

**AGENDA**  
SPECIAL OPEN COUNCIL MEETING  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2016-OCT-24, AT 5:00 P.M.

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**SCHEDULED 10-MINUTE RECESS AT 9:00 P.M.**

**1. CALL THE SPECIAL OPEN MEETING OF COUNCIL TO ORDER:**

**2. PROCEDURAL MOTION:**

That the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

Section 90(1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2);

**Note:** The Special Open Meeting will reconvene at 7:00 p.m. in the Shaw Auditorium.

**3. INTRODUCTION OF LATE ITEMS:**

**4. ADOPTION OF AGENDA:**

**5. ADOPTION OF MINUTES:**

- (a) Minutes of the Special Open Meeting of the Council of the City of Nanaimo held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, on Monday, 2016-OCT-03 at 5:00 p.m. Pg. 6-7
- (b) Minutes of the Regular Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2016-OCT-03 at 7:00 p.m. Pg. 8-16

6. **PRESENTATIONS:**

NONE

7. **MAYOR'S REPORT:**

8. **ADMINISTRATION:**

(a) **Core Services Review – Nanaimo Gaol Staff Reduction**

*Purpose: To seek Council direction regarding the Core Services Review recommendation to eliminate four permanent full time Prisoner Guard positions from the Nanaimo Gaol.*

Delegation:

1. Ms. Anne Taylor, Executive Director, Haven Society

Request for Direction: That Council provide direction to Staff regarding the provision of jail guard services at the Nanaimo Gaol.

*Pg. 17-19*

9. **CORPORATE SERVICES:**

(a) **Regional District of Nanaimo “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”**

*Purpose: To present for Council’s consideration a request from the Regional District of Nanaimo asking Council to consent to “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”, on behalf of the electors.*

Staff Recommendation: That Council consent to the adoption of Regional District of Nanaimo “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”, and that the Regional District of Nanaimo be notified accordingly.

*Pg. 20-55*

(b) **2017 Regional District of Nanaimo Appointments**

*Purpose: To obtain Council direction regarding the appointment of Regional District of Nanaimo Board Directors and establish voting assignments for each Director for 2017.*

Staff Recommendation: That Council:

Pg. 56-58

1. appoint for a one year term, seven Directors to the Regional District of Nanaimo Board;
2. assign 5 votes to each of the six Directors and 4 votes to one Director; and,
3. appoint and establish a schedule for Primary and Secondary Alternate Directors.

10. **COMMUNITY SERVICES:**

(a) **Beban Park Central Facility Development Opportunities**

*Purpose: To update Council on options for next steps with regard to the Beban Park Central Facility Development Opportunities.*

Delegations:

1. Karen Streeter, President, Vancouver Island Exhibition
2. Whelm King, Island Roots Market Co-op
3. Ian Kalina, Boys & Girls Clubs

Staff Recommendation: That Council:

Pg. 59-73

1. receive the information obtained from the public open house for Beban Park Central Facility Development Opportunities held at Beban Park on 2016-AUG-10;
2. approve in Principle the development concepts as outlined in the Proposed Collaborative Development Plan for Indigenous Peoples Place of Culture, Vancouver Island Exhibition, Nanaimo Equestrian Association, and, Island Roots Market Cooperative;
3. direct Staff to draft leases for Council review and consideration; and,
4. prior to moving forward on the Indigenous Peoples Place of Culture proposal confirm that the proponents have secured letters of support from Snuneymuxw First Nation and other indigenous organizations.

11. **BYLAWS (with no accompanying report):**

NONE

12. **CORRESPONDENCE (not related to a Report to Council):**

NONE

13. **COUNCIL APPOINTMENTS:**

14. **NOTICE OF MOTION:**

(a) **Councillor Fuller Notice of Motion re: Secondary Suite Enforcement Policy**

“Whereas the recently adopted 2016-19 Strategic Plan Update includes Affordable Housing as an Initiative;

And whereas secondary suites are recognized as a key component of Nanaimo’s housing stock;

And whereas Council has requested Staff to prepare a report regarding a review of secondary suites including life safety issues and cost related to Section 57 notices;

I make the following motion:

“That until such time Council has received and considered the requested report, that Council direct Staff to amend the existing secondary suite enforcement policy to;

- 1) limit the inspection of secondary suites to only those units for which formal complaints have been received, and
- 2) not proceed with removal orders for historic or known suites that are in contravention of zoning, provided that life safety issues have been addressed.”

15. **OTHER BUSINESS:**

16. **CORE SERVICES REPORT AND DELEGATIONS:**

17. **DELEGATIONS (not related to a Report to Council): (10 MINUTES)**

[Note: As this Special Open Council Meeting was previously scheduled as a Committee of the Whole Meeting the following delegations have been brought forward to this agenda.]

