

**REGIONAL DISTRICT OF NANAIMO
COMMITTEE OF THE WHOLE
AGENDA**

Tuesday, July 9, 2019

3:00 P.M.

Board Chambers

This meeting will be recorded

Pages

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. ADOPTION OF MINUTES

3.1 Regular Committee of the Whole Meeting - June 11, 2019

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That the minutes of the Regular Committee of the Whole meeting held June 11, 2019, be adopted.

4. INVITED PRESENTATIONS

4.1 Superintendent Cameron Miller, Officer in Charge, Nanaimo Royal Canadian Mounted Police, re Annual Presentation

5. DELEGATIONS

6. CORRESPONDENCE

7. COMMITTEE MINUTES

That the following minutes be received for information:

7.1 Agricultural Advisory Committee - June 26, 2019

10

7.2 Liquid Waste Management Plan Monitoring Committee - June 14, 2019

13

7.3 Drinking Water and Watershed Protection Technical Advisory Committee - April 25, 2019

15

8. CORPORATE SERVICES

- | | | |
|------------|--|-----------|
| 8.1 | Southern Community Sewer Secondary Treatment Capital Improvements – Security Issuing Bylaw 1793 | 17 |
| | <p>1. That "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019" be introduced and read three times.</p> <p>2. That "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019 be adopted.</p> | |
| 8.2 | 2020 to 2024 Financial Plan Schedule | 29 |
| | <p>That the schedule for the Board's consideration of the 2020 to 2024 Financial Plan be approved.</p> | |
| 8.3 | Community Works Fund Status Report | 31 |
| | <p>That the Board receive the 2019 Community Works Funds Projects list (Attachment 1).</p> | |
| 8.4 | Nanoose Bay Peninsula Water Service Area Capital Improvements – Temporary Borrowing Bylaw 1794 | 40 |
| | <p>1. That "Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019" be introduced and read three times.</p> <p>2. That "Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019" be adopted.</p> | |

9. STRATEGIC AND COMMUNITY DEVELOPMENT

- | | | |
|------------|---|-----------|
| 9.1 | Bylaw Amendments Related to Enforcement of Development Permit Areas | 55 |
| | <p>1. That the report for the public hearing held on June 18, 2019 for "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426" be received.</p> <p>2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426" be read a third time.</p> <p>3. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426" be adopted.</p> <p>4. That "Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019" be introduced and read three times.</p> <p>5. That "Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019" be adopted.</p> | |

- 9.2 Mount Arrowsmith Biosphere Region Roundtable Representation 63**
1. That the Chair appoint a Director as the Regional District of Nanaimo representative to the Mount Arrowsmith Biosphere Region Roundtable.
 2. That an amendment be made to "Regional District of Nanaimo Board Procedure Bylaw No. 1754, 2017" to add the Mount Arrowsmith Biosphere Region Roundtable to Schedule B - External Appointments.
- 9.3 CleanBC Communities Fund Grant Application for Electric Vehicle Charging Stations 69**
1. That the Board approve the ten electric vehicle charging station locations identified in this report for the CleanBC Communities Fund grant application.
 2. That the Board allocate \$222,222 in the 2020 budget from the Corporate Climate Action Reserve Fund for the installation of ten public electric vehicle charging stations, subject to receipt of a \$162,222 CleanBC Communities Fund grant to reimburse the Corporate Climate Action Reserve Fund.
 3. That the Board direct staff to prepare a bylaw to create a new service area for the ongoing operations, maintenance and procurement of electric vehicle charging stations.
 4. That the proposed 2020 budget contain \$25,000 for annual operating, maintenance and replacement costs for the electric vehicle charging station service.
- 10. RECREATION AND PARKS**
- 10.1 Ravensong Aquatic Centre Solar Hot Water Community Energy Leadership Program Grant Application 78**
- That the Board endorse the Community Energy Leadership Program grant application to the Fraser Basin Council for the Ravensong Aquatic Centre Solar Hot Water Heating Project.
- 10.2 License to Occupy Agreement Renewal with School District 69 Qualicum 80**
- That the Regional District of Nanaimo enter into a License to Occupy Agreement with School District No. 69 (Qualicum) for recreation program space at both Craig Street Commons (Parksville) and Qualicum Commons (Qualicum Beach) for a term of fifty-four (54) months commencing January 1st, 2020 through June 30th, 2024.
- 11. REGIONAL AND COMMUNITY UTILITIES**
- 11.1 Bylaw 789.05 – A Bylaw to Amend the Fairwinds Streetlighting Local Service 92**
- That "Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.05, 2019" be introduced and read three times.

11.2 Bylaw Nos. 889.74 and 1021.13 – Amendments to the Northern Community Sewer Service and the Pacific Shores Sewer Service

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1. That "Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.74, 2019" be introduced and read three times.

2. That Pacific Shores Sewer Local Service Area Amendment Bylaw No. 1021.13, 2019 be introduced and read three times.

12. BUSINESS ARISING FROM DELEGATIONS

13. MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

13.1 Solid Waste Management Select Committee Terms of Reference

Director Rogers provided notice of the following motion at the June 25, 2019 Regular Board meeting:

That the Regional District of Nanaimo Board review the Terms of Reference of the Solid Waste Management Select Committee.

14. NEW BUSINESS

15. IN CAMERA

That pursuant to Sections 90 (1) (a), (f), (g) and (i) of the *Community Charter* the Committee proceed to an In Camera meeting for discussions related to board appointments, law enforcement, litigation affecting the municipality and solicitor-client privilege.

16. ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR COMMITTEE OF THE WHOLE MEETING

Tuesday, June 11, 2019
3:00 P.M.
Board Chambers

| | | |
|---------------------|-------------------------|---|
| In Attendance: | Director I. Thorpe | Chair |
| | Director B. Rogers | Vice Chair |
| | Director K. Wilson | Electoral Area A |
| | Director V. Craig | Electoral Area B |
| | Director M. Young | Electoral Area C |
| | Director L. Salter | Electoral Area F |
| | Director C. Gourlay | Electoral Area G |
| | Director S. McLean | Electoral Area H |
| | Director L. Krog | City of Nanaimo |
| | Director S. Armstrong | City of Nanaimo |
| | Director D. Bonner | City of Nanaimo |
| | Director T. Brown | City of Nanaimo |
| | Director B. Geselbracht | City of Nanaimo |
| | Director E. Hemmens | City of Nanaimo |
| | Director J. Turley | City of Nanaimo |
| | Director E. Mayne | City of Parksville |
| | Director A. Fras | City of Parksville |
| | Director M. Swain | District of Lantzville |
| Director B. Wiese | Town of Qualicum Beach | |
| Also in Attendance: | P. Carlyle | Chief Administrative Officer |
| | R. Alexander | Gen. Mgr. Regional & Community Utilities |
| | G. Garbutt | Gen. Mgr. Strategic & Community Development |
| | T. Osborne | Gen. Mgr. Recreation & Parks |
| | D. Wells | Gen. Mgr. Corporate Services |
| | D. Pearce | Director of Transportation & Emergency Services |
| | T. Mayea | Legislative Coordinator |
| 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.

APPROVAL OF THE AGENDA

It was moved and seconded that the agenda be approved, as amended, to include the following items under Delegations:

Marlee Brown, re Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 – 3125 Van Horne Road, Electoral Area F

Brian Millward, re Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 – 3125 Van Horne Road, Electoral Area F

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Regular Committee of the Whole Meeting - May 14, 2019

It was moved and seconded that the minutes of the Regular Committee of the Whole meeting held May 14, 2019, be adopted.

CARRIED UNANIMOUSLY

DELEGATIONS

Marlee Brown, re Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 – 3125 Van Horne Road, Electoral Area F

Marlee Brown asked the Board to support her application for a retail store which would provide legal, safe, government-regulated access to non-medical cannabis to the community.

Brian Millward, re Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 – 3125 Van Horne Road, Electoral Area F

Delegate did not attend

COMMITTEE MINUTES

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

Solid Waste Management Plan Monitoring Committee - May 15, 2019

CARRIED UNANIMOUSLY

CORPORATE SERVICES

Quarterly Financial Report – First Quarter – 2019

It was moved and seconded that the Financial Report for the period January 1, 2019 to March 31, 2019 be received for information.

CARRIED UNANIMOUSLY

2018 Annual Financial Report and Statement of Financial Information

It was moved and seconded that the 2018 Annual Financial Report and the Statement of Financial Information be approved as presented.

CARRIED UNANIMOUSLY

Microsoft Enterprise Licence Agreement 2019 - 2022

It was moved and seconded that the Board approve a three-year Enterprise Licence Agreement with Microsoft for 2019 to 2022 for the use of Microsoft software products by the Regional District of Nanaimo (RDN) for \$146,375 per year at total cost of \$439,125.

CARRIED UNANIMOUSLY

STRATEGIC AND COMMUNITY DEVELOPMENT

Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 – 3125 Van Horne Road, Electoral Area F

It was moved and seconded that the Board receive the Summary of the Public Meeting held on April 16, 2019, Public Submissions and Comments and Petition of Support regarding Non-Medical Cannabis Retail Store Licence Application No. PL2019-043.

CARRIED UNANIMOUSLY

It was moved and seconded that the Board adopt the resolution supporting Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 attached to this report as Attachment 2.

CARRIED UNANIMOUSLY

MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Parcel Tax for Regional Parks and Trails Capital Funds

It was moved and seconded that the Board review the amount of parcel tax for Regional Parks and Trails capital funds effective for the 2020 budget.

It was moved and seconded that the main motion be amended as follows:

That the Board agree to a \$20.00 parcel tax for Regional Parks and Trails capital funds effective for the 2020 budget.

The amendment was withdrawn by the mover with the consent of the seconder.

The vote was taken on the main motion:

That the Board review the amount of parcel tax for Regional Parks and Trails capital funds effective for the 2020 budget.

Opposed (3): Director Turley, Director Mayne, and Director Wiese

CARRIED

Regulation of Cannabis Production

It was moved and seconded that the Board refer the issue of regulation of cannabis production in the Regional District of Nanaimo to the Agricultural Advisory Committee for its deliberation, comment and recommendations on regulating cannabis in the Regional District of Nanaimo; and that staff provide a background report to the Agricultural Advisory Committee outlining the options and implications for the regulation of cannabis in the Agricultural Land Reserve.

CARRIED UNANIMOUSLY

It was moved and seconded that the Chair on behalf of the Board write a letter to Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations & Rural Development, echoing the words of Union of BC Municipalities President, Arjun Singh, in his letter of May 22, 2019, and asking that the Minister consider a moratorium on all non-soil bound cannabis production until such time as local governments can create or amend local bylaws and regulations to deal with this issue.

Opposed (2): Director Bonner, and Director Mayne

CARRIED

NEW BUSINESS

Notice of Motion - Letter of Support to Vancouver Island University Deep Bay Marine Field Station

Director McLean provided notice of the following motion:

That the Regional District of Nanaimo Board of Directors write a letter to the Vancouver Island University's Deep Bay Marine Field Station indicating support for the development of a provincially funded business plan for the creation of a seafood innovation centre at the field station.

Notice of Motion - Upgrades to Lighthouse Community Hall

Director McLean provided notice of the following motion:

That pending project approval by the Union of BC Municipalities, up to \$40,000 of unallocated 2019 Electoral Area H Community Works Funds be allocated to the Lighthouse Community Centre Society to upgrade the recreational and cultural infrastructure of the Lighthouse Community Hall.

IN CAMERA

It was moved and seconded that the Committee proceed to an In Camera meeting pursuant to the following sections of the *Community Charter*:

Section 90(2)

- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
- (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.

CARRIED UNANIMOUSLY

TIME: 3:52 PM

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 3:54 PM

CHAIR

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE MEETING**

**Wednesday, June 26, 2019
2:00 P.M.
Board Chambers**

| | | |
|---------------------|---|--|
| In Attendance: | Director M. Young Director S. McLean Director J. Turley J. Thony M. Ryn R. Thompson C. Watson Garry Laird Christopher Brown | Chair Electoral Area H City of Nanaimo Regional Agricultural Organization Regional Agricultural Organization Representative District 69 Representative District 69 Representative District 68 Representative District 68 |
| Regrets: | K. Reid | Shellfish Aquaculture Organization |
| Also in Attendance: | P. Thompson S. Rosser | Mgr. Current Planning Administrative Associate |

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 presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Agricultural Advisory Committee Meeting - February 28, 2019

It was moved and seconded that the minutes of the Agricultural Advisory Committee meeting held February 28, 2019, be adopted.

CARRIED UNANIMOUSLY

REPORTS

Request for Comment on Non-Adhering Residential Use in the Agricultural Land Reserve Application No. PL2019-075 - 1160 Evergreen Way, Electoral Area F

Brad McLean spoke on the farm use and proposed agricultural development.

It was moved and seconded that the application for Non-Adhering Residential Use in the Agricultural Land Reserve Application No. PL2019-075 - 1160 Evergreen Way, Electoral Area F, be recommended for acceptance.

Opposed (2): C. Watson and R. Thompson

CARRIED

Request for Comment on Subdivision in the Agricultural Land Reserve Application No. PL2019-077 - 2550 Quennell Road, Electoral Area A

Lloyd Hiebert, applicant, commented on questions from the Committee.

It was moved and seconded that the application for Subdivision in the Agricultural Land Reserve Application No. PL2019-077 - 2550 Quennell Road, Electoral Area A, be recommended for acceptance.

Opposed (2): M. Ryn and C. Brown

CARRIED

Request for Comment on Subdivision in the Agricultural Land Reserve Application No. PL2019-082 - 3786 Jingle Pot Road, Electoral Area C

Mary-Ann Galvin, agent, and Frank Bajich spoke on the intent to maintain farm use.

It was moved and seconded that the application for Subdivision in the Agricultural Land Reserve Application No. PL2019-082 - 3786 Jingle Pot Road, Electoral Area C, be recommended for acceptance.

Opposed (3): C. Watson, R. Thompson and M. Ryn

CARRIED

Request for Comment on Non-Adhering Residential Use in the Agricultural Land Reserve Application No. PL2019-103 - 2483 Pirart Road, Electoral Area C

Elaine Hosak, agent, spoke on the farm use and proposed agricultural development.

It was moved and seconded that the application for Non-Adhering Residential Use in the Agricultural Land Reserve Application No. PL2019-103 - 2483 Pirart Road, Electoral Area C, be forwarded to the Agricultural Land Commission with a recommendation to approve.

Opposed (7): R. Thompson, M. Young, C. Watson, S. McLean, C. Brown, M. Ryn and G. Laird

DEFEATED

Updated Agricultural Land Commission Decision Summary

Staff provided comment on the status of Agricultural Land Commission decisions since the last meeting on February 28, 2019

It was moved and seconded that the Committee request Agricultural Land Commission decision letters be provided to members on an ongoing basis.

CARRIED UNANIMOUSLY

NEW BUSINESS

The Committee discussed the need for the Agricultural Advisory Committee to be invited to participate in regional Agricultural Land Commission seminars and workshops.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

TIME ADJOURNED: 3:50 PM

CARRIED UNANIMOUSLY

CHAIR

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE LIQUID WASTE MANAGEMENT PLAN MONITORING COMMITTEE
MEETING

Friday, June 14, 2019
12:00 P.M.
Committee Room

| | | |
|---------------------|--------------|---|
| In Attendance: | D. Bonner | Chair |
| | B. Rogers | Electoral Area E |
| | J. Elliot | City of Nanaimo |
| | I. Thorpe | City of Nanaimo |
| | B. Weir | Town of Qualicum Beach |
| | B. Colclough | General Public |
| Regrets: | T. Brown | City of Nanaimo |
| | V. Figueira | City of Parksville |
| | E. Mayne | City of Parksville |
| | F. Spears | District of Lantzville |
| | D. Muir | Snuneymuxw First Nation |
| | J. Pierce | Business Community |
| | J. Rogers | Fisheries and Oceans Canada |
| Also in Attendance: | V. Thamanna | Business Community |
| | P. Urquhart | General Public |
| | R. Alexander | Gen. Mgr. Regional & Community Utilities |
| | S. De Pol | Director, Water & Wastewater Services |
| | S. Norum | Wastewater Coordinator |
| | J. Haddou | Project Engineer |
| | H. Ross | Special Projects Coordinator |
| | J. Pisani | Drinking Water & Watershed Protection Coordinator |
| | R. Graves | 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 presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Liquid Waste Management Plan Monitoring Committee Meeting - November 2, 2017

It was moved and seconded that the minutes of the Liquid Waste Management Plan Monitoring Committee meeting held November 2, 2017 be adopted.

CARRIED UNANIMOUSLY

REPORTS

Introduction to Wastewater Services

S. Norum updated the Committee.

Liquid Waste Management Plan Monitoring Committee Terms of Reference

It was moved and seconded that the Liquid Waste Management Plan Monitoring Committee Terms of Reference be adopted.

CARRIED UNANIMOUSLY

Update on Liquid Waste Management Plan Programs and Projects

Staff presented on the following items:

- Greater Nanaimo Pollution Control Centre Secondary Treatment Upgrade
- French Creek Pollution Control Centre Expansion and Odour Control Upgrade
- Chase River Pump Station and Haliburton Street Sanitary Sewer Forcemain Upgrades
- Bay Avenue Pump Station Upgrades
- SepticSmart
- Biosolids
- Drinking Water and Watershed Protection Plan

Liquid Waste Management Plan Annual Report

S. Norum presented on Liquid Waste Management Plan Annual Report.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 3:23 PM

CHAIR

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE DRINKING WATER AND WATERSHED PROTECTION TECHNICAL
ADVISORY & BOARD STEERING COMMITTEE MEETING**

Thursday, April 25, 2019

12:30 P.M.

Board Chambers

| | | |
|---------------------|----------------|--|
| In Attendance: | R. Alexander | Chair |
| | V. Craig | Director, Area B |
| | S. McLean | Director, Area H |
| | B. Geselbracht | Director, City of Nanaimo |
| | A. Fiddick | Environment Community Representative |
| | P. Jorgenson | Forest Industry Representative |
| | P. Lapcevic | BC Ministry of Forests, Lands & Natural Resource Operations |
| | L. Magee | Island Health |
| | H. Rueggeberg | General Public Representative (South) |
| | W. Shulba | Islands Trust Representative |
| | B. Weir | Municipal Representative (Town of Qualicum Beach) |
| | G. Wendling | Hydrogeologist Representative |
| | C. Cole | General Public Representative (North) |
| | M. Squire | City of Nanaimo |
| | R. Barlak | BC Ministry of Environment |
| Regrets: | O. Brandes | Academic Community Representative (POLIS) |
| | L. Cake | Water Purveyors (Coastal Water Suppliers Association) |
| | K. Epps | Forest Industry Representative |
| | A. Gilchrist | Academic Community Representative (VIU) |
| | N. Leone | Department of Fisheries and Oceans |
| | K. Miller | Cowichan Valley Regional District |
| | B. Silenieks | Municipal Representative (City of Parksville) |
| | F. Spears | Municipal Representative (District of Lantzville) |
| | K. Fagervik | Ministry of Transportation & Infrastructure |
| Also in Attendance: | J. Pisani | Regional District of Nanaimo |
| | M. Walters | Regional District of Nanaimo |
| | C. Brugge | Regional District of Nanaimo |
| | L. Fegan | Regional District of Nanaimo |
| | M. Harstone | Compass Resource Management |
| | R. Mersereau | Econics |

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 presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Drinking Water and Watershed Protection Technical Advisory Committee Meeting - February 14, 2019

It was moved and seconded that the minutes of the Drinking Water and Watershed Protection Technical Advisory Committee meeting held February 14, 2019 be adopted.

