Landscape Standards published by the BC Society of Landscape Architects when creating their plan. Landscaping should be used in site design to achieve the following list of objectives:
 - a) retain existing healthy, mature trees to provide shading and enhance the streetscape;
 - b) new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions;
 - c) utilize a variety of native plants that are drought tolerant suitable to local growing conditions;
 - d) enhance the pedestrian experience (e.g., aesthetics, weather conditions, safe movement throughout site and visual separation from and between uses) and compliment the development and surrounding area;
 - e) add texture and three dimensional components to the site (e.g., ground level planting, raised beds, shrubs, tree canopy) and avoid creating areas that are predominately bark mulch, gravel or other similar materials;
 - f) minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping;

- g) respect required sightlines from roadways and enhance public views;
 - h) help screen parking areas, electrical and mechanical features, and refuse and recycling facilities; and
 - i) contribute to a sense of personal safety and security.
15. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
16. Exterior lighting shall be low intensity, pedestrian-oriented with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lighting is encouraged.
17. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
18. Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.
19. For land to be developed where a commercial property abuts residential zoned property(s), a landscaped buffer area should be provided between the commercial property and the residential property(s) to provide a visual screen.
20. For land to be developed that is adjacent to or adjoining an Agricultural Land Reserve boundary a buffer area containing vegetation or fencing or a combination of both shall be retained, or established and maintained. All buffer areas shall generally be designed and landscaped using materials set out in Guide to Edge Planning: Appendix B, published by the BC Ministry of Agriculture, or any subsequent editions.

DPA 9 – Deep Bay Southwest

DESIGNATION

The Deep Bay Southwest Development Permit Area is shown on Map No. 7, and applies to the Deep Bay Southwest land use designation.

AUTHORITY

The Deep Bay Southwest Development Permit Area is designated a development permit area to establish objectives for the form or character of intensive residential development and commercial, industrial or multi-family development; for protection of the natural environment, its ecosystems and biodiversity; and for establishment of objectives to promote energy conservation, water conservation and reduction of greenhouse gas emissions pursuant to Section 488(1)(a)(e)(f)(h)(i) and (j) of the *Local Government Act*.

JUSTIFICATION

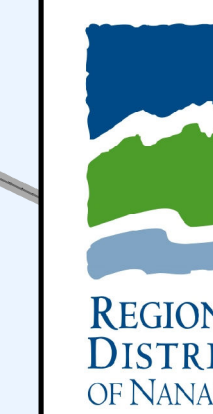
Deep Bay Southwest is envisioned as a clustered residential development with tourist commercial and service commercial uses that complement the Deep Bay Harbour, existing tourist commercial uses, residential neighbourhoods, and the Deep Bay Marine Station.

In the development of Deep Bay Southwest, it is important to ensure compatibility with adjacent land uses, to recognize the importance of visual appearance and design. Pedestrian connections, active transportation, accessible design, and housing for different ages and income levels are all important. The development should be progressive in its design and construction resulting in a high standard of water conservation, energy conservation, low greenhouse gas emissions, and conservation and restoration of sensitive ecosystems and mature trees and vegetation.

OBJECTIVES

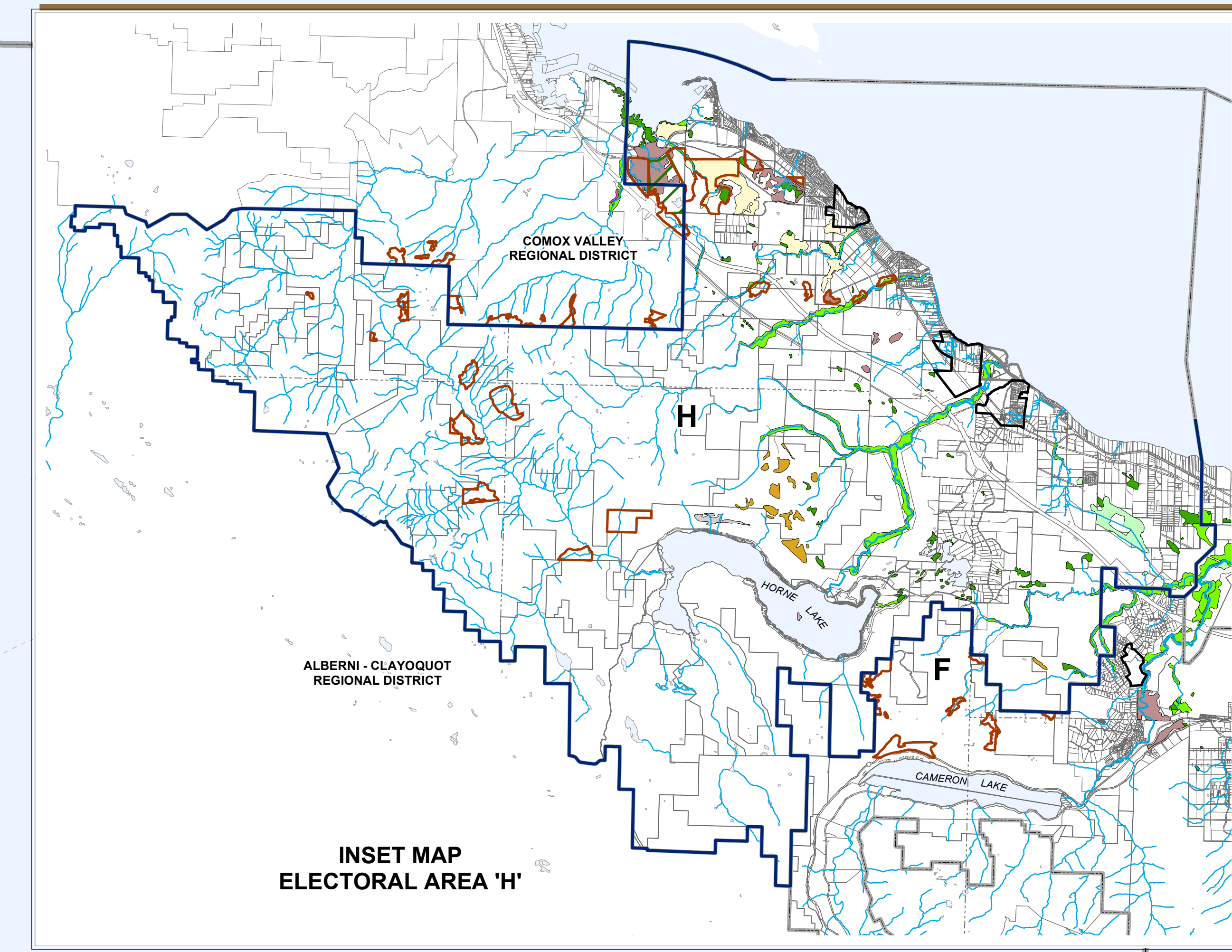
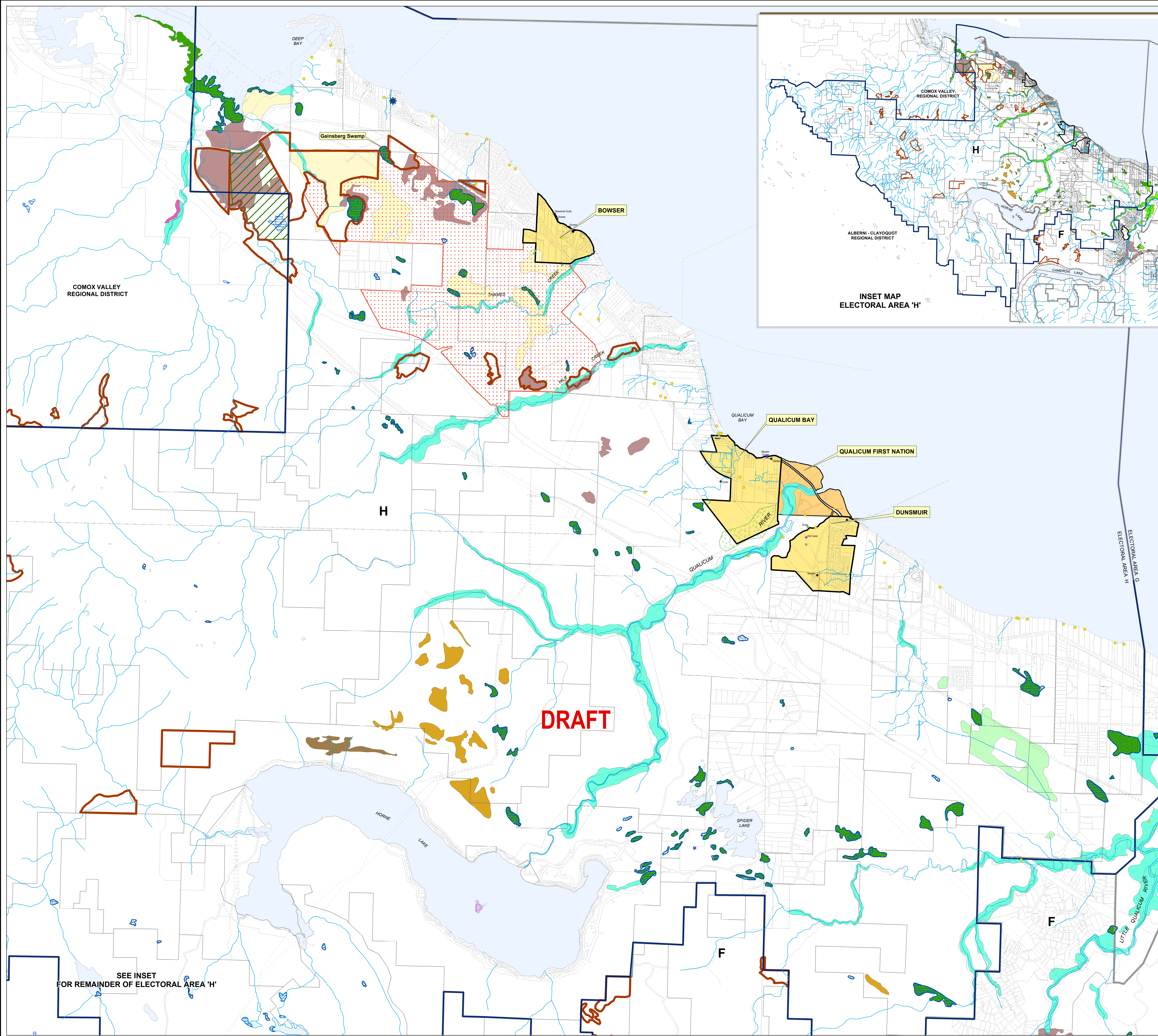
1. To create residential neighbourhoods and commercial areas that emphasize pedestrian and bicycle mobility over vehicles.
2. To achieve a form and character that includes a variety of housing types in a clustered pattern preserving greenspace, sensitive ecosystems and trails on the remainder.
3. To connect with the existing nearby residential and commercial areas in form and character and through bicycle, pedestrian and road connection(s).
4. To conserve energy and water and minimize greenhouse gas emissions.

Note: the applicability, exemptions and guidelines for this development permit area will be adopted in the zoning bylaw through a future rezoning process for Deep Bay Southwest.



ELECTORAL AREA H OFFICIAL COMMUNITY PLAN **DRAFT**

MAP NO. 2 ENVIRONMENTAL FEATURES AND PROTECTED AREAS



- Eagle Tree
Source: Wildlife Tree Service 2016
- Great Blue Heron Colonies
Source: Province of BC 2016
- Watercourses
- Electoral Area H Official Community Plan Area Boundary
- Wetlands, Ducks Unlimited
- Wetlands, Fresh Water Atlas
- Old Growth Management Areas
- Bowser Ecological Reserve
- Coastal Douglas Fir Land Use Order (Crown Land)
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation

- ### Significant Environmental Features of Village Areas
- Miscellaneous
 - New ESA/SEI
 - Veteran Tree
 - Stream (Estimated)
 - Dunes
 - Lodgepole Pine Forest
 - Wetland

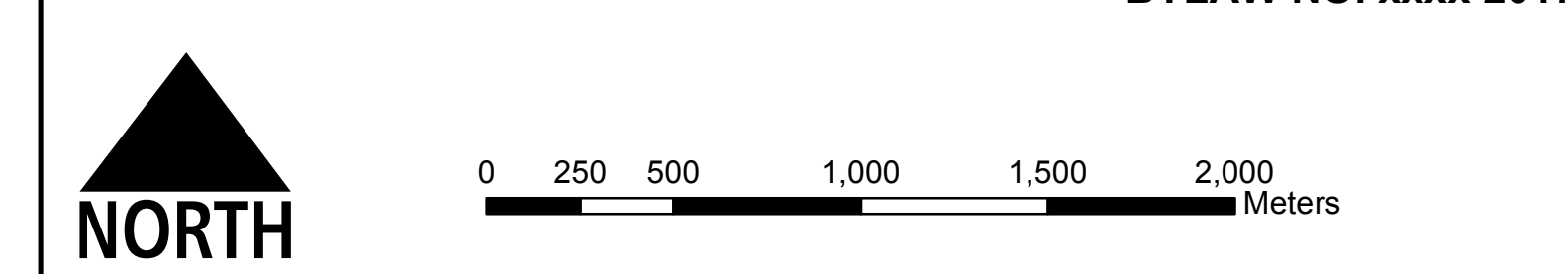
SOURCE: M.Mather & T. Giesbrecht, 2002. Biophysical analysis of village nodes in Electoral Area H.

- ### Sensitive Ecosystem Inventory
- Coastal Bluff**
Vegetated rocky islet, rocky shoreline/grassland, rocky shoreline/moss, coastal cliff.
 - Terrestrial Herbaceous**
Natural grasslands or bryophyte-dominated vegetation, including rock outcrop/grassland and rock outcrop/moss types >20% shrub cover.
 - Older Forest**
Forest ecosystem with dominant age class > 100 years; coniferous, mixed with broadleaf component > 15%.
 - Riparian**
All stages of floodplain vegetation including riparian vegetation associated with gullies.
 - Sparsely Vegetated**
Ecosystems with sparse vegetation; cliff, sand dune, spit.
 - Wetland**
Ecosystem with wet soil and moisture-dependent plants; bog, fen, marsh, swamp, shallow water, wet meadow.
 - Woodland**
Open woodlands (stands of Garry oak, and mixed stands of Garry oak/Arbutus, Garry oak/Douglas-fir, Arbutus/Douglas-fir).

- ### Areas With General Biodiversity Values
- Seasonally flooded agricultural field**
 - Second Growth Forest**
Forested ecosystem with dominant age class 60 - 100 years; coniferous, mixed with broadleaf component > 15%.

Source: Sensitive Ecosystems of East Vancouver Island & Gulf Islands. Environment Canada and the BC Ministry of Environment, Lands and Parks. March, 2004

Chairperson _____ Corporate Officer _____



BYLAW NO. xxxx 2017

October 3, 2017

SEE INSET
FOR REMAINDER OF ELECTORAL AREA 'H'

DRAFT



ELECTORAL AREA H OFFICIAL COMMUNITY PLAN **DRAFT**

MAP NO. 2b GROUNDWATER FEATURES

- Electoral H Official Community Plan Boundary
 - Electoral Area Boundary
 - Village Centres
 - Qualicum First Nation
 - Watercourses
 - Contour Interval 20m
 - Waterbodies
 - Watershed Boundary
 - Aquifer
- Classification
- Development Subclass
 II - Moderate Demand
 (demand is moderate relative to productivity)
 III - Light Demand
 (demand is light relative to productivity)
- Vulnerability Subclass
 (vulnerability to contamination from surface source)
 A - High
 B - Moderate
 C - Low

Aquifer 416 Groundwater Recharge Area
 Source: Aquifer and Well Protection Plan for the Deep Bay Improvement District, Payne Engineering Geology, 2016

Deep Bay Waterworks Improvement District

Well
 Well Protection Area
 Source: Aquifer and Well Protection Plan for the Deep Bay Improvement District, Payne Engineering Geology, 2016

Bowser Waterworks Improvement District

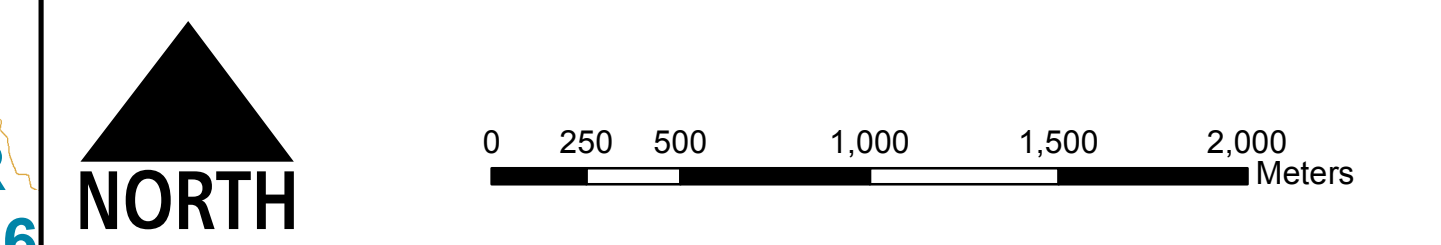
Well
 Well Capture Zone
 Source: Aquifer and Wellhead Protection Plan for Bowser Waterworks District, Payne Engineering Geology, 2015

Qualicum Bay - Horne Lake Waterworks Improvement District

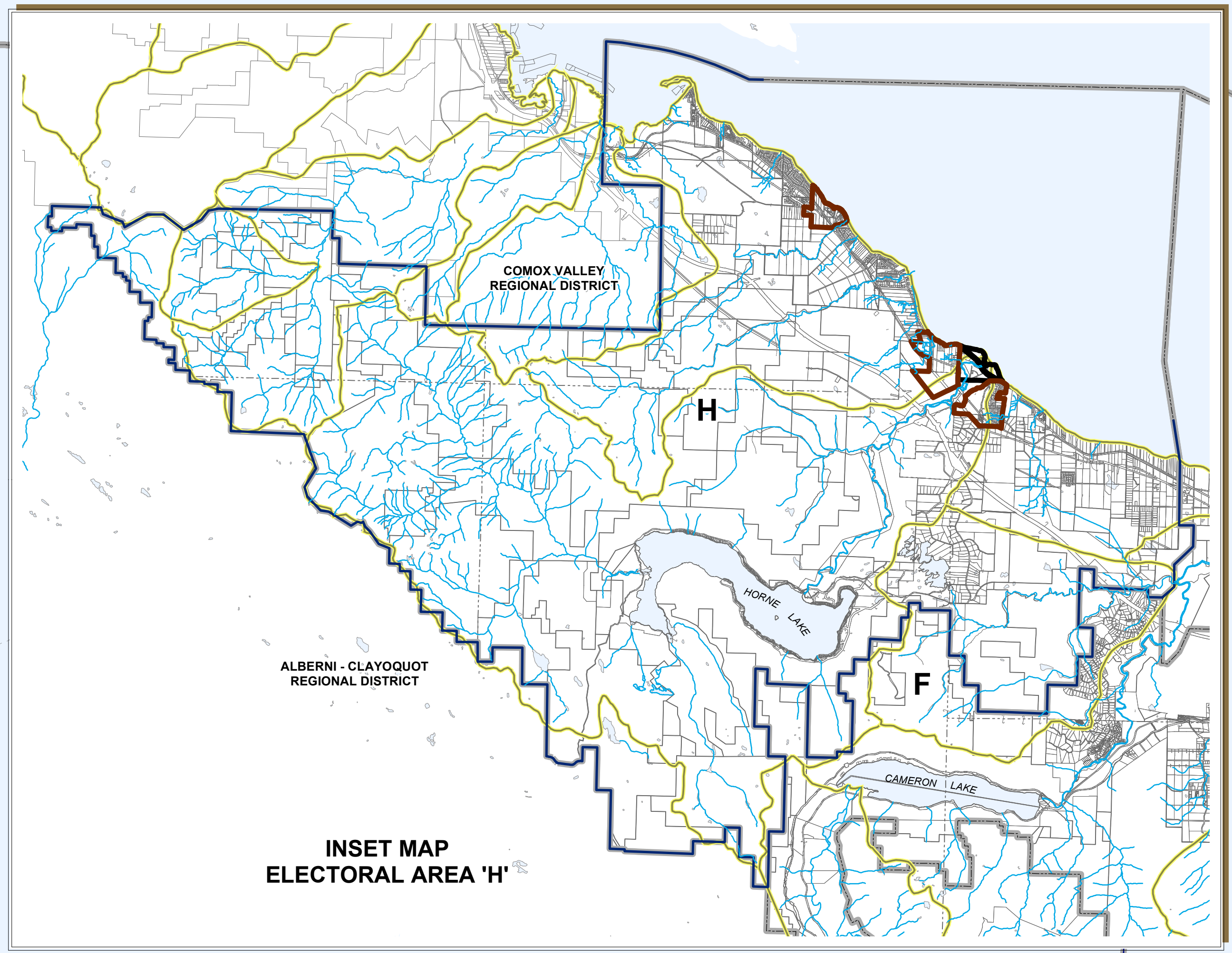
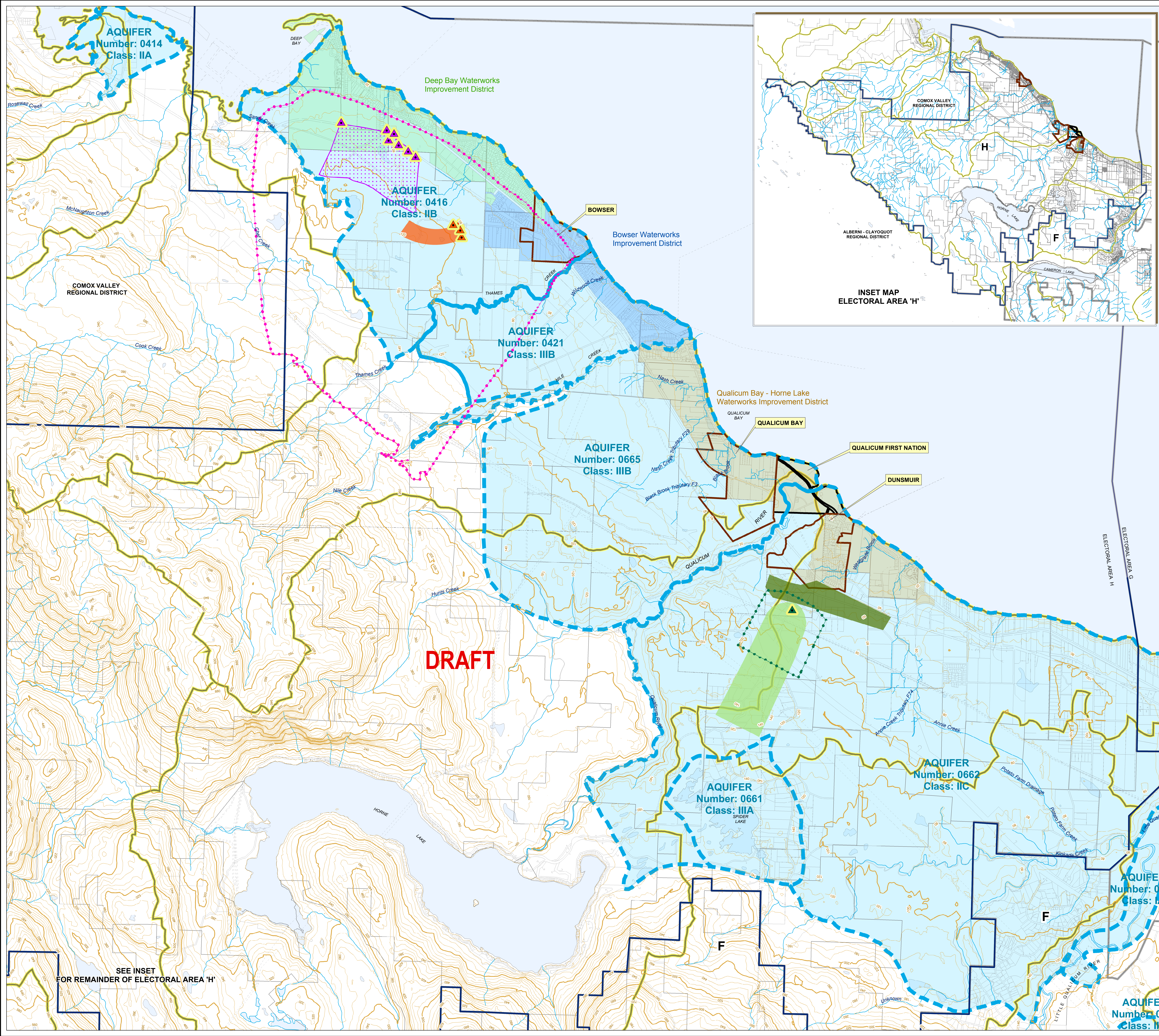
Well
 Well Capture Zone
 Risk of Artesian Conditions
 Well Protection Area
 Source: Qualicum Bay Horne Lake Well Protection Plan, Waterline Resources Inc, 2016