- |     |   |               |
|-----|---|---------------|
| (a) | Ms. Marla Thorburn, Executive Director, Unitarian Weather Shelter and Mr. Kevan Griffith, regarding the Unitarian winter weather annual shelter funding application.                | <i>Pg. 74</i> |
| (b) | Mr. Bill McCracken, regarding water user rates.   | <i>Pg. 75</i> |
| (c) | Tim Tessier, Director; Dave Porier, Architect; & Mr. Lorne Hildebrand, President, Nanaimo Deep Dive Association, regarding an introduction to a major tourism and education centre. | <i>Pg. 76</i> |
| (d) | Ms. Carol Fetherston, regarding a review of the parking bylaws for multifamily dwellings.   | <i>Pg. 77</i> |

- (e) Mr. Ron Cantelon, Past Chair, and Mr. George Hanson, President of Vancouver Island Economic Alliance, requesting funding for an initiative to expand and diversity wood manufacturing opportunities on Vancouver Island.

18. **QUESTION PERIOD:** *(Agenda Items Only)*

19. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR FULLER  
2016-OCT19 to 2016-NOV-29

**MINUTES**  
SPECIAL OPEN COUNCIL MEETING  
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2016-OCT-03, AT 5:00 P.M.

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PRESENT: Mayor W. B. McKay, Chair

Members: Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. W. Fuller  
Councillor J. Hong  
Councillor J. A. Kipp  
Councillor I. W. Thorpe  
Councillor W. M. Yoachim

Absent: Councillor W. L. Pratt

Staff: T. Samra, Chief Administrative Officer  
B. McRae, Chief Operations Officer  
V. Mema, Director of Finance  
J. Van Horne, Director of Human Resources  
C. Sholberg, Community Heritage Planner  
P. Cooper, Communications Manager  
T. Loewen, Communications & Marketing Specialist  
J. Armstrong, City Clerk  
S. Gurrie, Deputy Corporate Officer  
S. Snelgrove, A/FOI and Records Supervisor  
J. Vanderhoef, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Special Open Meeting was called to order at 5:00 p.m.

2. PROCEDURAL MOTION:

11816 It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter* Section 90(1):

- (c) labour relations or other employee relations;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried.

Opposed: Councillor Fuller

Special Council Meeting  
2016-OCT-24

3. RECESS AND RECONVENE:

The Special Open Meeting recessed at 6:58 p.m. and reconvened at 10:35 p.m.

4. ADJOURNMENT:

11916 It was moved and seconded at 11:17 p.m. that the Meeting terminate. The motion carried unanimously.

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M A Y O R

CERTIFIED CORRECT:

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CORPORATE OFFICER

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2016-OCT-03, AT 7:00 P.M.

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PRESENT: Mayor W. B. McKay, Chair

Members: Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. W. Fuller  
Councillor J. Hong  
Councillor J. A. Kipp  
Councillor I. W. Thorpe  
Councillor W. M. Yoachim

Absent: Councillor W. L. Pratt

Staff: T. Samra, Chief Administrative Officer  
V. Mema, Chief Financial Officer  
B. McRae, Chief Operations Officer  
D. Lindsay, Director of Community Development  
R. Davidson, Manager of Bylaw, Regulation & Security  
R. J. Harding, Director of Parks and Recreation  
P. Rosen, A/Director of Engineering  
P. Cooper, Communications Manager  
M. Desrochers, Client Support Specialist  
J. Armstrong, City Clerk  
S. Gurrie, Deputy Corporate Officer  
S. Snelgrove, A/FOI and Records Supervisor  
J. Vanderhoef, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Meeting was called to order at 7:01 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 7(a) Status of Reports Requested by Council – add attachment.
- (b) Agenda Item 7(c) “Property Maintenance Bylaw 1990 No. 3704” – remove 1861 East Wellington Road and 224 View Street.
- (c) Agenda Item 7(d) add Property Maintenance for Industrial Property.
- (d) Agenda Item 9(a) Lower Colliery Dam – Auxiliary Spillway Final Costs – add delegation Mr. Robert Fuller.
- (e) Agenda Item 9(d) Development Permit No. DP1007 – 1680 and 1690 Townsite Road - add delegation Traine Developments on behalf of CMTC Architect.