CARRIED UNANIMOUSLY

REPORTS/PRESENTATIONS

This meeting was run as an interactive idea-generation session to gather input for the DWWP Action Plan update.

The below reports/presentations were discussed:

- Welcome from DWWP Board Steering Committee
- Meeting overview
- DWWP TAC Roundtable Updates
- Framing the Context on Current and Future Water Management
- Idea Generation - Action Plan Goals and Objectives
- Idea Generation - Action Plan Activities and Initiatives
- Next steps & upcoming meetings

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 4:45 PM

CHAIR

TO: Committee of the Whole **MEETING:** July 9, 2019

FROM: Jeannie Bradburne **FILE:** 1760-20
Director of Finance

SUBJECT: Southern Community Sewer Secondary Treatment Capital Improvements –
Security Issuing Bylaw 1793

RECOMMENDATIONS

1. That “Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019” be introduced and read three times.
2. That “Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019 be adopted.

SUMMARY

The Board adopted the Southern Community Sewer Local Service Secondary Treatment Capital Improvements Loan Authorization Bylaw No. 1756 at the June 27, 2017 Board meeting to ensure borrowing authority is provided for the Greater Nanaimo Pollution Control Centre secondary treatment project in accordance with the 2017-2021 Financial Plan.

The loan authorization bylaw was issued for \$48 million. Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1762, 2017 provided authority to secure long term borrowing of \$15 million. Prior to Bylaw 1793, \$33 million remains to be borrowed as long term debt.

As the project progresses, additional borrowing is required. Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019 will provide for \$15 million of long term borrowing. This will leave \$18 million still to be borrowed as the project completes.

BACKGROUND

Southern Community Sewer Local Service Secondary Treatment Capital Improvements Loan Authorization Bylaw No. 1756 authorized borrowing of \$48 million towards the Southern Community Sewer Secondary Treatment Capital Improvements. To date, \$15 million has been borrowed for long term borrowing and \$15 million has been authorized for temporary borrowing.

There is \$31 million budgeted in 2019 to complete the project. To date, \$61 million has been expended on the secondary treatment improvements. The additional borrowing of \$15 million will provide the financing required to continue construction on this project. Additional borrowing will occur as the project completes.

ALTERNATIVES

1. That “Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019” be introduced and read three times.
2. That “Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019 be adopted.
3. That the Board provide alternative direction.

FINANCIAL IMPLICATIONS

The 2019-2023 Financial Plan includes the borrowing and the repayment of the debt for the secondary treatment capital project. The City of Nanaimo and the District of Lantzville are the participants in the Southern Community Sewer Local Service.

The loan authorization bylaw was issued for \$48 million. The project construction is currently underway with \$61 million spent to date. \$15 million was previously drawn upon in 2017 and an additional \$15 million is required at this time to continue to fund the project.

STRATEGIC PLAN IMPLICATIONS

This report relates to the Regional District’s values of Fiscal Responsibility and Good Governance.



Jeannie Bradburne
jbradburne@rdn.bc.ca
June 20, 2019

Reviewed by:

- J. Bradburne, Director of Finance
- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019
2. Southern Community Sewer Local Service Secondary Treatment Capital Improvements Loan Authorization Bylaw No. 1756, 2017
3. Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1762, 2017

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1793

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

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

AND WHEREAS, pursuant to the provisions of Section 411 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

| Regional District | L/A Bylaw No. | Purpose | Amount Borrowing Authorized | Amount Already Borrowed | Borrowing Authority Remaining | Term of Issue (Yrs.) | Amount of Issue |
|--------------------------|----------------------|---|------------------------------------|--------------------------------|--------------------------------------|-----------------------------|------------------------|
| Nanaimo | 1756 | Southern Community Sewer Local Service Secondary Treatment Capital Improvements | \$48,000,000 | \$15,000,000 | \$33,000,000 | 20 | \$15,000,000 |

Total Financing pursuant to Section 411 \$15,000,000

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

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Fifteen Million Dollars (\$15,000,000) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and Director of Finance of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of this bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chair and Director of Finance.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Southern Community Sewer Local Service Secondary Treatment Capital Improvements Loan Authorization Bylaw No. 1756, the anticipated revenues accruing to the Regional District from the operation of the said Southern Community Sewer Local Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019".

Introduced and read three times this _____ day of _____, 2019.

Adopted this _____ day of _____, 2019.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Southern
Community Sewer Local Service Secondary
Treatment Capital Improvements Security
Issuing Bylaw No. 1793, 2019".

Chair

Corporate Officer

C A N A D A
PROVINCE OF BRITISH COLUMBIA
AGREEMENT
REGIONAL DISTRICT OF NANAIMO

The Regional District of Nanaimo (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ in lawful money of Canada, together with interest thereon from the _____, at varying rates of interest, calculated semi-annually in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the table appearing on the reverse hereof commencing on the _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

Dated at _____ British Columbia, this _____ of _____, 20_____.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 1793 cited as "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1793, 2019", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chair and the Director of Finance thereof.

Chair

Director of Finance

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any court of the Province of British Columbia.

Dated this _____ day of _____, 20_____.

Inspector of Municipalities of British Columbia

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1756

**A BYLAW TO AUTHORIZE THE BORROWING OF
FORTY EIGHT MILLION DOLLARS (\$48,000,000)
FOR THE SOUTHERN COMMUNITY SEWER LOCAL SERVICE**

WHEREAS the Board of the Regional District of Nanaimo (the "Regional District") established the Southern Community Sewer Local Service pursuant to Bylaw No. 888, cited as "Regional District of Nanaimo Southern Community Sewer Local Service Conversion Bylaw No. 888, 1993" for the purpose of collection, conveyance, treatment and disposal of sewage;

AND WHEREAS the Regional District wishes to undertake and carry out secondary treatment capital improvement and upgrades requirements to the Greater Nanaimo Pollution Control Centre (the "Works");

AND WHEREAS the Regional District Liquid Waste Management Plan has been approved by the Minister under section 24(5) of the *Environmental Management Act* and the borrowing authority to implement the Liquid Waste Management Plan does not require approval of the electors;

AND WHEREAS the estimated cost of the Works, including expenses incidental thereto, is the sum of Forty Eight Million Dollars (\$48,000,000);

AND WHEREAS 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;

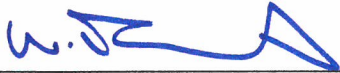
NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Loan Authorization Bylaw No. 1756, 2017".
2. The Regional District is hereby empowered and authorized to borrow funds to undertake and carry out or cause to be carried out the secondary treatment capital improvement and upgrades requirements to the sewage collection, treatment and disposal system of the Greater Nanaimo Pollution Control Centre.
3. The total amount to be borrowed under the authority of this bylaw shall not exceed Forty Eight Million Dollars (\$48,000,000).
4. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.
5. The borrowing authorized relates to the Southern Community Sewer Local Service established pursuant to Bylaw No. 888, cited as "Regional District of Nanaimo Southern Community Sewer Local Service Conversion Bylaw No. 888, 1993".

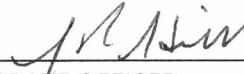
Introduced and read three times this 11th day of April, 2017.

Received the approval of the Inspector of Municipalities this 7th day of June, 2017.

Adopted this 27th day of June, 2017.



CHAIRPERSON



CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1762

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

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

AND WHEREAS, pursuant to the provisions of Section 411 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

| Regional District | L/A Bylaw No. | Purpose | Amount Borrowing Authorized | Amount Already Borrowed | Borrowing Authority Remaining | Term of Issue (Yrs.) | Amount of Issue |
|----------------------|---------------------|--|-----------------------------------|-------------------------------|-------------------------------------|----------------------------|-----------------------|
| Nanaimo | 1756 | Southern Community Sewer Local Service Secondary Treatment Capital Improvements | \$48,000,000 | Nil | \$48,000,000 | 20 | \$15,000,000 |

Total Financing pursuant to Section 411

\$15,000,000

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

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Fifteen Million Dollars (\$15,000,000) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and Director of Finance of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of this bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chair and Director of Finance.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Southern Community Sewer Local Service Secondary Treatment Capital Improvements Loan Authorization Bylaw No. 1756, the anticipated revenues accruing to the Regional District from the operation of the said Southern Community Sewer Local Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1762, 2017".

Introduced and read three times this 25th day of July, 2017.

Adopted this 22nd day of August, 2017.



CHAIR

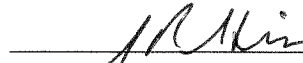


CORPORATE OFFICER

Schedule 'A' to accompany "Southern
Community Sewer Local Service Secondary
Treatment Capital Improvements Security
Issuing Bylaw No. 1762, 2017".



Chair



Corporate Officer

C A N A D A
PROVINCE OF BRITISH COLUMBIA
AGREEMENT
REGIONAL DISTRICT OF NANAIMO

The Regional District of Nanaimo (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ in lawful money of Canada, together with interest thereon from the _____, at varying rates of interest, calculated semi-annually in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the table appearing on the reverse hereof commencing on the _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

Dated at _____ British Columbia, this _____ of _____, 20_____.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 1762 cited as "Southern Community Sewer Local Service Secondary Treatment Capital Improvements Security Issuing Bylaw No. 1762, 2017", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chair and the Director of Finance thereof.

Chair

Director of Finance

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any court of the Province of British Columbia.

Dated this _____ day of _____, 20_____.

Inspector of Municipalities of British Columbia



MEETING: July 9, 2019

FILE: 1704-06

SUBJECT: 2020 to 2024 Financial Plan Schedule

That the schedule for the Board's consideration of the 2020 to 2024 Financial Plan be approved.

A schedule is proposed for the Board's consideration of the 2020 to 2024 Financial Plan.

Regional Districts are required to prepare and adopt a five-year financial plan, by bylaw, no later than March 31 each year. The following is the proposed meeting schedule for the 2020 to 2024 Financial Plan, where the Board will consider the budget. All of the meetings are open to the public to attend.

| Date | Meeting Type | Purpose |
|-------------------|--------------|---|
| November 26, 2019 | COW | Present the Provisional 2020 Budget |
| December 10, 2019 | Board | Approval of Provisional 2020 Budget |
| February 11, 2020 | COW | Present Five Year Financial Plan |
| February 25, 2020 | Board | Adoption of the 2020 to 2024 Financial Plan Bylaw |

The RDN will work towards continued education and information sharing on the budgeting process for the RDN with its residents. This will include additional information on the existing Get Involved RDN page – RDN Budget Talks with updated content based on what was heard in last year's budget survey such as Frequently Asked Questions explaining what services the region offers, how budgeting differs between regional and municipal government and more. Updated timelines of when the budget will be reviewed at public meetings, as well as a forum asking residents to share their ideas to the following: What are your priorities for the RDN Board to consider in the 2020 – 2024 budget? This will be asked from August 6th – September 30th. This will allow residents to share their ideas to the Board on what they want considered for

the upcoming budget review. Input received will be summarized and shared to the Board at the November 26th Special Committee of the Whole. The Question & Answer feature of the page will continue to be live, encouraging residents to ask questions and the Finance team will share answers. Residents will continue to be encouraged to register to receive electronic updates with budgeting information and to view budget documents.

The promotion of this engagement will be done using various tools throughout the late summer and fall including regular newspaper ads, social media posts, a news release, and information will be provided for Directors to send to their stakeholder lists and be posted on the RDN's website.

The Regional Hospital District Budgets will be considered at their own meetings, currently scheduled for December 10, 2019, February 11, 2020 and March 10, 2020.

ALTERNATIVES

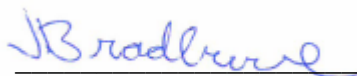
1. That the schedule for the Board's consideration of the 2020 to 2024 Financial Plan be approved.
2. Provide alternate direction to staff regarding the review and approval process for the 2020 to 2024 Financial Plan.

FINANCIAL IMPLICATIONS

There are no financial implications to the schedule to consider the financial plan.

STRATEGIC PLAN IMPLICATIONS

This report aligns with the Board's Value of Fiscal Responsibility.



Jeannie Bradburne
jbradburne@rdn.bc.ca
June 18, 2019

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

TO: Committee of the Whole **MEETING:** July 9, 2019
FROM: Jeannie Bradburne **FILE:** 1855-04-COWO
 Director of Finance
SUBJECT: Community Works Fund Status Report

RECOMMENDATION

That the Board receive the 2019 Community Works Funds Projects list (Attachment 1).

SUMMARY

A list of Board approved Community Works Fund (CWF) projects and information on eligible project categories is provided. Attachment 1 provides a list of current CWF funded projects by electoral area, Attachment 2 provides a list of eligible project categories, and Attachment 3 provides a list of completed CWF projects from 2014 to 2018.

BACKGROUND

The renewed Gas Tax Agreement (GTA) between Canada, British Columbia and the Union of British Columbia Municipalities (UBCM), and the 2014-2024 CWF Agreement between the Regional District of Nanaimo (RDN) and UBCM took effect April 1, 2014. Under these agreements, local governments receive annual transfers which may be used for local priorities to improve public infrastructure. The current Agreement is in place until 2024. In 2019, based on per capita amounts for the electoral area population, \$1,744,404 before interest is expected for the RDN.

As a result of the Board decision made in 2007, each RDN electoral area is allocated funds based on population. Municipalities within the RDN receive funds separately from UBCM under the CWF program. The CWF program is separate from the application-based Strategic Priorities Fund, which provides funding for projects that are larger in scale, regional in impact, or innovative in nature.

The projects listed in Attachment 1 include the development of community water and sewer systems, recreation and parks infrastructure, building upgrades and the implementation of official community plan initiatives.

Some of the projects include a transfer of funding to third parties such as improvement districts and not-for-profit associations. In those cases, agreements are completed with the recipients to ensure compliance with the overarching GTAs signed by the RDN with UBCM and by UBCM with British Columbia and Canada.

Costs such as land purchases, legal costs and operating/administrative costs remain ineligible for funding under the gas tax funding program. There is an expectation included in the agreements by the federal and provincial governments that the ultimate recipients (local governments and other eligible entities) are required to “work to strengthen” asset management during the term of the Agreement.

CWF projects that are complete are shown in Attachment 3. From 2014 to 2018, projects that have been completed total \$4,131,199 of investment into our community.

The Government of Canada announced that they would be making a one-time bonus payment to occur in the 2019/20 year. An additional payment of \$1,756,237 is expected to occur in the summer of 2019, but at the time of writing this report, a transfer schedule has not been confirmed by Canada. This payment has been excluded from the Financial Implications in this report because of the difference in fiscal years with the Government of Canada and the ability for this payment to occur in 2020.

ALTERNATIVES

1. That the Board approved the Community Works Funds program project list included in Attachment 1.
2. Other direction, as provided by the Board.

FINANCIAL IMPLICATIONS

In 2019, the RDN will receive \$1,744,404 in CWF base funding, which is added to the existing balance and will accrue interest during the year. The Board previously decided to allocate \$50,000 of the funding annually for cross-area projects and the remaining balance to the electoral areas on a per capita basis. Allocations are based on 2016 census data.

The following table sets out estimated balances available by area.

| | Jan 1, 2019 Opening Balance | 2019 Allocation | 2019 Budget | Dec 31, 2019 Projected Closing Balance |
|------------------|--|----------------------------|--------------------|---|
| Base Funding | \$196,800 | \$50,000 | \$20,000 | \$226,800 |
| Electoral Area A | \$1,934,858 | \$328,858 | \$1,346,500 | \$917,215 |
| Electoral Area B | \$873,195 | \$170,276 | \$852,499 | \$190,972 |
| Electoral Area C | \$1,000,246 | \$118,556 | \$61,288 | \$1,057,514 |
| Electoral Area E | \$937,175 | \$268,313 | \$954,758 | \$250,730 |
| Electoral Area F | \$2,137,413 | \$326,113 | \$1,378,962 | \$1,084,564 |
| Electoral Area G | \$2,094,125 | \$315,178 | \$313,611 | \$2,095,692 |
| Electoral Area H | \$212,201 | \$167,110 | \$352,264 | \$27,046 |
| Total | \$9,386,012 | \$1,744,404 | \$5,279,883 | \$5,850,533 |

In 2019, \$5,279,883 is budgeted to be spent. Use of CWFs allows for projects to be completed which would not otherwise be feasible without significant tax increases.

STRATEGIC PLAN IMPLICATIONS

Growth Management - Fully develop our Asset Management Plan.

Community Works Funds supports the Value of Fiscal Responsibility and is used towards supporting other key strategic areas such as Growth Management.