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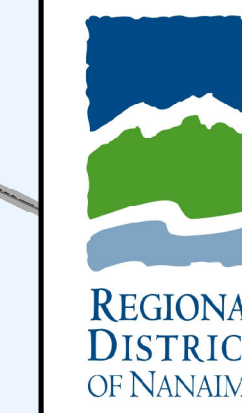


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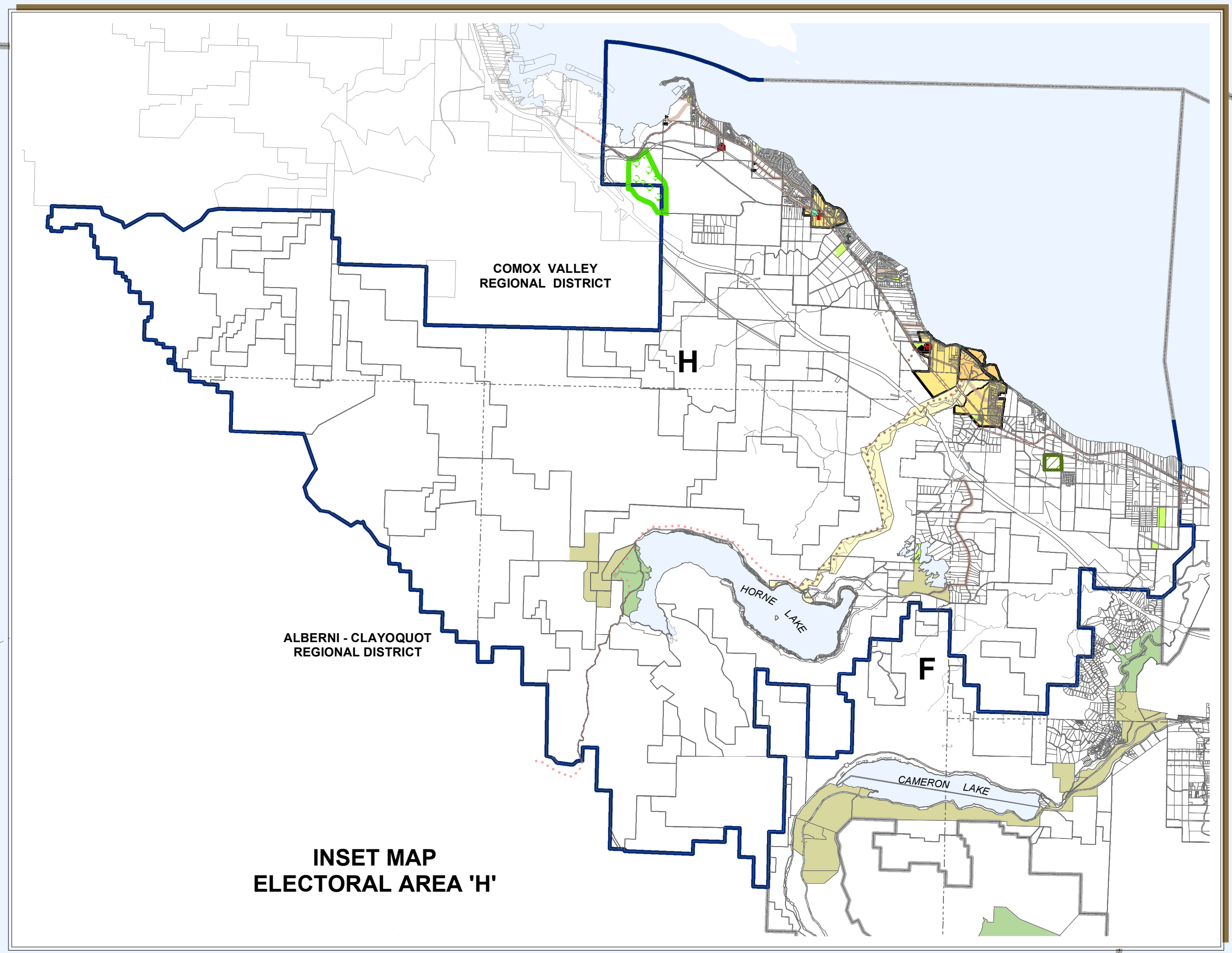
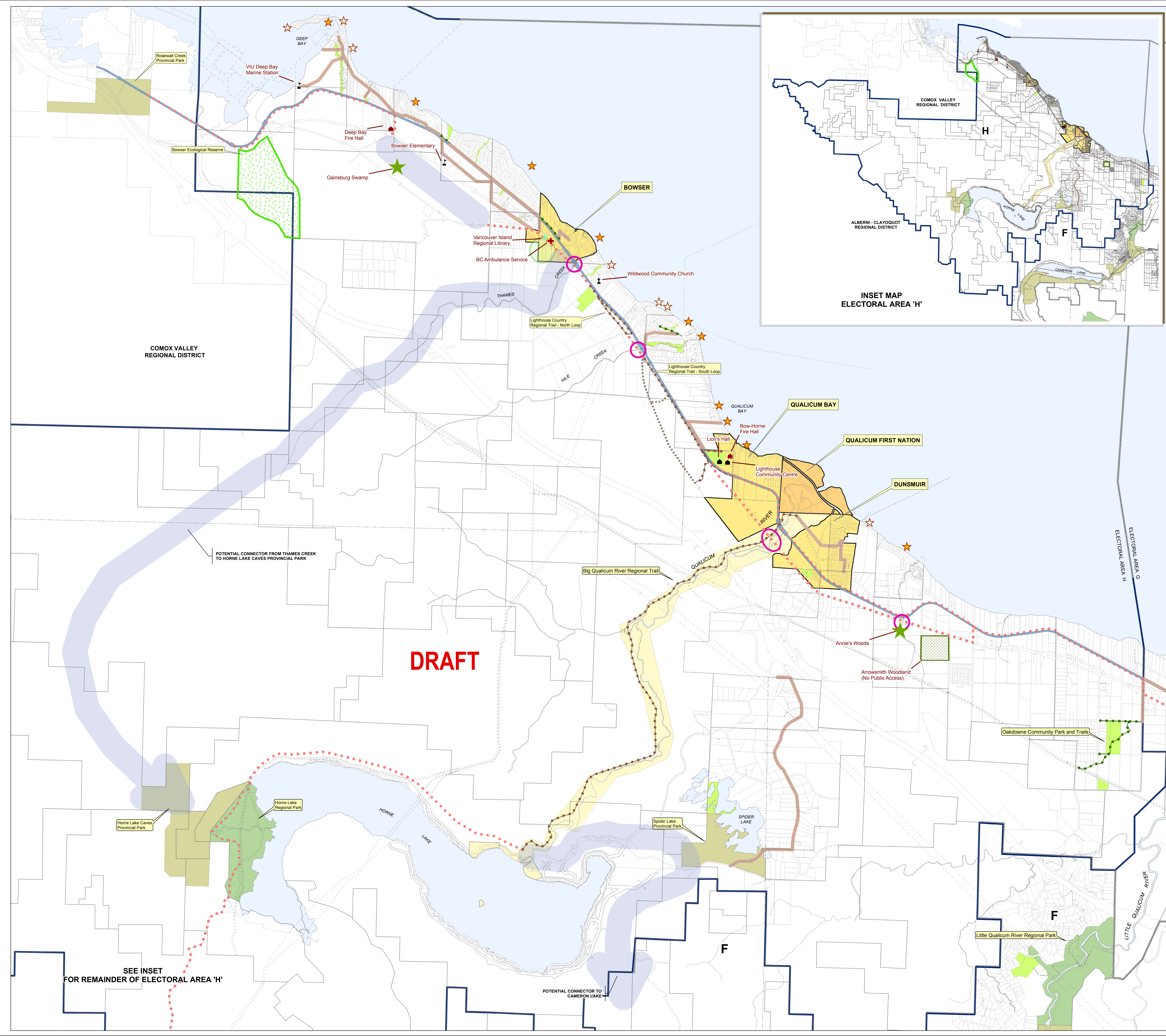
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SEE INSET FOR REMAINDER OF ELECTORAL AREA 'H'



ELECTORAL AREA H OFFICIAL COMMUNITY PLAN **DRAFT**

MAP NO. 3
COMMUNITY RESOURCES



- Electoral Area H Official Community Plan Area Boundary
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation
- Water Access**
- RDN Improved Site
- Future Priority

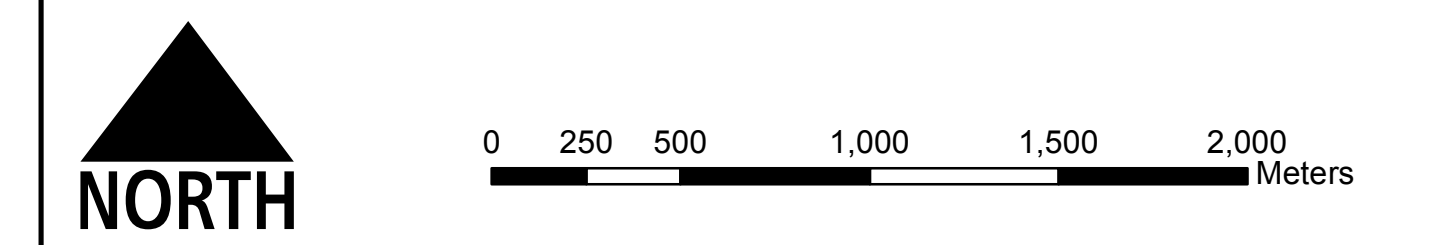
- Provincial Park
- Regional Park
- Community Park
- Federal Lands
- Provincial Protected Area
- Nature Trust Conservation Lands
- Potential Community Park
- Sensitive Ecosystems Identified for Protection

- Existing Regional Trail
- Existing Community Trail
- Woodlot Road
- Proposed Regional Trail
- Proposed Community Trail
- Railway Corridor
- Proposed Trail Bridge
- Conceptual Regional Trail Corridor

- Ambulance Station
- Church
- Community Hall
- Fire Hall
- Library
- School

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ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN

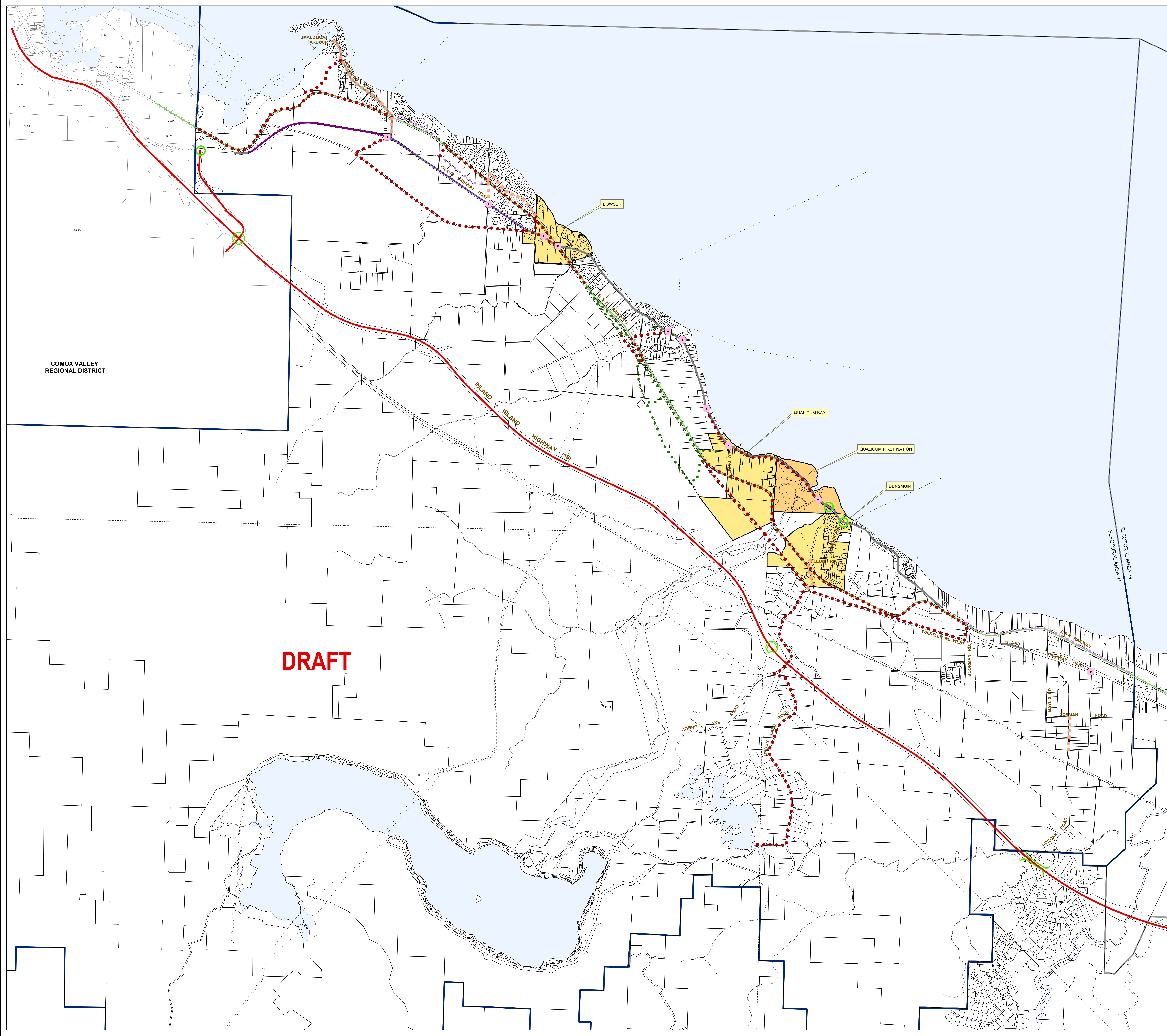
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MAP NO. 4 TRANSPORTATION

- Electoral Area H Official Community Plan Area Boundary
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation
- Inland Island Highway (19)
- Major Road
- Railway
- Existing Community Trail
- Overpass
- Proposed Interchange (Existing Inland Island Highway Intersection)
- Major Highway Intersection

Active Transportation Plan Data

- Improved Pedestrian Crossing
- Add/Improve Multi-Use Trail
- Traffic Calming
- Add/Improve Road Shoulder
- Speed Reduction
- Road Diet
- Add/Improve Local Street Greenway



COMOX VALLEY REGIONAL DISTRICT

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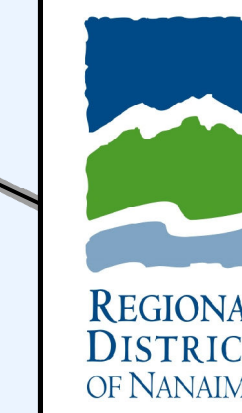
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NORTH

0 250 500 1,000 1,500 2,000 Meters

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ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN **DRAFT**

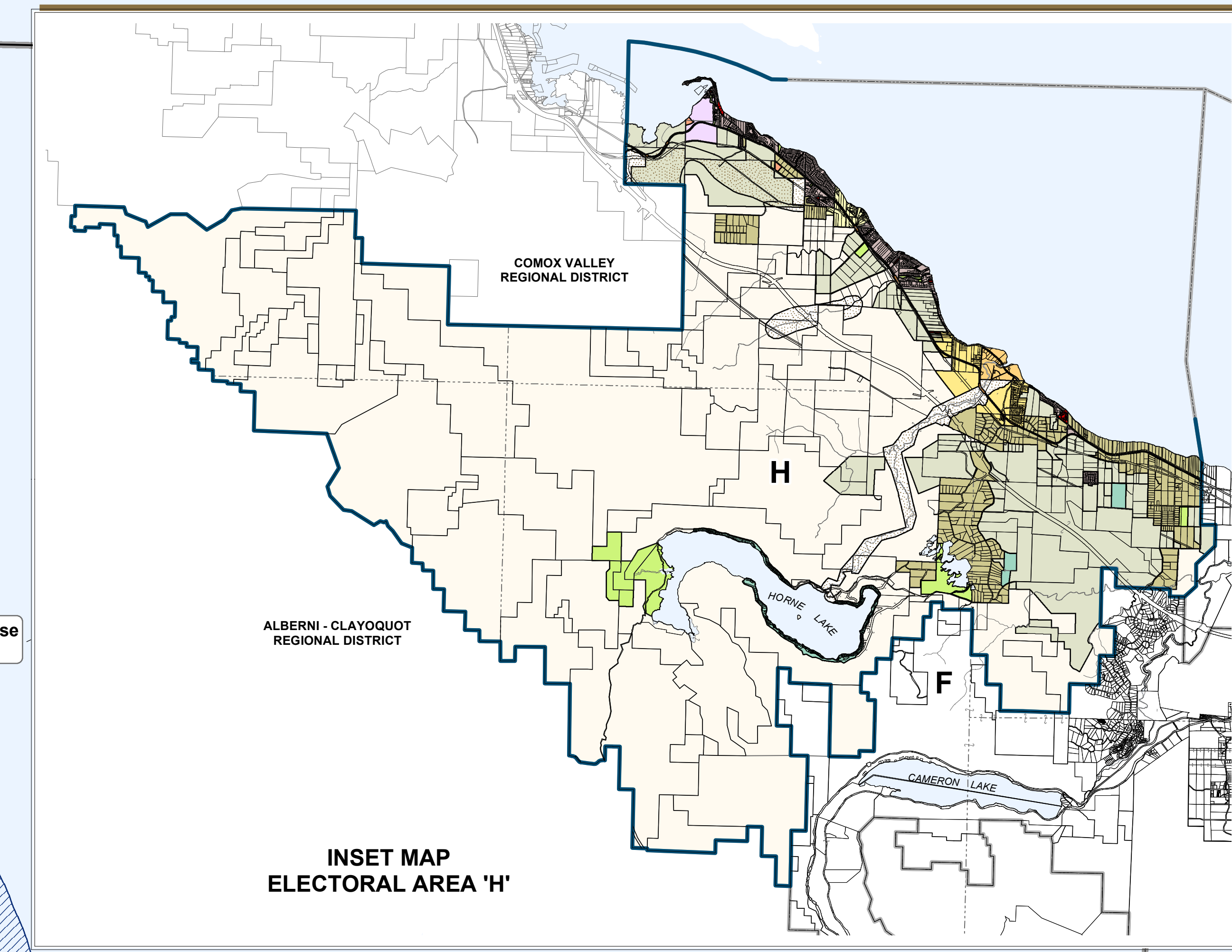
MAP NO. 5 LAND USE DESIGNATIONS

- Electoral Area H Official Community Plan Area Boundary
- Electoral Area Boundary
- Qualicum First Nation

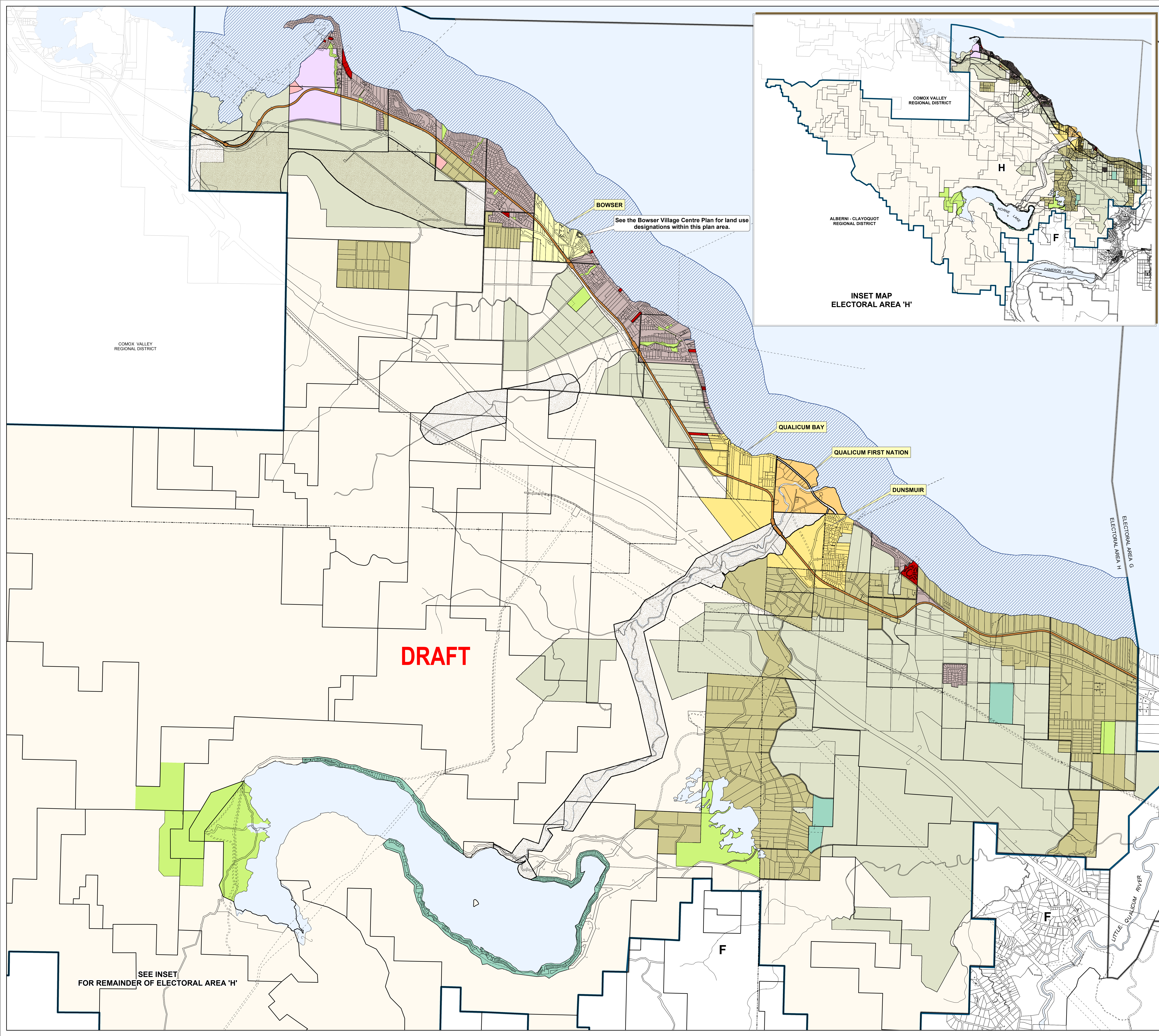
Land Use Designations

- Rural Village Centre
- Deep Bay Southwest
- Resource
- Resource - Agricultural
- Rural
- Rural Residential
- Tourist Commercial
- Recreation Resort
- Institutional
- Transportation Corridor
- Park
- Park Lands (Unconfined Aquifer within Crown Land)
- Bowser Village Centre Plan Area
- 1000 Metre Marine Designation

Schedule 'C' to accompany "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw No. 1335.03, 2010"



INSET MAP
ELECTORAL AREA 'H'



BOWSER
See the Bowser Village Centre Plan for land use designations within this plan area.