- (f) Agenda Item 9(k) Unauthorized Suites – remove 3463 Blackfoot Way.
- (g) Agenda Item 9(m) add Opportunities Assessment of City Owned Greater Nanaimo Water District Lands.
- (h) Agenda Item 10(b) add “Zoning Amendment Bylaw 2015 No. 4500.078” for adoption.
- (i) Agenda Item 15(a) add Core Services Review Implementation Plan report.
- (j) Councillor Kipp advised that Mr. Terry Wagar was in attendance and wished to address Council as a late delegation regarding Agenda Item 9(a) Lower Colliery Dam – Auxiliary Spillway Final Costs, and Agenda Item 9(m) Opportunities Assessment of City Owned Greater Nanaimo Water District lands.

3. ADOPTION OF AGENDA:

43716 It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

Mayor McKay advised that Council had recessed the “In Camera” meeting and would reconvene the “In Camera” meeting at 10:30 p.m. in the Douglas Rispin Room. Mayor McKay requested that the Clerk notify Council of any urgent items, so that they may be considered prior to question period and before 10:30 p.m.

4. PRESENTATIONS:

(a) Mr. Del Pol, Regional District of Nanaimo

Mr. Del Pol, Regional District of Nanaimo, provided a presentation regarding Bylaw No. 1547.01 – A bylaw to amend the wastewater development cost charge bylaw for the Southern Community Sewer Service Area (Greater Nanaimo Pollution Control Centre).

43816 It was moved and seconded that Council receive for information the presentation by Mr. Sean De Pol. The motion carried unanimously.

5. ADMINISTRATION:

(a) Status of Reports Requested by Council

43916 It was moved and seconded that Council receive for information the report regarding Status of Reports Requested by Council. The motion carried unanimously.

(b) Appointment of Bylaw Enforcement Officers

44016 It was moved and seconded that Council appoint Craig Dishkin and David Elley as bylaw enforcement officers to enforce the provision of City of Nanaimo “Licencing and Control of Animals Bylaw 1995 No. 4923” and “Parks, Recreation and Culture Regulation Bylaw 2008 No. 7073”. The motion carried unanimously.

(c) Property maintenance Bylaw 1990 No. 3704

Mayor McKay requested that Council hear anyone wishing to speak with respect to property maintenance for the properties listed below:

1. Mr. Ishikawa, 1658 Sherwood Drive, requested that Council not consider the maintenance issue.

44116 It was moved and seconded that Council receive the delegation from Mr. Ishikawa regarding property maintenance for 1658 Sherwood Drive. The motion carried unanimously.

44216 It was moved and seconded that Council, pursuant to “Property Maintenance Bylaw 1990 No. 3704”, direct the owners of the following properties to remove the materials as listed below from the premises within fourteen days or the work will be done by the City or its agents at the owners’ cost:

1. 559 Seventh Street – scrap wood, building materials, drywall, shingles, tarps, florescent lights, concrete, a derelict GM box van, loose garbage, and miscellaneous debris.
2. 611 Seventh Street – discarded household materials, auto parts, scrap wood, electronics, bicycle parts, appliances, furniture, tarps, plastic containers, loose garbage, and miscellaneous debris.
3. 218 View Street – scrap wood, plastic containers, dead plants, tarps, discarded household items, broken furniture, loose garbage, and miscellaneous debris.
4. 300 Jade Avenue – scrap metal, scrap wood, auto parts, tires, plastic container, broken furniture, old mattresses, dead vegetation, bike parts, discarded household items, loose garbage, and miscellaneous debris.
5. 432 Howard Avenue – contaminated fill.

The motion to carried.

Opposed: Councillor Brennan

By unanimous consent Council reordered the Agenda to move Agenda Item 10(a) Bylaws (with no accompanying report) after Agenda Item 7(c) Property Maintenance Bylaw 1990 No. 3704. They also moved Agenda Item 7(d) Property Maintenance for Industrial Property and Item 9(b) Human Trafficking and Sexual Exploitation to follow Agenda Item 15 Core Services Report and Delegations.

6. BYLAWS:

(a) “Officers Appointment and Delegation Amendment Bylaw 2016 No. 7031.05”

44316 It was moved and seconded that “Officers Appointment and Delegation Amendment Bylaw 2016 No. 7031.05” (To update the list of City Officers) be adopted. The motion carried unanimously.

(b) “Zoning Amendment Bylaw 2015 No. 4500.078”

44416 It was moved and seconded that “Zoning Amendment Bylaw 2015 No. 4500.078” (To rezone 3425 Uplands drive from Single Dwelling Residential (R1) to Townhouse Residential (R6)) be adopted. The motion carried unanimously.

7. COMMUNITY SERVICES:

(a) Lower Colliery Dam – Auxiliary Spillway Final Costs

Delegation:

1. Mr. Leon Cake spoke regarding the number of reports on this topic and financial implications.

44516 It was moved and seconded that Council receive the delegation from Mr. Leon Cake. The motion carried unanimously.

2. Mr. Robert Fuller spoke regarding the number of reports on this topic and the probability of a major storm event.

44616 It was moved and seconded that Council receive the delegation from Mr. Robert Fuller. The motion carried unanimously.