Jeannie Bradburne

jbradburne@rdn.bc.ca

June 24, 2019

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments:

1. 2019 Community Works Fund Projects
2. Community Works Funds Eligible Project Categories
3. Community Works Funds Completed 2014 - 2018

ATTACHMENT 1
2019 Community Works Projects

All Electoral Areas

| Project Description | 2019 Budget |
|--|--------------------|
| Alternatives to BC building code for Green Buildings/Best Practices Guides | \$20,000 |

Electoral Area A

| Project Description | 2019 Budget |
|---|--------------------|
| EA A Morden Colliery Bridge & Trail Design | \$37,875 |
| EA A Cedar Community Centre Accessibility Project | \$78,625 |
| EA A NCID Water System Upgrades | \$1,260,000 |

Electoral Area B

| Project Description | 2019 Budget |
|--|--------------------|
| EA B Gabriola Cycling Plan | \$50,000 |
| EA B Gabriola Village Trail Phase 2 | \$712,822 |
| EA B Gabriola Island Community Hall Assn | \$30,000 |
| EA B Huxley Sport Court Pickleball project | \$10,000 |
| EA B Huxley Park Phase 2 Upgrades | \$49,677 |

Electoral Area C

| Project Description | 2019 Budget |
|---|--------------------|
| EA C Water Service Planning | \$30,000 |
| EA C Jonanco Hobby Workshop Parking Lot | \$31,288 |

Electoral Area E

| Project Description | 2019 Budget |
|--|--------------------|
| EA E Nanoose Bay Water Quality/Quantity Monitoring Program | \$31,000 |
| EA E Nanoose Bay Peninsula Water Service Pump Station | \$778,758 |
| EA E Stone Lake Natural Playground | \$50,000 |
| EA E Jack Bagley Multi-Sport Site | \$30,000 |
| EA E Nanoose Road Park Upgrade | \$5,000 |
| EA E Nanoose Place Solar System and Landscaping | \$60,000 |

Electoral Area F

| Project Description | 2019 Budget |
|--|--------------------|
| EA F Whiskey Creek Water System Upgrades | \$393,962 |
| EA F Meadowood Community Rec Centre | \$915,000 |
| EA F Melrose Place Water Reservoir Replacement | \$60,000 |
| EA F David Lundine Trail | \$10,000 |

Electoral Area G

| Project Description | 2019 Budget |
|---|--------------------|
| EA G Little Qualicum Hall Capital Upgrades | \$163,700 |
| EA G Water Service Areas Planning | \$14,981 |
| EA G San Pareil Water Service expansion | \$12,525 |
| EA G French Creek Water Well Head Upgrade | \$25,000 |
| EA G San Pareil Water Service Meter/Well Capital projects | \$37,404 |
| EA G Surfside Water Reservoir Upgrade | \$55,000 |
| EA G French Creek Highway Bridge Street Lights | \$5,000 |

Electoral Area H

| Project Description | 2019 Budget |
|---|--------------------|
| EA H Tulnuxkw Lelum Bowser Cultural Learning Space | 8,615 |
| EA H Bower Sewer Servicing Outfall Design & Service Establishment | 153,649 |
| EA H Deep Bay Improvement District Critical Drinking Water Infrastructure | 150,000 |
| EA H Lighthouse Community Hall | 40,000 |

| | |
|-------------------------------|------------------|
| Total RDN CWF Projects | 5,279,883 |
|-------------------------------|------------------|

ATTACHMENT 2

COMMUNITY WORKS FUNDS ELIGIBLE PROJECT CATEGORIES

- **Capacity building** – includes investments related to strengthening the ability of Local Governments to develop long-term planning practices. Under the capacity building category, items related to asset management have been added such as long-term infrastructure plans, studies, strategies, or systems related to asset management and training directly related to asset management planning.
- **Local roads, bridges** – roads, bridges and active transportation infrastructure (active transportation refers to investments that support active methods of travel. This can include: cycling lanes and paths, sidewalks, hiking and walking trails).
- **Highways** – highway infrastructure.
- **Short-sea shipping** – infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
- **Short-line rail** – railway related infrastructure for carriage of passengers or freight.
- **Regional and local airports** – airport-related infrastructure (excludes the National Airport System).
- **Broadband connectivity** – infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
- **Public transit** – infrastructure that supports a shared passenger transport system that is available for public use.
- **Drinking water** – infrastructure that supports drinking water conservation, collection, treatment and distribution systems.
- **Wastewater** – infrastructure that supports wastewater and storm water collection, treatment and management systems.
- **Solid waste** – infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage.
- **Community energy systems** – infrastructure that generates or increases the efficient usage of energy.
- **Brownfield Redevelopment** – remediation or decontamination and redevelopment of a brownfield site within Local Government boundaries, where the redevelopment includes:
 - the construction of public infrastructure as identified in the context of any other eligible project category under the GTF, and/or;
 - the construction of Local Government public parks and publicly-owned social housing.
- **Sport Infrastructure** – amateur sport infrastructure (excludes facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League)).
- **Recreational infrastructure** – recreational facilities or networks.
- **Cultural infrastructure** – infrastructure that supports arts, humanities, and heritage.
- **Tourism infrastructure** – infrastructure that attracts travelers for recreation, leisure, business or other purposes.
- **Disaster mitigation** – infrastructure that reduces or eliminates long-term impacts and risks associated with natural disasters. Limited to projects/costs that are for mitigation, not response related infrastructure.

ATTACHMENT 3
COMMUNITY WORKS PROJECTS COMPLETED 2014 - 2018

| Projects ELECTORAL AREA A | CWF Funding Provided | Description |
|---|---------------------------------|--|
| Snuneymuxw First Nations Sport Court – EA A | \$299,960 | Capital funding agreement for sport court upgrades |
| Cedar Community Hall HVAC Upgrade – EA A | \$21,182 | Capital funding agreement |
| Cranberry Community Hall Capital Upgrades | \$146,000 | Capital funding agreement with Cranberry Improvement District |
| Ecoforestry Institute Society – EA A | \$150,000 | Wilkinson Heritage Homestead Project |
| Well Assessments – EA A | \$11,686 | Well Assessment |
| ELECTORAL AREA B | CWF Funding Provided | Description |
| Gabriola Village Trail Design Phase – EA B | \$109,388 | Development of detailed design plan incorporating surveys, environmental studies, landowner, community and MoTI consultation |
| Gabriola Island Community Bus – EA B | \$24,685 | Community Bus purchase and bus route infrastructure funding |
| Gabriola Commons Solar Array – EA B | \$16,035 | Installation of solar array for power generation |
| Rollo McClay Community Park Infrastructure – EA B | \$12,000 | Project with Gabriola Softball Association to install playground |
| Gabriola Seniors Citizens Association – EA B | \$29,959 | Rollo Centre Capital Upgrades |
| Gabriola Museum Accessibility Upgrade – EA B | \$5,000 | Funding agreement with Gabriola Historical & Museum Society |
| Gabriola Island Community Hall Upgrades – EA B | \$17,365 | Funding agreement with Community Hall Association, 2017 project |
| Gabriola Golf Club – EA B | \$26,030 | Funding agreement with Golf Club for capital equipment funding |
| Gabriola Skatepark – EA B | \$11,787 | Skatepark development project |
| Gabriola Island Recycling Facility – EA B | \$25,000 | Roof replacement project |
| Gabriola Island Recycling Facility – EA B | \$6,325 | Used oil tank replacement project |
| Huxley Park - EA B | \$12,500 | Sport court upgrade project |

| | | |
|--|-----------------------------|--|
| Gabriola Seniors Citizens Association – EA B | \$42,000 | Rollo Centre Upgrades |
| Gabriola Island Community Bus – EA B | \$10,000 | Purchase of a bus |
| ELECTORAL AREA C | CWF Funding Provided | Description |
| Extension Miners Bridge – EA C | \$22,166 | Trail, stairs and bridge construction costs |
| Extension School – EA C | \$14,125 | Design and cost estimates for historic building preservation |
| Meadow Drive Trail – EA C | \$43,255 | Trail improvements |
| ELECTORAL AREA E | CWF Funding Provided | Description |
| Community Signage Program – EA E | \$34,300 | Integrated wayfinding and community signage program for Nanoose Bay |
| Claudet Community Park Trail – EA E | \$95,974 | Trail design & construction |
| Blueback Community Park – EA E | \$50,000 | Park and trail infrastructure upgrades |
| Oakleaf Community Park – EA E | \$30,000 | Park and trail infrastructure upgrades |
| Nanoose Bay Water Services – EA E | \$137,275 | Matthew Road reservoir construction |
| Nanoose Bay Fire Hall HVAC optimization – EA E | \$9,349 | Programming and capital improvements to optimize system & energy savings |
| Jack Bagley – EA E | \$10,000 | Field improvements |
| ELECTORAL AREA F | CWF Funding Provided | Description |
| Westurne Heights Water System Upgrades – EA F | \$50,000 | Engineering & construction of upgrades to water system taken over by RDN to meet VIHA requirements |
| Arrowsmith Community Trails – EA F | \$11,000 | Price Road trail development/upgrades |
| Arrowsmith Community Trails – EA F | \$18,835 | Cranswick Road trail development/upgrades |
| Arrowsmith Community Trails – EA F | \$20,584 | Carrothers Road trail development/upgrades |
| Arrowsmith Recreational Hall – EA F | \$15,000 | Septic system upgrade |
| E&N Rail Trail – EA F | \$996,107 | E&N Rail Trail |
| Nanoose Place – EA F | \$197,145 | Capital upgrades to HVAC, Mechanical, and Sound System |

| ELECTORAL AREA G | CWF Funding Provided | Description |
|--|-----------------------------|---|
| San Pareil Water Service – EA G | \$350,000 | Capital upgrades to water system reservoir and distribution system |
| Miller Park – EA G | \$78,550 | Bank stabilization project |
| E&N Rail Trail – EA G | \$311,283 | E&N Rail Trail |
| ELECTORAL AREA H | CWF Funding Provided | Description |
| Spider Lake Broadband – EA H | \$86,000 | Partnering project with Telus to expand coverage |
| OCP Review Plans – EA H | \$72,728 | Active Transportation Plan & ALR Boundary Scoping, Archeological Overview Assessment |
| Bowser Sewer Servicing Design – EA H | \$162,610 | Contribution to design & costing project |
| Lighthouse Community Centre Upgrades – EA H | \$109,645 | Agreement with Lighthouse Community Centre for capital upgrade funding |
| Bowser Legion Capital Upgrades – EA H | \$58,148 | Agreement with Ladies Auxiliary of Bowser Legion for capital upgrade funding |
| Speed reader Board – EA H | \$13,440 | Traffic calming initiatives within community plan |
| Lighthouse Community Centre – EA H | \$36,000 | Agreement with Lighthouse Community Centre for capital upgrade funding – roof replacement |
| Dunsmuir Park – EA H | \$100,000 | Sports Court, Parking, Playground |
| ALL ELECTORAL AREAS | CWF Funding Provided | Description |
| Green Building Best Practices Guidebook Series – all EAs | \$20,778 | Rainwater Harvesting guidebook |
| TOTAL SPENDING All Completed Projects | \$4,131,199 | |

TO: Committee of the Whole **MEETING:** July 9, 2019

FROM: Jeannie Bradburne **FILE:** 1760-20
Director of Finance

SUBJECT: Nanoose Bay Peninsula Water Service Area Capital Improvements – Temporary
Borrowing Bylaw 1794

RECOMMENDATIONS

1. That “Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019” be introduced and read three times.
2. That “Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019” be adopted.

SUMMARY

The Board adopted the Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, 2014 at the November 25, 2014 Board meeting to ensure borrowing authority was provided for the Nanoose Bay Peninsula Water Service Area in accordance with the Financial Plan. This bylaw authorized the borrowing of \$2,600,000.

Of the \$2,600,000, \$907,200 has been authorized by means of security issuing bylaws, and a further \$350,000 has been authorized for temporary borrowing. The balance of \$1,342,800 has not yet been acted on.

Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019 will provide the authority to interim finance the balance of the \$2,600,000 that has been authorized.

BACKGROUND

Regional Districts can borrow by way of a Loan Authorization Bylaw. After adoption of a Loan Authorization Bylaw, a Regional District can proceed to Temporary Borrowing or Security Issuing.

A Loan Authorization Bylaw was approved on November 25, 2014 authorizing \$2,600,000 to be borrowed for Nanoose Bay Peninsula Water Service Area Capital Improvements. This amount has been acted upon as follows:

- Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015 authorized \$350,000 of long term debt on March 24, 2015.

- Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016 authorized \$557,200 of long term debt on August 23, 2016.
- Nanoose Bay Peninsula Water Service Area Capital Improvements Interim Financing Bylaw No. 1724, 2015 authorized \$350,000 of temporary borrowing on March 24, 2015.

A balance of \$1,342,800 has yet to be acted upon. The authority to borrow under Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, 2014 for any part of the bylaw that has not already been used to secure either temporary borrowing or long term borrowing will expire on November 24, 2019¹. Approval of Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019 will preserve the RDN's ability to borrow under the Loan Authorization Bylaw and provide for the ability to temporarily borrow for this work until such time that the project is complete. Once the work is complete the temporary financing will be converted into long term debenture debt by way of a security issuing bylaw.

ALTERNATIVES

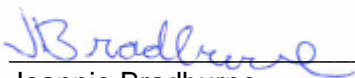
1. That "Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019" be introduced and read three times.
2. That "Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019" be adopted.
3. That the Board provide alternative direction.

FINANCIAL IMPLICATIONS

Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019 will provide approval of temporary borrowing in the amount of \$1,342,800.

STRATEGIC PLAN IMPLICATIONS

This report relates to the Regional District's values of Fiscal Responsibility and Good Governance.



Jeannie Bradburne
jbradburne@rdn.bc.ca
June 20, 2019

Reviewed by:

- J. Bradburne, Director of Finance
- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

¹ Local Government Act section 403 / Community Charter section 179

Attachments:

1. Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019
2. Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, 2014
3. Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015
4. Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016
5. Nanoose Bay Peninsula Water Service Area Capital Improvements Interim Financing Bylaw No. 1724, 2015

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1794

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

WHEREAS pursuant to Section 409 of the *Local Government Act* a regional district may, where it has adopted a loan authorization bylaw, borrow temporarily without further assents or approvals, from any person under the conditions therein set out;

AND WHEREAS by "Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, 2014" ("Bylaw No. 1714"), the Board of the Regional District of Nanaimo was authorized to borrow upon the credit of the Regional District a sum not exceeding \$2,600,000 for the purpose of undertaking and carrying out capital improvement and upgrades requirements to the water supply and distribution system;

AND WHEREAS the remaining authorized borrowing power under the said Bylaw No. 1714 stands at \$1,342,800;

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

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

1. The Board of the Regional District of Nanaimo is hereby authorized and empowered to borrow temporarily from any person or body corporate, sums not exceeding \$1,342,800 solely for the purposes specified in Bylaw No. 1714.
2. The form of obligations, to be given to the lender in acknowledgement of the liability of the said Regional District Board shall be a promissory note, or notes, bearing the Corporate Seal of the Regional District of Nanaimo and signed by the Chair and Director of Finance of the Regional District.
3. The proceeds from the sale of debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
4. This bylaw may be cited as "Nanoose Bay Peninsula Water Service Area Capital Improvements Temporary Borrowing Bylaw No. 1794, 2019".

Introduced and read three times this _____ day of _____, 2019.

Adopted this _____ day of _____, 2019.

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1714

**A BYLAW TO AUTHORIZE THE BORROWING OF
TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000)
FOR THE NANOOSE BAY PENINSULA WATER SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo (the "Regional District") established the Nanoose Bay Peninsula Water Service Area pursuant to Bylaw No. 867, cited as "Nanoose Bay Peninsula Water Service Area Establishment Bylaw No. 867, 1992" for the purpose of operating works and facilities for the supply, storage, distribution and treatment of water in a portion of Electoral Area 'E';

AND WHEREAS the Board wishes to undertake and carry out capital improvement and upgrades requirements to the water supply and distribution system (the "Works");

AND WHEREAS the estimated cost of the Works, including expenses incidental thereto, is the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000);

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

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

1. This bylaw may be cited for all purposes as the "Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, 2014".
2. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the capital improvement and upgrades requirements to the water supply and distribution system and without limiting the generality of the foregoing:
 - (a) to borrow upon the credit of the Regional District a sum not exceeding Two Million Six Hundred Thousand Dollars (\$2,600,000).
3. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.
4. The borrowing authorized relates to the Nanoose Bay Peninsula Water Service Area pursuant to Bylaw No. 867, cited as "Nanoose Bay Peninsula Water Service Area Establishment Bylaw No. 867, 1992".

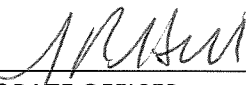
Introduced and read three times this 22nd day of July, 2014.

Approved by the Inspector of Municipalities this 28th day of August, 2014.

Received the assent of the electors under section 801.2 of the *Local Government Act* this 15th day of November, 2014.

Adopted this 25th day of November, 2014.


CHAIRPERSON


CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1723

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

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

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

| Regional District | L/A Bylaw No. | Purpose | Amount Borrowing Authorized | Amount Already Borrowed | Borrowing Authority Remaining | Term of Issue (Yrs.) | Amount of Issue |
|-------------------|---------------|---|-----------------------------|-------------------------|-------------------------------|----------------------|-----------------|
| Nanaimo | 1714 | Nanoose Bay Peninsula Water Service Area Capital Improvements | \$2,600,000 | Nil | \$2,600,000 | 20 | \$350,000 |

Total Financing pursuant to Section 825

\$350,000

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

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Three Hundred and Fifty Thousand Dollars (\$350,000) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Director of Finance of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of this bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Director of Finance.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, the anticipated revenues accruing to the Regional District from the operation of the said Nanoose Bay Peninsula Water Service Area are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority of British Columbia Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015".

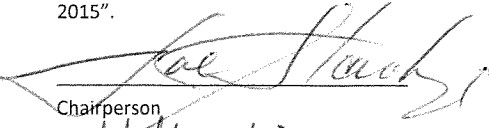
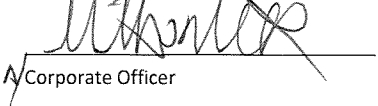
Introduced and read three times this 24th day of March, 2015.

Adopted this 24th day of March, 2015.


CHAIRPERSON


A/CORPORATE OFFICER

Schedule 'A' to accompany "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015".


Chairperson

Corporate Officer

CANADA
PROVINCE OF BRITISH COLUMBIA

AGREEMENT
REGIONAL DISTRICT OF NANAIMO

The Regional District of Nanaimo (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ in lawful money of Canada, together with interest thereon from the _____, at varying rates of interest, calculated semi-annually in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the table appearing on the reverse hereof commencing on the _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

Dated at _____ British Columbia, this _____ of _____, 20__.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 1723 cited as "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1723, 2015", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chairperson and the Director of Finance thereof.

Chairperson

Director of Finance

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any court of the Province of British Columbia.

Dated this _____ day of _____, 20__.

Inspector of Municipalities of British Columbia

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1750

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

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

AND WHEREAS, pursuant to the provisions of Section 411 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

| Regional District | L/A Bylaw No. | Purpose | Amount Borrowing Authorized | Amount Already Borrowed | Borrowing Authority Remaining | Term of Issue (Yrs.) | Amount of Issue |
|-------------------|---------------|---|-----------------------------|-------------------------|-------------------------------|----------------------|-----------------|
| Nanaimo | 1714 | Nanoose Bay Peninsula Water Service Area Capital Improvements | \$2,600,000 | \$350,000 | \$2,250,000 | 20 | \$557,200 |

| | |
|---|------------------|
| Total Financing pursuant to Section 411 | <u>\$557,200</u> |
|---|------------------|

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

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

1. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Nanaimo Regional District and its municipalities hereinbefore referred to, in Canadian Dollars or in such other currency or currencies as the Authority shall determine so that the amount realized does not exceed Five Hundred and Fifty Seven Thousand, Two Hundred Dollars (\$557,200) in Canadian Dollars and/or the equivalent thereto and at such interest and with such discounts or premiums and expenses as the Authority may deem consistent with the suitability of the money market for sale of securities of the Authority.
2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Director of Finance of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule 'A' and made part of this bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule 'A' shall be dated and payable in the principal amount or amounts of money in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such other currency or currencies as shall be borrowed by the Authority pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligations incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Director of Finance.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
7. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, the anticipated revenues accruing to the Regional District from the operation of the said Nanoose Bay Peninsula Water Local Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, and deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
9. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. This bylaw may be cited as "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016".

Introduced and read three times this 23rd day of August, 2016.

Adopted this 23rd day of August, 2016.




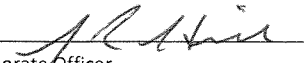
CHAIRPERSON



CORPORATE OFFICER

Schedule 'A' to accompany "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016".