COMOX VALLEY REGIONAL DISTRICT

QUALICUM BAY

QUALICUM FIRST NATION

DUNSMUIR

ELECTORAL AREA 'G'
ELECTORAL AREA 'H'

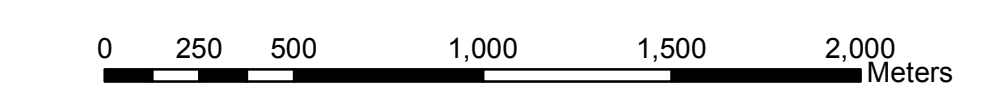
LITTLE QUALICUM RIVER

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ELECTORAL AREA H OFFICIAL COMMUNITY PLAN **DRAFT**

MAP NO. 6 ENVIRONMENTALLY SENSITIVE DEVELOPMENT PERMIT AREAS

- Electoral Area H Official Community Plan Area Boundary
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation

Development Permit Area No. 1 Freshwater and Fish Habitat Protection

- All Mapped and Unmapped Streams that are Subject to the "Riparian Areas Regulation" within the shaded area shown on inset Map
- Qualicum River, Thames Creek and Nile Creek
- Watercourses
- Waterbodies
- Wetlands (Compiled from multiple sources)

Development Permit Area No. 2 Eagle and Heron Nesting Trees

- Blue Heron Nesting Site
- Bald Eagle Nesting Tree
Source: Wildlife Tree Service 2016

Development Permit Area No. 3 Aquifers

- Aquifer

Classification

Development Subclass

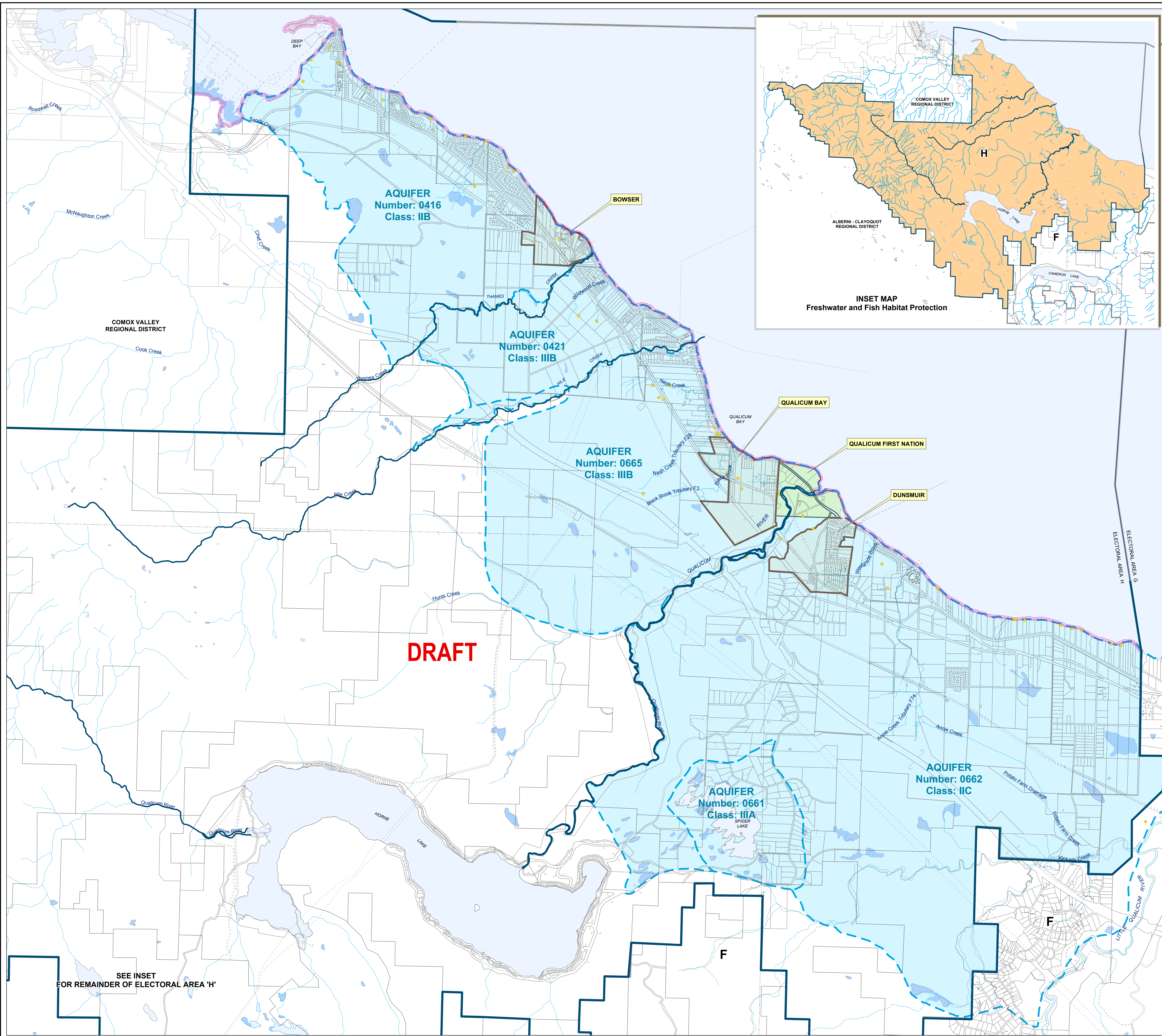
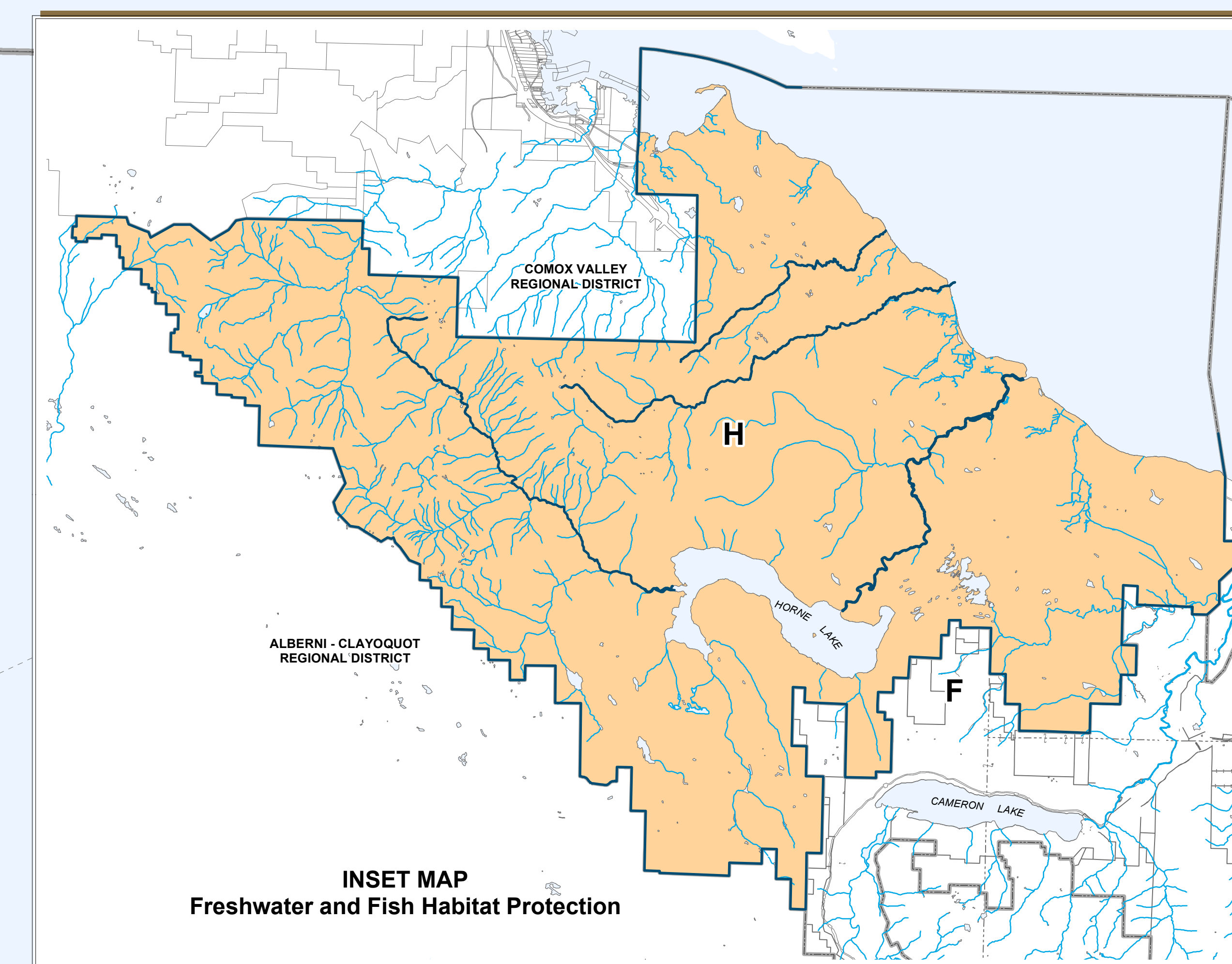
- II - Moderate Demand
(demand is moderate relative to productivity)
- III - Light Demand
(demand is light relative to productivity)

Vulnerability Subclass (vulnerability to contamination from surface source)

- A - High
- B - Moderate
- C - Low

Development Permit Area No. 4 Marine Coast

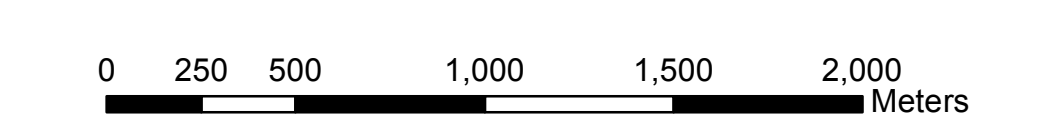
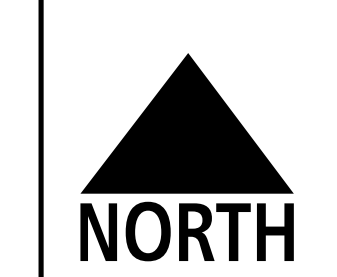
- Development Permit Area No. 4 - Marine Coast



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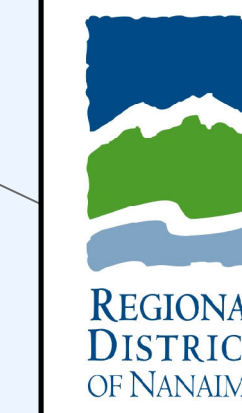
SEE INSET
FOR REMAINDER OF ELECTORAL AREA 'H'

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ELECTORAL AREA H OFFICIAL COMMUNITY PLAN **DRAFT**

MAP NO. 7 FORM AND CHARACTER AND FARMLAND PROTECTION DEVELOPMENT PERMIT AREAS

- Electoral Area H Official Community Plan Area Boundary
- Electoral Area Boundary
- Qualicum First Nation

Development Permit Area No. 6

- Farmland Protection
As shown on Inset Map

Development Permit Area No. 7

- Rural Commercial

Development Permit Area No. 8

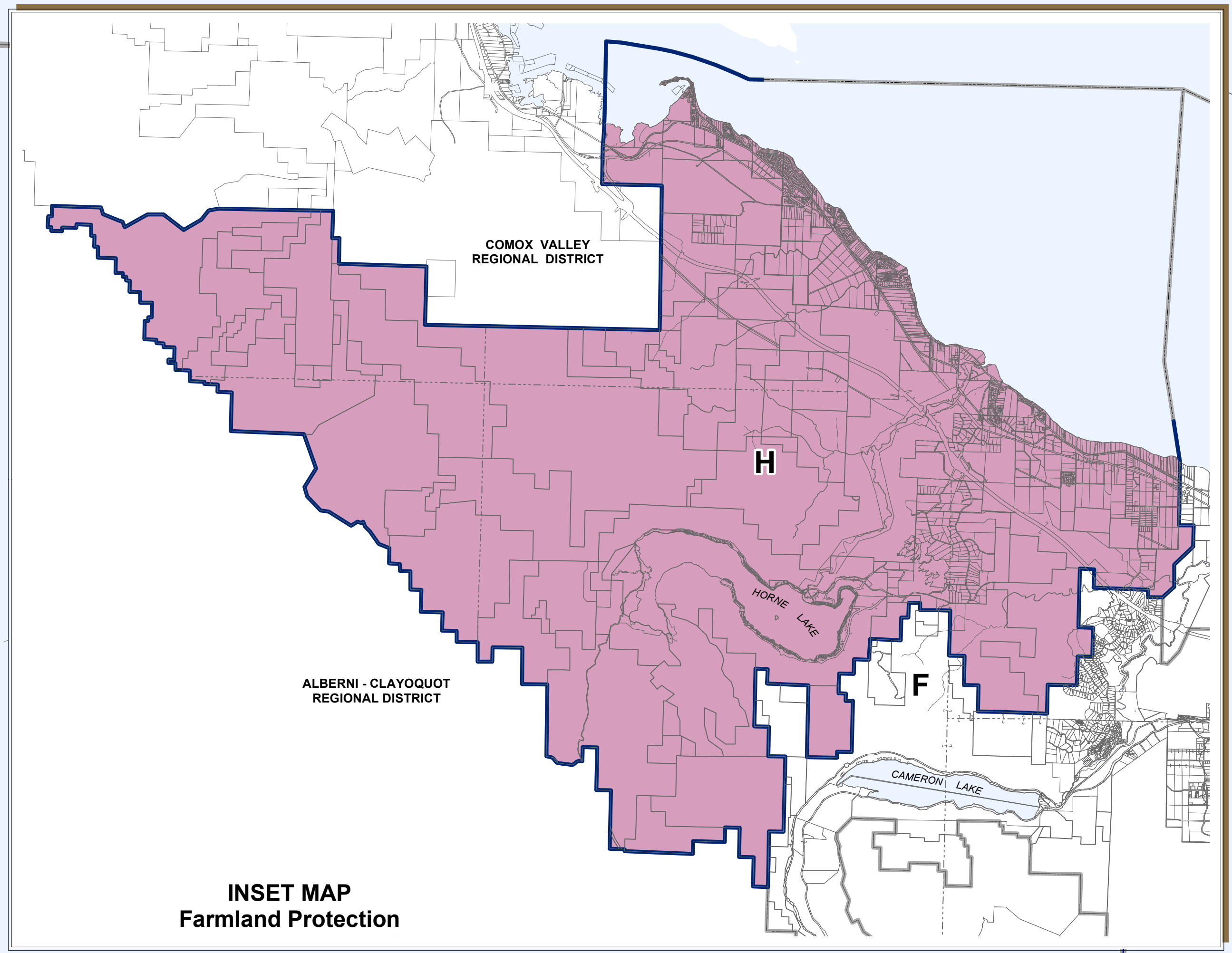
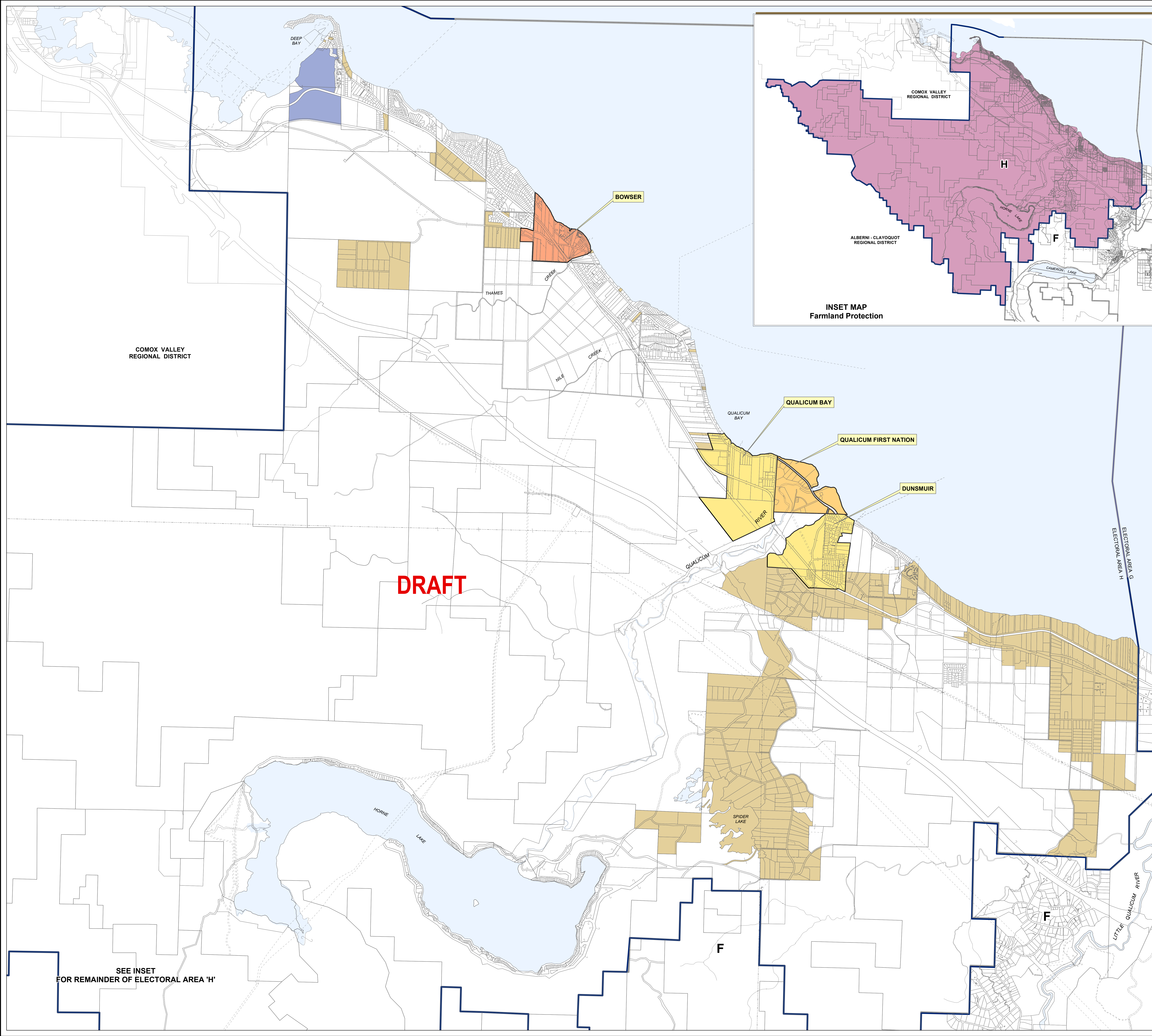
- Dunsmuir and Qualicum Bay

Development Permit Area No. 9

- Deep Bay Southwest

Bowser Village Centre Development Permit Area (See Bowser Village Plan)

- Bowser



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NORTH

0 250 500 1,000 1,500 2,000 Meters

October 3, 2017



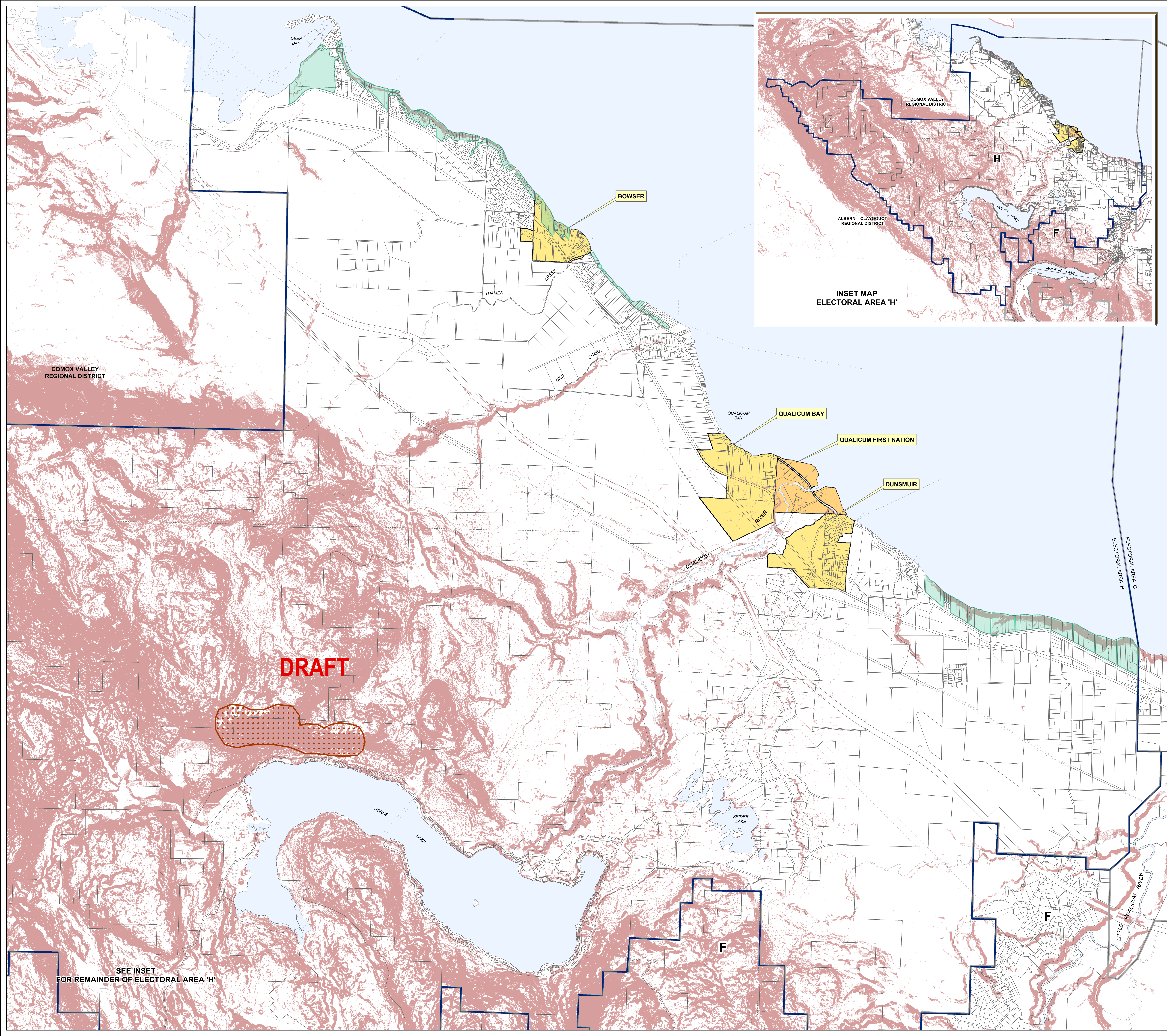
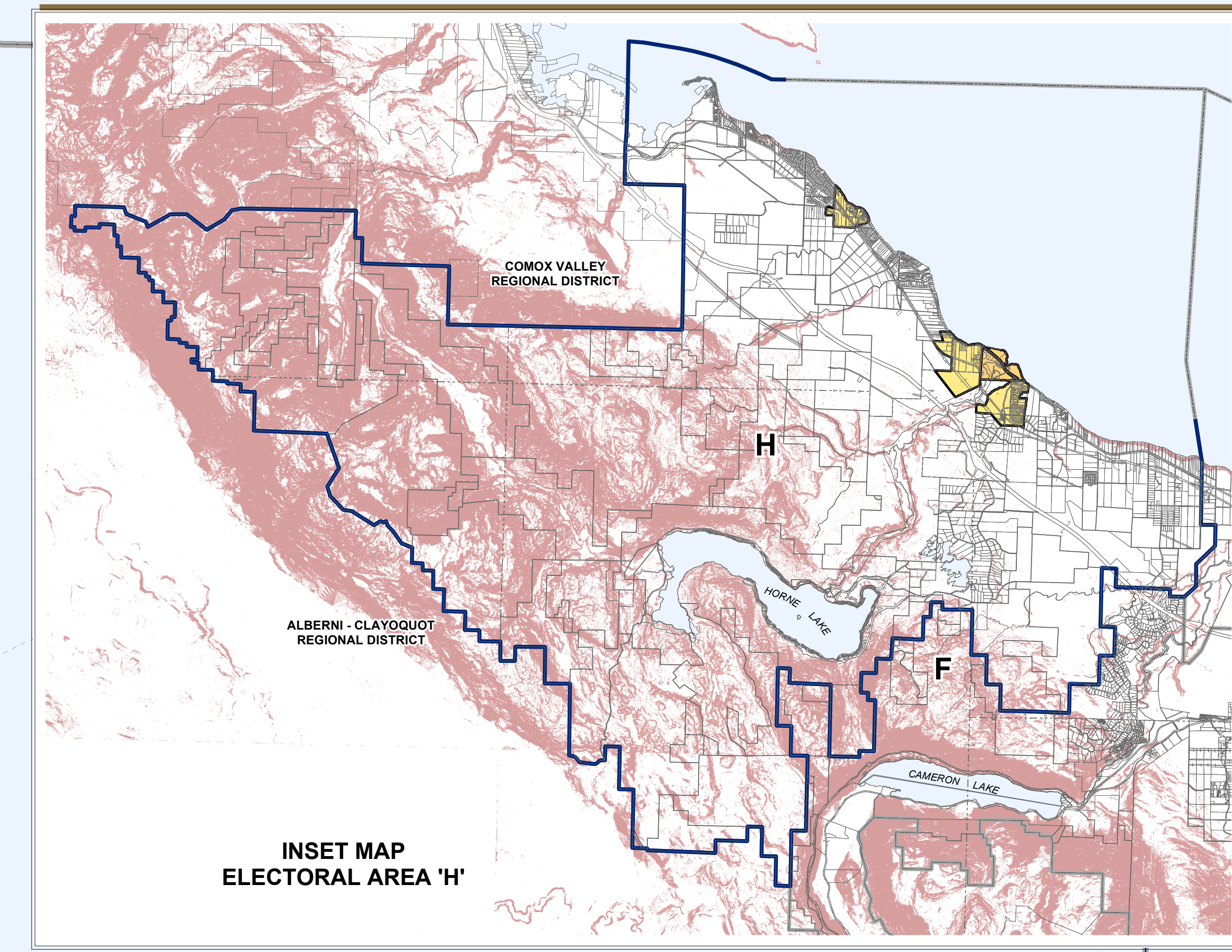
ELECTORAL AREA H OFFICIAL COMMUNITY PLAN **DRAFT**

MAP NO. 8 STEEP SLOPES DEVELOPMENT PERMIT AREA

- Electoral H Official Community Plan Area Boundary
- Electoral Area Boundary
- Village Centres
- Qualicum First Nation
- Land With 30 Percent Slope or Greater
- Mt. Mark Slide Area

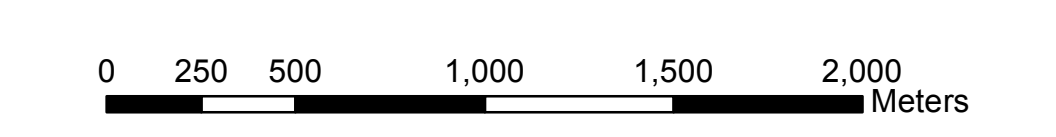
Development Permit Area No. 5 Steep Slopes

- Development Permit Area



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Corporate Officer _____



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Development Permit Area 5



BOWSER VILLAGE CENTER

DEVELOPMENT PERMIT AREA

Section 5

Table of Contents

1. Introduction
2. Exemptions
3. Design Concepts
4. Guidelines

Development Permit Area 5

1. DESIGNATION

The Bowser Village Center Development Permit Area is shown on Map No.6 and applies to the Bowser Village Centre.