3. Mr. Terry Wagar spoke regarding the cost associated with this project.

44716 It was moved and seconded that Council receive the delegation from Mr. Terry Wagar. The motion carried unanimously.

44816 It was moved and seconded that Council receive the report regarding Lower Colliery Dam – Auxiliary Spillway Final Costs. The motion carried.

Opposed: Councillors Fuller and Kipp

(b) Beban Plaza Utility Upgrade – Budget Transfer

44916 It was moved and seconded that Council receive for information the report regarding Beban Plaza Utility Upgrade – Budget Transfer. The motion carried unanimously.

(c) Development Permit No. DP1007 – 1680 and 1690 Townsite Road

Delegation:

1. Mr. Corey Makus, and Mr. Chad Davidson, Traine Developments, Mr. Chris Chung, CMTC Architect, and Mr. Dan Casey, Boulevard Transportation/Watt Consulting, on behalf of CMTC Architect, spoke in favour of the proposed development.

45016 It was moved and seconded that Council receive the delegation from Traine Developments. The motion carried unanimously.

45116 It was moved and seconded that Council issue Development Permit No. DP1007 at 1680 and 1690 Townsite Road with the following variances subject to the approval of the proposed boundary adjustment:

- increase the maximum permitted building height from 14m to 17.02m for Building 2 (Lot B);
- allow the percentage of the front face of a building façade that is set back further than the maximum permitted front yard setback to exceed 50% for both Lots A and B;
- reduce the required parking from 48 spaces to 38 spaces on Lot A;
- reduce the required parking from 52 spaces to 36 spaces on Lot B; and,
- reduce the required loading spaces from 1 to 0 on Lot A and Lot B.

The motion carried unanimously.

(d) Development Variance Permit No. DVP295 – 2099 Lark Crescent

Mayor McKay requested that Council hear anyone wishing to speak with respect to DVP295 - 2099 Lark Crescent.

No one in attendance wished to speak with respect to this topic.

45216 It was moved and seconded that Council issue Development Variance Permit No. DVP295 at 2099 Lark Crescent to:

- reduce the required flanking yard setback for a garage door from 6m to 4.1m; and,
- reduce the required accessory building setback from a residential use building from 1.2m to 0.61m,

in order to permit reconstruction of an accessory building.

The motion carried unanimously.

- (e) Official Community Plan Amendment Application No. OCP66 and Rezoning Application No. RA288 – 2560 Bowen Road, 1900 Labieux Road and 2200 Labieux Road
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45316 It was moved and seconded that Council:

1. receive the report pertaining to the City of Nanaimo “Official Community Plan Amendment Bylaw 2016 No. 6500.032” and “Zoning Amendment Bylaw 2016 No. 4500.102”; and,
2. direct Staff to secure a covenant for access agreements, road works, use restrictions, bicycle parking, road dedication and the community contribution, prior to the adoption of the bylaw, should Council support the bylaw at third reading.

The motion carried unanimously.

Bylaws:

Councillor Fuller vacated the Shaw Auditorium at 9:12 p.m.

45416 It was moved and seconded that “Official Community Plan Amendment Bylaw 2016 No. 6500.032” (To amend the designations of 2560 Bowen Road and parts of 2020 Labieux Road (1900 and 2200 Labieux Road)) pass first reading. The motion carried unanimously.

Councillor Fuller returned to the Shaw Auditorium at 9:14 p.m.

45516 It was moved and seconded that “Official Community Plan Amendment Bylaw 2016 No. 6500.032” pass second reading. The motion carried unanimously.

45616 It was moved and seconded that “Zoning Amendment Bylaw 2016 No. 4500.102” (RA288 – To rezone 2560 Bowen Road, 1900 and 2200 Labieux Road from High Tech Industrial (I3) to Community Corridor (CCR3)) pass first reading. The motion carried unanimously.

45716 It was moved and seconded that “Zoning Amendment Bylaw 2016 No. 4500.102” pass second reading. The motion carried unanimously.

Councillor Thorpe vacated the Shaw Auditorium at 9:14 p.m.

- (f) Bylaw Contravention Notice - Construction Started Without a Building Permit – 1981B Wilfert Road
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Mayor McKay requested that Council hear anyone wishing to speak with respect to the bylaw contravention notice for 1981 Wilfert Road.

No one in attendance wished to speak with respect to this topic.

- 45816 It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 1981 Wilfert Road for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

(g) Bylaw Contravention Notice - Construction Started Without a Building Permit – 773 Hunter Street

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Mayor McKay requested that Council hear anyone wishing to speak with respect to the bylaw contravention notice for 773 Hunter Street.