Chairperson


Corporate Officer

C A N A D A
PROVINCE OF BRITISH COLUMBIA

AGREEMENT
REGIONAL DISTRICT OF NANAIMO

The Regional District of Nanaimo (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ in lawful money of Canada, together with interest thereon from the _____, at varying rates of interest, calculated semi-annually in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the table appearing on the reverse hereof commencing on the _____, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

Dated at _____ British Columbia, this _____ of _____, 20__.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 1750 cited as "Nanoose Bay Peninsula Water Service Area Capital Improvements Security Issuing Bylaw No. 1750, 2016", this Agreement is sealed with the Corporate Seal of the Regional District and signed by the Chairperson and the Director of Finance thereof.

Chairperson

Director of Finance

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any court of the Province of British Columbia.

Dated this _____ day of _____, 20__.

Inspector of Municipalities of British Columbia

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1724

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

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

AND WHEREAS by "Nanoose Bay Peninsula Water Service Area Capital Improvements Loan Authorization Bylaw No. 1714, 2014" ("Bylaw No. 1714"), the Board of the Regional District of Nanaimo was authorized to borrow upon the credit of the Regional District a sum not exceeding \$2,600,000.00 for the purpose of undertaking and carrying out capital improvement and upgrades requirements to the water supply and distribution system;

AND WHEREAS the remaining authorized borrowing power under the said Bylaw No. 1714 stands at \$2,600,000.00;

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


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

1. The Board of the Regional District of Nanaimo is hereby authorized and empowered to borrow temporarily from any person or body corporate, sums not exceeding \$350,000.00 solely for the purposes specified in Bylaw No. 1714.
2. The form of obligations, to be given to the lender in acknowledgement of the liability of the said Regional District Board shall be a promissory note, or notes, bearing the Corporate Seal of the Regional District of Nanaimo and signed by the Chairperson and Director of Finance of the Regional District.
3. The proceeds from the sale of debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
4. This bylaw may be cited as "Nanoose Bay Peninsula Water Service Area Capital Improvements Interim Financing Bylaw No. 1724, 2015".

Introduced and read three times this 24th day of March, 2015.

Adopted this 24th day of March, 2015.


CHAIRPERSON


CORPORATE OFFICER

TO: Committee of the Whole**MEETING:** July 9, 2019**FROM:** Courtney Simpson
Senior Planner**FILE:** 6780-30**Subject:** Bylaw Amendments Related to Enforcement of Development Permit Areas

RECOMMENDATIONS

1. That the report for the public hearing held on June 18, 2019 for “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426” be received.
2. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426” be read a third time.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426” be adopted.
4. That “Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019” be introduced and read three times.
5. That “Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019” be adopted.

SUMMARY

To allow for enforcement of development permit areas to be undertaken through the Bylaw Dispute Adjudication System in all electoral areas except for Electoral Area F, amendments to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and the “Regional District of Nanaimo Bylaw Notice Bylaw No. 1786, 2019” are required. These amendments are related to implementation of the Development Permit and Temporary Use Permit Area Standardization Project that was completed in 2018.

For “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, the amendment bylaw was introduced and given first and second reading on May 28, 2019, and proceeded to public hearing on June 18, 2019. It is recommended that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426” be considered for third reading and adoption, and “Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019” be considered for three readings and adoption.

BACKGROUND

The Regional District of Nanaimo (RDN) recently completed a project to standardize development permit areas (DPA) for a number of purposes, one of which was to expand options for enforcement. There is now a requirement to include a penalty for DPA contraventions in the

RDN Bylaw Notice Bylaw No. 1786, 2019, a bylaw that establishes the Bylaw Dispute Adjudication System for the RDN. Amendments are also required to the zoning bylaw to add two policies related to enforcement of DPA contraventions. For Electoral Area F where these amendments are not proceeding, options for enforcement of the Freshwater and Fish Habitat DPA (the only DPA in Electoral Area F) remain seeking voluntary compliance, injunctive relief, or through the courts. These options are much more costly in legal fees and in staff time, and less effective for minor infractions.

Amendment Bylaw No. 500.426 was introduced and given first and second reading on May 28, 2019. This was followed by a public hearing on June 18, 2019. The summary of the public hearing is attached for the Board's consideration (Attachment 1 – Summary of Public Hearing). One submission was received prior to the public hearing (Attachment 2 – Public Hearing Submission). There were no members of the public who attended the public hearing.

Following the close of the public hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by legal precedent. Having received the minutes of the public hearing eligible Board members may vote on the Bylaw.

ALTERNATIVES

1. To receive the report of the public hearing and give third reading to, and adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426", and give three readings to, and adopt "Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019".
2. To receive the report of the public hearing and provide alternate direction to staff.

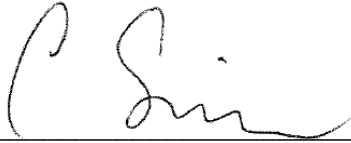
FINANCIAL IMPLICATIONS

These bylaw amendments extend the efficiencies of the Bylaw Adjudication System, to DPA infractions in all electoral areas except Electoral Area F. Bylaw Notices and the Bylaw Dispute Adjudication System create efficiencies that will save time and money regardless of the number of tickets that are disputed. The primary savings are realized in not requiring legal counsel to handle court prosecutions, and the reduced staff time to seek voluntary compliance.

STRATEGIC PLAN IMPLICATIONS

Growth Management - Provide effective regional land use planning and responsible asset management for both physical infrastructure and natural assets.

These bylaw amendments enable effective land use planning by enabling application of the Bylaw Dispute Adjudication System to development permit infractions in all electoral areas except for Electoral Area F.



Courtney Simpson
csimpson@rdn.bc.ca
June 19, 2019

Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Summary of Public Hearing
2. Public Hearing Submission
3. "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.426"
4. "Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019"

**Summary of the Public Hearing
Held at RDN Board Room
6300 Hammond Bay Road, Nanaimo
Tuesday, June 18th, 2019 at 6:00 pm
To Consider Regional District of Nanaimo Land Use and Subdivision
Amendment Bylaw No. 500.426, 2019**

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:

| | |
|-----------------------|--------------------------------------|
| Bob Rogers, RDN | Chair, Electoral Area E Director |
| Vanessa Craig, RDN | Director, Electoral Area B |
| Maureen Young, RDN | Director, Electoral Area C |
| Leanne Salter, RDN | Director, Electoral Area F |
| Clarke Gourlay, RDN | Director, Electoral Area G |
| Steven Young, RDN | Alternate Director, Electoral Area H |
| Courtney Simpson, RDN | Senior Planner |
| Paul Thompson, RDN | Manager, Current Planning |
| Tom Armet, RDN | Manager, Building and Bylaw Services |

No members of the public attended the meeting.

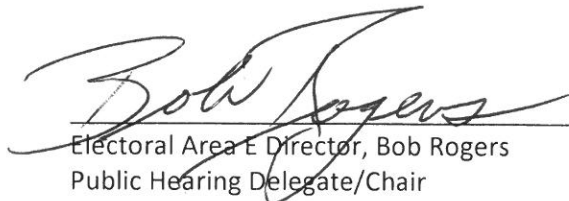
The Chair called the hearing to order at 6:12 pm, and introduced those present representing the Regional District, and outlined the procedures to be followed during the hearing.

As there were no members of the public in attendance, the Chair adjourned the Public Hearing at 6:14 pm.

Certified fair and accurate this 19th day of June 2019.



Courtney Simpson
Recording Secretary



Electoral Area E Director, Bob Rogers
Public Hearing Delegate/Chair

ATTACHMENT 2 - PUBLIC HEARING SUBMISSION

From: [CJR](#)
To: [Simpson, Courtney](#)
Cc: [McLean, Stuart](#)
Subject: RDN Bylaw 500.426
Date: Wednesday, June 12, 2019 4:24:11 PM

Caution: This email is from an **external source**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have a fish bearing Creek (Domay Creek) in front of our property and a heron rookery in back of our property with a unoccupied lot to the east of our property. As of September of this year the lot owners are going to start building a 2 story house on this lot. On June 7th, Todd Manning of Canadian Wildlife Services spoke to us saying there were 19 active nests in 2017. He will be back to count the birds and nests in the next 2 weeks.

We are hoping that Bylaw 500.426 will offer some protection for the wildlife in our area.

In the past variances have been granted with many objections in the neighbourhood. Hopefully this bylaw will offer more protection for the wildlife in our district.

Respectively Submitted,

Terry & Cynthia Riglin
5094 Seaview Dr.
Bowser, BC V0R 1G0

ATTACHMENT 3

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.426

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. 500.426, 2019”.
- B. “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” is hereby amended as follows:

1. By deleting Section 3.2.2 and replacing with the following:

“No person shall construct, move or alter any building or structure so that:

- a) its site area is less than required;
- b) it encroaches on a setback required;
- c) its parcel coverage is greater than permitted;
- d) it is taller than permitted;
- e) its floor area ratio is greater than permitted;
- f) the land exceeds the total number of units, buildings or structures permitted by the zone in which the building or structure is located, as designated in the schedules to this Part.”

2. By adding section 5.2 as follows:

“5.2 Enforcement

5.2.1 If a development permit is required under section 5.1.1 to 5.1.21, inclusive, of this bylaw, no person shall commence, authorize or permit the commencement of an activity for which a development permit is required without first obtaining a development permit for that activity.

5.2.2 Any person who contravenes section 5.2 of this bylaw commits an offence and is liable on summary conviction to a fine of not more than \$10,000, imprisonment for up to six months, or both.”

3. By amending the table of contents in Part 5 to add “5.2 Enforcement”.

Introduced and read two times this 28th day of May, 2019.

Public Hearing held pursuant to Section 464 of the *Local Government Act* this 18th day of June, 2019.

Read a third time this ____ day of _____ 20XX.

Adopted this ____ day of _____ 20XX.

CHAIR

CORPORATE OFFICER

ATTACHMENT 4

REGIONAL DISTRICT OF NANAIMO BYLAW NO. 1786.02

A BYLAW TO AMEND THE BYLAW NOTICE BYLAW

WHEREAS the Board of the Regional District of Nanaimo adopted “Regional District of Nanaimo Bylaw Notice Bylaw No. 1786, 2019”;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to amend the Bylaw Notice Bylaw to include penalties for offences committed under the Cross Connection Control Regulation Bylaw;

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 "Regional District of Nanaimo Bylaw Notice Amendment Bylaw No. 1786.02, 2019".

2. AMENDMENT

“Regional District of Nanaimo Bylaw Notice Bylaw No. 1786, 2019” is amended by inserting the following two rows at the bottom of the table in Schedule 26:

| | | | | |
|-------|---------------------------------------|----------|----------|----------|
| 5.2.1 | Unlawful commencement of DPA activity | \$500.00 | \$375.00 | \$500.00 |
| 5.2.2 | Breach of Permit Condition | \$500.00 | \$375.00 | \$500.00 |

3. EFFECTIVE DATE

a) This Bylaw shall come into full force and effect upon adoption.

Introduced and read three times this XX day of XXXX, 2019.

Adopted this XX day of XXXX, 2019.

CHAIR

CORPORATE OFFICER

TO: Committee of the Whole **MEETING:** July 9, 2019

FROM: Courtney Simpson
Senior Planner **FILE:** 0360-20 (MABR Roundtable)

Subject: Mount Arrowsmith Biosphere Region Roundtable Representation

RECOMMENDATION

1. That the Chair appoint a Director as the Regional District of Nanaimo representative to the Mount Arrowsmith Biosphere Region Roundtable.
2. That an amendment be made to "Regional District of Nanaimo Board Procedure Bylaw No. 1754, 2017" to add the Mount Arrowsmith Biosphere Region Roundtable to Schedule B - External Appointments.

SUMMARY

The Mount Arrowsmith Biosphere Region (MABR) lies within the Regional District of Nanaimo (RDN). MABR is funded and managed by Vancouver Island University that receives guidance from a Roundtable of regional representatives of local First Nations, local and senior levels of government, Vancouver Island University, conservation organizations, forestry industry and local businesses, as well as two elected community representatives. The Regional District of Nanaimo elected representatives have not participated in the Roundtable and have recently been requested to appoint a representative. Given the focus of the MABR Roundtable and political representation from local governments and First Nations in the area, the RDN Board's participation at the Roundtable is recommended.

BACKGROUND

Dr. David Witty, Director of the Mount Arrowsmith Biosphere Region (MABR) requested that the Regional District of Nanaimo (RDN) appoint an RDN representative to the Mount Arrowsmith Biosphere Region Roundtable, and reappoint the Coordinator of the Drinking Water and Watershed Protection Program to also sit on the Roundtable. Dr. Witty appeared as a delegation to the May 14, 2019 Committee of the Whole with this request (Attachment 1 – Delegation Request).

The Mount Arrowsmith Biosphere Region

The MABR was initially coordinated through the Mount Arrowsmith Biosphere Foundation. In 2014, the foundation was dissolved and Vancouver Island University (VIU) and the City of Parksville took responsibility for managing the MABR. The MABR includes land within RDN

member municipalities and electoral areas (Attachment 2 – Mount Arrowsmith Biosphere Region Boundaries).

The current mandate of the MABR is as follows¹:

Biosphere reserves are considered model regions for sustainable development. They work to promote the conservation of biological and cultural diversity in addition to economic and social development. In each biosphere reserve, community partners work together to find innovative ways to achieve a balance between the needs of humans and nature.

Further, the MABR has four strategic objectives²:

1. Conserve biodiversity, restore and enhance ecosystem services, and foster the sustainable use of natural resources.
2. Contribute to building sustainable, healthy and equitable societies, economies and thriving human settlements in harmony with the biosphere.
3. Facilitate biodiversity and sustainability science, education for sustainable development and capacity building.
4. Support mitigation and adaptation to climate change and other aspects of global environmental change.

The MABR Research Institute (MABRRI) at VIU delivers the programs and undertakes research with the guidance of the Roundtable. MABRRI's research and community engagement coordinators, project coordinators, VIU students, and faculty associates work with community partners to create and conduct research projects that advance understanding of people and nature, and the interaction between these, within the Mount Arrowsmith Biosphere Region. The following is a list of some of the current projects:

- Forage Fish Spawning Habitat Monitoring
- Wetland Mapping in the RDN
- Lake Monitoring in the Little Qualicum Water Region
- MABR Environmental Monitoring App
- Snaw-Naw-As Education & Outreach Program
- The MABR Amazing Places
- International Journal of Biosphere Reserves

The Mount Arrowsmith Biosphere Region Roundtable

In terms of governance, staff for the Mount Arrowsmith Biosphere Region and the its associated research institute at VIU receive guidance and direction from a Roundtable of regional representatives from local First Nations (Snaw-Naw-As, Qualicum, and Snuneymuxw), local and senior levels of government, Vancouver Island University, conservation organizations, forestry industry and local businesses, as well as two elected community representatives.

RDN staff attended the Roundtable from 2015 to 2017. In 2017, Dr. David Witty wrote to the RDN to extend an initiation that the RDN become an official partner of the MABR through

¹ Mount Arrowsmith Biosphere Region Mandate (2019, June 17) Retrieved from: <http://www.mabr.ca/mandate/>

² Mount Arrowsmith Biosphere Region Mandate (2019, June 17) Retrieved from: <http://www.mabr.ca/mandate/>

signing of a Memorandum of Understanding (MOU) with VIU, modelled after MOU's with the City of Parksville and Town of Qualicum Beach and equal in spirit to the verbal agreements with the Qualicum First Nation and Snaw-Naw-As First Nation. However, at that time the RDN Board did not support continued RDN involvement in the Roundtable.

The recent request from Dr. David Witty is for the RDN to appoint a representative to the Roundtable and reappoint the Coordinator of the Drinking Water and Watershed Protection Program to also sit on the Roundtable. There is no request to enter into a MOU with VIU at this time. A MOU is not a requirement for participation on the Roundtable, but could be revisited in the future.

To appoint a Board representative to sit on the Roundtable, the Procedures Bylaw should be amended to add the MABR Roundtable to the list of external committees to which Board members are appointed. The Roundtable meets quarterly as a group to discuss the various initiatives that the Biosphere Region is engaged in. Given the political representation at the Roundtable it is appropriate to include a Director from the RDN Board but given organizational work program demands and the nature of the Roundtable discussions, it is not recommended that RDN staff be appointed to this body. Any requests for assistance from the RDN on projects or initiatives from the MABR, including staff time, would be the subject of a future report to the Board.

ALTERNATIVES

1. Direct staff to prepare an amendment to "Regional District of Nanaimo Board Procedure Bylaw No. 1754, 2017" to add the Mount Arrowsmith Biosphere Region Roundtable to Schedule B - External Appointments and the Chair appoint a Director to the Mount Arrowsmith Biosphere Roundtable.
2. Receive this report and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Coordination of the MABR Roundtable is through a VIU staff member. The position is entirely funded by VIU. Specific activities and initiatives undertaken by the MABR are funded by a variety of sources, typically by grant funding. The appointment of a RDN Director to the MABR Roundtable can be accommodated within the existing 2019 financial plan and this appointment would be identified in subsequent annual financial plans.

STRATEGIC PLAN IMPLICATIONS

Participation on the MABR Roundtable contributes to the Strategic Plan goal of Environmental Stewardship - Protect and enhance the natural environment, including land, water, and air quality for future generations.



Courtney Simpson
csimpson@rdn.bc.ca
July 2, 2019

Reviewed by:

- K. Fowler, Manager, Long Range Planning and Energy & Sustainability
- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Delegation Summary
2. Mount Arrowsmith Biosphere Region Boundaries

ATTACHMENT 1 DELEGATION SUMMARY

Delegation: Dr. David Witty, Director, Mount Arrowsmith Biosphere Region, re Mount Arrowsmith Biosphere Roundtable Representation

Summary: Mount Arrowsmith Biosphere Region (MABR), a UNESCO designated area, lies within the Regional District of Nanaimo. The Biosphere has become known internationally for its significant work in community-based research and Indigenous relationships with the Snaw-Na-As First Nation and Qualicum First Nation. MABR has signed a Memorandum of Agreement with the City of Parksville and Town of Qualicum Beach both of which sit on the MABR Roundtable (in itself recognized for its innovative, collaborative processes). In the past, the RDN also attended the MABR Roundtable through the RDN's DWWP Program Coordinator. Unfortunately, the last RDN Council determined that it did not need to be involved in the MABR.