2. AUTHORITY

The Bowser Village Center Development Permit Area is designated a development permit area for the following purposes, pursuant to Section 488(1)(a)(e)(f)(h)(i)(j) of the *Local Government Act*:

- (a) protection of the natural environment, its ecosystems and biological diversity;
- (e) establishment of objectives for the form and character of intensive residential development;
- (f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
- (h) establishment of objectives to promote energy conservation;
- (i) establishment of objectives to promote water conservation; and
- (j) establishment of objectives to promote the reduction of greenhouse gas emissions.

3. JUSTIFICATION

The Bowser Village Centre Development Permit Area has been designated in recognition of the community's desire to see Bowser Village Centre evolve into a 'compact', 'mixed-use' village where people can live, work, play and learn in a safe, healthy and attractive environment.

Historically, for the past 90 - 100 years, the Bowser Village Center has been the location for businesses providing products and services to the wider community. The community has expressed its desire to see Bowser Village Centre maintain its role as focal point supporting a variety of commercial, recreational, community and professional services, and to gradually become a more vibrant mixed use core with residential uses close to shops, services and other amenities. Further to this, the community vision is to become a more sustainable community in terms of environmental and groundwater protection and to incorporate features and construction standards that promote more efficient use of energy and water resources. In addition, the Bowser Village Center is intended to reduce greenhouse gas emissions through the more efficient building design and active transportation uses.



The Bowser Hotel with Charlie "Cappy" and Florence Winfield, 1920 circa.
Photo by: Janice Young.

Development Permit Area 5

4. OBJECTIVES

1. Create a more compact village center that supports a diverse, healthy population by allowing a mix of land uses that encourages a range of housing affordability and types, services, employment and recreational arrangements.
2. Provide a safe and cohesive pedestrian-oriented environment with strong connections within Bowser Village Center and between adjacent neighbourhoods.
3. Enhance and integrate the relationship between the built and natural environment through building design and landscaping.
4. Ensure that ground and surface water resources are protected from potential negative impacts associated with development.
5. Promote energy efficiency, water conservation and the reduction of greenhouse gas emissions through innovative building design, site planning and management.
6. Create a 'sense of place' through effective design that reflects and enhances the valued rural character of the area.
7. Provide a clearly defined attractive entrances to the community.

5. APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and the removal of top soils;
2. construction of new buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces; and
4. subdivision of land as defined in the Land Title Act or Strata Property Act.

6. EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Construction, renovation, or addition to a single dwelling unit, detached secondary suite or duplex dwelling unit.
2. Addition to an existing building or structure that is not visible from a public road way or other public spaces.
3. The replacement or repair of an existing sign providing the sign is not enlarged or moved and is replaced with the same type of sign (i.e., fascia, freestanding, etc).
4. Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*, except for intensive residential¹.

¹ For the purpose of this DPA, intensive residential shall mean any residential development with an average minimum parcel size less than 2000 m² or density greater than 5 dwelling units per hectare, whether fee simple or strat.

Development Permit Area 5

5. Maintenance and minor modifications to existing landscaping, existing roads, parking areas, paths and trails.
6. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

7. DESIGN CONCEPTS

The following design concepts were identified by local residents at the Bowser Village Charette (Design Workshop) held June 8-9, 2009:

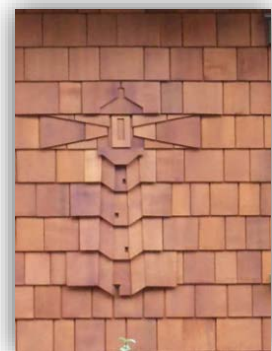
1. Increase visual appeal, starting from the points of entry into the Bowser Village; these points of entry are the intersection of Crosley Road and Highway 19A and the intersection of McColl Road and Highway 19A.
2. Create a pedestrian friendly environment through design, height and siting of buildings (3 storey heights, buildings close to street, accessible sidewalks, parking to the rear of buildings out of sight of roads and highway).
3. Use natural systems as 'green infrastructure' with a network of streets and parks performing natural drainage functions and providing a pedestrian friendly environment.
4. Increase greenways and separate pedestrians from vehicles by green borders, boulevards and swales; slow down traffic, and improve safety.
5. Group similar commercial activities together so that residents can park once and then walk to several destinations.
6. Encourage live-work buildings, where owners might live above their businesses
7. Increase density of residences and of commercial space in order to gain green-space around the buildings.



8. GUIDELINES

Context and Regional Expression

1. Incorporate form and images that relate to the natural and cultural landscape of Bowser by integrating one or more of the following themes:
 - a. Lighthouse Country
 - b. First Nations History
 - c. Post 1900's historical themes such as logging, fishing and shellfish aquaculture
 - d. Connect to water such as Thames Creek, Strait of Georgia, surface water and aquifers



Example of desired design detail.

Development Permit Area 5

- e. West coast influenced design incorporating BC wood products
2. Through building design and placement, address sunlight penetration, natural ventilation, and protection from different weather elements to improve the pedestrian experience in commercial areas (e.g., covered walkways, awnings, canopies, overhangs, pergolas and shade trees).
3. Protect and enhance public views of landmarks, buildings, open spaces, natural features and the ocean through careful building siting, height and form.

Human Scale

1. Design from human scale and visual interest in all building elevations. This can be achieved by placing an emphasis on street facing building entrances, windows and landscaping relative to walls and building structure.
2. Mixed use and commercial buildings shall be located in close proximity to the sidewalks and pedestrian spaces.
3. Where mixed use or commercial buildings are proposed, avoid large spaces between buildings.
4. The use of drive-through shall not be a part of building or site design.
5. Design, siting and construction of sidewalks or paths in the road right-of-way shall be consistent with the Active Transportation Plan for Electoral Area H, 2017 or provide rationale for taking a different approach as presented in that Plan. Note that approval from the Ministry of Transportation and Infrastructure is required for works in the road right-of-way.



Example of mixed-used building, orientated to the street with covered walkway.

Building Massing, Height and Form

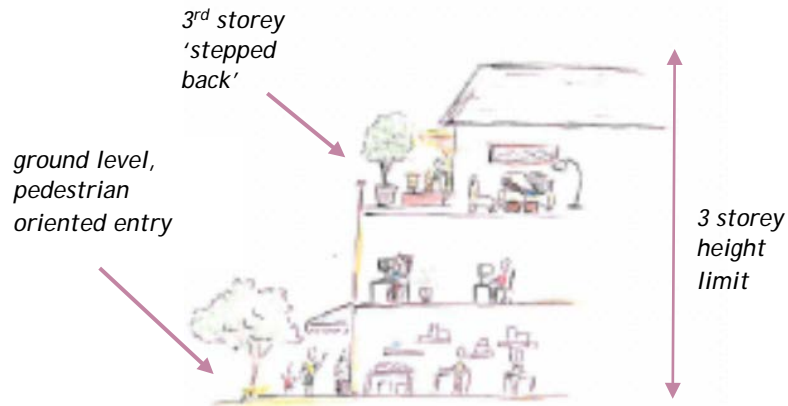
1. Larger buildings (e.g., > 12meters in width) shall be designed to avoid large, flat building expanses by creating multiple, separate buildings such that individual buildings appear as many small buildings that are compatible in shape, mass, and exterior finishes. Consider using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.



Example of building articulation, varying rooflines & exterior architectural design detail.

Development Permit Area 5

- Utilize landscaping treatments to further soften the mass of building form (e.g., strategic location of trees, hedge borders, trellis and surface materials such as pavers).
- On slopes, building design should step with the natural topography. Building form should depict a series of buildings nested into the hillside, rather than a single, uniform building form.



- Building height is limited to a maximum of 12 meters (i.e., 3 storeys) unless otherwise specified.
- Where building height is 12 meters (i.e., 3 storeys), incorporate step back and/or terrace above the second floor to reduce visual impact and to strengthen the pedestrian-scale of the building.
- Development shall not be separated or 'gated' with walled or fenced enclaves.

Building Style & Exterior Materials

- High quality, functional exterior finishes suited to a west coast climate should be used to ensure the integrity of the building envelope and to present an attractive appearance.
- Natural, local non-combustible materials should be used to the greatest extent possible, with an emphasis on British Columbia wood products.
- Use exterior colours that are found in or complement the area's natural and cultural landscape.
- Use materials in combination to create contrast, enhance human scale and reduce massing of a building.



Example of different materials and colours used in combination to create contrast and to reduce massing of a prominent building in the Qualicum Beach village center.

Development Permit Area 5

Signs, Canopies & Lighting

1. Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.
2. The following types of signage shall be encouraged:
 - a. projecting two dimensional signs suspended from canopies, awnings or overhangs,
 - b. externally, front lit signs especially with LED Lighting,
 - c. fascia signs integrated into the design of the building,
 - d. letter signs mounted on storefronts, and
 - e. carved wooden signs.
3. The following types of signage shall be avoided:
 - a. awnings as signs or large signage on awnings (letter heights over 30 cm/12 inches)
 - b. internally lit, plastic face, aluminum box style signage
 - c. animated, flashing, oscillating or moving signs
 - d. pylon (stand alone) signs
 - e. roof top signs
4. Continuous weather protection for pedestrian's comfort should be provided in commercial areas (e.g., awnings, canopies, overhangs, pergolas and shade trees). All design elements should complement the overall building and public realm.
5. Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of



Examples of desired signage that is attractive and informative for both pedestrians and the travelling public.



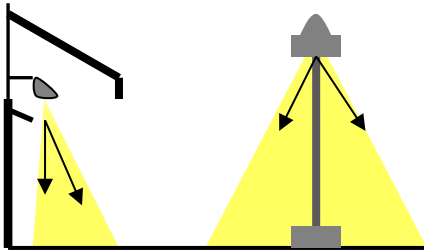
Example of undesirable signage within the Bowser Village Center.



Development Permit Area 5

glare onto adjacent properties, roads or sky. The use of solar power lighting is encouraged.

6. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
7. Light fixtures should be concealed, unless they are decorative and then the style shall be consistent with the design and character of the building.



Examples of Full-Cut Off Lighting and decorative exterior lighting.

Outdoor Public Open Spaces

1. Outdoor patios and dining areas should be designed to create a compatible and complementary relationship with the adjacent streetscape, building architecture, and uses. These spaces should be well defined by landscaping, decorative fencing or other vertical barriers while being generally open and visible from public areas.
2. Public art or features should be considered for public plazas and courtyards.
3. All play areas for children should have adequate shade and seating for adults.
4. The retention of natural features (like trees, rock or other landscape features) in open spaces shall be encouraged.
5. Street furniture to enhance the pedestrian experience, such as benches, decorative street lamps, bicycle racks and refuse containers shall be incorporated in the landscape design. These shall be required to be consistent, similar, or identical in character to the architectural character of the development and identified by type and source in the application.



Examples of decorative street furniture with complementary landscaping to define public outdoor spaces.

Development Permit Area 5

Accessibility & Connectivity

1. Universal design principals shall be employed to ensure meaningful access for people of all ages, stages and abilities, including children, parents, older adults and seniors. Meaningful, access is determined by the users' complete experience of a building, connecting pathways, sidewalks, entrances, doors and hallways. Features include things such as accessible, barrier-free travel routes to the main building entry, smooth, ground-level entrances without stairs, and wide interior doors and hallways. Consider those using such equipment as wheelchairs, other walking-aids, strollers and bicycles.
2. Accessible travel routes shall be provided that incorporate transitions between public walkways, together with private walkways, parking areas, retail shops and services, and roads to provide seamless and interesting access for all users, including those of



Example of accessible, laneways that connect commercial areas to public/social spaces.

different ages and abilities.

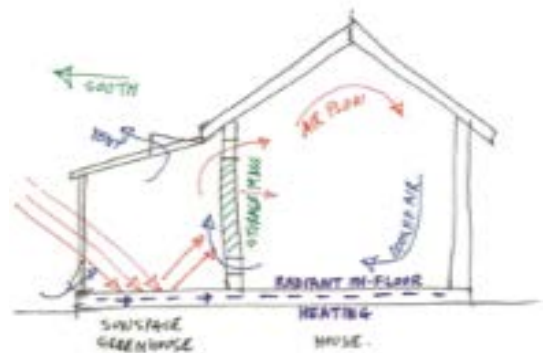
Crime Prevention

1. Best practices for "Crime Prevention through Environmental Design" should be incorporated into building design, such as:
 - a. Natural surveillance, 'eyes on the street': visibility, light and openness should maximize the ability to see throughout the site through placement of windows that access all areas, appropriate lighting to avoid darkening spaces and walkways, entrances and site features should be designed to avoid areas for hiding.
 - b. Define spaces: creating a clear definition between public and private space that express ownership and boundaries, particularly for multi-residential and mixed-use developments.
 - c. Active Spaces: Encourage legitimate activity in public spaces by locating uses in complementary arrangements. Avoid spaces that appear confined, isolated, or unconnected, or appear without a clear purpose or function.

Development Permit Area 5

Green & Healthy Buildings

1. Evaluate site design for passive solar gain and cooling opportunities (e.g., passive solar water heating, solar mass wall, passive solar heating of intake air). On sites with substantial solar exposure, buildings should be sited, designed, and landscaped to take advantage of passive solar gain in winter and reduce sun exposure in summer.
2. Minimize exposure to noise and pollution through site and building design, especially for those developments located along busy roads (e.g. triple-pane glazing, orient courtyards, playgrounds, open spaces, and building air intakes away from the road).
3. Utilize sustainable construction methods and materials, including the reuse, rehabilitation, restoration, and recycling of buildings and/or building elements.
4. All new commercial, mixed-use, and multi-unit residential buildings within the development permit area are encouraged to be efficient and healthy, and are encouraged to seek third party certification, such as Built Green Gold or Leadership in Energy and Environmental Design (LEED). The Regional District may be able to provide assistance in the planning process and may offer financial assistance in accordance with Regional District's environmental rebate and grant programs.
5. The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/ or community gardens, arbours and associated planting, bee hives).
6. The installation of electric vehicle charging stations are encouraged. The Regional District may be able to provide assistance in the planning process and may be able to identify applicable rebate and grant programs.



Example of a passive solar gain designed house.

Relationship to the Street

1. Orient residential and commercial buildings to face the street.
2. Commercial and mixed-use buildings should be sited within close proximity to sidewalks and the pedestrian space to enhance the pedestrian experience, unless where a setback may be considered to provide transition to adjacent building or pedestrian-friendly features such as a patio, courtyard or plaza.



Example of an animated, mixed-use streetscape that provides a buffer between pedestrians and road traffic.

Development Permit Area 5

3. Building setbacks from lot lines should:
 - a. be designed to create an intimate, pedestrian friendly streetscape;
 - b. be between 0.0 m and 3.0 m (RDN in collaboration with Ministry of Transportation and Infrastructure will determine minimum building setbacks from lot lines);
 - c. consider relationship and transition to adjacent buildings;
 - d. corner sites are encouraged to feature landmark design or alternatively to provide a semi-public or public open space; and
 - e. include “corner cuts” or similar treatment to expand sidewalks adjacent to intersections.



Example of site plan demonstrating a “corner cut”.



Example of site plan demonstrating a ‘woonerf’ style streetscape.

4. Pedestrian sidewalks or defined walkways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.
5. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
6. In residential areas, side street should consider ‘woonerf’ style streets that integrate needs of multiple users such as walking, cycling, playing, gardening and socializing.
7. Pedestrian sidewalks or defined walkways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.

Development Permit Area 5

Pedestrian Access, Provisions for Cyclists Circulation, Vehicles and Loading

1. Clearly defined, safe pedestrian access shall be provided through sites and parking areas to maintain a pattern of active transportation that is integrated with building entrances, walkways, sidewalks, trails and adjacent streets.
2. Locate parking areas to the rear of buildings, internal to the building, or below grade.
3. Avoid large expanses of parking. Provide paved surfaces with visual interest and landscaped areas to create safe pedestrian walkways and visual breaks between clusters of parking stalls (approximately every seven stalls).
4. Bicycle and scooter parking facilities should be provided at grade near primary building entrances.



Example of BC Transit bus shelter stop with wet-weather shelter and parking areas that integrate active transportation.

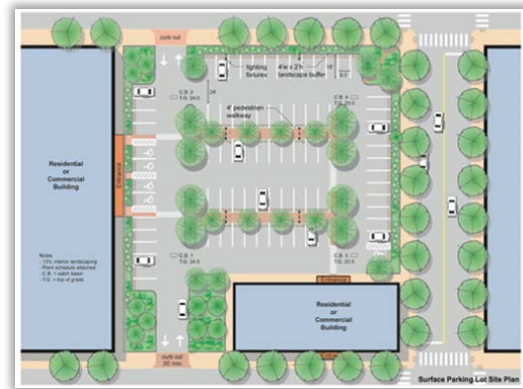
5. Where side road access is not feasible, shared driveways to access business and residential properties from Highway No. 19A shall be encouraged for new development.
6. Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
7. All loading and storage areas shall be complementary to the development, screened with landscaping and/or gated fencing to a minimum 2.0 meters as appropriate and wherever possible be located to the rear of the building in unobtrusive areas.
8. Provision should be made for promoting easy access to public transit, emergency vehicle, delivery and service vehicles and may include construction of a bus shelter or pad.

Development Permit Area 5

Landscaping & Screening

1. Where landscaping is required within the development permit area, the Regional District may require the applicant to submit a landscaping plan prepared by a landscape architect or other qualified professional and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
2. Applicants are encouraged to refer to the most recent edition of the British Columbia Landscape Standards published by the BC Society of Landscape Architects when creating their plan. Landscaping should be used in site design to achieve the following list of objectives:

- a. retain existing healthy, mature trees and new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions;
- b. utilize a variety of native plants that are drought tolerant suitable to local growing conditions;
- c. enhance the pedestrian experience (e.g., aesthetics, weather conditions, safe movement throughout site and visual separation from and between uses) and compliment the development and surrounding area;
- d. add texture and three dimensional components to the site (e.g., ground level planting, raised beds, shrubs, tree canopy) and avoid creating areas that are predominately bark mulch, gravel or other similar materials;
- e. minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping;
- f. respect required sightlines from roadways and enhance public views;
- g. help screen parking areas, electrical and mechanical features, and refuse and recycling facilities;
- h. contribute to a sense of personal safety and security;



Example of parking plan with safe pedestrian access and landscaping features.

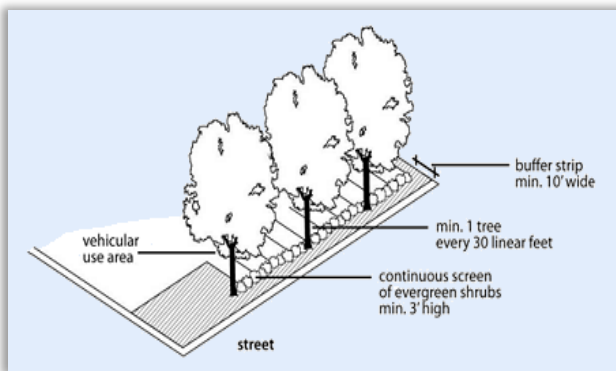
3. Mitigate undesirable architectural elements (e.g., blank walls can be covered with trellis and vines).



Example of a vertical green wall system.

Development Permit Area 5

4. Minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping. Landscaping is to meet the minimum depth of topsoil or amended organic soil on all landscaped areas of a property:
 - a. Shrubs - 45 cm
 - b. Groundcover and grass - 30 cm
 - c. Trees - 30 cm around and below the root ball
5. Landscape plans must be drawn to scale and show type, size and location of proposed landscaping works and planting materials and shall be submitted with the development permit application.
6. Where irrigation is required to maintain proposed landscaping, it should be designed and installed by an Irrigation Industry Association of British Columbia certified irrigation designer or another qualified person.



Example of landscaped buffer from street or between residential properties.



Example of decorative fencing and landscaped screening.

7. Where a commercial property abuts residential zoned property, landscaped buffer area should be provided between the commercial property and the residential property(s).
8. High-efficiency, water saving, automatic irrigation systems are encouraged.
9. All refuse and recycling facilities shall be screened with landscaping and/or gated fencing to a minimum 2.0 meters. Similarly, utilities, electrical and mechanical features shall be screened with fencing, landscaping or a combination of the two.
10. Decorative fences are encouraged. Where chain link fencing used, it shall be screened with landscaping.

Development Permit Area 5

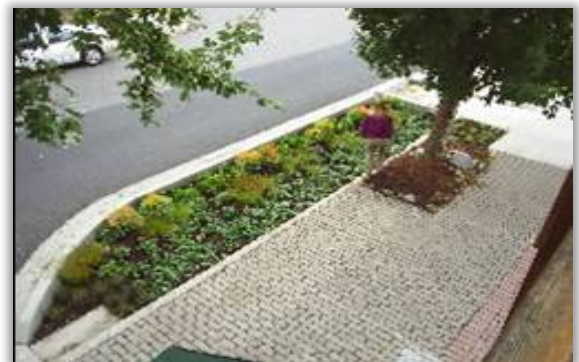
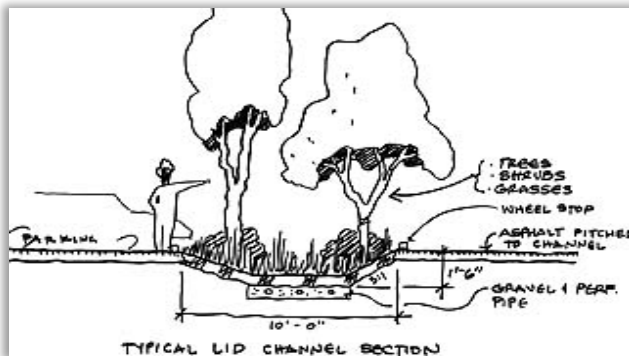
Rainwater Management

1. Design sites and buildings to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such as porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, and re-use systems and other techniques aligned with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014*, published by the B.C. Ministry of Environment, or any subsequent editions.



Examples of a rain garden and rainwater harvesting system.

2. Water quality should be maintained by ensuring that no deleterious substances enter ground or surface water.
3. The Regional District may require a rainwater management plan prepared by a Professional Engineer or other qualified professional.
4. New buildings are encouraged to include non-potable water harvesting in the form of rainwater catchment or green roofs.



Examples of bioswales, permeable surfaces and absorbent landscaping.

Development Permit Area 5

Multi-Residential and Intensive Residential Development Guidelines

1. Residential units should be clustered to make the most efficient use of land and preserve as much land as possible for open space.
2. Residential land uses should be arranged to achieve gradual transition and minimize conflicts with adjacent housing types and surrounding neighbourhoods.
3. Residential units shall be designed to allow residents privacy as well as a sense of community such that each unit has at least one private outdoor space with access to or views of adjacent semi-public spaces.
4. Use landscaping and design to clearly distinguish and provide transitions between public and private spaces especially where residential uses are mixed with commercial uses.
5. Children's play areas should be located to facilitate 'natural surveillance' with high visibility from residential units.