No one in attendance wished to speak with respect to this topic.

- 45916 It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 773 Hunter Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

Councillor Thorpe returned to the Shaw Auditorium at 9:16 p.m.

(h) Bylaw Contravention Notice - Construction Started Without a Building Permit – 6144 Somerside Place

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Mayor McKay requested that Council hear anyone wishing to speak with respect to the bylaw contravention notice for 6144 Somerside Place.

No one in attendance wished to speak with respect to this topic.

- 46016 It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 6144 Somerside Place for construction completed without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

(i) Bylaw Contravention Notice – Secondary Suite

Mayor McKay requested that Council hear anyone wishing to speak with respect to the bylaw contravention notice for 6631 Groveland Drive.

No one in attendance wished to speak with respect to this topic.

- 46116 It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* on the property title of 6631 Groveland Drive. The motion carried unanimously.

(j) Unauthorized Suites – 2310/2312 Towerview Crescent

Mayor McKay requested that Council hear anyone wishing to speak with respect to the unauthorized suite at 2310/2312 Towerview Crescent.

Mayor McKay vacated the Shaw Auditorium at 9:17 p.m. Acting Mayor Thorpe assumed the Chair.

1. Mr. Soloman spoke regarding availability of affordable housing in Nanaimo and the priority of life safety regarding suite approval.

46216 It was moved and seconded that Council receive the delegation from Mr. Solomon. The motion carried unanimously.

Mayor McKay returned to the Shaw Auditorium at 9:48 p.m.

46316 It was moved and seconded that consideration of Agenda Item 9(k) Unauthorized Suites – 2310/2312 Towerview Crescent be deferred to the next Council Meeting to be held 2016-OCT-17. The motion carried.

Opposed: Councillor Hong

Mayor McKay resumed the Chair at 9:55 p.m.

(k) Advisory Committee Minutes

46416 It was moved and seconded that Council receive for information the Minutes of the Design Advisory Panel Meetings held 2016-JUL-14 and 2016-AUG-25. The motion carried unanimously.

(l) Opportunities Assessment of City-Owned Greater Nanaimo Water District Lands

Presentation:

1. Mr. Dale Lindsay, Director of Community Development

Delegation:

1. Mr. Terry Wagar spoke regarding land uses.

46516 It was moved and seconded that Council receive the delegation from Mr Terry Wagar. The motion carried unanimously.

46616 It was moved and seconded that Council receive for information the report regarding Opportunities Assessment of City-Owned Greater Nanaimo Water District Lands. The motion carried unanimously.

Councillor Bestwick vacated the Shaw Auditorium at 10:04 p.m.

8. CORE SERVICES REPORT AND DELEGATIONS:

(a) Core Services Review Implementation Plan

Due to time constraints this item will be considered at the next Council Meeting to be held 2016-OCT-17.

Councillor Bestwick returned to the Shaw Auditorium at 10:07 p.m.

(b) Property Maintenance for Industrial Property

46716 It was moved and seconded that Council receive for information the report regarding Property Maintenance for Industrial Property. The motion carried unanimously.

(c) Human Trafficking and Sexual Exploitation

46816 It was moved and seconded that Council receive for information the report regarding Human Trafficking and Sexual Exploitation. The motion carried unanimously.

9. QUESTION PERIOD:

- Mr. Terry Wagar, re: Lower Colliery Dam – Auxiliary Spillway Final Costs.

10. ADJOURNMENT:

46916 It was moved and seconded at 10:25 p.m. that the meeting terminate. The motion carried unanimously.

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M A Y O R

CERTIFIED CORRECT:

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CORPORATE OFFICER



DATE OF MEETING    October 24, 2016

AUTHORED BY        MIKE DIETRICH, MANAGER POLICE SUPPORT SERVICES

SUBJECT              CORE SERVICES REVIEW – NANAIMO GAOL STAFF REDUCTION

## **OVERVIEW**

### **Purpose of Report**

To seek Council direction regarding the Core Services Review recommendation to eliminate four permanent full time Prisoner Guard positions from the Nanaimo Gaol.

### **Recommendation**

That Council provide direction to staff regarding the provision of jail guard services at the Nanaimo Gaol.

## **BACKGROUND**

The issue of cross-gender guarding previously arose in 2004 when the Police Support Services department re-allocated funding dollars from the cell block operation to the police records management function. This change generated significant interest in the community which indicated support for a return to gender-specific guarding. On April 5, 2004, Council restored funding to the cell block thereby enabling a continuation of gender-specific guarding.