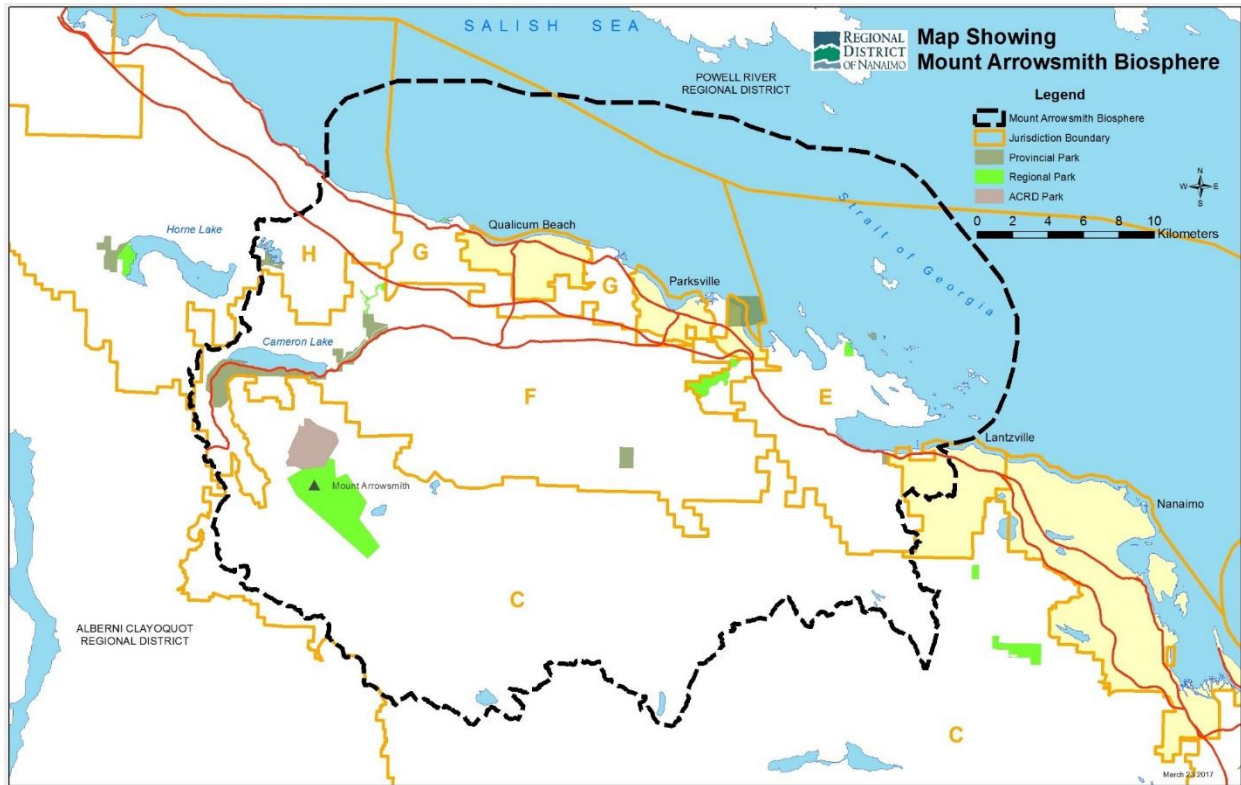
A UNESCO Biosphere designation (there are 650+ in the world and 18 are in Canada) is considered by other communities to be a major accomplishment and recognition of the importance of the natural environment and the relationship of humans to the environment. Such designations draw international attention.

On behalf of MABR, I am requesting an opportunity to make a presentation to the RDN Committee of the Whole to seek RDN representation on the MABR Roundtable to join the leaders of Parksville, Qualicum Beach and the two First Nations. In addition, the RDN is requested to reappoint the Coordinator of DWWP, with whom the MABR continues to work on joint research projects, to also sit on the Roundtable (joining VIU and citizen representative and time company representation).

Action Requested: 1) RDN appoint a RDN representative to the Mount Arrowsmith Biosphere Region Roundtable; and
2) Reappoint the Coordinator of DWWP to also sit on the Roundtable.

ATTACHMENT 2

MOUNT ARROWSMITH BIOSPHERE REGION BOUNDARIES



TO: Committee of the Whole **MEETING:** July 9, 2019

FROM: Sharon Horsburgh
Sustainability Coordinator **FILE:** 1280-01

SUBJECT: CleanBC Communities Fund Grant Application for Electric Vehicle Charging Stations

RECOMMENDATIONS

1. That the Board approve the ten electric vehicle charging station locations identified in this report for the CleanBC Communities Fund grant application.
2. That the Board allocate \$222,222 in the 2020 budget from the Corporate Climate Action Reserve Fund for the installation of ten public electric vehicle charging stations, subject to receipt of a \$162,222 CleanBC Communities Fund grant to reimburse the Corporate Climate Action Reserve Fund.
3. That the Board direct staff to prepare a bylaw to create a new service area for the ongoing operations, maintenance and procurement of electric vehicle charging stations.
4. That the proposed 2020 budget contain \$25,000 for annual operating, maintenance and replacement costs for the electric vehicle charging station service.

SUMMARY

On February 26, 2019, the Community Energy Association (CEA) made a presentation to the Board requesting the Regional District of Nanaimo (RDN) be the lead applicant on a CleanBC Communities Fund grant application to install EV charging stations across the mid-Island. The CEA is a non-profit society whose mission is to build capacity and to accelerate action on climate and energy collaboratively with local governments. In response to the CEA's delegation, the Board passed the following motions:

1. *That the Regional District of Nanaimo act as the lead applicant for a CleanBC Communities Fund application on behalf of multiple mid-island municipalities and regional districts. Community Energy Association will coordinate the other local governments and the application submission.*
2. *That ten Level 2 charging stations, to a maximum cost of \$60,000, be located at Regional District facilities and that use of the charging stations be free to the public at this time. Community Energy Association will assist with location selection.*

3. *That the Regional District of Nanaimo submit a letter of support for Community Energy Association's application to the Emotive Community Outreach Incentive Program on behalf of mid-island communities.*

The third part of this motion refers to a separate grant application made by the CEA, and is not the subject of this report.

The specific locations of the ten stations will be required by CleanBC after Phase 1 approval of the grant application, expected in the fall 2019. An assessment prioritized the ten locations and is shown in Table 2.

As this is a proposed new service, a service area must be established under Section 338 of the *Local Government Act* to tax for annual operating, maintenance and replacement costs of the EV stations. The annual cost estimate is shown in Table 3.

BACKGROUND

The Regional Growth Strategy and the Board Strategic Plan 2019-2022 set goals to prepare for climate change and to reduce energy consumption. Expanding the network of public charging stations supports the transition to EV adoption, making it easier for individuals to switch from a carbon emitting vehicle powered by an internal combustion engine to a zero emission EV powered by British Columbia's 98% clean electricity.

Municipal partners provided input to the CEA to develop the grant application. The project area encompasses the mid-island communities including the RDN, north to Campbell River and west to Tofino and Ucluelet. The RDN is the named lead local government, while the CEA will manage the project on behalf of all twelve local governments. If the RDN receives the grant, the project will result in the installation of 28 new Level 2 (L2) EV charging stations across the mid-island. This will increase the current public EV charging station capacity from 70 to 98 EV charging stations. Details of the network within the RDN are shown in Attachment 1 – Map of RDN Existing and Proposed EV Charging Stations.

The total project cost for all 28 EV charging stations in the Mid-Island EV Charging Network project is \$687,500. As shown in Table 1 below, the total project cost for 10 EV charging stations in the RDN is \$222,222. CleanBC funds 73% of successful applications (\$162,222 for the RDN), and 27% is the responsibility of the local government (\$60,000 from the RDN). In addition, the City of Nanaimo allocated funding for four EV charging stations at City facilities through a separate CleanBC application.

Table 1 – RDN Electric Vehicle Project Financial Commitments

| Local Government | No. Stations | Total Project Cost | CleanBC Contribution (73%) | RDN Contribution (27%) |
|------------------|--------------|--------------------|----------------------------|------------------------|
| RDN | 10 | \$222,222 | \$162,222 | \$60,000 |

If approved, the installation of the ten EV stations will begin in 2020. Usage data will be collected for one year to evaluate the suitability of each location, user pay options and long-term maintenance. A future report will be provided to the Board on the outcome of this project.

Electric Vehicle Charging Station Location Assessment

A map of the EV charging station locations in the RDN is shown in Attachment 1 – Map of RDN Existing and Proposed EV Charging Stations. Civic land ownership was required for this grant stream. A total of sixteen locations were considered based on a 2012 inventory of future EV charging station locations and input from municipal staff. While geographical distribution is a key consideration, additional factors including site access and technical feasibility were also considered for locations, resulting in the following selection criteria:

- Civic land ownership - only civic lands,
- Equity - distribution among members jurisdiction,
- Accessibility - ease of access and proximity to other services, and
- Technical considerations, such as utility connection and associated costs.

The locations were ranked from 1 to 3 with 1 containing all or a majority of the selection criteria. Ten priority locations are recommended within the Growth Containment Boundary with the exception of Area B Gabriola Island (Table 2) Details of all assessed locations are provided (Attachment 2 - Detailed EV Charging Station Location Assessment).

Table 2 – Recommended EV Charging Station Locations

| # EV | Electoral Area | Location |
|------|------------------------|---|
| 1 | B | Descanso Bay Regional Park |
| 2 | E | Nanoose Place Community Centre |
| 3 | F | Errington Community Park |
| 4 | G | French Creek Marina, RDN pump station |
| 5 | H | Lighthouse Community Hall / Lighthouse Country Regional Trail |
| | Municipality | Location |
| 6 | District of Lantzville | Huddleston Park |
| 7 | City of Nanaimo | Service and Resource Centre |
| 8 | City of Parksville | Parksville City Hall |
| 9 | City of Parksville | Oceanside Place Arena |
| 10 | Town of Qualicum Beach | Qualicum Beach Museum |

The assessment noted several gaps in the public network (shown on Attachment 1 – Map of RDN Existing and Proposed EV Charging Stations) could not be addressed through this grant application. In particular, an EV charging station in the Cedar Village Centre would be a highly suitable location near amenities and fill a service gap; however, no RDN-owned facilities are located in the immediate area. To further address geographical gaps in the network, a future consideration may be to expand the existing RDN EV Charging Station Rebate Program to civic locations that are leased to community groups.

The leadership of the private sector (e.g. Petro Canada) in expanding their investment in EV charging stations will be reported back to the Board in future reports.¹

SERVICE AREA CONSIDERATIONS

A Memorandum of Understanding (MOU) between the RDN and the CEA establishes roles and responsibilities for this project. The CEA is responsible for project management, including developing a Request for Proposal and negotiating a contract with vendors to procure and install ten EV charging stations for the RDN. The CEA will also be responsible for providing periodic reports to CleanBC and the partners, as well as monitoring and evaluating the project through to completion. In exchange, the CEA will receive a Project Management fee of approximately \$55,500 from the RDN. The RDN will administer the funds transfer from CleanBC to the CEA on behalf of the other eleven local governments. The CEA has a MOU with each of the participating local governments. The RDN's terms and conditions for quality of service and installation will be required through these agreements.

Currently, the RDN has no service in place to address the installation and ongoing management of the proposed EV charging stations. Operation, electricity costs, maintenance, asset management replacement costs and administrative costs are required to establish a sustainable service model. Based on information from a network supplier, the average Level 2 charging station energy usage in BC is 2,778 kWh per year. With the annual cost of hydro per kilowatt hour being roughly 0.13 cents, the estimated energy costs are \$365 per station for operation. From an asset management perspective, the average capital cost to purchase new EV charging stations is estimated at \$10,000 with a lifespan of roughly 10 years. Based on this standard, an estimate of \$1,000 per station should be set aside annually to cover maintenance and replacement. This results in a cost of \$25,000 per year to cover operations, maintenance, administration and replacement for the EV charging network and will be included in the proposed 2020 budget.

ALTERNATIVES

1. That the Board approve the ten electric vehicle charging station locations identified in this report for the CleanBC Communities Fund grant application.
2. That the Board allocate \$222,222 in the 2020 budget from the Corporate Climate Action Reserve Fund for the installation of ten public electric vehicle charging stations, subject to receipt of a \$162,222 CleanBC Communities Fund grant to reimburse the Corporate Climate Action Reserve Fund.
3. That the Board direct staff to prepare a bylaw to create a new service area for the ongoing of operations, maintenance and procurement of EV charging stations.
4. That the proposed 2020 budget contain \$25,000 for annual operating, maintenance and replacement costs for the EV Charging Station Service.
5. Provide alternate direction.

¹ <https://www.petro-canada.ca/en/personal/fuel/alternative-fuels/ev-fast-charge-network>

FINANCIAL IMPLICATIONS

The CleanBC Communities Fund model requires a local government to pass a resolution or adopt a bylaw to identify the source of their funding contribution. The local government must also demonstrate in their application that funds have been committed to operate, maintain and plan for replacement of the EV stations. A new service area is required for the ongoing operations, maintenance and replacement.

The RDN total project cost of \$222,222 may be allocated in the 2020 budget from the Corporate Climate Action Reserve Fund². The current balance of this fund is \$497,422, which receives an annual provincial grant from the Climate Action Revenue Incentive Program (CARIP). The grant provides 100 percent of the carbon tax paid by the local government to be invested in climate action.

As outlined above, costs for the operation, maintenance and replacement costs for the new EV charging station service will be finalized and presented to the Board for consideration during the 2020 Financial Plan.

A summary of annual estimated costs to maintain the EV stations at RDN facilities is shown in Table 3.

Table 3 – Annual Estimated Costs for EV Charging Stations

| Annual Estimated Costs | \$ |
|-------------------------------------|-----------------|
| Operations | 2,775 |
| Electricity costs | 2,200 |
| Maintenance & replacement costs | 6,000 |
| Asset Management & future expansion | 2,775 |
| Administrative Costs | 2,775 |
| Total Projected cost | \$25,000 |

STRATEGIC PLAN IMPLICATIONS

This project is aligned with the 2019 – 2022 Board Strategic Plan under:

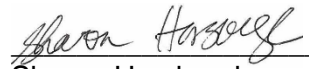
Goal 1: to “be leaders in climate change adaptation and mitigation and become net zero by 2032” by contributing to a regional network of public EV charging stations; making it easier for individuals to switch from a carbon-using and emitting powered vehicle to zero emission vehicles.

Action 1.3: to “Develop a regional strategy for electric vehicle charging”.

² Corporate Climate Action Reserve Fund Establishing Bylaw No. 1650, 2011

This report addresses CEA's request to the RDN based on current EV charging locations and availability. As EV technology is rapidly advancing, a proposed regional EV charging strategy will be developed in the fall in consultation with member municipalities and electoral areas, and will include:

- Opportunities for the RDN to accelerate the uptake of EVs along with the private sector response.
- Consultation with the development community and other communities involved in EV charging station advancement.
- A best management practices guide for local governments outlining options on how to advance EV charging infrastructure.
- Recommended locations for new EV charging stations.


Sharon Horsburgh
shorsburgh@rdn.bc.ca
July 2, 2019

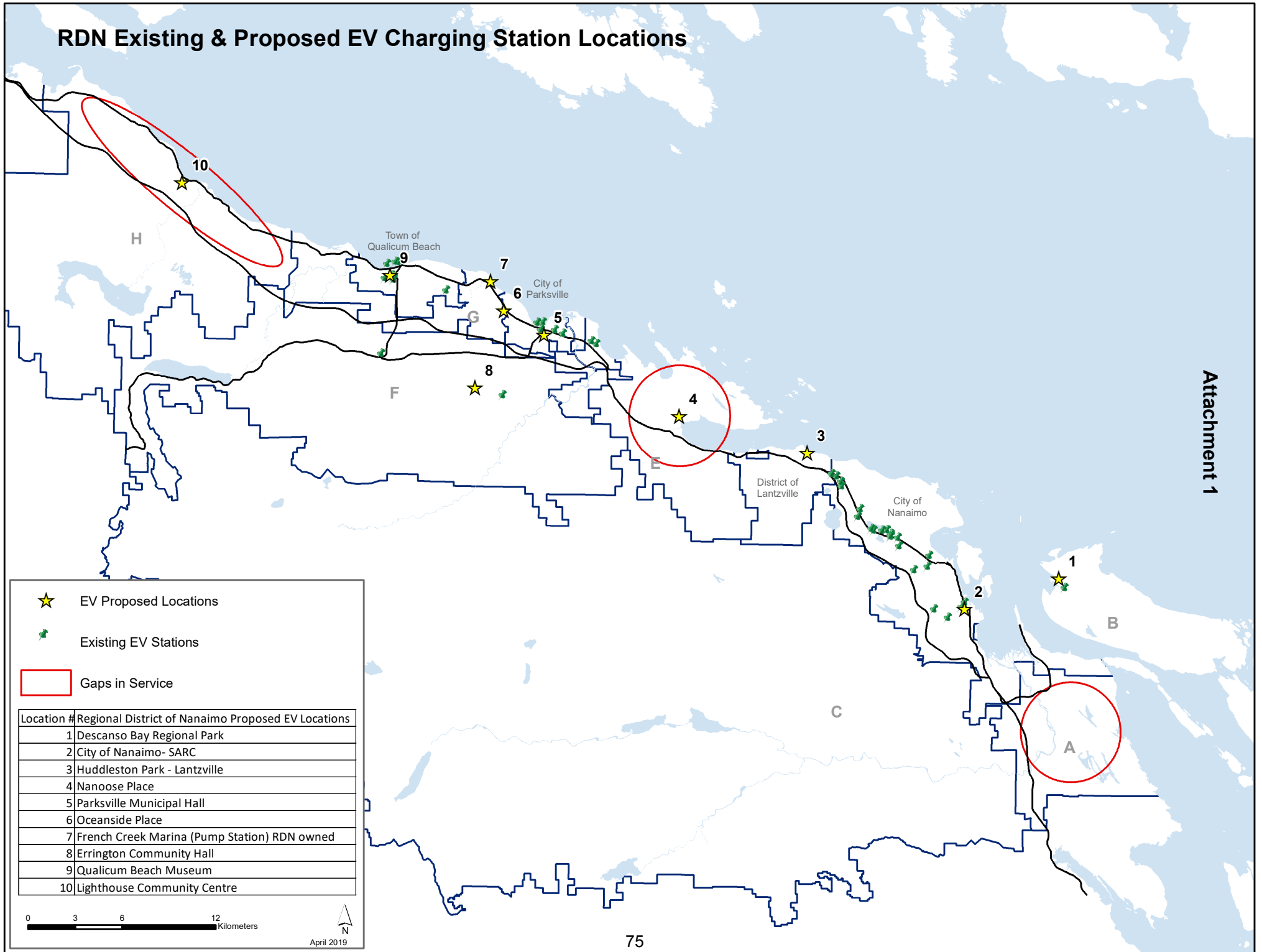
Reviewed by:

- K. Fowler, Manager, Long Range Planning, Sustainability & Energy
- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Map of RDN Existing and Proposed EV Charging Stations
2. Detailed EV Charging Station Location Assessment

RDN Existing & Proposed EV Charging Station Locations



ATTACHMENT 2
DETAILED ELECTRIC VEHICLE CHARGING STATION LOCATION ASSESSMENT

| Location | Electoral Area or Municipality | Civic Lands | Distribution | Accessibility | Technical | Rank Score | Comments |
|---|--------------------------------|-------------|--------------|---------------|-----------|------------|--|
| Cedar Village Shopping Centre | A | 3 | *N/A | N/A | N/A | 3 | Location is on private property and is ineligible. |
| Descanso Bay Regional Park | B | 1 | 1 | 1 | 1 | 1 | Parking area being re-configured power available |
| Nanoose Place | E | 1 | 1 | 1 | 2 | 1 | Centrally located in Nanaimo. Electrical capacity needs to be confirmed. |
| Errington Community Park | F | 1 | 1 | 1 | 1 | 1 | Electrical outlet EV location available |
| French Creek Marina | G | 1 | 1 | 1 | 1 | 1 | Working harbour with commercial activity. |
| Lighthouse Community Hall | H | 1 | 1 | 2 | 1 | 1 | Lighthouse Community association supports EV option at this location in Bowser |
| City of Nanaimo Service & Resource Centre | Nanaimo | 1 | 1 | 1 | 1 | 1 | EV location already available |
| RDN Administration Building | Nanaimo | 1 | 3 | 3 | 1 | 3 | Adequate EV Capacity at RDN Building. |
| Huddleston Park | Lantzville | 1 | 1 | 1 | 1 | 1 | This would be the first location in Lantzville. |
| Parksville City Hall | Parksville | 1 | 1 | 1 | 1 | 1 | This would add needed EV capacity in a busy location. |
| Parksville Chamber of Commerce | Parksville | 1 | 2 | 2 | 2 | 2 | Other funding mechanisms maybe available to community based organizations |
| Parksville Oceanside Place Arena | Parksville | 1 | 1 | 1 | 1 | 1 | This is a very busy retail area. EV capacity at the Arena would provide increase service level at this location. |
| Parksville Community Park | Parksville | 1 | 2 | 2 | 1 | 2 | There is already charging capacity in the area. This location did not score as high as other location and would require electrical upgrading. |
| City of Parksville Parking Lot 171 Memorial Ave | Parksville | 1 | 2 | 2 | 2 | 2 | There is already charging capacity in the area. This location did not score as high as other location and would require electrical upgrading |
| Qualicum Beach Museum | Qualicum Beach | 1 | 1 | 1 | 1 | 1 | This location adds capacity in a centrally located area. The Museum requested an EV station to be located on site and this location scores high. |
| Qualicum Beach Airport | Qualicum Beach | 1 | 3 | 2 | 1 | 2 | This location already has an EV charging station |

1. *N/A- Not Applicable as no location was identified on civic lands owned by the RDN.