Additional Commercial Mixed-Use Development Guidelines

1. The maximum floor area for individual retail and commercial units should be 300 m² with the exception of grocery stores where a maximum 1,500 m² of retail space will be allowed.
2. Building size for institutional and commercial service/light industrial uses shall be a maximum 1,000 m².



Example of mixed-use building with third floor roof scape.

Additional Service Commercial/Light Industrial Development Guidelines

1. Retail and office uses in commercial service development should be ground oriented, located adjacent to the street with non-retail functions located to the rear of the property.
2. Residential 'live-work' units shall be located above street level over top of commercial service uses.
3. Where possible residential 'live-work' units should be oriented to overlook public streets.
4. Residential 'live-work' units shall have at least one private outdoor space with access to or views of adjacent semi-public spaces.

TO: Regional District of Nanaimo Board **MEETING:** December 12, 2017
FROM: Jon Wilson
 Manager, Emergency Services **FILE:** 1855 - 03 UBCM
SUBJECT: ESS Grant Application – UBCM Community Emergency Preparedness Fund

RECOMMENDATION

That the grant application for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund to purchase and equip a mobile Emergency Support Services trailer in the Regional District of Nanaimo for south (District 68) Emergency Social Services be endorsed.

SUMMARY

The Union of British Columbia Municipalities (UBCM) recently announced grant opportunities through the Community Emergency Preparedness Fund. One grant type is to support and build local capacity in Emergency Support Services (ESS) through training, volunteer recruitment and retention, and the purchase of equipment. The grant can be used towards 100% of project costs up to \$25,000. Emergency Services has submitted an application for a \$25,000 grant to purchase and equip a mobile ESS trailer for use in District 68 and for support to regional partners in a disaster response. The application for grant funding was submitted by the November 17th deadline, prior to receiving Board review and approval, therefore this report is now seeking Board endorsement for the proposed project and funding.

BACKGROUND

In October 2017, UBCM introduced the Community Emergency Preparedness Fund, intended to enhance resiliency of local governments and their residents in responding to emergencies. Funding streams are available for four categories, including Emergency Operations Centres, Emergency Social Services, Evacuation Route Planning, and Flood Planning and Mitigation. Each funding category has different application deadlines. The Regional District of Nanaimo applied for Flood Mapping under this program in October, has now applied for ESS funding, and intends to apply for funding in January 2018 to purchase and install equipment to support the RDN's Emergency Operations Centre.

With respect to the Emergency Support Services grant application, under the *Emergency Program Act*, municipalities, First Nations communities and regional districts are responsible for managing emergencies in their areas of jurisdiction, which includes provision of emergency social services. To this end, the Regional District of Nanaimo has established ESS programs and designated reception centres both in the north and in the south to support ESS delivery but the reception centres are not post disaster designed. In the event of a large scale disaster such as an earthquake, these facilities may be

damaged and unusable. Mobile ESS units enable ESS services to still be facilitated by having equipment and temporary shelter to establish a reception centre.

In District 69 (north), the Regional District of Nanaimo, City of Parksville and Town of Qualicum Beach partnered to purchase and equip a similar mobile ESS trailer which is presently stored in Parksville. That trailer is available to support communities in District 69 in the event of an emergency, including Nanoose Bay, Parksville, Coombs, Errington, Qualicum Beach, Dashwood, Qualicum First Nations, Bow Horne Bay and Deep Bay.

In District 68, the Regional District of Nanaimo does not have a deployable mobile ESS trailer. The awarding of this \$25,000 grant would enable RDN Emergency Services to purchase a used fully enclosed and lockable cargo trailer that can be equipped to store supplies such as tables, chairs, tents, generator, lighting, heating, ESS supplies and signage for use in a mobile ESS situation. The mobile ESS unit would be available to support communities including Cedar, Extension, Cassidy, Cranberry, Snuneymuxw First Nations, Gabriola Island, Nanaimo, Lantzville and Snaw-Naw-As First Nations.

ALTERNATIVES

1. That the grant application for \$25,000 to the Union of British Columbia Municipalities Community Emergency Preparedness Fund to purchase and equip a mobile Emergency Support Services trailer for in the Regional District of Nanaimo for south (District 68) Emergency Social Services be endorsed
2. That the Board not endorse the application.

FINANCIAL IMPLICATIONS


The financial implications for this project are primarily insurance and routine maintenance of the trailer. Insurance for a trailer of this nature are typically under \$300 per year. Annual maintenance is minimal and limited to primarily wheel bearings and roof sealant. Wheel bearings usually get replaced with long term use, which is not anticipated as an annual maintenance need of this trailer. Wheel bearing replacement for trailer axles typically cost less than \$300 per occurrence. Roof sealing can be undertaken for around \$250 per occurrence and would be needed once every 1 -2 years.

Insurance costs and maintenance costs are included in the 2018 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Purchasing and equipping a mobile ESS trailer for use in District 68 will enable better provision of ESS services to the communities in the southern portion of the Regional District of Nanaimo. The mobile ESS unit will afford a level of resiliency in a post disaster environment that is not presently available if designated reception centres are rendered unusable in an emergency. As such, this project aligns with the 2016-2020 Board Strategic Plan priorities of: Focus on Service and Organizational Excellence in terms of delivering efficient, effective, and economically viable services that meet the needs of the Region because the mobile ESS trailer will provide an effective and affordable alternative for a reception centre and maintain the delivery of ESS as a critical emergency service for community safety. The Strategic Plan priority of Focus on Relationships is also aligned with this project given a mobile ESS trailer will act a

resource to support volunteers delivering emergency support services, and the unit can be deployed to support any community in the Regional District of Nanaimo that is need of assistance.



Jon Wilson
jwilson@rdn.bc.ca
November 27, 2017

Reviewed by:

- D. Pearce, Director, Transportation & Emergency Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. 2017 CEPF ESS Application Form – RDN

Community Emergency Preparedness Fund
Emergency Social Services

 Phone: 250 387-4470 E-mail: cepf@ubcm.ca

 Mail: 525 Government Street, Victoria, BC, V8V 0A8

2017 APPLICATION FORM

Please complete and return this form by **November 17, 2017**. All questions are required to be answered by typing directly in this form. For detailed instructions regarding application requirements, please refer to the *2017 Emergency Social Services Program & Application Guide*.

SECTION 1: APPLICANT INFORMATION
Applicant: Regional District of Nanaimo

Date of Application:
Contact Person*: Jon Wilson

Title: Manager of Emergency Services

Phone: 250-390-6557

E-mail: jwilson@rdn.bc.ca

* Contact person must be an authorized representative of the applying local government or Treaty First Nation.

SECTION 2: PROJECT INFORMATION
1. NAME OF PROJECT.

RDN South (School District 68) ESS Development

2. EMERGENCY PLAN. Please describe the extent to which the proposed project will support recommendations or requirements identified in the local Emergency Plan.

The Regional District of Nanaimo Emergency Plan requires Emergency Support Services to assist with providing access to services / resources when residents are impacted by disaster. ESS also provides support to regional Emergency Response units and EOC personnel.

The proposed project is to purchase and equip a mobile ESS trailer which will support response and recovery goals in the RDN Emergency plan. The Regional District of Nanaimo's Emergency Program has reception centres identified in all of our Electoral Areas however none are post-disaster designed. In the event of a large scale emergency, a mobile ESS trailer will assist to ensure continuity of services to persons impacted by disaster while enabling the mobile unit to be deployed quickly near smaller scale events within our region, and/or be available to other jurisdictions in the event of need. By creating a mobile ESS unit, and recruiting and training staff to support the mobile ESS unit in the area, it will enable better provision of ESS services to the entire Regional District with a level of resiliency in a post disaster environment that we currently do not have.

3. TRANSFERABILITY. Please describe the extent to which the proposed project may offer transferable resources and supplies (i.e. ESS volunteers, training resources, cots, blankets, etc.) to other local governments and/or Treaty First Nations.

The proposed project is to purchase and equip a mobile ESS trailer. The mobile trailer will be centrally located in the Regional District of Nanaimo and available as a regional resource. Once the trailer is equipped, it will function as a stand alone mobile reception centre with power, lights and heat and can be towed to any location. This gives the flexibility to assist in a disaster in any nearby local governments as well as our regional First Nations communities.

4. PARTNERSHIPS. Please identify any other authorities you will collaborate with on the proposed project and outline how you intend to work together.

The Regional District of Nanaimo works closely with and has a Regional Emergency Management Agreement with the City of Nanaimo, Town of Qualicum Beach, City of Parksville, Qualicum First Nation, Snaw-naw-as First Nation (Nanoose), and Snuneymuxw First Nation (Nanaimo).

In District 69 or the north end of the Regional District of Nanaimo (Nanoose to Deep Bay), the RDN has partnered with the City of Parksville and Town of Qualicum Beach for similar projects such as an ESS trailer and Emergency Communications Trailer. In District 68 or the south end of the RDN, the City of Nanaimo has assets for assisting their large population base but the RDN is underequipped to assist its regional residents which in some instances may be isolated such as on Gabriola Island. A mobile ESS Trailer can be quickly deployed and or transported by barge or ferry as needed.

To complete this project, the RDN will work with these partners to ensure the trailer and supplies are compatible with resource needs of regional partners for potential use throughout the region as needed.

How will a collaborative approach leverage efficiencies and be a cost effective approach to ESS.

By creating a mobile ESS trailer, and sharing it with the neighbouring communities, it reduces the need for as many active and fully stocked reception centres in the area. A mobile ESS trailer has the ability to service small to medium size emergencies efficiently as a stand alone unit or alternatively to supply a vacant available building space for temporary use. When this resource is shared throughout the region, it decreases the need to have as many fully stocked Reception Centres.

5. PROPOSED ACTIVITIES. What specific activities will be undertaken as part of the proposed project. Please refer to Section 4 of the Program & Application Guide.

Purchase and equip a mobile ESS unit (trailer) including shelving/storage, tents, tables, chairs, bins with standard ESS equipment and support equipment such as generator, lighting, heaters, electrical cords, communications equipment, etc.

6. CAPACITY BUILDING. Describe how the proposed project will increase capacity to deliver emergency social services in your community.

Currently, the Regional District of Nanaimo has designated reception centres both north and south but none are post disaster designed. In District 69 (north) there has been partnered approaches to have a mobile ESS trailer but it is intended to be retained in an area with upwards of 8 distinct communities that may need it in an emergency (Nanoose, Parksville, Coombs, Errington, Qualicum Beach, Dashwood, Bow Horne Bay, Deep Bay).

In the south end, the RDN does not have any deployable ESS equipment to support ESS needs. Certainly the ESS trailer in the north area could be sent south so long as it wasn't needed however in a larger scale incident, a mobile ESS trailer in the south will enable a mobile ESS unit to deploy providing capacity that is critically needed in the area and that will potentially service Extension, Cedar, Cranberry, Lantzville, and Gabriola Island.

7. EVALUATION. How will the project be evaluated?

The project will be evaluated by conducting training exercises with the mobile ESS trailer. This will allow the ESS volunteers to have an opportunity to practise with the trailer and evaluate it's functionality. Also, with collaboration with our regional partners, we have the opportunity to have Emergency Program Coordinators who have previously built an ESS mobile trailer assess this project at various stages of completion.

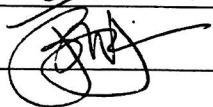
SECTION 3: REQUIRED APPLICATION MATERIALS

Only complete applications will be considered for funding. The following separate attachments are required to be submitted as part of the application:

- Local government Council or Board resolution, or First Nation Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management.
- Detailed budget for the proposed project. Include a breakdown of desired equipment to be purchased, training and recruitment activities, and other considerations or comments. The budget must also clearly identify the Community Emergency Preparedness Fund funding request, applicant contribution, and/or other grant funding.

SECTION 4: SIGNATURE (To be signed by Local Government or First Nation Applicant)

I certify that: (1) to the best of my knowledge, all information is accurate and (2) the area covered by the proposed project is within our local authority's jurisdiction (or appropriate approvals are in place).

Name: <u>Jon Wilson</u>	Title: <u>Manager of Emergency Services.</u>
Signature: 	Date: <u>Nov. 16/17</u>

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cepf@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

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.

Public Consultation Outcomes

Written submissions and verbal comments received through the rezoning process and at the Public Hearing identified community concerns related to traffic and pedestrian safety in the area. There were several comments received regarding the Wembely and Ackerman Road intersection as well as a specific suggestion that the installation of a three-way stop at this intersection would address some of the concerns raised. While the applicant's traffic impact assessment did not identify improvements to the Wembely and Ackerman Road intersection as required to support the proposed development, the applicant has advised that they are agreeable to installing a three-way stop as an added condition of approval of the zoning amendment. The Ministry of Transportation and Infrastructure supports the installation of the three-way stop at the corner of Wembely and Ackerman Road which would include the installation of pedestrian crosswalks across Ackerman Road, parallel to Wembely Road and across Wembely Road on the west side. The proposed intersection improvements will result in safer traffic and pedestrian movement in the area. The improvements will also serve as an incremental step toward road network upgrades that will be required to accommodate the future connection of Ackerman Road to the Island Highway West when the Stanhope Road connector is ultimately constructed.

It is recommended that the Wembely and Ackerman Road intersection improvements be included as an added Condition of Approval as outlined in Attachment 2. The Wembely and Ackerman Road intersection improvements will be required to be completed to the satisfaction of the MOTI and at the same time as other off-site road improvements required for the development.

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. 500.404, 2017".
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. 500.404, 2017".



Kristy Marks
kmarks@rdn.bc.ca
November 22, 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. 500.404, 2017

Attachment 1
Summary of the Public Hearing
Held at St. Columba Presbyterian Church
921 Wembley Road, Electoral Area 'G'
Monday, October 30, 2017 at 6:30 pm
To Consider Regional District of Nanaimo Land Use and Subdivision
Amendment Bylaw No. 500.404, 2017

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 Stanhope, RDN	Chair, Electoral Area 'G' Director
Kristy Marks, RDN	Planner
Jeremy Holm, RDN	Manager of Current Planning
Kelsey Chandler, RDN	Planning Technician

Helen Sims, Fern Road Consulting Ltd.	Agent
Vaughan Roberts, ParkCity Engineering	
John Larson, Creative Advantage Design	
Cara MacDonald, MacDonald Gray Consultants	

Thirty-nine members of the public attended the meeting.

The Chair called the hearing to order at 6:30 pm, 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 500.404, 2017.

No written submissions were received at the hearing. The following comments were received.

Cynthia Sage, 949 Riley Road asked whether there would be access to the development from the Island Highway via Stanhope Road.

Jeremy Holm explained that the purpose of the Public Hearing was to express opposition or support for the proposed rezoning, not to ask further questions. He clarified that any outstanding questions could be directed to staff after the Public Hearing.

Cynthia Sage, 949 Riley Road expressed her concern about vehicles using Ackerman and Wembley Roads, stating that the intersection was difficult to navigate. She also expressed concern about the number of children using Esslinger Road and Neden Way to access the elementary school, and the impact of increased traffic on those roads.

Herb Walsh, 785 Sanderson Road expressed his concern regarding traffic on Ackerman Road and suggested that an overpass and interchange out to the highway would be preferable. He also stated his opposition to comprehensive development plans.

Michael Jessen, 1266 Jukes Place commented on behalf of the French Creek Residents' Association. He stated that he wrote a letter to RDN staff in 2016 requesting that completing Stanhope Road be made a condition of approval for the applicant's rezoning application. He stated that while funding is being provided by the developer, a timeline has not been provided for the completion of works.

Martha Holmes, 660 Wembley Road stated her opposition to the proposed development. She spoke to her concern that the increased density allowance would set precedence for the area, that Esslinger Road should not be used as a thoroughfare through the community, and that there was not a sufficient water supply to support the development. She also stated that the neighbourhood would have to wait too long for the Stanhope Connector to be completed, and that she had safety concerns for the community.

Rob Hill, 828 San Malo Crescent expressed his support for the proposed rezoning and stated that he believed it was an appropriate location due to the proximity and walkability to Wembley Mall. He also stated that Stanhope Road should be built, but that it's an issue for the City of Parksville to address.

James Collins - stated that the financial contribution being required of the developer was not much money, and would not benefit the City of Parksville.

Wayne Wurtz, 923 Wally's Way expressed his disappointment that the RDN did not listen to the consensus from the public meeting, which was that Stanhope Road had to be constructed for there to be support for the rezoning. Stated his opposition due to the increased traffic he anticipates in the area.

Deborah Glover, corner of Ashcroft Place and Sanderson Road, stated her opposition and expressed her concerns about removal of trees, increased noise, and elimination of her view.

Brett Christenson, 714 Kasba Circle indicated his opposition to the proposed rezoning and cited traffic safety concerns for Ackerman and Esslinger Roads. He stated that the Stanhope Connector should be built.

David Landry, 937 Esslinger Road stated his concerns over traffic safety, the amount of amenity contribution being required of the developer, and thought that staff should speak to the City of Parksville.

Trevor Dawley, 943 Sanika Close expressed concerns regarding traffic in the area, and stated that Stanhope Road should be constructed or development should not be approved.

Herb Walsh, 785 Sanderson Road expressed his opposition to the rezoning and cited Parksville as an example of the negative effects of increased densification. He stated his concern that the infrastructure (hydro, roads, etc.) will all have to be improved to accommodate increased density.

Wayne Wurtz, 923 Wally's Way made multiple suggestions for alternative traffic scenarios to access the property. He stated his traffic concerns, and highlighted that the area is already getting busier with the new developments.

Peggy Ackerman, 545 Ackerman Road suggested that much of the concerns raised could be addressed through installation of a three-way stop should be made at Ackerman and Wembley Roads, and suggested locations for additional stop signs.

The Chair called for further submissions for the second time.

The Chair called for further submissions a third and final time.

In addition to the comments and submissions received at this meeting, the Regional District of Nanaimo received 4 written submissions in response to the notification. These submissions include correspondence from:

- Kieran Bridge, Law Corporation, 413 Wembley Road, Parksville
- Hans Heringa, Wembley Estates, #4 – 1080 Industrial Way, Parksville
- Carsten Ruhland, Wally's Way, Parksville
- French Creek Residents Association

There being no further submissions, the Chair adjourned the Public Hearing at 7:05 pm.

Certified true and accurate this 31st day of October, 2017.



Kelsey Chandler
Recording Secretary

KIERAN A.G. BRIDGE
Barrister & Solicitor • Law Corporation

1400 – 1125 Howe Street
Vancouver, B.C.
V6Z 2K8 Canada
Telephone: 604-687-5546
Facsimile: 1-888-665-7448
Cellular: 604-779-5543
E-mail: kieran@kieranbridgelaw.com

October 23, 2017

BY E-MAIL: planning@rdn.bc.ca

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

Dear Sirs/Mesdames:

**Re: 846 Island Highway West
Electoral Area "G"
Rezoning Application No. PL2015-172**

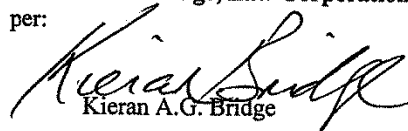
My law corporation and I are the owners of property located at 413 Wembley Road,
Parksville, B.C.

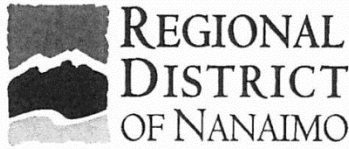
We have received a copy of the attached Notice of a Public Hearing regarding the above-
noted Application.

We wish to record our support for that Application.

Please let me know if you require any further information.

Yours very truly,
Kieran A.G. Bridge, Law Corporation
per:


Kieran A.G. Bridge



**NOTICE OF A PUBLIC HEARING
APPLICATION NO. PL2015-172**

**846 Island Highway West
Electoral Area 'G'**

STRATEGIC & COMMUNITY DEVELOPMENT

Pursuant to Sections 464, 465 and 466 of the *Local Government Act* we advise you that a public hearing will be held **Monday, October 30, 2017 at 6:30 pm** at **St. Columba Presbyterian Church, 921 Wembley Road, Parksville** concerning the proposed **"Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.404, 2017"** affecting the property located at **846 Island Highway West** in Electoral Area 'G', legally described as That Part of District Lot 87, Lying to the West of Pym Road, Except Parcels B (DD 4389N) and C (DD 9872N) of Said District Lot and Except that Part in Plans 14729, 50690, VIP60116 and VIP64801 (see location map below).

What is the Zoning Amendment about?

The applicant proposes to rezone the property from Residential 1 (RS1) Zone, Subdivision District 'Q' to a new Comprehensive Development Zone 51 (CD51). If adopted, Bylaw No. 500.404, 2017 will allow a multiple dwelling unit development of approximately twenty (20) units (see Proposed Site Plan attached). A copy of the staff report is available on the Regional District of Nanaimo web page at www.rdn.bc.ca under 'Regional Board', 'Agendas and Minutes', September 12, 2017 Electoral Area Services Committee.

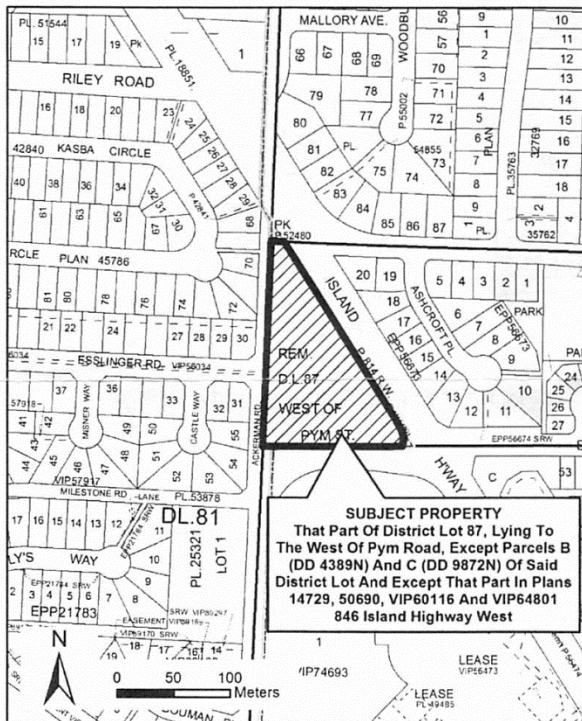
Where can I get more information?

A copy of the proposed bylaw and relevant documents may be inspected at the hearing or prior to the hearing until October 30, 2017 at the Regional District of Nanaimo (RDN) office located at 6300 Hammond Bay Road, Nanaimo. Please contact the Planning Department Monday to Friday (excluding public holidays) 8:30 am to 4:30 pm, with extended business hours until 5:30 on Wednesdays.

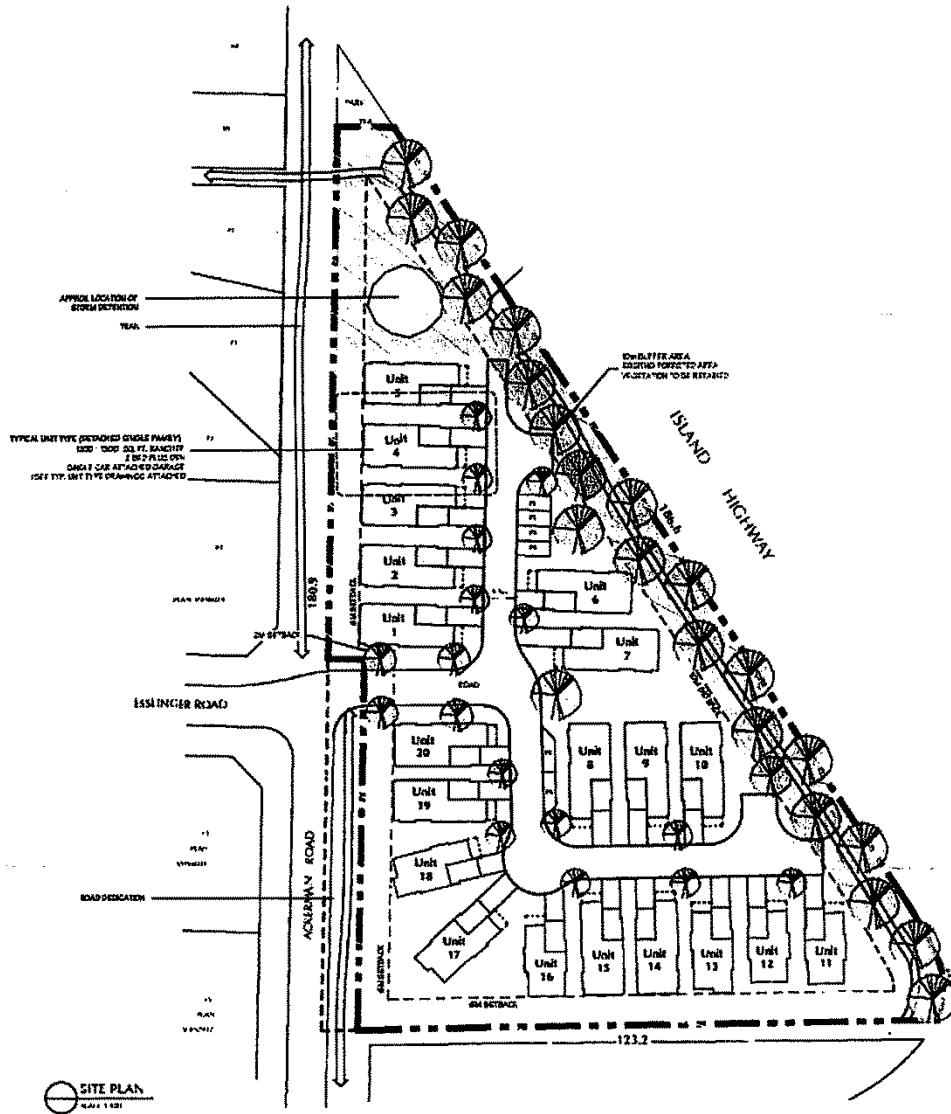
The public hearing for this bylaw will be chaired by Director Stanhope or his alternate as a delegate of the Board. All persons who consider their interest in their property to be affected by the proposed bylaw shall be afforded an opportunity to be heard in person or by written submission at the public hearing. Written submissions can also be provided in advance of the public hearing and must be received at the RDN office by 4:30 pm, Friday, October 27, 2017 to ensure their inclusion in the public record.