Although no policy statement was issued by Council, the City Gaol has continued operating with a practice of gender-specific guarding in the spirit of perceived community demand for such a practice since that time. The cell block is now staffed with one male and one female guard around the clock, 365 days per year. There are four permanent full time (PFT) and one permanent part-time (PPT) male guards and four PFT and one PPT female guards. These positions are augmented by a number of casual male and female guards as well. Full time guards are back-filled by the PPT and casual guards during absences.

The Core Services review recommended a change to cross-gender guarding, suggesting that savings of \$360,000 per year could be achieved by eliminating four full-time guard positions. Note that under the collective agreement, it would be the four least senior guards that would be affected, regardless of gender.

## **Discussion**

Nanaimo Gaol houses an average of 3,000 prisoners annually. Of that number, approximately 800 (27%) are female. On any given day, at least one female prisoner can be anticipated to be lodged in the cells.

The issue of eliminating gender-specific guarding was previously before Council in 2004. At that time, the Nanaimo Gaol had, for a brief period, implemented cross-gender guarding. This was done in order to apply the financial savings achieved by reducing guard positions to other much-needed staff support at the detachment. However, after a number of months, the Nanaimo Gaol reverted to gender-specific guarding.

One of the concerns identified in 2004 related to cross-gender guarding was the inability of female prisoners to protect their dignity while using the toilet facilities due to the location of surveillance cameras. This has been mitigated to an extent by relocating the cameras so that the toilet can only be viewed at an angle, instead of directly in front.

Many of the other issues raised in 2004 related more to provincial jail facilities, where prisoners are housed for longer periods of time and where the guards take a more active role in managing prisoners' activities. For example, the City's jail guards, male and female, are not involved in prisoner searches; this remains the role of the RCMP. Similarly, in situations where a prisoner is to use the shower facilities, this is not monitored by guards.

## OPTIONS

1. Adopt Core Services Review recommendation.
  - **Budget Implication:** Potential savings of \$360,000.
  - **Policy Implication:** Currently no policy exists. Adopting this recommendation will result in a practice of "cross-gender" guarding.
  - **Political Implication:** Public interest in this issue is high. Supporters of gender-specific guarding will not be satisfied. Supporters of cost reductions will be.
  - **Labour Implications:** Adopting this recommendation will result in the elimination of four permanent guard positions. There is currently one full time vacancy and one part time vacancy. This recommendation will potentially result in up to three lay-offs and triggering bumping and other provisions of the Collective Agreement. A grievance may result from the decision as well.
2. Status quo.
  - **Budget Implication:** Current staffing budget (exclusive of benefits) will remain approx \$555,119. No savings will result.
  - **Policy Implication:** Currently no policy exists. "Gender-specific" guarding will remain the practice in the Nanaimo Gaol.
  - **Political Implication:** Public interest in this issue is high. Supporters of gender-specific guarding will be satisfied. Supporters of cost reductions will not be.
3. Maintain permanent staffing at current level and find savings by no longer back-filling absent full-time guards, except when:
  - a. A female prisoner is lodged in cells **and there is no female guard on duty**;
  - b. A suicidal prisoner is being held; and/or
  - c. There are more than 11 prisoners in cells at one time.
  - **Budget Implication:** Savings of approximately \$100,000 may be accrued. This is lower than the CSR had anticipated but it preserves permanent full time jobs and "gender-specific" guarding can be maintained.
  - **Policy Implication:** Currently no policy exists. "Gender-specific" guarding will remain the practice in the Nanaimo Gaol.
  - **Political Implication:** Public interest in this issue is high. Supporters of gender-specific guarding will be satisfied. Supporters of cost reductions may not be.

**SUMMARY POINTS**

- The Core Services Review identified a potential savings of \$360,000 in the Nanaimo Gaol budget by the elimination of four permanent full time positions.
- Renovations to the jail cells have been made to help preserve prisoner dignity while still providing adequate surveillance within the cells.
- Guards at the Nanaimo Gaol are not actively involved in prisoner searches or monitoring prisoners during showering activities.

**Submitted by:**



\_\_\_\_\_  
Mike Dietrich  
Manager Police Support Services

**Concurrence by:**



\_\_\_\_\_  
Victor Mema  
Chief Financial Officer

**CITY MANAGER COMMENT:**

Council's options identify both financial and social costs to be considered.

DATE OF MEETING    October 24, 2016

AUTHORED BY        JANE ARMSTRONG, CITY CLERK

SUBJECT              REGIONAL DISTRICT OF NANAIMO "TRUCKED LIQUID WASTE  
RATES AND REGULATIONS BYLAW NO. 1732, 2016"

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration a request from the Regional District of Nanaimo asking Council to consent to "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016", on behalf of the electors.