2. The recommended ten priority locations are highlighted in the table (above) by shading.

Location Selection Criteria & Ranking

A relative rank from 1 to 3 was applied, where the highest ranked is given a score of 1, which contains all or a majority of the desired characteristics. The rankings have not been summed or otherwise aggregated as this would imply a relative weighting or a relationship/interdependency between attributes.

Selection criteria:

- land ownership - only civic lands;
- equity - distribution among members jurisdiction that serve the region;
- accessibility - ease of access and proximity to other services; and
- technical consideration - utility connection and associated costs

TO: Committee of the Whole**MEETING:** July 9, 2019**FROM:** Dean Banman
Manager, Recreation Services**SUBJECT:** Ravensong Aquatic Centre Solar Hot Water Community Energy Leadership
Program Grant Application

RECOMMENDATION

That the Board endorse the Community Energy Leadership Program grant application to the Fraser Basin Council for the Ravensong Aquatic Centre Solar Hot Water Heating Project.

SUMMARY

Board endorsement is required for the RDN's application for a Community Energy Leadership Program (CELP) grant. If successful the grant would fund 33% of the project's cost up to \$175,000. One requirement of the grant application is a resolution from local government that the project is supported.

BACKGROUND

In May of this year, the RDN completed an expression of interest to be considered for a grant through the Community Energy Leadership Program (CELP). This program is administered by the Fraser Basin Council. Original CELP funding was established in 2007 through the Innovative Clean Energy (ICE) Fund to support energy, economic and environmental priorities.

A project to improve the solar hot water heating capacity at Ravensong Aquatic Centre was submitted. The original hot water tank would be repurposed to collect and retain water preheated by the existing solar panels located on the roof of the aquatic centre. Other required components of the system (piping, heat exchangers, pumps, etc.) would be replaced or added as necessary. The preheated water would be used as a water source for the main tank (pool).

This project will improve the efficiency of the facility by utilizing solar energy more effectively and will reduce the use of natural gas to heat the pool. Should the facility be expanded in the future, the infrastructure would still be required and used to heat the swim tanks.

In June, the RDN was informed by the Fraser Basin Council that the Ravensong Solar Hot Water Heating Project was shortlisted to the final round of the grant application process.

The final grant funding decision is expected in August or September of this year.

ALTERNATIVES

1. That the RDN Board endorse the Community Energy Leadership Program grant application to the Fraser Basin Council for the Ravensong Aquatic Centre Solar Hot Water Heating Project.
2. That the Board not endorse the grant application.
3. That the Board provide alternate direction.

FINANCIAL IMPLICATIONS

Funding for the entire project in the amount of \$100,000 has been allocated in the approved Five-Year Financial Plan for the works to commence in 2019 and completed in 2020. If the RDN is successful in securing CELP grant funding, the amount equal to grant funding currently in the approved Financial Plan would not be required. This amount would be left in reserves to be used for future facility upgrades and capital replacement projects.

STRATEGIC PLAN IMPLICATIONS

Climate Change - Be leaders in climate change adaptation and mitigation, and become net zero by 2032.



Dean Banman
dbanman@rdn.bc.ca
June 24, 2019

Reviewed by:

- J. Bradburne, Director of Finance
- T. Osborne, General Manager, Recreation and Parks
- P. Carlyle, Chief Administrative Officer

TO: Regional District of Nanaimo Board**MEETING:** July 9, 2019**FROM:** Hannah King
Superintendent, Recreation Program Services**SUBJECT:** License to Occupy Agreement Renewal with School District 69 Qualicum

RECOMMENDATION

That the Regional District of Nanaimo enter into a License to Occupy Agreement with School District No. 69 (Qualicum) for recreation program space at both Craig Street Commons (Parksville) and Qualicum Commons (Qualicum Beach) for a term of fifty-four (54) months commencing January 1st, 2020 through June 30th, 2024.

SUMMARY

Regional District of Nanaimo (RDN) Recreation Services has leased recreation program space from School District 69 (Qualicum) at Qualicum Commons since 2014 and at the Craig Street Commons in Parksville since 2017. The current Agreements for both spaces are due to expire December 31, 2019. Staff is seeking approval to enter into a combined License to Occupy Agreement with the School District 69 (Qualicum) for the continued use of the program spaces. The license fee would be \$2,050.00/month plus GST. Annually the cost would be \$24,600.00. The total cost over the term of the Agreement would be \$110,700 plus GST.

BACKGROUND

RDN owned and operated recreation program space is limited to two rooms at Oceanside Place which are suitable for public meetings and low impact activities. Benefits of leasing dedicated program space at both Commons include; reduced program cancelations and time changes which increase customer satisfaction, the ability to include program locations within marketing materials, less time spent securing program space, and continued expansion of program inventory within Qualicum Beach and Parksville which benefits all Oceanside communities.

In 2014 School District 69 (Qualicum) made it known that they were exploring options for community use of the former Qualicum Beach Elementary School site. On December 17, 2014 the RDN entered into the current agreement for the use of a classroom space at Qualicum Commons (formerly Qualicum Beach Elementary). The term was established for 5 years less 2 days and included custodial services, security, utilities and general repairs at a monthly fee of \$1,025.00 plus GST.

In 2017 a similar opportunity arose at the former Parksville Elementary School site. A License to Occupy Agreement was signed for a term of twenty-four (24) months to allow for the terms of the two Agreements to align. The monthly fee is \$946.84 plus GST and includes the same services as at Qualicum Commons.

As the term for both current Agreements end in December 2019 staff completed negotiations to renew with School District 69 in the spring of 2019. Both Agreements were reviewed by RDN legal counsel and were determined to be acceptable. The Agreement which amalgamates the two licenses is attached.

A number of the recommendations within the current Recreation Services Master Plan speak to maintaining and expanding cross sectional partnerships and continuing to strive to achieve efficiency in the delivery of recreation services. The leasing of space from the School District is an example of such a partnership. The fact that the facilities are established community hubs allows for the continued growth of partnerships with community groups based at the two facilities.

The following is a breakdown of cost and usage rates (2018) of the leased program space

| Facility | Monthly Rate | Annual Rate | Hours Used | Hourly Rate |
|----------------------|--------------|-------------|------------|---------------------|
| Qualicum Commons | \$1,025.00 | \$12,300.00 | 926.25 | \$13.28 |
| Craig Street Commons | \$946.84 | \$11,362.08 | 1,714.75 | \$6.26 |
| Total | \$1,971.84 | \$23,662.08 | 2,641 | \$8.96 (average) |

The following is a list of comparable rental space rate options available within Oceanside (*adult user groups*)

- School District 69 classroom space - \$10.00
- Qualicum Beach Civic Centre - \$22.00-\$28.00
- Parksville Community Centre - \$43.00-\$54.00

ALTERNATIVES

- 1) That the Regional District of Nanaimo enter into a License to Occupy Agreement with School District No. 69 (Qualicum) for recreation program space at both Craig Street Commons (Parksville) and Qualicum Commons (Qualicum Beach) for a term of fifty-four (54) months commencing January 1st, 2020 through June 30th, 2024.
- 2) Provide staff with an alternative direction.

FINANCIAL IMPLICATIONS

The approved five-year Northern Recreation Services Financial Plan includes annual funding for the program spaces associated with the proposed Agreement.

STRATEGIC PLAN IMPLICATIONS

People and Partnerships - Seek opportunities to partner with the provincial and federal governments, other government agencies, and community stakeholder groups in order to advance strategic plan goals and objectives.



Hannah King
hking@rdn.bc.ca
July 2, 2019

Reviewed by:

- D. Banman, Acting Gen. Mgr., Recreation & Parks
- P. Carlyle, Chief Administrative Officer

Attachment:

- FinalRDNSD69 License to Occupy.pdf

LICENSE TO OCCUPY

This "**Agreement**" made the ____ day of _____ 2019

BETWEEN:

THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 69 (Qualicum)
PO BOX 430; 100 JENSEN AVENUE EAST
PARKSVILLE, BC V9P 2G5

(The "**Licensor**")

AND:

PHYLLIS CARLYLE, CAO
REGIONAL DISTRICT OF NANAIMO
RECREATION
830 ISLAND HIGHWAY WEST
PARKSVILLE, BC V9P 2X4

(The "**Licensee**")

WHEREAS the Licensor is the registered owner of the lands located at the following addresses, and improvements thereon (the "**Premises**"): 330 Craig Street; Parksville, BC (Craig Street Commons) and 744 Primrose Street; Qualicum Beach, BC (Qualicum Commons);

AND WHEREAS the Licensee wishes to obtain, and the Licensor wishes to grant to the Licensee, a non-exclusive license (the "**License**") to occupy that portion of the Premises indicated on Schedule A and Schedule B attached hereto (the "**License Area**"), or such other area as may be designated by the Licensor hereunder, on the terms and conditions set forth herein.

GRANT OF NON-EXCLUSIVE LICENSE

In consideration of the covenants of the Licensee contained herein, and subject to the terms and conditions hereof, the Licensor does hereby grant the License to the Licensee. The interest granted pursuant to this Agreement constitutes a license only and does not constitute a lease or a sublease, nor create any other interest in land, nor any partnership, joint venture or agency relationship between the Licensor and the Licensee (collectively, the "**Parties**", and individually, a "**Party**").

The Licensee shall have a right of access, in common with the Licensor, over those portions of the common areas of the Premises that are reasonably required by the Licensee for proper use of the License Area. The Licensor may stipulate access limits and routes, and the Licensee shall ensure that its staff and invitees respect those stipulations.

a) **USE OF LICENSE AREA:**

This license areas are depicted in Schedule A (Craig Street Commons - Room 21) and schedule B (Qualicum Commons - Room 12) and are granted for the sole purpose of providing community recreation services programs.

The Licensee shall not use the License Area nor allow the License Area to be used for any other purpose other than that for which the License is granted, that is to say, for storage only, unless the consent in writing of the Licensor is first obtained, which consent may, in the Licensor's absolute discretion, be withheld or granted subject to conditions.

b) **TERM AND LICENSE FEES:**

Subject to early termination or renewal as may be provided herein or otherwise agreed in writing, the License shall be for a term of fifty-four (54) months commencing on the 1st day of January 2020 and ending on the 30th day of June 2024, subject to the Licensee's compliance with all the terms hereof, including timely payment to the Licensors in advance of license fees of \$2050.00 per month plus GST (\$2152.50) commencing January 1, 2020. (License Rate as Per Schedule C attached hereto.)

There shall be an option to renew for an additional sixty (60) months, subject to agreement on a license rate for the additional term.

The license fee includes a right for the Licensee to have a total of 160 hours per year of time for its exclusive use of the gymnasiums between either of two sites - Craig Street Commons and/or Qualicum Commons. These 160 hours must be used by June 30 of each year of the agreement and can be applied to either of two sites - Craig Street Commons and/or Qualicum Commons. Booking time is done on a first come first served basis through the office of the General Manager of Operations. In the management and operation of the Premises, the Licensors will not knowingly grant rights to other persons to use the Bookable Space to the point that the Licensee cannot reasonably obtain 160 hours per year to be shared between the two sites of Craig Street Commons and Qualicum Commons.

c) **NO NUISANCE:**

The Licensee shall not at any time during the said term or any renewal thereof permit anything to be done or kept on or around the License Area that shall be deemed a nuisance.

d) **COMPLY WITH LAWS:**

The Licensee shall observe, fulfill and comply at its expense with all laws, ordinances, regulations, requirements and recommendations, which may be applicable to the Licensee, or to the manner of use of the License Area, or any and all Federal, Provincial, Civic, Municipal, and other authorities and all notices in pursuance of same and whether served upon the Licensors or the Licensee. The Licensee shall save the Licensors harmless from all costs, charges or damages which the Licensors may incur or suffer by reason of the Licensee's breach of any such law, rule or regulation.

Without limiting the foregoing, the Licensee acknowledges that the Ministry of Education has introduced legislation that prohibits the use of tobacco and smoking in all School District buildings and on School District lands (the "Smoking Ban"). During the term and while the Licensee remains in possession of the Property, the Licensee will comply with the Smoking Ban and will use its best efforts to enforce the Smoking Ban on the Property.

e) **DAMAGE BY LICENSEE:**

The Licensee shall pay the cost of any damage to any property of the Licensors arising from the use of the License Area or the Licensors' property by the Licensee or its staff or invitees. Without limiting the foregoing, the Licensee shall reimburse the Licensors for costs incurred by the Licensors in making good any damage caused to the said License Area or any part thereof as a result of the negligence or willful act or omission of the Licensee, its invitees, licensees, agents, servants, clients or other persons from time to time in or about the License Area.

f) **INSURANCE:**

The Licensee shall maintain, at its own expense, property and liability insurance as the Licensors requires (minimum limits of \$5,000,000) and shall provide the Licensors with evidence of such coverage upon application of this agreement. Such coverage will include Tenants Legal Liability and will name the District as an additional insured.

The Licensee shall be responsible for securing its own property and the property of others in its care and control in the License Area, and for ensuring the safety of its staff and invitees, and hereby releases the Licensors from any and all liability whatsoever in respect thereof, except to the extent such results from the wrongful act or failure to act or negligence of the Licensors, or of the Licensors's agents or employees.

The renter shall indemnify and pay to the Board forthwith upon demand for any loss, damage or power wastage occurring to the property of the Board, either directly or indirectly as a result of the use of the facilities under the terms of this agreement.

g) **ASSIGNMENT OR SUBLICENSING:**

This Agreement and the License are personal to the Licensee and may not be assigned or sublicensed, including by succession or operation of law, except with the prior written consent of the Licensors, which may be withheld in the absolute discretion of the Licensors. In no event shall any assignment or sub-licensing release or relieve the Licensee from its obligations fully to perform all the terms, covenants and conditions of this License on its part to be performed. It is agreed that any change from the present control of the Licensee shall constitute an assignment of the License requiring the prior written consent of the Licensors.

h) **INDEMNITY OF LICENSOR:**

The Licensee shall indemnify and save harmless the Licensors (which indemnity shall survive the expiry or sooner determination of this License) from any and all liabilities, damages, costs, claims, suits, or actions, including all costs and actual legal fees and disbursements incurred, in connection with:

- (i) any breach, violation, or non-performance of any covenant, regulation, condition or agreement in this License set forth and contained on the part of the Licensee, to be fulfilled, kept, observed and performed;
- (ii) any act or omission of the Licensee;
- (iii) any damage to property while said property shall be in or about the License Area; or
- (iv) any injury to any licensee, invitee, agent or employee of the Licensee, including death resulting at any time therefrom, occurring in or about the License Area,

except to the extent such results from the wrongful act or failure to act or negligence of the Licensors, or of the Licensors's agents or employees.

i) **CONDITION OF LICENSE AREA, REPAIRS AND MAINTENANCE:**

The Licensee hereby accepts the License Area on an "as is" basis, subject to leasehold improvements as agreed upon in writing, and the Licensee shall, during the said term and any extension thereof, sufficiently repair, maintain, and keep all improvements on the License Area in good repair. All costs pertaining to leasehold improvements will be charged to the Licensee.

j) **ALTERATIONS AND INSTALLATIONS:**

The Licensee shall not make any alterations, repairs, installations, removals or improvements in or about the License Area or the improvements thereon without the Licensor's prior written consent, in the Licensor's absolute discretion, as to suitability and acceptability and only after having submitted adequate plans and specifications thereof to the Licensor. Such consent shall be at the approval of the Director of Facilities of the Licensor, and in the event of such consent, all work shall be done in good and workmanlike manner to a standard acceptable to the Director of Facilities of the Licensor.

k) **FIXTURES:**

At the expiration of the term hereby granted or if the License shall be otherwise terminated, all improvements erected or placed upon the License Area by the Licensee and all fixtures in or about the License Area placed by the Licensee shall be removed by the Licensee.

The Licensor shall have the right upon the termination of this License by effluxion of time or otherwise to require the Licensee by notice in writing, to remove the chattels and equipment located on the License Area and if the Licensee does not remove its personal property forthwith after written demand, the Licensor shall not be responsible for any loss or damage to such property because of such removal.

l) **LIENS AND ENCUMBRANCES:**

The Licensee covenants to forthwith discharge any liens and other encumbrances at any time filed against the License Area arising by reason of any work done or materials supplied at the direction of the Licensee, and to keep the said License Area free from any and all liens and other encumbrances, arising as a result of its acts or omission, and if the Licensee fails to do so, the Licensor may, but shall be under no obligation, to pay into court, the amount required to obtain a discharge of any such lien in the name of the Licensee and any amount so paid together with all disbursements and costs in respect of such proceedings on a solicitor and client basis shall be forthwith due and payable by the Licensee to the Licensor as additional license fees. The Licensee shall allow the Licensor to post and keep posted on the License Area any notices that the Licensor may desire to post under the provisions of the *Builders Lien Act* or any other legislation.

m) **UTILITIES AND OTHER COSTS:**

The License Fee is inclusive of electric, gas, water, janitorial, and maintenance to the building envelope, garbage collection and snow removal. The Licensee shall pay and be responsible for all other costs in connection with the License Area not specifically included in the license fee. This includes: tenant insurance, room and equipment maintenance costs, internet access, leasehold improvements, repairs, assessments, painting, and all other costs, charges, outlays and expenses in connection with the License Area or any improvements thereon. Should any taxes be levied against the License Area or improvements by any authority, then the parties shall enter into a renegotiation of the Licensee fee.

n) **ACCESS, SECURITY AND PARKING:**

The Licensee shall have access to the license areas as depicted in Schedule A (Room 21) and Schedule B (Room 12) via the door directly into the license area and the main doors next to the license area. The License Fee is inclusive of security service and will ensure adequate and proper parking of vehicles to a standard acceptable to the General Manager of Operations of the Licensor.

o) **LICENSOR'S ACCESS TO LICENSE AREA:**

The Licensor shall be entitled to enter, inspect and otherwise have access to the License Area throughout the term of the License, and upon the expiration or sooner determination of the term, or of any renewal thereof, the Licensee shall forthwith peaceably vacate and cease occupancy of the License Area without notice from the Licensor.

p) **TIME:**

Time is of the essence of this Agreement.

q) **TERMINATION:**

The Licensor may terminate the License on one month's notice in the event of non-payment of license fees or any other default or non-performance of any covenant hereunder by the Licensee.