PLANNING DEPARTMENT

6300 Hammond Bay Rd., Nanaimo BC, V9T 6N2
PHONE: 250-390-6510 or 250-954-3798 or toll free in BC 1-877-607-4111
FAX: 250-390-7511
EMAIL: planning@rdn.bc.ca



Proposed Site Plan



382893 B.C. Ltd.
Wembley Estates
#4-1080 Industrial Way
Parksville BC V9P 2W8
Tel: 250 248 2381
Fax: 250 248 4894
Email: hanconholdings@gmail.com

October 25, 2017

By Email: planning@rdn.bc.ca
Planning Department
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

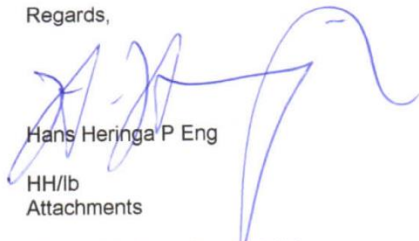
**Re: Proposed RDN Land Use and Subdivision Amendment Bylaw No. 500.404, 2017
846 Island Highway West, Electoral Area G**

Dear Sirs/Madams:

We regret to advise that we wish to oppose the proposed zoning and rezoning as neither the City of Parksville, the Regional District of Nanaimo, nor the MOT has yet resolved our outstanding issue, and offered or provided payment/or compensation, for the proposed arterial road dedication, that we were forced to dedicate to MOT, as a condition of subdivision but with the Trust condition that the Ackerman property was to do likewise, and also that then a four lane arterial road could be built by MOT in the near future. See the attached plan, the Arterial road is still not built. The purpose of the road dedication has been changed. (See Insight Developments v City of Nanaimo. We believe that we are entitled to this land back, or compensation for the wrongful and unnecessary taking of these lands. See our previous submissions of November 28, 2012 to the Mayor and Council of the City of Parksville, and April 24, 2013 Jeremy Holm of the RDN. The matter was also brought up on November 4, 2014, with Michelle Stilwell.

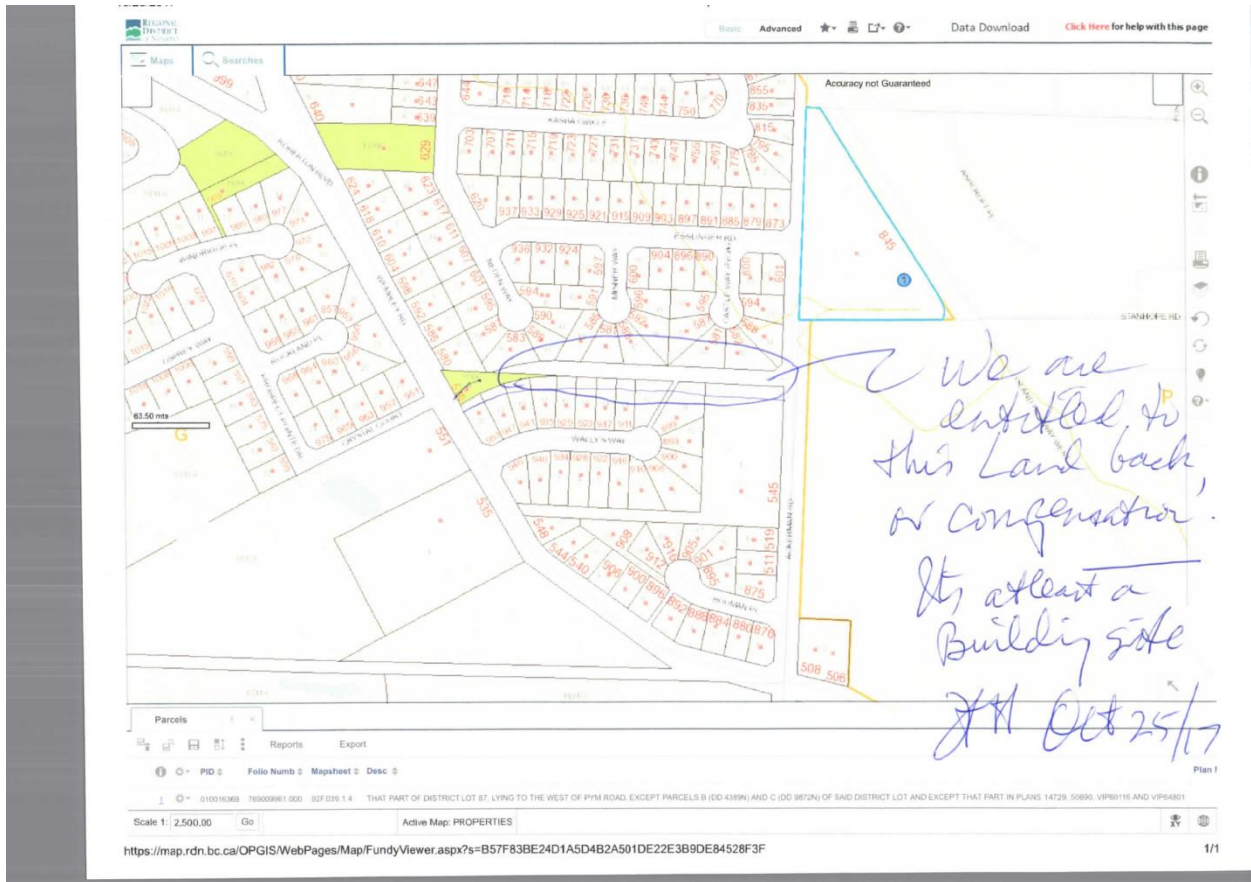
There is still no resolve for us on the nearby Road dedication. This needs to be done first and next.

Regards,



Hans Heringa P Eng
HH/lb
Attachments

cc. Michelle Stilwell, MLA
Tim Silbernagel, MOT



FAKED

Wembley Estates Ltd.
#4-1080 Industrial Way,
Parksville, BC, V9P 2W8
Tel: 250 248 2381 Fax: 250 248 4894
Email: hancon@shawcable.com

28th November 2012
2 Pages

By Fax: 250-248-6650
Mayor & Council
City of Parksville
100 Jensen Ave East
Box 1390, Parksville, BC V9P 2H3

Dear Sirs/Madams:

Re: Proposed adoption of Bylaw 1487 – Parksville Highway Closure Bylaw, 2012

We wish to oppose the closure of this portion of Stanhope Road.

1. As Developers of the subdivision at Esslinger Road, Wembley Estates Ltd. (see plan attached) we had to dedicate the southern strip of our property, without any compensation, for a future designated mandatory road connection, from Stanhope Road to Wembley Road, starting at Ackerman Road (per Nick Vandermolen of the MoT, and the PLA). A request for compensation at the time was rejected.

We should now be entitled to our portion of land back, or the equivalent lands, or fair market compensation for our lands, as part of this Stanhope Road closure, at the very least, in return for our consent. What will happen to this Land? Is it now Park?

2. Ourselves, our Lot Purchasers, and the other recent Developers, all envisaged the Stanhope connection being constructed one day. This was in the OCP. Closure of this road will certainly have an impact on traffic, and future traffic. *Highway to Church Rd?*

3. Exactly when did the triangular Park at Wembley Road get dedicated? We would like to know. This deliberately frustrates the proposed connection of Stanhope Rd to Wembley Rd. This is wrong.

4. There are signal lights already at Stanhope Road, for this proposed connection.

Please postpone the Bylaw. We need more time to review our old files and our PLA and the Park, and to discuss all of this with the MoT. The City needs more time to review this matter too. Stanhope Road has been in the plans for a long time.

Regards,

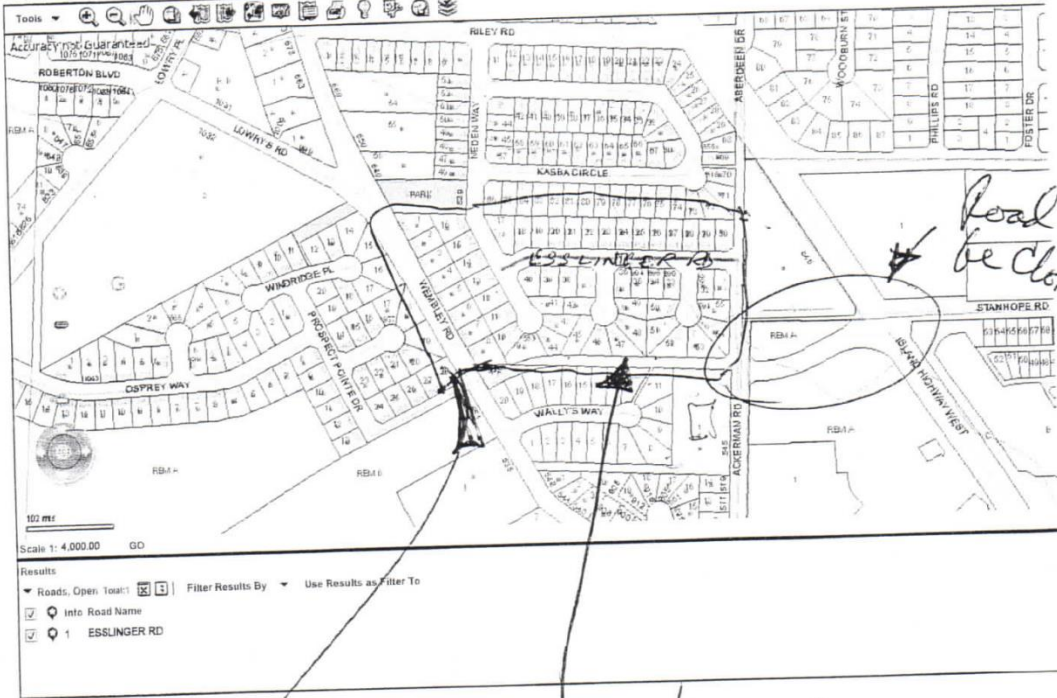

Hans Heringa P. Eng.cc
cc Bob Wylie, MoT (Nick Vandermolen)
Joe Stanhope, Area G Director, RDN

HH/skt

OnPoint Map Viewer



Properties Land Use Regulations Utilities and Services Environment Atlas Legal Map



OUR
Subdivision

We had to dedicate
this land for future
Stanhope rd, to connect
to Church rd?

382893 B.C. LTD.
Wembley Estates Ltd.
#4-1080 Industrial Way,
Parksville, BC, V9P 2W8
Tel: 250 248 2381 Fax: 250 248 4894
Email: hancon@shawcable.com

FAXED
SKT

24th April 2013
6 Pages

By Fax: 250 390 7511
Jeremy Holm
Manager of Current Planning
RDN
Nanaimo, BC

Dear Sir:

**Re: DVP PL2012-037 – Glencar Consultants Inc.
Lot 11 and 12, DL81, Nanoose District, Plan EPP21783 – Wally's Way and
Undeveloped Stanhope Road
Electoral Area G**

We were just provided with a copy of this DVP.

We wish to advise that we object to the proposed use of our 12.5 m width Dedication for the Stanhope Connector as a public walkway, instead of a 4 lane connector road to Wembley Road and eventually out to Church Road, the event that was to occur here.

See our previous and earlier objections letters sent out when the matter was first brought to our attention, on November 28th 2012.

We also ask that no further action be taken, until our matter and the issue of the Stanhope Road dedication is first properly resolved.

We eventually relented to MoT, and dedicated this portion of Road (without any compensation), on the MoT's earlier representation that the dedication would soon be for a paved arterial roadway connector to Wembley Road, and that the MoT, would build the road as soon as the budget was available, and the Mall/Tenants contributed to the balance of the monies needed.

The Ackerman property was also to dedicate the remaining 12.5m, to create the 25m arterial roadway. This also hasn't occurred.

Our complaints are:

What happened to the Stanhope arterial connector? (This road plan was "etched in stone", and so it had to be dedicated). When was it changed?

There is also an obvious disparity in treatment going on, with the two adjoining Landowners here.

It is fundamentally wrong to change the use of the roadway dedication (or the location), and an earlier Trust Condition without our consent, or in the alternative, without proper compensation.

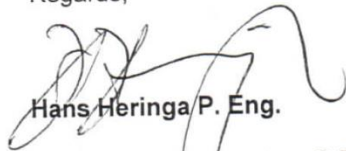
In addition, Lots 11-20 of the Wally's Way subdivision possibly may now need to forego, and to dedicate 12.5 m of northern depth, for this future arterial Stanhope Road, if the arterial road is still to be built in the location as was promised by the MoT.

How did these subdivision approvals get so far?

We at least want our Stanhope Road land back, and believe that we are properly entitled to this request, under the circumstances.

Please consider.

Regards,


Hans Heringa P. Eng.

cc Joe Stanhope, Area G Director, RDN
Tim Silvernagel, MoT
Warren & Peggy Ackerman *by email*

HH/skt

2 Pages 24 April 2013
Post-It™ brand fax transmittal m

To	Joe Stanhope
Co.	RDN
Dept.	
Fax #	250-350-4436

2 pages 24 April 2013
Post-It™ brand fax transmittal n

To	Tim Silvernagel
Co.	MoT
Dept.	
Fax #	250-751-3289

Wembley Estates
#4-1080 Industrial Way
Parksville, BC, V9P 2W8
Tel: 250 248 2381 Fax: 250 248 4894
Email: hanconholdings@gmail.com

4th November 2014
18 Pages

By email: Michelle.Stilwell.MLA@leg.bc.ca
Michelle Stilwell MLA

Dear Madam:

Re: Stanhope Road Connector – Dedicated as an Arterial Road, but never built by the MoT.

Please see the attached:

- Our recent letters to Tim Silbernagel of MoT between 17th September 2013 and 7th April 2014. (He is apparently no longer there ,at MoT).
- On May 2nd 2013 a reply from Tim Silbernagel of MoT.
- Our May 6th 2013 letter to Tim Silbernagel of MoT.
- Our letters of November 28th 2012 and May 14th 2013, to Mayor & Council of the City of Parksville. There has been no reply from them.
- A letter from the RDN of May 8th 2013. Obviously, this is an MoT issue, to address.

We really need your help, assistance and intervention, to motivate MoT, to resolve our issue.

Thanks so much for your review.

We await a solution, compensation, or replacement land.

Regards,


Hans Heringa P. Eng.
HH/skt

Marks, Kristy

From: Planning Email
Sent: Friday, October 27, 2017 9:10 AM
To: Marks, Kristy
Cc: Holm, Jeremy; Garbutt, Geoff
Subject: FW: Public hearing No. PL2015-172 846 Island Highway West Electoral Area 'G'

Hi Kristy,

See email below.

Paula

From: CRuhland@millarwestern.com [mailto:CRuhland@millarwestern.com]
Sent: Thursday, October 26, 2017 3:40 PM
To: Planning Email
Subject: Public hearing No. PL2015-172 846 Island Highway West Electoral Area 'G'

Public hearing No. PL2015-172 846 Island Highway West Electoral Area 'G'

Hi there ,

As the letter of this meeting came a little short notice and I have to work that day,
I'd like to take the opportunity to write my concerns in form of this email.

I moved to Parksville / French Creek a few years back because it was a very nice quiet town with a lot of green space around and even between. The last 3 years most of the green spaces and trees got hacked down to build more and more houses.

Even this small area in shape of a little triangle with inconvenient access for cars has to go. Really ???

And here is the thing:

All you guys do is making room for housing.

How about building some sidewalks for example ?

Did you take a look at Wembley Road lately ? Try to walk with your kids from the mall to the school at the corner Wright Road. It's highly dangerous ! Cars and trucks are passing people on the side by a few inches only, and everybody is going at least 70 km/h. And the traffic in this area tripled in the last 2 years. By the way, painting a white line at the side of the road doesn't count as sidewalk and it doesn't do anything for the safety of our children on their way to school.

Or how about fixing that bad sewer smell walking north of Wright Road ?

I think before killing more green space for more people to move here you should consider making the roads safer and getting rid of the sewer issue for the people who are already living here.

I mean I can see that more houses equals to more tax income, which make administration of a town a lot easier, but there has to be a balance. The towns infrastructure has to grow as well, matching the number of citizens living here and not be left behind by 10 at least years.

So, bottom line is that I have serious concerns turning every little tiny green space into a lot for a new house. At least as long as nothing else gets done.

Sincerely

Carsten Ruhland

Living on Wally's Way close to Wembley Road
and I would love to get a response from you.

Email: cruhland@telus.net

Thanks

French Creek Residents' Association

c/o 1266 Jukes Place
Parksville, B.C.
V9P 1W5

~~October 14, 2016~~

Oct 30/2017

Director Joe Stanhope, Area G
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

Dear Director Stanhope:

Re: RDN Application No. PL2015-172

Completion of Stanhope Connector Required as Condition of Rezoning for Strata

On October 3, 2016 you chaired a Public Information Meeting (PIM) to review and discuss the potential rezoning of a parcel at the northwest end of the Wembley Centre. An application has been made to rezone the property from RS1 to Comprehensive Development to allow a 20-unit, ground-oriented strata.

Approximately 25 residents attended the PIM, some of whom are members of French Creek Residents' Association (FCRA) including the writer. A written report was delivered to the FCRA Board of Directors and the matter was discussed at its monthly meeting on Oct. 6, 2016.

The Board found the proposed plan for the strata to be acceptable in principle but agrees with several comments made during the PIM regarding potential road design and traffic flow problems - particularly with vehicle movements at the Ackerman-Wembley intersection and the volume and speed of traffic on the latter.

The FCRA Board approved a motion to request that any approval to rezone the parcel and to issue a development permit require the proponent, possibly working with others, to finance and finish the construction of the "Stanhope Connector" from Highway 19A to Ackerman before the strata is occupied.

Members of the FCRA Board would be pleased to meet with you and staff members to discuss more fully the rezoning and the permitting for this project.

Sincerely,



(signed copy by postal service to addressee)
Michael Jessen, P.Eng.
Secretary, French Creek Residents' Association

cc. Geoff Garbutt, General Manager, Strategic and Community Development, RDN
Jeremy Holm, Manager Current Planning, Regional District of Nanaimo
Greg Keller, Senior Planner, Regional District of Nanaimo
Kirsten Fagervik, Provincial Approving Officer, MoTI
Tim Silbemagel, Development Approvals Technician, MoTI
Blaine Russell, Director of Community Planning, City of Parksville

Attachment 2
Conditions of Approval

The following is required to be secured prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.404, 2017” being considered for adoption:

1. The applicant shall provide a community amenity contribution including the following:
 - a. Cash contribution in the amount of \$76,000.00 to the City of Parksville for the future construction of a sidewalk, curb and gutter, and streetlights within the Stanhope Road right-of-way.
 - b. Design and Construction of a 3.0 metre wide utility access road on the existing subgrade of Stanhope Road.
 - c. Design of the ditch infill at Stanhope Road and the Island Highway 19A
 - d. Design and construction a pedestrian trail within the Ackerman Road right-of-way from the corner of Stanhope Road to the Island Highway to the satisfaction of the RDN and Ministry of Transportation and Infrastructure.
2. Registration of a SRW in favour of the City of Parksville over a corner cut at the intersection of Stanhope Road and the Island Highway 19A.
3. The applicant is required to register, at the applicant’s expense, a Section 219 covenant on the property title requiring development of the land occur in a manner consistent with the Servicing Report prepared by ParkCity Engineering Ltd. dated June 2016. This covenant is to include a requirement that the proposed storm detention pond be designed to the satisfaction of the City of Parksville and maintained by the owner.
4. The applicant is required to register, at the applicant’s expense, a Section 219 covenant on the property title restricting the removal of vegetation or the construction of buildings or structures within 10.0 metres of Island Highway 19A.
5. The applicant shall obtain all necessary permits from the Ministry of Transportation and Infrastructure and the City of Parksville for the proposed works within the road right-of-way.
6. The applicant is required to register, at the applicant’s expense, a Section 219 covenant on the property title requiring the installation of a three-way stop at the corner of Wembley and Ackerman Roads to the satisfaction of the Ministry of Transportation and Infrastructure. This work is to be completed concurrently with other off-site road improvements and prior to occupancy or registration of subdivision under the *Strata Property Act*.

Attachment 3
Proposed Amendment Bylaw No. 500.404, 2017

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.404**

**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. 500.404, 2017”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. Under **PART 3, LAND USE REGULATIONS, Section 3.1 Zones** by adding the following zoning classification and corresponding short title after CD50 Zone :

Comprehensive Development Zone 51

2. By adding Section 3.4.151 (CD51)

as shown on Schedule ‘1’ which is attached to and forms part of this Bylaw.

3. By rezoning the lands shown on the attached Schedule ‘2’ and legally described as

That Part of District Lot 87, Lying to the West of Pym Road, Except Parcels B (DD 4389N) and
C (DD 9872N) of Said District Lot and Except That Part in Plans 14729, 50690, VIP60116
and VIP64801

from Residential 1 Zone, Subdivision District ‘Q’ to Comprehensive Development Zone 51

Introduced and read two times this 3rd day of October, 2017.

Public Hearing held this 30th day of October, 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.

Chair

Corporate Officer

Chairperson

Corporate Officer

Schedule '1'

Section 3.4.151

Comprehensive Development Zone 51 **CD51**

3.4.151.1 Permitted Uses & Minimum Site Area

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Multiple Dwelling Unit Development:			
- per dwelling unit	500 m ²	1600 m ²	1.0 ha
b) Home Based Business	N/A	N/A	N/A

3.4.151.2 Maximum Number and Size of Buildings and Structures

Height	9.0 m
Parcel coverage	35%

3.4.151.3 Minimum Setback Requirements

Lots lines fronting the Island Highway	10.0 m
Front and Exterior side lot line	6.0 m
Interior side and rear lot line	3.0 m
Phased Strata lot line	0.0 m

Except:

- a) one dwelling unit is permitted to be 2.0 metres from an exterior side lot line or front lot line.
- b) where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

3.4.151.4 Other Regulations

For the purpose of this zone no further subdivision is permitted, including a bare land strata pursuant to the Bare Land Strata regulation, except a building strata pursuant to the *Strata Property Act*.

Schedule '2' to accompany "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.404, 2017"

Chairperson

Corporate Officer

Schedule '2'



TO: Regional District of Nanaimo Board **MEETING:** December 12, 2017
FROM: Phyllis Carlyle
Chief Administrative Officer **FILE:** 0530
SUBJECT: Board Remuneration

RECOMMENDATIONS

That in order to implement the independent consultant's recommendations for the Director's remuneration:

1. The Regional District of Nanaimo Board Remuneration, Expenses and Benefits Bylaw No. 1770, 2017 be introduced and read three times.
2. The Regional District of Nanaimo Board Remuneration, Expenses and Benefits Bylaw No. 1770, 2017 be adopted.
3. The Board Policy entitled A1.31 Board Equipment and Expenses be approved and that Policy A1.15 and A2.1 be repealed.