### **Recommendation**

That Council consent to the adoption of Regional District of Nanaimo "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016", and that the Regional District of Nanaimo be notified accordingly.

## **BACKGROUND**

Staff received correspondence from the Regional District of Nanaimo (RDN) advising that at its regular meeting held 2016-OCT-04 the RDN introduced and read three times "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016". This bylaw proposes to update trucked liquid waste servicing bylaws to improve their efficacy and efficiency and to meet Liquid Waste Management Plan commitments.

As part of the approval process, the RDN requires the consent of at least 2/3 of the local service participants. As a local service participant, the City of Nanaimo has been asked to consent to the adoption of the bylaw on behalf of the electors.

## **OPTIONS**

1. That Council consent to the adoption of Regional District of Nanaimo "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016", and that the Regional District of Nanaimo be notified accordingly.
2. That Council not consent to adoption of the bylaw.

## **SUMMARY POINTS**

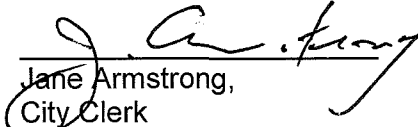
- The RDN is requesting Council support for adoption of "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

- This bylaw proposes to update trucked liquid waste servicing bylaws to improve their efficacy and efficiency, and to meet Liquid Waste Management Plan commitments.

### **ATTACHMENTS**

Attachment A: Correspondence dated 2016-OCT-06 and Bylaw No. 1732, 2016.

**Submitted by:**

  
Jane Armstrong,  
City Clerk

## ATTACHMENT A



October 6, 2016

City of Nanaimo  
455 Wallace Street  
Nanaimo, BC  
V9R 5J6

**Attention: Jane Armstrong, Manager, Legislative Services**

Dear Jane Armstrong:

**Re: Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016**

The Board, at its regular meeting held October 4, 2016 introduced and read three times the above noted bylaw (copy attached). This bylaw proposes to update trucked liquid waste servicing bylaws to improve their efficacy and efficiency, and to meet Liquid Waste Management Plan commitments.

The bylaw also repeals and replaces five of the existing trucked liquid waste bylaws, including a service establishment bylaw in which the City of Nanaimo is a participant. Accordingly, as part of the approval process for the bylaw, the Regional District requires the consent of at least 2/3 of the local service participants. It would be appreciated if your Council would consider endorsing the following resolution as its next meeting:

*That the Council of the City of Nanaimo consents on behalf of the electors to the adoption of "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016" and the repeal of "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995" and further, that the Regional District of Nanaimo be notified accordingly.*

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Jacquie Hill  
Manager of Administrative Services

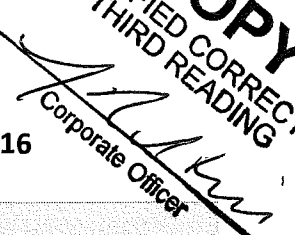
Attachment

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

Ph: (250)390-4111  
Toll Free: 1-877-607-4111  
Fax: (250)390-4163

RDN Website: [www.rdn.bc.ca](http://www.rdn.bc.ca)

**REGIONAL DISTRICT OF NANAIMO**  
**Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016**

**COPY**  
 CERTIFIED CORRECT AT  
 THIRD READING  
  
 Corporate Officer

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**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1732**

**A BYLAW TO REGULATE AND IMPOSE CHARGES FOR  
THE CONVEYANCE, TREATMENT, AND DISPOSAL OF  
TRUCKED LIQUID WASTE AT FACILITIES OPERATED BY  
THE REGIONAL DISTRICT OF NANAIMO**

**WHEREAS** the Regional District of Nanaimo owns and operates the service of the conveyance, treatment, and disposal of trucked liquid waste at its sewage facilities under “Regional District of Nanaimo Southern Community Sewer Local Service Conversion Bylaw No. 888, 1993” and “Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993”;

**AND WHEREAS** under section 397 of the *Local Government Act*, the Regional Board may impose fees or charges payable for the use of the service, and those fees or charges may be structured to provide different fees or charges to different classes of persons, property, businesses, and activities;

**AND WHEREAS** under section 335 of the *Local Government Act*, the Regional Board may regulate and prohibit in relation to the service and may provide for a system of licences, permits, or approvals in relation to a Regional District service;

**AND WHEREAS** under section 30 of the *Environmental Management Act*, the Regional Board may make bylaws respecting the direct or indirect discharge of wastes into any sewer or drain connected to a sewage facility operated by the Regional District;

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

**PART I: INTERPRETATION**

**1. APPLICATION**

This Bylaw applies to:

- (1) any waste discharges at a trucked liquid waste receiving facility that is owned and operated by the Regional District; and,
- (2) the use of any trucked liquid waste receiving facility that is owned and operated by the Regional District.