The Licensor may terminate the License on three months' notice in the event that the School District requires the space for School District programs.

The Licensee may terminate the License with three months' notice.

This License may be terminated at any time by mutual agreement.

r) **ENTIRE AGREEMENT:**

This Agreement contains the entire agreement between the Parties. There are no other conditions, representations or warranties, express or implied, by either of the Parties to the other, and no amendment or addition hereto shall be valid unless set out in writing and executed on behalf of each of the Parties.

s) **NOTICES:**

Any notice, request, demand, direction or statement required or permitted to be given hereunder, shall be sufficiently given if mailed in Canada by registered mail, postage prepaid, to the appropriate Party at the address first set out above for that Party, or such other address as may be designated by written notice given by that Party to the other Party in accordance with this provision.

Any notice mailed as aforesaid shall be conclusively deemed to have been received on the third business day following the day on which such notice is mailed as aforesaid.

t) **REGISTRATION:**

The Licensee shall not in any circumstances apply to register this License or any other interest or notice of interest against or in respect of the License Area, the Premises or any part thereof. The Licensee further covenants not to mortgage or otherwise encumber this License or any interest hereunder.

u) **EXPROPRIATION:**

During the term of this License, if the whole of the License Area shall be expropriated, or otherwise taken by virtue of any power or authority having the power for such acquisition or condemnation, then the term of this License shall be deemed terminated from the date of entry of such authority without any liability to the Licensor or recourse by the Licensee to the Licensor whatsoever including, without limitation, for any refund of prepaid license fees or for any costs or damages.

Notwithstanding the foregoing, the Licensor shall refund all prepaid License Fees related to any period after the date of entry of the expropriating authority.

Additionally, nothing herein contained shall prevent the Licensor nor the Licensee or both from recovering damages from such authority for the value of their respective interests or for such other damages and expenses allowed by process of law.

v) **LIABILITY FOR DAMAGE TO PERSONS OR PROPERTY:**

The Licensor shall not be responsible in any way for any injury to any person or for the loss of or damage to any property belonging to the Licensee or to the employees, invitees, or licensees of the Licensee while such person or persons or property is in or about the buildings on the License Area or any part of the License Area, and the Licensee covenants to indemnify the Licensor against all loss, costs, claims or demands in respect of any injuries, loss or damage referred to in this paragraph.

w) **OVERHOLDING:**

If the Licensee continues to occupy the License Area with the express consent of the Licensor after the expiry of the term of this License without any further written agreement, the Licensee shall be a monthly licensee on the terms and conditions herein set out.

x) **COMMENCEMENT:**

The covenants expressed herein shall be binding on the Parties from the commencement of the term set out herein notwithstanding the dates of execution of this Agreement by the Parties.

y) **ENUREMENT:**

All of the provisions of this License shall be binding upon and enure to the benefit of the Parties hereto and their respective heirs, executors, administrators, successors and permitted assigns.

IN WITNESS WHEREOF the Parties have duly executed and delivered this Agreement as of the day and year first above written.

LICENSOR:



Ron Amos, CPA, CMA
Secretary-Treasurer
School District No. 69 (Qualicum)
250-248-4241

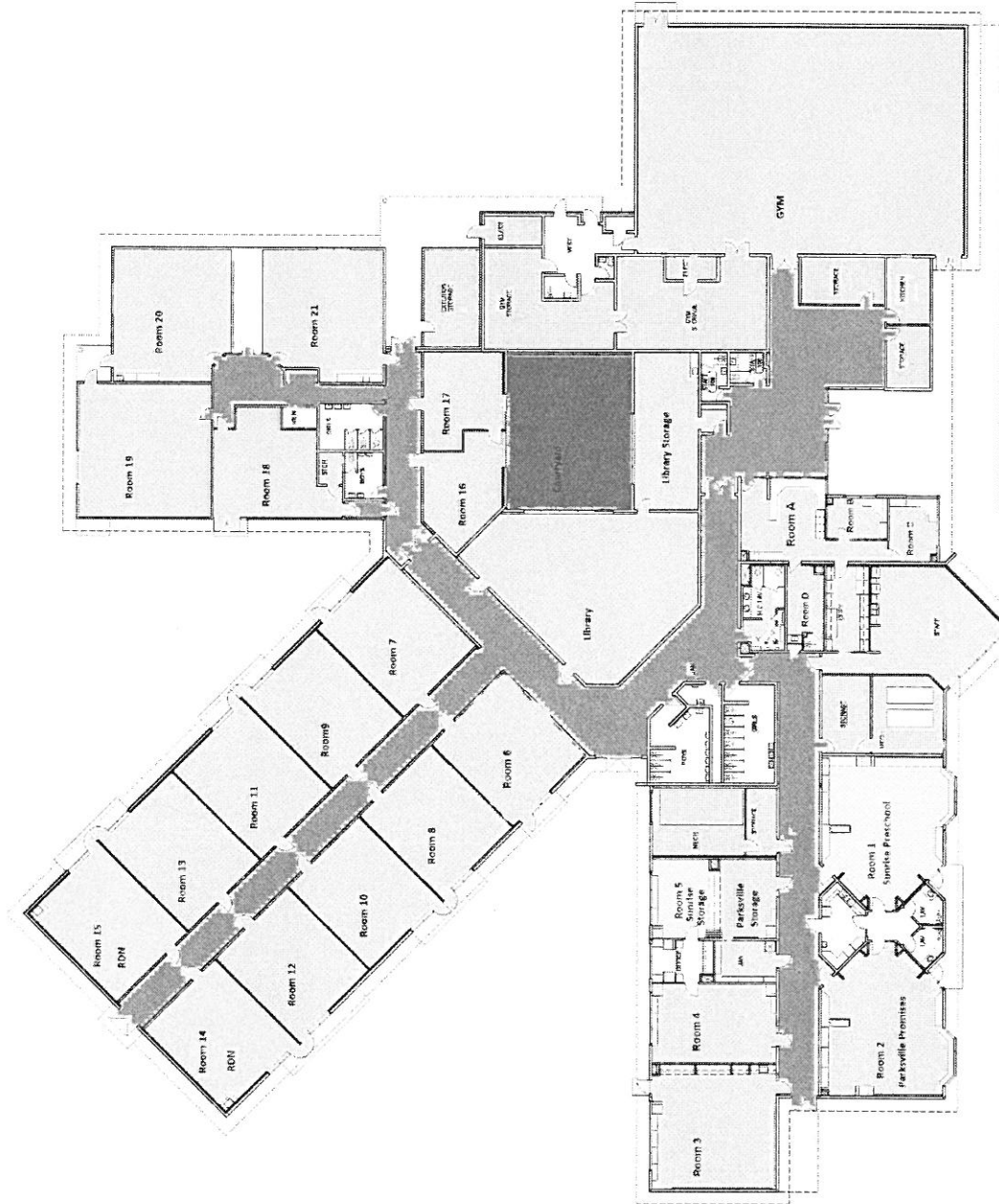

Witness

LICENSEE:

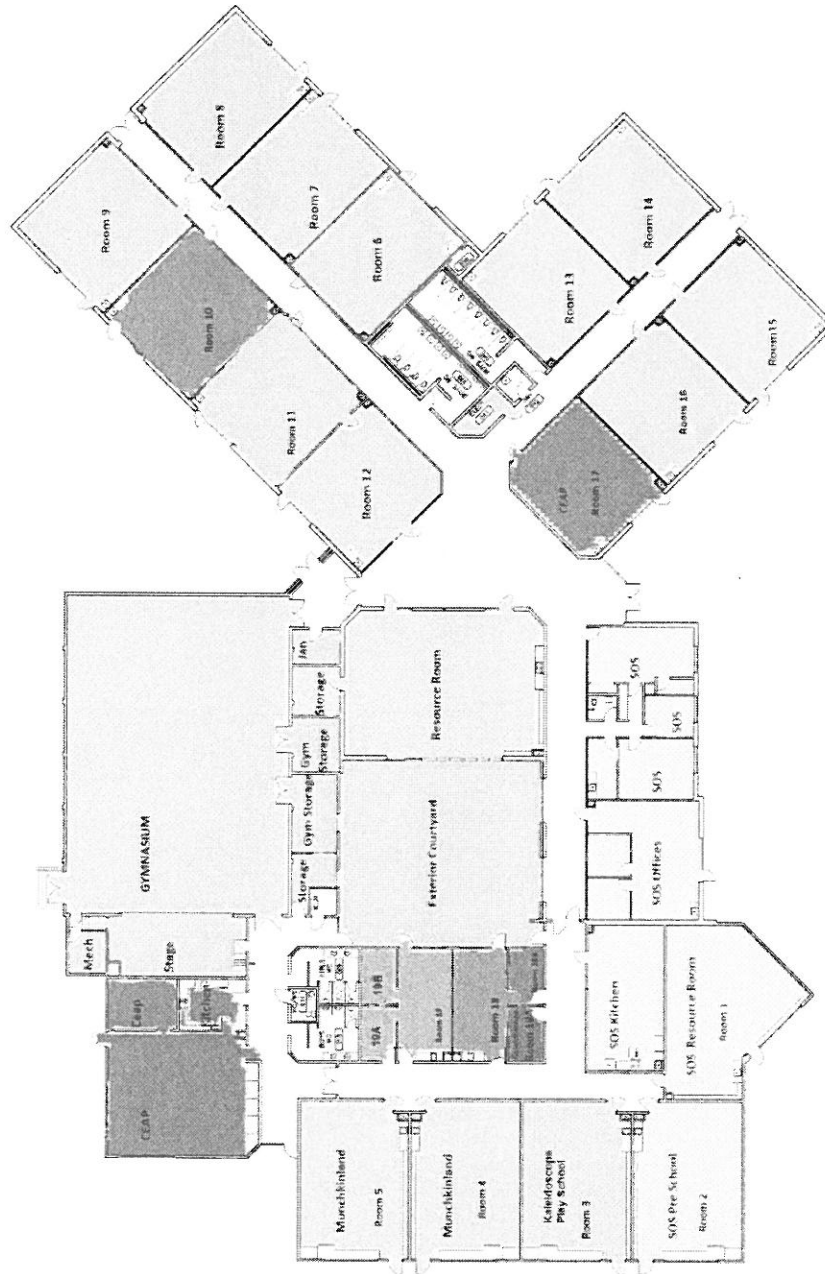
Phyllis Carlyle, CAO
Recreation Services
Regional District of Nanaimo
250-248-3252

Witness

SCHEDULE A
 DIAGRAM OR DESCRIPTION OF LICENSE AREA (CRAIG STREET COMMONS)



SCHEDULE B
 DIAGRAM OR DESCRIPTION OF LICENSE AREA (QUALICUM COMMONS)



SCHEDULE C
MONTHLY LICENSE FEES
CRAIG STREET COMMONS AND QUALICUM COMMONS

| | |
|---------------------|------------------|
| Monthly License Fee | \$2050.00* |
| GST @ 5% | <u>\$102.50</u> |
| Total Monthly Fee | <u>\$2152.50</u> |

***License Fee will include free use of the gymnasium for up to a total of 160 hours per year to be used between the two sites – Craig Street Commons and/or Qualicum Commons - which must be booked through the Operations & Maintenance Department.**

Note: All costs pertaining to leasehold improvements will be charged to the Licensee.

TO: Committee of the Whole **MEETING:** July 9, 2019
FROM: Deb Churko
Engineering Technologist **FILE:** 5500-21-01
SUBJECT: Bylaw 789.05 – A Bylaw to Amend the Fairwinds Streetlighting Local Service

RECOMMENDATION

That “Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.05, 2019” be introduced and read three times.

SUMMARY

A petition has been received from the owner of 3521/3529 Dolphin Drive in Nanoose Bay (Fairwinds Landing/Schooner Cove). The owner wishes to join the adjacent streetlighting service area so streetlights can be installed along Dolphin Drive to improve vehicle and pedestrian safety. By joining the streetlighting service area, the property owner would pay taxes towards the local streetlighting service.

BACKGROUND

The subject property is located at the corner of Dolphin Drive and Outrigger Road in Nanoose Bay, B.C., where a new hotel and condominium development is underway. The RDN currently provides overhead streetlighting service to the Fairwinds residential neighbourhood located across Dolphin Drive to the south (see Location Plan in Figure 1). The subject property is being developed at a later date than the original Fairwinds subdivision, and has not received streetlighting service to date.

According to the Phased Development Agreement and the Memorandum of Understanding between the RDN and the Fairwinds/Schooner Cove owner, a streetlighting service area is anticipated to be established (or an existing streetlight service area is to be amended) in order for the owner to install streetlights to improve vehicle and pedestrian safety adjacent to the new development. The owner has subsequently petitioned the RDN to be included within the adjacent Fairwinds Streetlighting Local Service. As with each RDN streetlighting service, BC Hydro will charge the annual cost to operate the streetlights to the RDN, and the RDN in turn will recover those costs from all the participants of the streetlighting service in the form of taxes.

The RDN's newest streetlighting specifications will ensure that only dark-sky compliant streetlights are installed on ornamental poles, and that no upward or outward-facing light will be experienced by neighbouring property owners.

The Fairwinds Streetlighting Local Service Bylaw No. 789, 1989 requires an amendment in order to include this property within the taxation boundary for streetlighting service. A bylaw amendment is attached to this report for the Board's consideration.

ALTERNATIVES

1. Accept the request for inclusion into the Fairwinds Streetlighting Local Service; or
2. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There are no financial implications to the RDN. The property owner has agreed to install ornamental streetlights and poles as part of their development costs at Fairwinds Landing/Schooner Cove. If accepted into the Fairwinds Streetlighting Service, the annual hydro charges for the new streetlights would be recovered from the entire streetlight service area, including the subject property.

STRATEGIC PLAN IMPLICATIONS

Social Wellbeing - Make the Region a safe and vibrant place for all, with a focus on children and families in programs and planning.

Including the property at 3521/3529 Dolphin Drive into the Fairwinds Streetlighting Local Service supports the Board's goals to provide opportunities for residents to move effectively through and around the region, and to make the region a safe and vibrant place for all. Vision, Mission, and Values as described in the 2019-2022 Strategic Plan.



Deb Churko
dchurko@rdn.bc.ca
June 12, 2019

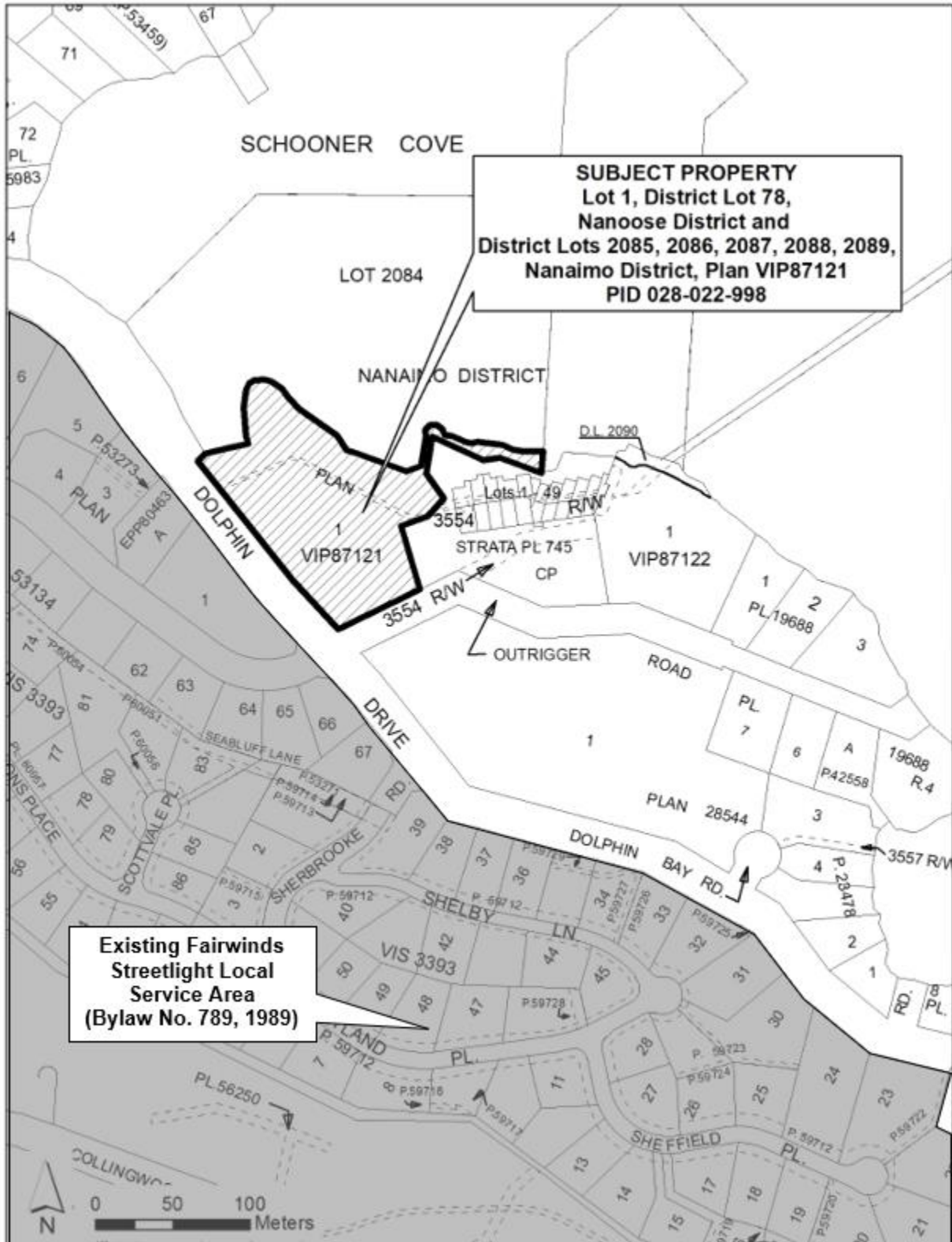
Reviewed by:

- M. Walters, Manager, Water Services
- S. De Pol, Director, Water and Wastewater Services
- R. Alexander, General Manager, RCU
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Figure 1 – Location Plan
2. Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.05, 2019

Figure 1 – Location Plan



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 789.05

**A BYLAW TO AMEND THE BOUNDARIES OF
REGIONAL DISTRICT OF NANAIMO
FAIRWINDS STREETLIGHTING LOCAL SERVICE**

WHEREAS the Regional District of Nanaimo established the Fairwinds Streetlighting Local Service pursuant to Bylaw No. 789, cited as “Fairwinds Streetlighting Local Service Establishment Bylaw No. 789, 1989”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owner to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘A’ of this bylaw and legally described as:

- Lot 1, DL 78, Nanoose Land District, and District Lots 2085, 2086, 2087, 2088, and 2089, Nanaimo Land District, Plan VIP87121;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with the *Local Government Act*;

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

1. Amendment

“Fairwinds Streetlighting Local Service Establishment Bylaw No. 789, 1989” is amended as follows:

- a) By amending Schedule ‘A’ to include the property shown outlined on Schedule ‘A’ attached to and forming part of this bylaw.