SUMMARY

The Board's remuneration was last reviewed during the term of the previous Board in 2014. To ensure equity for serving and future Board members, an independent consultant was retained to make recommendations as to the appropriate level of compensation. The adoption of a bylaw and approval of a policy are required to implement the consultant's recommendations.

BACKGROUND

The role of the elected official has evolved over time and continues to become more complex each year. The time required for telephone calls, e-mail exchanges, meetings with constituents and attending community events is typically a significant commitment not often visible to the public at large. During a 12 month period, the RDN Board held 17 Board meetings. There were an additional 54 Standing and Select Committee meetings and 107 additional committee meetings, public information meetings and public hearings in that same period. With agendas for a typical Board meeting exceeding over 250 pages, the preparation time is considerable.

The current Board's remuneration was set by the previous Board in September 2014 and has increased only in accordance with the increase in the Consumer Price Index. To ensure equity for the current Board members, and to attract candidates for the next election in October 2018, on September 30, 2014 the Board directed that prior to the 2018 election an independent, qualified consultant review and report on the Regional District of Nanaimo's Director Remuneration and how it compares to the remuneration in other comparable regional districts. In 2017, the Board approved the comparable

municipalities¹ based on criteria such as population, budgets, and number of staff. An independent compensation review was conducted by Kathy Sainas, Sainas Consult Inc. (Attachment 1).

Summary of the consultant's findings for the comparator group are set out below.

Comparison of 2017 Estimated Total Remuneration

POSITION	ESTIMATED 2017 TOTAL REMUNERATION	
	AVERAGE OF MUNICIPALITIES AND REGIONAL DISTRICTS	RDN – CURRENT REMUNERATION APPROACH
Board Chair – Electoral Area Director	\$84,615	\$51,609
Board Chair – Municipal Director	\$64,509	\$40,303
Electoral Area Director	\$40,131	\$30,671
Municipal Director	\$20,025	\$15,009

The consultant's report recommends that in order to compensate the Directors to the average of the comparators that the increase take place in two phases. The first phase would take effect January 1, 2018 and the second phase would take effect following the Inaugural Board meeting on November 13, 2018. A bylaw to implement these changes has been prepared (Attachment 2).

The consultant's proposed changes to the remuneration are set out in the chart below.

Projected Average Annual Remuneration by Position, Compared with RDN Current Actual

COMPONENTS	PROJECTED TOTAL REMUNERATION BASED ON RECOMMENDED NEW RATES				RDN CURRENT ACTUAL 2018
	Municipal		Electoral Area		
	Director	Chair	Director	Chair	
Director base rate	\$17,000	\$17,000	\$17,000	\$17,000	\$13,962
EA add-on			\$17,000	\$17,000	\$11,532
Chair add-on		\$48,000		\$48,000	\$20,470
Estimated average meeting amounts	\$3,000	<i>included in Chair add-on</i>	\$6,000	<i>included in Chair add-on</i>	\$1,600 (<i>Muni Dir</i>) \$4,700 (<i>EA Dir</i>)
Total Remuneration	\$20,000	\$65,000	\$40,000*	\$82,000*	
Market Average	\$20,025	\$64,509	\$40,131	\$84,615	

¹ Approved by the Board on September 12, 2017 (Capital Regional District, Comox Valley Regional District, Cowichan Valley Regional District, Corporation of Delta, City of Kamloops, City of Kelowna, City of Nanaimo, District of North Vancouver, City of Prince George).

The Board's policies relating to expenses and equipment, dating from over seven years ago, have been amalgamated into one policy to provide greater clarity and ease of use. The policy has been modernized to eliminate the provision of fax machines, and to ensure compatibility of equipment with RDN standards. (Attachment 3)

The Federal government has announced its intention to eliminate the one-third tax free portion of the Directors' remuneration. If this concept proceeds then staff will prepare a further report on the implications for the Directors and any action that could be considered to ensure that Directors are not penalized by the Federal government's actions.

In order to attract candidates for the 2022 election, the level of the remuneration for Directors should be reviewed at a minimum of six months prior to that election.

ALTERNATIVES

1. Approve the Bylaw and Policy implementing the consultant's recommendations.
2. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The Phase 1 increase as of January 1, 2018 would cost an estimated \$95,000 annually for all 19 Board members. Current Board remuneration, including the two new additional members, is projected to be \$418,000 at December 2017 rates. The costs of Board remuneration are allocated over the Legislative Services and the Electoral Areas Administration tax requisitions. The Phase 1 increase will result in a \$0.0021 mil rate impact to the Legislative Services requisition and a \$0.0017 mil rate impact to the Electoral Areas requisition using 2017 assessed values.

The Phase 2 increase, as of November 13, 2018, is projected to cost \$69,000 annually and will result in a \$0.0017 mil rate impact to the Legislative Services requisition and a \$0.0013 mil rate impact to the Electoral Areas requisition. The total estimated cost of Board Remuneration after both phases are complete would be \$582,000 which is equivalent to \$3.74 per capita.

The Board has previously requested that the Province reduce the number of Board members to 17 which would save approximately \$33,000 dollars annually at December 2017 rates.

STRATEGIC PLAN IMPLICATIONS

The Board's Strategic Plan recognizes a "Governance" and "Service and Organizational Excellence" in its core focus areas. The review of Board remuneration and the adjustments to reflect market values ensures that the increasing demand on Board member's time and the higher level of complexity of the issues being brought to the Board table are recognized.



Phyllis Carlyle
pcarlyle@rdn.bc.ca
December 7, 2017

Reviewed by:

- W. Idema, Acting General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. Report from Kathy Sainas, Sainas Consult Inc. dated December 7, 2017
2. Regional District of Nanaimo Board Remuneration, Expenses and Benefits Bylaw 1770, 2017
3. Board Equipment and Expense Policy A1.31
4. Policy A1.15 Fax Machines and Personal Computers for Board Members (to be repealed)
5. Policy A2.1 Board Expenses (to be repealed)

REGIONAL DISTRICT OF NANAIMO

DIRECTORS' REMUNERATION REVIEW

December 7, 2017

December 7, 2017

Ms. Phyllis Carlyle
Chief Administrative Officer
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Via email: PCarlyle@rdn.bc.ca

Dear Ms. Carlyle:

Re: Regional District of Nanaimo – Directors’ Remuneration Review

Attached is the report on the Directors’ Remuneration Review conducted on behalf of the Regional District of Nanaimo.

I look forward to discussing this report with you and your colleagues. If you have any questions in the meantime, please call.

Yours truly,

SAINAS CONSULT INC.



Katherine M. Sainas

REGIONAL DISTRICT OF NANAIMO DIRECTORS' REMUNERATION REVIEW

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INTRODUCTION

The Regional District of Nanaimo ("RDN") is the fourth largest regional district in the province and serves 155,698 residents from seven electoral areas and four municipal governments throughout the central east coast of Vancouver Island. The four RDN member municipalities range in population size from about 3,600 to 90,500, with the City of Nanaimo representing about 58% of the regional district's population. The seven electoral areas range in population size from 3,168 to 7,724.

RDN employees provide services to the municipalities and electoral areas through its main Departments:

- Corporate Services (*including Finance, Human Resources, IT, Legislative Services and Communication*);
- Strategic and Community Development;
- Recreation and Parks Services;
- Regional and Community Utilities; and,
- Transportation and Emergency Services.

The Board of Directors is now comprised of 19 members – up from 17 – including twelve directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

The current RDN Bylaws No. 1078 and 1317 and Board Expense Policies set out the remuneration and expenses for Municipal and Electoral Area Directors, Alternate Directors and Committee Members. The RDN requested an independent review of Director Remuneration, the objectives of which are to:

1. Obtain and analyze the elected official remuneration, perquisites, benefits, and expense information from a number of British Columbia municipalities and regional districts and compare it with that provided to the Directors at RDN.
2. Provide recommendations to the Board that appropriately consider the current workloads and responsibilities of Directors, ensure fair compensation for responsibilities of both municipal and electoral area Directors, and recognize the need to attract a broad range of candidates in future Regional District of Nanaimo elections.

This report contains our market findings and recommendations for Director remuneration.

METHODOLOGY

This project involved the collection and comparative analysis of Director/Council remuneration information from a number of targeted comparison organizations, and the development of recommendations for a new or revised Director remuneration plan for the Regional District of Nanaimo.

At the outset of the project, we met with the Regional District's Chief Administrative Officer, Manager of Accounting Services, and Manager of Human Resources, and had telephone discussions with the Director of Corporate Services to review the terms of reference and confirm the organizations the Board approved as comparators for Director remuneration. We understand from the communications that the Regional District has concerns that the Electoral Area Director remuneration may not be sufficient to attract a broad range of candidates in future elections. The staff also indicated that the current remuneration approach requires significant administrative effort by Directors and staff to track and manage payments for all of the meetings that Directors attend. A third consideration is the future loss of the tax-exempt portion of the Director remuneration effective in 2019.

COMPARISON ORGANIZATIONS

It is difficult to find comparison organizations with similar population, number and complexity of services, budgets, and number of employees and contractors as the RDN. Since the RDN is a fairly urban regional district with service demands that are similar to a municipality, the Board approved a comparison group comprised of six municipalities and three regional districts. These are shown in the table below, along with information regarding their 2016 census population, budget and expense information.

Table 1 – Comparison Organizations Approved by the Board

COMPARISON ORGANIZATION	2016 CENSUS POPULATION	2017 BUDGET (\$M)*		2016 CONSOLIDATED EXPENSES**
		Operating	Capital	
Capital Regional District	383,360	129.7	41.1	160,933,044
Cowichan Valley Regional District	83,739	55.7	25.9	50,331,890
Comox Valley Regional District	66,527	70.6	41.6	38,771,379
City of Kelowna	127,380	127.5	68.3	260,037,142
Corporation of Delta	102,238	200.2	93.6	209,040,298
City of Nanaimo	90,504	132.0	42.0	154,528,709
City of Kamloops	90,280	142.4	78.1	182,802,135
District of North Vancouver	85,935	152.3	49.2	167,823,823
City of Prince George	74,003	128.8	27.5	150,792,000
REGIONAL DISTRICT OF NANAIMO	155,698	68.9	62.8	75,687,062

* Source: 2017 Financial Plan

** Source: Local Government Division of the Ministry of Municipal Affairs & Housing

DATA COLLECTED

Our research involved obtaining the following information from all of the comparison organizations:

- Annual remuneration;
- Incidence and amount of vehicle allowances;
- Whether benefits are provided to Directors, and what portion of the premium is paid by the employer;
- How technology needs are addressed;
- Per diems;
- Whether any pension/retirement benefits or transition allowances are provided upon leaving office;
- Aside from actual travel costs that would be reimbursed for approved travel, whether there is an additional allowance available for other travel or expenses; and,
- How annual adjustments to remuneration are addressed.

We also asked the comparison organizations how they expect to deal with the elimination of the tax-free allowance.

We analyzed the market data for the targeted comparison regional districts and municipalities, and developed recommendations for Regional District of Nanaimo Director remuneration.

MARKET FINDINGS

This section contains the market findings for the comparison regional districts and municipalities.

Remuneration for Regional District Directors is more complex than that paid to municipal elected officials. This is because the Regional District Boards are comprised of Municipal Directors who are Councillors or Mayors appointed by their municipalities, as well as Electoral Area Directors who are directly elected by voters in the unincorporated areas (electoral areas).

As the sole elected official for their unincorporated rural area, an Electoral Area Director has additional constituency and Board workload as compared with the Municipal Director. In addition to the preparation for and attendance at meetings of all Directors, the Electoral Area Director's work includes Electoral Area Services Committee meetings, constituency meetings, public hall meetings, public hearings, frequent meetings at the Regional District offices regarding electoral area business, as well as other electoral area constituency work.

Because of this degree of involvement in Regional District business, Electoral Area Directors are typically provided with a higher rate or additional stipend to reflect their greater workload. The Chair of the Regional District is also provided an additional stipend to compensate for the work required to chair the Board.

There are almost as many models for regional district director remuneration as there are Regional Districts in the province. However, based on our experience with regional district director compensation, we have found that three basic Director remuneration models emerge:

1. The Director receives a base stipend, and all meetings – including Board meetings – are paid in addition.
2. The Director receives a stipend that includes a baseline number of Board and other meetings, and all others are paid in addition (the RDN approach).
3. The Director receives a stipend that covers almost all meetings and commitments.

There appears to be a recent trend toward the third model, whereby most, if not all, Director work is covered by a single annual stipend and only extraordinary commitments are paid in addition.

The municipalities pay a flat remuneration amount to the Mayor and Councillors.

SOURCES OF REMUNERATION INFORMATION

We obtained the remuneration information for the regional districts and municipalities from a number of sources.

For the municipalities, we issued a questionnaire to obtain the desired information for Mayor and Council 2017 remuneration.

Because of the complexity and variety of Regional District Director remuneration models that exist, it is important to consider both the design of the remuneration plan and the total remuneration paid to the Directors. For this reason, we reviewed the Regional District Director Remuneration Bylaws as well as their 2016 Statements of Financial Information.

The Regional District director remuneration bylaws set out the remuneration approach and amounts for base stipends for Municipal and Electoral Area Directors, Board Chair, meeting fees for various types of meetings, committee chairs, Alternate Director, etc. The bylaw information analyzed for this report is effective 2017.

The Regional Districts' Statements of Financial Information provide the total remuneration paid to each Director in 2016, including benefits (*excluding expenses*). We updated the 2016 SOFI data to 2017 levels in order to blend it with the 2017 municipal information.

REGIONAL DISTRICTS – REMUNERATION RATES AND TOTAL REMUNERATION

The following table summarizes the information contained in the comparison Regional Districts' Director Remuneration Bylaws, which set out the 2017 base amounts and meeting rates. The average of the three comparators is shown in Table 2, along with the RDN's 2017 rates.

Table 2 – 2017 Average Rates for the Comparison Regional Districts

REGIONAL DISTRICTS	2017 RATES FOR THE COMPARISON REGIONAL DISTRICTS				
	MUNICIPAL DIRECTOR	ELECTORAL AREA DIRECTOR	BOARD CHAIR – ADDITIONAL PAYMENT	RATE FOR OTHER MEETINGS*	ALTERNATE DIRECTOR MEETING RATE
Average	\$15,549	\$37,003	\$27,221	\$113	\$117
RDN	\$13,688	\$24,994	\$20,069	\$70/\$110	\$80

* Paid by two regional districts

To determine the estimated actual total remuneration for 2017, we updated the average actual 2016 total cash remuneration information provided by the Regional Districts in their Statements of Financial Information – which includes payments for all meetings – to 2017 levels by applying the CPI. We assumed the same level of benefits and number of meetings and other activities for which the Director is remunerated to arrive at the projected 2017 amounts.

The average estimated 2017 total remuneration for the three regional district comparators, by position, is shown in Table 3, along with the projected average RDN 2017 total remuneration.

Table 3 – Estimated Average 2017 Actual Remuneration for Comparison Regional District Directors based on CPI Adjustments to 2016 SOFI Report Information

REGIONAL DISTRICTS	AVERAGE 2017 PROJECTED SOFI ACTUAL REMUNERATION FOR REGIONAL DISTRICTS*		
	MUNICIPAL DIRECTOR PROJECTED AVERAGE 2017 ACTUAL	ELECTORAL AREA DIRECTOR PROJECTED AVERAGE 2017 ACTUAL	BOARD CHAIR PROJECTED 2017 ACTUAL
Average	\$20,025	\$44,387	\$54,329 (two are municipal directors)
RDN	\$15,009	\$30,671	\$51,609 (currently an EA director)

* Projected 2017 total remuneration, excluding expenses, based on CPI increases from 2016 amounts reported in SOFI. This assumes the same level of taxable benefits, number of meetings and other activity for which the director is remunerated.

ALL COMPARISON ORGANIZATIONS – TOTAL REMUNERATION

The RDN has indicated that the Electoral Area Director position is comparable to a municipal Councillor, and the Board Chair is comparable to a municipal Mayor. The Regional District Municipal Director does not have a comparable position on municipal council. As noted earlier, Municipal Mayor and Council remuneration is in the form of a flat base stipend or salary.

The following table presents the average 2017 remuneration for all of the comparison organizations. As noted earlier, the municipal information is effective for 2017 and the regional district information is based on the average 2016 SOFI Director remuneration updated to 2017. The RDN projected average 2017 total remuneration is also shown in this table.

Table 4 – 2017 Remuneration for All Comparison Organizations (Regional Districts and Municipalities)

REGIONAL DISTRICTS/ MUNICIPALITIES	2017 REMUNERATION FOR ALL NINE COMPARISON ORGANIZATIONS		
	MUNICIPAL DIRECTOR*	EA DIRECTOR /COUNCILLOR	BOARD CHAIR /MAYOR
Average	\$20,025	\$40,131	\$84,615
RDN	\$15,009	\$30,671	\$51,609

* No comparable municipal council position

OTHER ELEMENTS OF REMUNERATION

The following table contains a summary of the other elements provided by the comparison organizations:

Table 5 – Summary of Other Elements of Remuneration Provided by the Comparison Regional Districts and Municipalities

ELEMENT	REGIONAL DISTRICT OF NANAIMO	COMPARISON ORGANIZATIONS
Vehicle Allowance	RDN does not provide a vehicle allowance. However, similar to the comparison regional districts, a mileage allowance is provided.	<p>Four of the comparison municipalities provide a vehicle or vehicle allowance to the Mayor. Annual allowances range from approximately \$4,000 to \$16,500. One of the municipalities provides a vehicle allowance to Councillors. Mayors and Councillors that do not receive a vehicle allowance are paid for mileage.</p> <p>Vehicle allowances are not provided to regional district directors, who instead may claim mileage, typically at rates established by CRA.</p>
Benefits: Medical, Dental, Extended Health	<p>Electoral Area Directors: RDN pays 100% of the premiums.</p> <p>Municipal Directors: Director pays the premiums</p>	<p>100% of premiums paid for Mayor at 4 municipalities, Councillors at 2 municipalities, and EA Directors at 1 regional district.</p> <p>50% of premiums paid for the Mayor at 2 municipalities, and for Councillors at 3 municipalities and EA Directors at 1 regional district.</p> <p>0% of the premiums paid for Councillors at 1 municipality and EA Directors at 1 regional district.</p>
Accident Insurance	Accident insurance is fully paid by RDN	Accident Insurance premiums are typically paid by the organization.
Technology	EA Directors are supplied an iPad and/or other equipment required during their term of office. Alternatively, they may choose to receive a taxable cash allowance of \$2,000 per term for equipment purchases.	<p>iPads are supplied by all organizations and must be returned at the end of the term.</p> <p>Cell phones are supplied by most of the organizations and the cost of business use is typically covered; one organization provides a cell phone allowance instead of a phone. Cell phones typically must be returned at the end of the term.</p>

ELEMENT	REGIONAL DISTRICT OF NANAIMO	COMPARISON ORGANIZATIONS
	<p>Directors are permitted to retain the equipment after leaving office.</p> <p>The costs of cell phone, internet, and fax service for Electoral Area Directors are covered.</p>	<p>Internet service charges are paid by two organizations.</p> <p>One organization provides an Apple technology suite that includes laptop and printer, in addition to the cell phone and iPad, all of which remain the property of the organization at the end of the term. This organization also covers the cost of a fax line and a separate residential land line.</p>
Per Diems	\$75	\$60 to \$80; median \$75.
Other allowances/ benefits	Not provided	End of service benefit is provided by one organization. No other allowances or retirement plans or benefits were reported by the comparison organizations.
Child/Elder care costs	Not provided	One organization reimburses child care expenses incurred while attending an event or official function.
Adjustments to remuneration	Annually, based on BC CPI.	<p>Most organizations adjust annually based on BC CPI.</p> <p>One adjusts based on CUPE settlement.</p> <p>One organization did not increase remuneration for 2017.</p>

Based on the market information for the comparison organizations, the current RDN Director total cash remuneration is lower than the comparison regional districts, and lower than the group of regional districts and municipalities taken together.

The other elements of remuneration are competitive.

The next section discusses key considerations for the Director remuneration plan.

CONSIDERATIONS FOR THE DIRECTOR REMUNERATION PLAN

There are two key considerations for a new or revised remuneration plan:

1. The total **amount** of remuneration that should be paid to each position (Chair, Municipal Director, Electoral Area Director); and,
2. The **design** of the remuneration model.

TARGET TOTAL AMOUNT OF TOTAL CASH REMUNERATION (EXCLUDING EXPENSE REIMBURSEMENT)

The following table presents a comparison of the target amount of remuneration based on the average of all nine of the comparison organizations approved by the Board, the three regional district comparators only, and the projected RDN remuneration under the current remuneration approach:

Table 6 – Comparison of 2017 Estimated Total Remuneration

POSITION	ESTIMATED 2017 TOTAL REMUNERATION		
	AVERAGE OF MUNICIPALITIES AND REGIONAL DISTRICTS	AVERAGE OF REGIONAL DISTRICTS	RDN - CURRENT REMUNERATION APPROACH
Board Chair - Electoral Area Director	\$84,615 ¹	\$71,608 ⁵	\$51,609
Board Chair - Municipal Director	\$64,509 ²	\$47,246 ⁵	\$40,303 ⁷
Electoral Area Director	\$40,131 ³	\$44,387 ⁶	\$30,671
Municipal Director	\$20,025 ⁴	\$20,025	\$15,009

¹ Average of 2017 municipal Mayor salaries and projected 2017 total remuneration for Regional District Board Chairs. The Board Chair add-on for an EA Director under this approach would be \$44,484 (\$84,615-\$40,131).

² Average of projected 2017 total remuneration for comparison regional district Municipal Directors plus \$44,484 add-on for Chair.

³ Average of 2017 salaries for municipal Councillors and projected 2017 total remuneration for comparison regional district Electoral Area Directors.

⁴ Average of projected 2017 total remuneration for comparison regional district Municipal Directors; there is no comparable municipal council position.

⁵ Average of comparison Regional District Board Chair add-ons of \$27,221.

⁶ Includes taxable benefits, where provided.

⁷ Projected 2017 total remuneration if the RDN Board Chair were a Municipal Director; estimated by reducing Board Chair (EA Director) by \$11,306, which is the current difference between RDN's EA and Municipal Director base rates. This assumes the same level of benefits, number of meetings and other activity for which the director is remunerated. Actual amount would depend on number of meetings attended and benefits applicable.

The Board directed that the total remuneration be set at the average of the nine comparison organizations.

DESIGN OF THE REMUNERATION MODEL

The previous section addresses the target **amount** of remuneration for the RDN positions. The other consideration is the **design** of a new or revised remuneration model for the RDN Directors (i.e. how to structure the plan to attain the target amounts).

The Board directed that remuneration continue under the existing approach – i.e. base stipends include up to four regularly scheduled Board or Committee of the Whole meetings per month; all other meetings are paid.

OTHER ELEMENTS OF REMUNERATION

The RDN's current coverage of the costs of health benefits and technology expenses incurred by the Electoral Area Directors during their term in office are competitive offerings. Although this is not typically the practice at the other regional districts, in the interests of equity the RDN may wish to consider also offering these to the RDN Municipal Directors that are not provided such accommodation through their municipality.

In discussions with the RDN, there were suggestions that the Regional District may wish to offer other items to attract a broader range of candidates to the regional district board. Higher per diems, car allowances, child/elder care costs, and separation allowances were some of the items mentioned. However, while some of these may be found at larger municipalities in British Columbia and other jurisdictions, they are not prevalent at the majority of the targeted comparison organizations.

The comparison organizations typically follow management staff expense policies for Directors as they relate to per diems and mileage rates. The RDN's rates are in line with the comparison organizations.

TAX-FREE ALLOWANCE

At the present time, one-third of the remuneration for elected officials is received as a tax-free allowance for income tax purposes. The allowance is meant to offset the expenses related to carrying out the duties of elected office, and relieves the elected official from having to maintain detailed records of business expenses which would then be deducted from income for tax purposes. This provision will change in the 2019 tax year, when all remuneration paid to elected officials will be subject to personal income tax.

In our discussions with the comparison organizations, they indicated that they either have not decided how they will address the issue, or have not discussed it yet. Research into the approaches taken by other jurisdictions suggests that the two main options are to:

- Leave the remuneration level as is, and have elected officials itemize and deduct actual business expenses; or,
- Gross up the remuneration to maintain the same level as prior to the tax change.

Another suggestion was to add a vehicle allowance.

We understand that many local governments are expressing concern regarding this tax change. Pending outcome of the Union of BC Municipalities resolution passed in 2017, as well as the RDN's direct resolution to the Federation of Canadian Municipalities for consideration at their next Board meeting and annual conference – both of which call on the federal government to rescind the removal of the tax exemption – the local governments contacted are in a wait and see situation at this time.

RECOMMENDATIONS

This section provides our recommendations for a Director remuneration plan that provides total remuneration that is close to the average of the nine comparison organizations selected and approved by the Board. The design of the plan is similar to the current approach.

REMUNERATION PLAN

This section provides recommended rates in order for Directors to achieve the target levels of remuneration.

Table 7 – Recommended Remuneration Rates to Achieve Average of Comparison Market Total Remuneration

Director Base Rate	\$17,000 per year	Covers up to four regularly scheduled Board or Committee of the Whole meetings per month.
Electoral Area Director Add-on	\$17,000 per year	Covers the work required to conduct local business in the area. This includes meetings with area constituents and community associations, meetings with RDN staff, public appearances, and other duties in office.
Chair Add-on	\$48,000 per year	Covers all meetings; no additional meeting payments provided to the Chair
Meeting Rate	\$125 per meeting	Covers meetings in excess of the up to four regularly scheduled Board or Committee of the Whole meetings per month.
Committee Chair	\$175 per meeting chaired	Covers chairing a committee meeting. This would be paid instead of the \$125 meeting rate, not in addition to.
Board Vice Chair	\$175 per meeting chaired	Covers chairing a Board meeting in the absence of the Chair

Alternate Director meeting rate: We recommend an increase from \$80 to \$125.

The following table shows how these amounts would add up to around the average of the market for each position. Also shown are the RDN's current 2018 rates, with the estimated average meeting amounts based on the current number of meetings.

Table 8 – Projected Average Annual Remuneration by Position, Compared with RDN Current Actual

COMPONENTS	PROJECTED TOTAL REMUNERATION BASED ON RECOMMENDED NEW RATES				RDN CURRENT ACTUAL 2018
	Municipal		Electoral Area		
	Director	Chair	Director	Chair	
Director base rate	\$17,000	\$17,000	\$17,000	\$17,000	\$13,962
EA add-on			\$17,000	\$17,000	\$11,532
Chair add-on		\$48,000		\$48,000	\$20,470
Estimated average meeting amounts	\$3,000	<i>included in Chair add-on</i>	\$6,000	<i>included in Chair add-on</i>	\$1,600 (<i>Muni Dir</i>) \$4,700 (<i>EA Dir</i>)
Total Remuneration	\$20,000	\$65,000	\$40,000*	\$82,000*	
Market Average	\$20,025	\$64,509	\$40,131	\$84,615	

* If Electoral Area Directors choose to receive MSP, extended health, and/or dental benefits, the total additional annual remuneration could be up to \$5,380 based on current benefit rates.

TIMING OF IMPLEMENTATION

If RDN wishes to phase the increases in two phases, we recommend the following rates for each phase:

Table 9 – Recommended Rates for Each Phase of Implementation

COMPONENTS	RDN CURRENT ACTUAL 2018 RATES	RECOMMENDED NEW RATES	
		Phase 1	Phase 2
Director Base Rate	\$13,962	\$15,000	\$17,000
EA Add-on	\$11,532	\$14,000	\$17,000
Chair Add-on	\$20,470	\$38,000	\$48,000
Meeting Rate	\$70	\$125	\$125
Committee Chair Rate	\$110	\$175	\$175
Alternate Director Rate	\$80	\$125	\$125

The estimated average total remuneration, by position, would be as follows for each of the two implementation phases:

Table 10 – Projected Average Annual Remuneration at Each Phase, Including Meetings

IMPLEMENTATION PHASE	RDN PROJECTED AVERAGE TOTAL REMUNERATION INCLUDING MEETINGS, BASED ON RECOMMENDED NEW RATES			
	Municipal		Electoral Area	
	Director	Chair	Director	Chair
Total - Phase 1 <i>(interim)</i>	\$18,000	\$53,000	\$35,000	\$67,000
Total - Phase 2 <i>(at market average)</i>	\$20,000	\$65,000	\$40,000	\$82,000

OTHER ELEMENTS OF REMUNERATION

Benefits: The RDN offers a competitive package for EA Directors. While the market data does not support changing the current arrangements, the RDN could consider providing benefits to Municipal Directors that do not receive them through their municipality.

Vehicle allowances: These are not provided by the comparison regional districts; four comparison municipalities provide vehicle allowances to the Mayor and one provides a vehicle allowance to Councillors. If the RDN wishes to align with the municipalities, a vehicle allowance is something the RDN could consider for the Board Chair, if one is not already provided through the municipality (i.e. if a Municipal Director Board Chair).

Technology: The RDN policy is generous compared with the majority of the comparison organizations; therefore, no changes are recommended.

Per Diem: The RDN per diem is in line with the targeted comparison organizations; therefore, no changes are recommended.

Other allowances/benefits: Only one of the nine comparison organizations provides an end of service benefit and also covers the cost of child care while attending an official function; therefore, we do not recommend implementing such practices at the RDN.

Adjustments to Director Remuneration: We recommend the RDN continue to adjust Director remuneration based on the BC CPI, which is consistent with the approach taken by the comparison organizations.

Most of the comparison organizations adjust Director/Council remuneration annually based on CPI, as does the RDN. In light of the upcoming tax legislation changes, we recommend the RDN review Director remuneration in 2019 to determine the impact of the changes on the local government sector and whether further adjustments may be required to maintain the RDN's policy position in the comparison market.

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1770

A BYLAW TO AUTHORIZE THE PAYMENT OF
REMUNERATION, EXPENSES AND BENEFITS TO
DIRECTORS, ALTERNATE DIRECTORS
AND COMMITTEE MEMBERS

WHEREAS the *Local Government Act* provides that a Board may by bylaw, provide for the remuneration, expenses and benefits of directors;

NOW THEREFORE, the Board of the Regional District of Nanaimo enacts as follows:

1. This bylaw may be cited for all purposes as "Regional District of Nanaimo Board Remuneration, Expenses and Benefits Bylaw No. 1770, 2017".

2. In this bylaw unless the context otherwise requires:

"**Act**" means the *Local Government Act*.

"**Advisory Committee**" means an Advisory Committee or Commission appointed by the Board, which includes at least one Board member, but does not include a Standing or Select Committee.

"**Alternate Director**" means a person appointed as an Alternate Director pursuant to the *Local Government Act*.

"**Commission**" means a commission appointed by the Board as provided by the *Local Government Act*.

"**Director**" means a person appointed or elected to the Board as a Director and includes the Chair and Vice Chair but does not include an Alternate Director.

"**Public Information Meeting**" means a meeting scheduled pursuant to provincial legislation.

"**Select Committee**" means a Select Committee comprised solely of Board members as provided by the *Local Government Act*.

"**Standing Committee**" means a Standing Committee appointed by the Chair comprised solely of Board members as provided by the *Local Government Act*.

3. Directors elected or appointed to the Board do so with the understanding that they will participate fully in the business of the Board. The remuneration rates established in this bylaw reflect the work of an elected member and members are expected to attend all regularly scheduled meetings unless there are extenuating circumstances.

4. The remuneration for Directors is established according to Schedule 'A' to this bylaw.

5. One third of all remuneration paid pursuant to Schedule 'A' shall be considered to be an allowance for expenses incidental to the discharge of the duties of office other than those described under Section 6 and 7 of this bylaw.

6. In addition to the remuneration paid in Schedule 'A', the following expenditures made or expenses incurred by a Director or Alternate Director when the Director or Alternate Director is representing the Regional District, engaged in Regional District business or attending a meeting, course or convention in connection with the business of the Regional District, will be paid by the Regional District, at cost, including applicable taxes, unless otherwise specified, for:
 - (a) For transportation as described in Sections 6(b), (c), (g), (h), (i) and (j), reimbursement will be only for the most direct and/or economical means of transportation.

 - (b) Mileage accumulated on a Director's or Alternate Director's own motor vehicle at the rate prescribed in Schedule 'B', incurred for:
 - (i) attendance at Regular or Special Board meetings.
 - (ii) attendance at Standing or Select Committee meetings.
 - (iii) attendance at Advisory Committee meetings.
 - (iv) attendance at Commission meetings.
 - (v) attendance at seminars, conferences or conventions.
 - (vi) attendance at Public Hearings held pursuant to the *Local Government Act*.
 - (vii) attendance at Public Hearings called for by the Board for any other purpose.
 - (viii) attendance at Public Information meetings called for by the Board for any purpose.
 - (ix) attendance at meetings outside of the members jurisdiction pursuant to a request from Regional District staff.
 - (x) attendance at public meetings arranged by the AVICC, UBCM, LGMA or other levels of Government.
 - (xi) attendance at other meetings outside of the Director's electoral jurisdiction when appointed by the Board or the Board Chair to represent the Board.

but for greater clarity does not include:

mileage incurred within a Director's electoral or municipal area jurisdiction, including but not limited to neighbourhood association or residents association meetings or official ceremonies unless specifically authorized by the Board to attend the meeting on behalf of the Board.

- (xii) for Alternate Electoral Area Directors, reimbursement is provided for mileage accumulated on their own vehicle for attendance at meetings in the absence of the elected Director when staff are in attendance at the meeting.
- (c) For the Chair, in addition to amounts reimbursed under 6(b), mileage accumulated on his/her own motor vehicle at the rate prescribed in Schedule 'B' for travel while representing the District or engaged in Regional District business.
- (d) Accommodation for a Director or Alternate Director at a facility convenient to the location of the seminar, convention or meeting.
- (e) Accommodation for a Director or Alternate Director at a facility convenient to the location of the annual UBCM and AVICC conventions.
- (f) For the Director of Electoral Area 'B', where returning home on the same day from a Board or Standing or Select Committee meeting is not possible as a result of the duration of the meeting, accommodation based on single occupancy and breakfast at the rate prescribed in Schedule 'B'.
- (g) Return airfare for trips based on single economy fare:
 - (i) for Electoral Area Directors or Alternate Electoral Area Directors to attend the Union of British Columbia Municipalities annual convention;
 - (ii) for the Chair and authorized Board members to attend the Federation of Canadian Municipalities annual convention;
 - (iii) for Directors or Alternate Directors, with prior Board approval, and in all cases for the Chair to travel to Victoria or the Lower Mainland for purposes related to Regional District business in addition to subparagraph (i);
 - (iv) for Directors and/or the Chair for purposes of urgent Regional District business and attendance at administrative, tribunal or court proceedings related to the Regional District.
- (h) Ferry fares for vehicle and one driver or one foot passenger;
- (i) Taxis or shuttle bus rides;
- (j) Rental motor vehicles;
- (k) Parking fees;
- (l) Long distance telephone charges for calls on Regional District business.
- (m) Meal allowances at the rates prescribed in Schedule 'B' will be paid to Directors and Alternate Directors while attending a meeting, a course or a convention as a representative of the Regional District, excluding the cost of any meal provided as part of the cost of registration to a meeting, convention or seminar;

- (n) For meal expenses incurred by the Chair, not to exceed the rates prescribed in Schedule 'B' times the number of persons in attendance, or the actual expense, whichever is less;
- (o) For meal expenses incurred by a Director or Alternate Director at the rate prescribed in Schedule 'B' where consecutive Board or Standing or Select Committee meetings make returning home for a meal impractical; and
- (p) Registration fees for conventions/seminars will be paid for Directors or Alternate.

7. Where a Board member uses a personal vehicle to drive to an annual conference location to which there is scheduled air service the following shall be used to calculate the maximum payable to the Board member in lieu of air travel. The amount payable shall be the lesser of:

The actual cost for:

Kilometers to/from event location x current mileage rate	plus
Car and driver ferry fare	plus
Hotel parking fees	
or	
Single economy airfare based on 21 days advance booking	plus
Kilometers driven to/from departure airport x current mileage rates	plus
Airport parking fees at departure airport	plus
Estimated taxi fares to/from airport at event location.	

- 8. Mileage or travel expenses including ferry expenses, incurred by a Committee member or Alternate Committee member while engaged in Regional District business related to the attendance at an Advisory Committee, Commission or Board of Variance meeting will be paid by the Regional District at cost, including applicable taxes, as provided for in Schedule 'B'.
- 9. The provisions of Sections 6 and 7 shall be administered by the Manager of Accounting Services of the Regional District of Nanaimo who shall be responsible for the application of its provisions and the review and adjudication of expense claims submitted. In the event of a conflict of interpretation, the matter shall be referred to a committee comprised of the Treasurer, the Chief Administrative Officer, and the Chair of the Board. Where this Committee is unable to resolve the conflict to the satisfaction of the Director, the matter shall be referred to the Board for adjudication.
- 10. (a) Directors and Electoral Area Directors are, subject to insurance carrier requirements, eligible for medical, extended health, dental and group life insurance benefits for themselves and their dependents on the same basis that the Regional District provides those benefits to its employees;
- (b) The Regional District may obtain and pay the premiums for accident insurance coverage for Directors and Alternate Directors while on Regional District business;

(c) All premiums for insurance under Section 10 (a) for a Director shall be paid by the Director and not by the Regional District. All premiums under Section 10(a) for an Electoral Area Director shall be paid by the Regional District.

11. Bylaws 1317 and 1078 are hereby repealed effective January 1, 2018.
12. This Bylaw takes effect January 1, 2018.
13. Schedules 'A' and 'B' are a part of and enforceable in the same manner as this bylaw.

Introduced and read three times this day of 2017.

Adopted this day of , 2017.

Chair

Corporate Officer

SCHEDULE 'A'

1. Base remuneration rates effective commencing as indicated:

	January 1, 2018	November 13, 2018	January 1, 2019	January 1, 2020	January 1, 2021	January 1, 2022
All Directors <i>(Base Rate)</i>	\$15,000	\$17,000	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment
Electoral Area Directors <i>(Additional Allowance Above the Base Rate)</i>	\$14,000	\$17,000	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment
Chair <i>(Additional Allowance Above the Base Rate)</i>	\$38,000	\$48,000	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment	Prior year plus CPI adjustment

- (a) The base remuneration shall cover up to four Board or Committee of the Whole meetings per month.

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

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

Vice Chair of the Board	\$175 per meeting when acting as Chair of the Board
Committee Chair (Standing, Select, Advisory, Public Hearing or Public Information Meeting)	\$175 per meeting chaired
Alternate Director	\$125 per meeting when attending in the regular Director's place
Select Committees	\$125 per meeting attended
Scheduled Standing Committees	\$125 per meeting attended
Advisory Standing Committees	\$125 per meeting attended
Public Hearings	\$125 per meeting attended
Public Information Meeting	\$125 per meeting attended
Other Business Meetings	\$125 per meeting for Directors appointed by the Board or the Chair to represent the Regional District at other Regional District business meetings

- (a) Where a Board meeting, Committee meeting, Public Hearing, Public Information meeting or Other Business meeting, exceeds four hours in length, an additional stipend of \$50 will be paid.
- (b) A Director designated by the Chair shall receive a meeting per diem of \$175 when attending meetings with senior levels of government or when representing the Regional District at meetings at locations outside of the Regional District unless otherwise remunerated as a representative of another organization attending the meeting.

SCHEDULE 'B'

1. Meal Expenses

- a) Breakfast to a maximum of \$15.00 without a receipt
- b) Lunch to a maximum of \$20.00 without a receipt
- c) Dinner to a maximum of \$30.00 without a receipt

If a receipt is submitted, the actual cost will be reimbursed provided that:

- (i) The cost of the meal excluding taxes and excluding a gratuity does not exceed the maximum cost under a), b) or c); and,
 - (ii) The gratuity, if any, does not exceed 15% of the total meal cost including taxes.
- d) Where travel occurs outside of Canada the meal expense maximums shall be converted at prevailing exchange rates.
 - e) There will be no reimbursement for alcoholic beverages.

2. Overnight Travel

An overnight per diem of \$75 shall be paid to cover the costs of meals, gratuities and incidentals. This per diem shall be paid in lieu of the standard meal per diems above and receipts are not required.

3. Mileage

The mileage rate will be amended on January 1 of each year by an adjustment equal to the consumer price index for Vancouver Island (or equivalent) as at November 30 of the prior year.

Mileage rates will be reviewed in July of each year for adjustments which may be warranted as a result of increased fuel costs over the preceding period.

REGIONAL DISTRICT OF NANAIMO

POLICY

SUBJECT: <i>Board Members' Equipment and Expense Claims</i>	POLICY NO: A1.31 CROSS REF.:
EFFECTIVE DATE: December 12, 2017	APPROVED BY: Board
REVISION DATE:	PAGE: 1 of 3

PURPOSE

To establish the terms and conditions for submitting expense claims and equipment to Board members.

POLICY

1. Personal Computers

Upon initial election a Director shall have the option to have the Regional District provide a RDN approved laptop or iPad, monitor and printer/scanner/copier to the Director for their use for Regional District business during their term of office. The Regional District will pay for the initial installation, setup and maintenance costs as required and shall where requested provide paper, and printer cartridges for Regional District business or reimburse a Director for the out of pocket cost of such supplies.

In lieu of the above equipment, the Director may elect to receive a taxable cash allowance of \$2,000 for the purchase of equivalent equipment that is compatible with the RDN's technology.

Where a Director is re-elected to a further term, the Director may elect instead of receiving the new equipment to receive a taxable cash allowance of \$2,000 which shall be paid on January 1 in the year following the election. In the event the Director elects the cash allowance, the Regional District shall have no further responsibility for the repair or upgrading of the laptop, monitor or printer.

2. Internet Service

The Regional District will pay, or reimburse Directors, for the cost of installation of a modem and setup of internet access for Directors. An allowance for the monthly cost of high speed internet service shall be provided on or about the first day of the month.

1. Mobile Telecommunication Devices

At the option of a Director, the Regional District will either provide the Director with a mobile device or a monthly allowance of \$50 as reimbursement for a mobile telecommunication device. The allowance shall be provided on or about the first day of the month.

2. Annual Eligibility for Communication Services Allowances

In December of each year a Director shall report to the Director Finance which communication services will be used by the Director in the subsequent year. The monthly allowances shall be amended in accordance with that report commencing January 1 of each calendar year.

3. Equipment disposition at the end of a Director's term of office

In consideration of the extensive use of equipment during a four year term of office, any equipment purchased by a Director using a cash allowance or supplied by the Regional District to a Director, as outlined in this policy, shall remain the property of the Director once they are no longer holding office.

6. Non-Taxable Benefit

Where the Regional District purchases and provides equipment under this Policy in order to provide a benefit to the Regional District, the equipment is deemed to be a non-taxable benefit in accordance with Canada Customs and Revenue Agency rules and regulations.

Cash allowances provided under this policy shall be treated as taxable benefits in accordance with Canada Customs and Revenue Agency rules and regulations.

7. Expenses Reimbursement

Detailed receipts will be required for the following expenses:

- a. **Meals** - except when claiming the per diem rate, a receipt detailing meal costs and the names of the persons attending the meal.
- b. **Transportation** - for all means of transportation excluding personal vehicle mileage.
- c. **Accommodation** - except when paid by/billed to the Regional District.
- d. **Parking costs**
- e. **Long distance telephone charges** – that relate to RDN business

8. Conference/Seminar registration fees - except when paid by/billed to the Regional District.

9. Mileage - Claims shall be submitted on the Regional District standard mileage claim form at the end of the month in which expenses were incurred.

10. Conventions/Seminars/Other - Claims may be submitted immediately subsequent to the Director's return using the Regional District standard expense claim form.

All expense claims will be processed following regular accounts payment procedures.

No claim for a previous year will be paid if submitted after January 15th of the following year.

REGIONAL DISTRICT OF NANAIMO

POLICY

SUBJECT: <i>Fax Machines & Personal Computers for Board Members</i>	POLICY NO: A1.15
	CROSS REF.:
EFFECTIVE DATE: May 10, 1994	APPROVED BY: Board
REVISION DATE: October 12, 1999 January 14, 2003 August 26, 2008	April 10, 2001 July 2005 March 2010
	PAGE: 1 of 2

PURPOSE

To establish the terms and conditions for providing fax machines and personal computers to Board members.

POLICY

1. Fax Machines

At the request of a Director, the Regional District will provide a fax machine to the Director for use in their residence for the purpose of carrying on Regional District business during their term of office. The Regional District will pay, or reimburse Directors, for the cost of installation, setup and maintenance of the equipment, as required. The Regional District shall where requested provide paper, supplies and toner cartridges necessary for the operation of the fax machine for Regional District business only or reimburse a Director for the out of pocket cost of such supplies.

Fax machines will not be provided to Alternate Directors.

2. Dedicated Fax Line

The Regional District will pay, or reimburse Directors, for the cost of installation and setup of a dedicated fax line for Directors who have fax machines in their residence. A monthly allowance for the cost of the dedicated fax line shall be provided on or about the first day of the month.

In order to mitigate Director long distance charges, the Regional District shall provide a 1-800 fax line for the use of the Directors only. The 1-800 number shall not to be made available to the general public.

3. Personal Computers

Upon initial election an Electoral Area Director shall have the option to have the Regional District provide a desktop computer, monitor and printer to the Director for use in their residence for the

purpose of carrying on Regional District business during their term of office. The Regional District will pay for the initial installation, setup and maintenance costs as required and shall where requested provide paper for Regional District business only or reimburse a Director for the out of pocket cost of such supplies.

Desktop computers will include basic word processing and internet/email communication software. The Regional District will contract with a local service provider for hardware and software support. Desktop computers will not be provided to Alternate Directors.

At the option of a Director, upon initial election, the Director may choose to receive a taxable cash allowance of \$2,000 for the purchase of computer/printer equipment.

Where a Director is re-elected to a further term, a taxable cash allowance of \$2,000 shall be paid on January 1 in the year following the election. The Regional District shall have no further responsibility for the repair or upgrading of computer/printer/fax equipment beyond a Director's first term of office.

4. Internet Service

The Regional District will pay, or reimburse Electoral Area Directors, for the cost of installation and setup of internet access (high speed where available) for Electoral Area Directors who have desktop computers in their residence. An allowance for the monthly cost of basic internet service shall be provided on or about the first day of the month.

5. Mobile Telecommunication Devices

At the option of an Electoral Area Director, the Regional District will either provide the Director with a Blackberry or a monthly allowance of \$50 as reimbursement for a mobile telecommunication device. The allowance shall be provided on or about the first day of the month.

6. Annual Eligibility for Communication Services Allowances

In December of each year a Director shall report on request which types of communication services are in use by the Director. The monthly allowances shall be amended in accordance with that report commencing January 1 of each calendar year.

7. Equipment disposition at the end of a Director's term of office

In consideration of the extensive use of fax machines and computer/printer equipment during a term of office, any equipment purchased by a Director using a cash allowance or supplied by the Regional District to a Director as outlined in this policy, shall remain the property of the Director once they are no longer holding office.

8. Non-Taxable Benefit

Where the Regional District purchases and provides fax machines and personal computers under this Policy in order to provide a benefit to the Regional District, the equipment is deemed to be a non-taxable benefit in accordance with Canada Customs and Revenue Agency rules and regulations.

Cash allowances provided under this policy shall be treated as taxable benefits in accordance with Canada Customs and Revenue Agency rules and regulations.

REGIONAL DISTRICT OF NANAIMO P O L I C Y

SUBJECT:	<i>Board Expenses</i>	POLICY NO:	A2.1
		CROSS REF.:	
EFFECTIVE DATE:	June 22, 1982	APPROVED BY:	Board
REVISION DATE:	May 12, 1987 March 14, 1989 September 11, 1990 June 14, 1994 October 11, 1994	PAGE:	1 of 1

PURPOSE

To describe the requirements for submitting expense claims pursuant to "Regional District of Nanaimo Board and Committee Members Remuneration Expenses and Benefits Bylaw No. 948, 1994".

POLICY

Detailed receipts will be required for the following expenses:

1. **Meals** - except when claiming the per diem rate, a receipt detailing meal costs and the names of the persons attending the meal.
2. **Transportation** - for all means of transportation excluding personal vehicle mileage.
3. **Accommodation** - except when paid by/billed to the Regional District.
4. **Parking costs**
5. **Long distance telephone charges**
6. **Conference/Seminar registration fees** - except when paid by/billed to the Regional District.

CLAIMS PROCEDURE

Mileage - Claims shall be submitted on the Regional District standard mileage claim form at the end of the month in which expenses were incurred.

Conventions/Seminars/Other - Claims may be submitted immediately subsequent to the Director's/Alternate Director's return using the Regional District standard expense claim form.

All expense claims will be processed following regular accounts payment procedures.

Expense claims shall be deemed payable only if submitted within 90 days of the month end in which they are incurred. No claim for a previous year will be paid if submitted after February 15th of the following year.