2. Citation

This bylaw may be cited for all purposes as “Fairwinds Streetlighting Local Service Amendment Bylaw No. 789.05, 2019”.

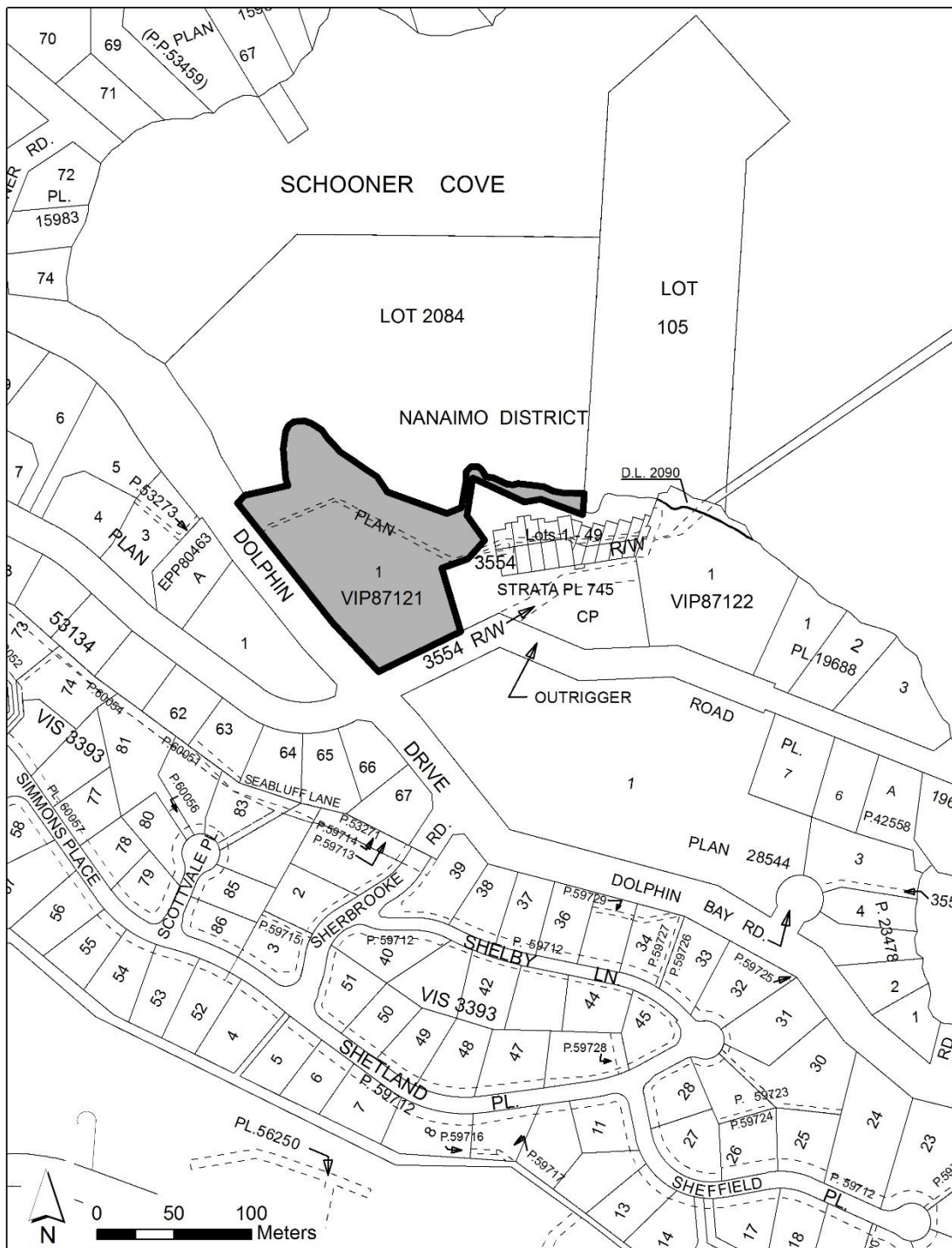
Introduced and read three times this day of 2019.

Adopted this day of 2019.

CHAIR

CORPORATE OFFICER

Corporate Officer



TO: Committee of the Whole **MEETING:** July 9, 2019

FROM: Deb Churko
Engineering Technologist **FILE:** 5500-20-PS-01

Subject: Bylaw Nos. 889.74 and 1021.13 – Amendments to the Northern Community Sewer Service and the Pacific Shores Sewer Service

RECOMMENDATIONS

1. That “Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.74, 2019” be introduced and read three times.
2. That Pacific Shores Sewer Local Service Area Amendment Bylaw No. 1021.13, 2019 be introduced and read three times.

SUMMARY

Petitions have been received from the owner of 1469 Bay Drive to amend the boundaries of the Pacific Shores and Northern Community Sewer Service Areas. The owner wishes to connect to the community sewer system instead of expanding the existing on-site septic treatment and disposal system. Connecting this property to the community sewer system would mitigate the possible impacts of the on-site disposal system to the marine foreshore and the on-site drinking water well.

BACKGROUND

The subject property is located at the West end of Bay Drive in Nanoose Bay. This waterfront property consists of one single-family home that has been discharging domestic sewage to an on-site septic tank and disposal field for over 40 years. A drinking water well is also present on the subject property. During house renovations, the owner wishes to connect to the community sewer system instead of expanding the existing on-site septic treatment and disposal system. The property owner has petitioned the Regional District of Nanaimo (RDN) to be included in the Pacific Shores Sewer Local Service Area. The subject property is located immediately adjacent to the Pacific Shores Sewer Service Area boundary, and a sewer stub is located along the foreshore on the north side of the subject property thereby making a connection to the community sewer possible. By including the subject property into the Pacific Shores Sewer Local Service Area, domestic sewage would be collected by the community sewer system, and treated at the French Creek Pollution Control Centre.

Pacific Shores Sewer Local Service Area Bylaw No. 1021 (1996) as well as Northern Community Sewer Local Service Area Bylaw No. 889 (1993) require amendment in order to include this property in the sewer service area. These bylaws are attached to this report for the Board's consideration. Similar boundary amendment bylaws have been adopted by the RDN

over the past 10 years for neighbouring properties with aging septic tank and field disposal systems.

A Capital Charge of \$2,483 is payable when a property is being brought into the community sewer service area pursuant to *Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331, 2003*.

ALTERNATIVES

1. Adopt the bylaws to include the subject property into the Pacific Shores and Northern Community Sewer Local Service Areas.
2. Do not adopt the bylaws, and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There will be no financial implications to the RDN. All costs associated with connection to the community sewer would be at the expense of the applicant. The owner has paid the required Capital Charge in the amount of \$2,483 as contribution towards the French Creek Pollution Control Centre. Annual cost recovery for sewer service is done through parcel taxes.

If the application for sewer servicing is not approved, the owner would need to explore options for on-site sewage treatment and disposal. The initial Capital Charge paid by the property owner would be refunded.

DEVELOPMENT IMPLICATIONS

The subject property is located in a “Rural Residential” area outside of the Urban Containment Boundary as described in the *Regional Growth Strategy Bylaw No. 1309 (2003)*. The Regional Growth Strategy supports the provision of community sewer and water services to land outside the Growth Containment Boundary as long as they do not support additional development, consistent with official community plans. Section 5.8, Policy No. 7 of the *Nanose Bay Official Community Plan (Bylaw No. 1400, 2005)* states that, “The inclusion of properties into the local community sewer service area may be considered by the RDN Board when there is evidence that an existing sewage disposal system has failed, an ensuing health problem is evident and/or there is no alternative means of resolving the disposal problem through on-site measures, including pump and haul, to address environmental or health concerns.”

In keeping with the intent of the Regional Growth Strategy, the provision of community water and/or sewer service is not intended to allow uses of the property beyond what is currently supported in *Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500*. The subject property is zoned Residential RS1-F with a minimum parcel size of 1 hectare (10,000 m²). At approximately 4400 m² in size (1.09 acres), the subject property would not be able to subdivide even with community water and sewer services. The presence of the adjacent community sewer main excludes the property from Pump & Haul service eligibility.

STRATEGIC PLAN IMPLICATIONS

Environmental Stewardship - Protect and enhance the natural environment, including land, water, and air quality for future generations.



Deb Churko
dchurko@rdn.bc.ca
June 26, 2019

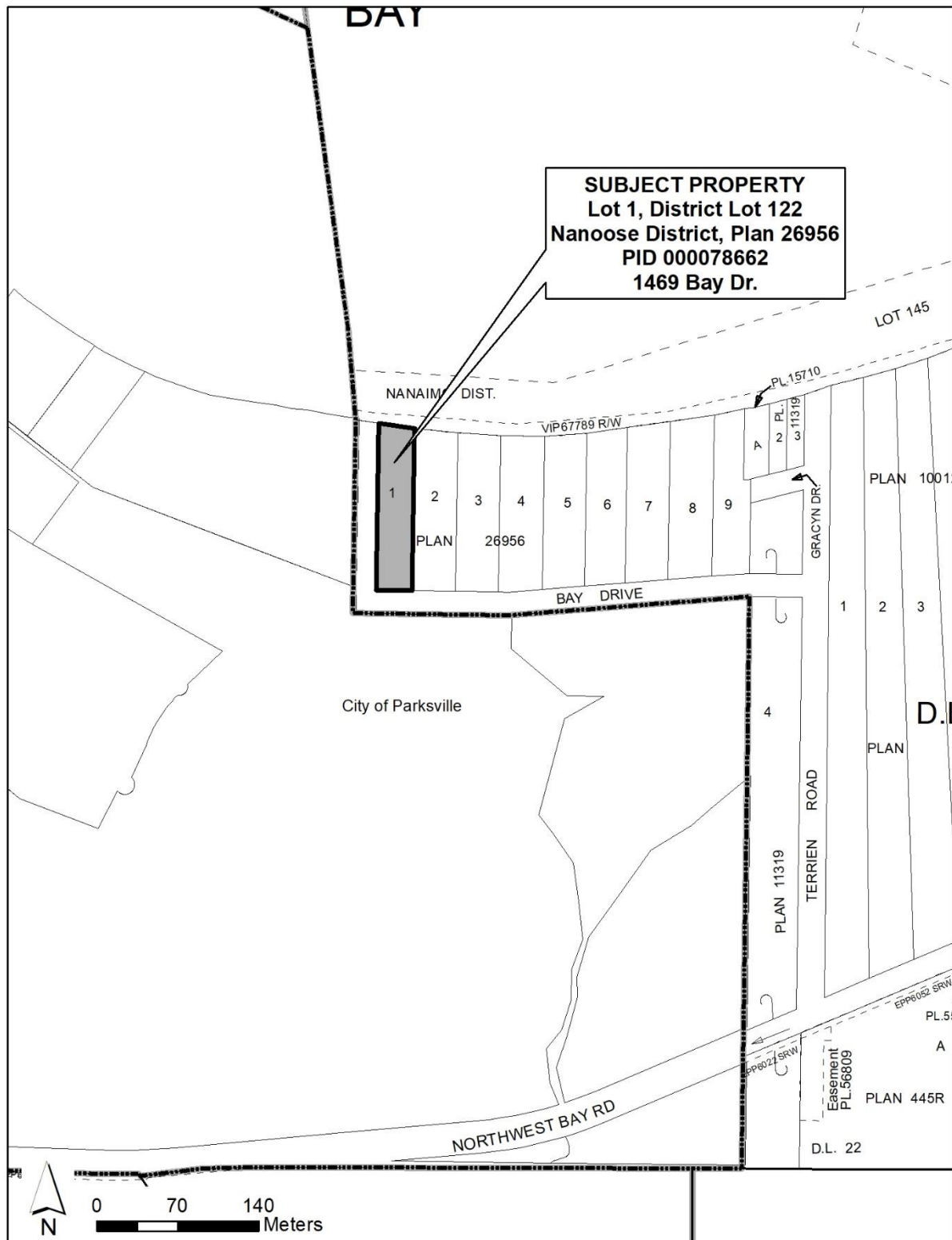
Reviewed by:

- M. Walters, Manager, Water Services
- S. De Pol, Director, Water & Wastewater Services
- R. Alexander, General Manager, RCU
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Figure 1 - Location Plan
2. Bylaw No. 889.74 – A Bylaw to Amend the Northern Community Sewer Service
3. Bylaw No. 1021.13 – A Bylaw to Amend the Pacific Shores Sewer Service

Figure 1 - Location Plan



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.74

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

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

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

- Lot 1, District Lot 122, Nanoose District, Plan 26956;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with the *Local Government Act*;

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

1. Amendment

“Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993” is amended as follows:

- a) By amending Schedule ‘A’ to include the property shown outlined on Schedule ‘A’ attached to and forming part of this bylaw.

2. Citation

This bylaw may be cited for all purposes as “Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.74, 2019”.

Introduced and read three times this ____ day of _____, 2019.

Adopted this ____ day of _____, 2019.

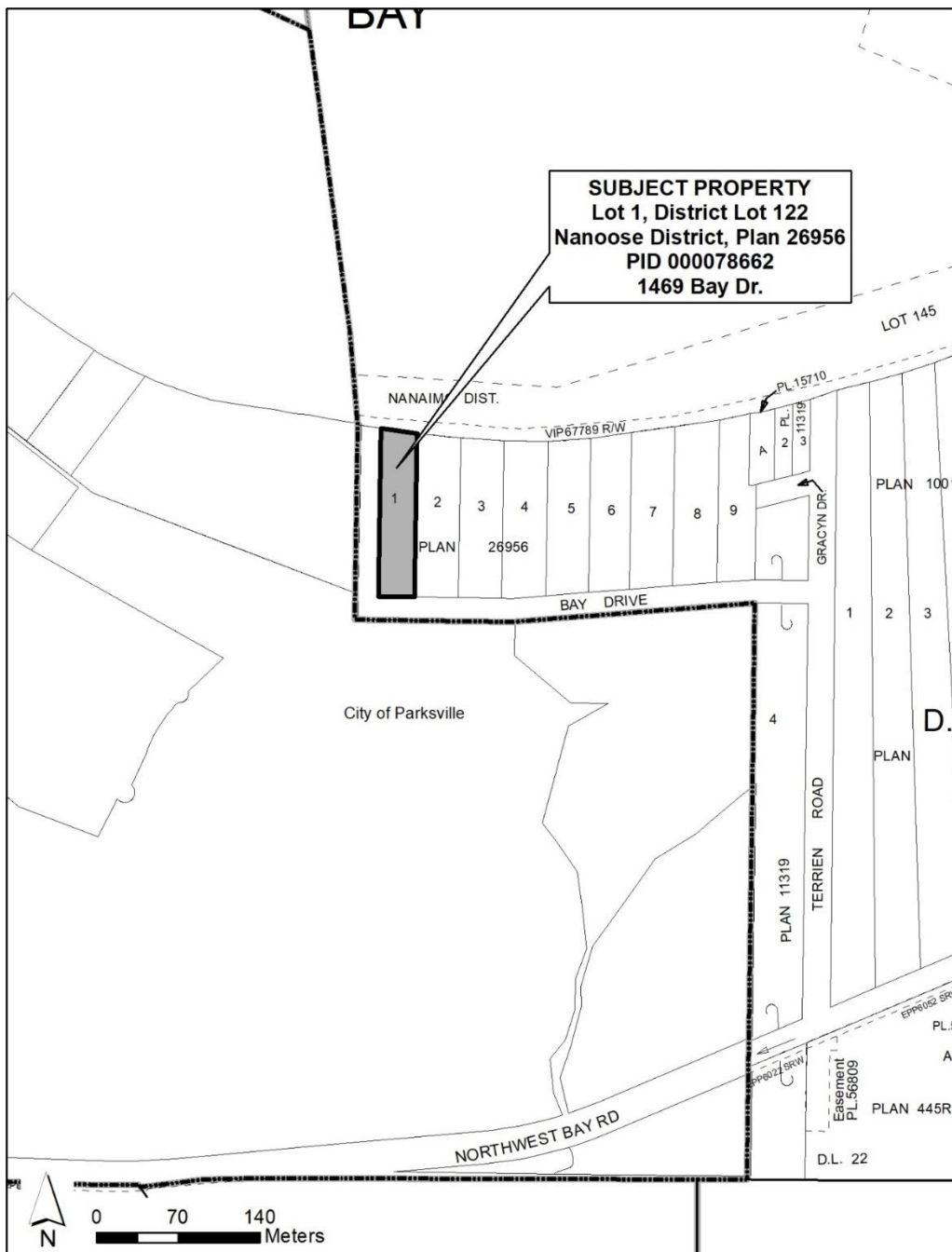
CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Regional District of
Nanaimo Northern Community Sewer Local Service
Amendment Bylaw No. 889.74, 2019"

Chair

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1021.13

**A BYLAW TO AMEND THE BOUNDARIES OF THE
PACIFIC SHORES SEWER LOCAL SERVICE**

WHEREAS the Regional District of Nanaimo established the Pacific Shores Sewer Service pursuant to Bylaw No. 1021, cited as “Pacific Shores Sewer Local Service Area Establishment Bylaw No. 1021, 1996”;

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

- Lot 1, District Lot 122, Nanoose District, Plan 26956;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with the *Local Government Act*;

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

1. Amendment

“Pacific Shores Sewer Local Service Area Establishment Bylaw No. 1021, 1996” is amended as follows:

By amending Schedule ‘A’ to include the property shown outlined on Schedule ‘A’ attached to and forming part of this bylaw.

2. Citation

This Bylaw may be cited as “Pacific Shores Sewer Local Service Area Amendment Bylaw No. 1021.13, 2019”

Introduced and read three times this _____ day of _____, 2019.

Adopted this _____ day of _____, 2019.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Regional District of
Nanaimo Northern Community Sewer Local Service Area
Amendment Bylaw No. 1021.13, 2019"

Chair

Corporate Officer