**2. CITATION**

This Bylaw may be cited for all purposes as “Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016”.

**3. DEFINITIONS**

The following terms, words and phrases when used in this Bylaw shall have the meanings set forth in this section, whether appearing in capital or lower case form. If not defined below, the

words and phrases used in this Bylaw shall have their common and ordinary meanings to the degree consistent with the technical subjects in this Bylaw.

**ADMINISTRATIVE CHARGE**

means a charge issued to a Hauler who submits incorrect information regarding the source or type of waste discharged at a trucked liquid waste receiving facility, as set in Schedule 'D'.

**AFTER HOUR CHARGES**

means a charge issued to any person who uses a trucked liquid waste receiving facility at any time other than regular operating hours, as set in Schedule 'D'.

**AIR**

means the atmosphere but, except in a sewer, on-site sewage system, or a sewage facility or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

**AIR CONTAMINANT**

means any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:

- (1) injures or is capable of injuring the health or safety of a person,
- (2) injures or is capable of injuring property or any life form,
- (3) interferes or is capable of interfering with visibility,
- (4) interferes or is capable of interfering with the normal conduct of business,
- (5) causes or is capable of causing material physical discomfort to a person, or
- (6) damages or is capable of damaging the environment.

**APPROVAL**

means the consent, in writing, of the Sewage Control Manager.

**AUTHORIZED PERSON**

has the same meaning as defined in the *Sewerage System Regulation*.

**BETX**

means benzene, ethyl benzene, toluene, xylenes

**BIOMEDICAL WASTE**

has the same meaning as defined in the *Hazardous Waste Regulation*.

**BIOSOLIDS**

means stabilized sewage sludge resulting from a wastewater treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the requirements of the *Organic Matter Recycling Regulation*.

**BOARD**

means the Board of Directors of the Regional District of Nanaimo.

**BOD**

means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic substances under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in Standard Methods.

**BUSINESS**

means:

- (1) carrying on a commercial or industrial activity or undertaking of any kind, and
- (2) providing professional, personal or other services for the purpose of gain or profit,

but does not include any activity carried on by the Regional District or a municipality.

**CHASE RIVER PUMP STATION**

means the trucked liquid waste receiving facility owned and operated by the Regional District, located at 1174 Island Highway, Nanaimo BC.

**CHLORINATED PHENOLS**

means the chlorinated derivatives of phenols and as determined by the appropriate procedure described in Standard Methods.

**COD**

means Chemical Oxygen Demand, being a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidation, as determined by the appropriate procedure in Standard Methods.

**COMPOSITE SAMPLE**

means a sample of waste which is composed of equivalent portions of a specified number of grab samples collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

**CONTAMINANT**

means any substance, whether gaseous, liquid, or solid, whether dissolved or suspended, or any sewage quality parameter that, when present above a certain concentration in sewage:

- (1) injures or is capable of injuring the health or safety of a person;
- (2) injures or is capable of injuring property or any life form;
- (3) interferes or is capable of interfering with the proper operation of a sewer or sewage facility;
- (4) causes or is capable of causing material physical discomfort to a person; or
- (5) damages or is capable of damaging the environment.

**CONTROL WORKS**

means any device, equipment, process, or method used to separate, treat, remove, or otherwise prevent restricted or prohibited waste from entering or forming part of a load or discharge, including, but not limited to, traps, interceptors, filters, and separators.

**DISCHARGE**

*noun.* means any substance that is directly or indirectly introduced into a sewer, trucked liquid waste receiving facility, or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;

*verb.* means to directly or indirectly introduce a substance into a sewer, trucked liquid waste receiving facility, or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

**DOMESTIC SEWAGE**

means sewage produced on a residential premise, or sanitary waste and wastewater resulting from the ordinary use of showers and restroom washbasins produced on a non-residential property.

**EMERGENCY**

means any unexpected event or circumstance that poses immediate and significant harm to human health, safety or welfare, damage to property or harm to the environment.

**ENACTMENT**

means any act, regulation, bylaw, order, or authorization, including any amendments or replacements, by a federal, provincial, regional, or municipal government or their authorized representatives.

**FRENCH CREEK POLLUTION CONTROL CENTRE**

means the sewage facility owned and operated by the Regional District that has trucked liquid waste receiving facilities on site, located at 957 Lee Road, Parksville BC.

**GRAB SAMPLE**

means a sample of waste collected at a particular time and place.

**GREATER NANAIMO POLLUTION CONTROL CENTRE**

means the sewage facility owned and operated by the Regional District that collects trucked liquid waste by way of interceptor from the Chase River Pump Station, and can accommodate trucked liquid waste disposal on site in the case of emergency, located at 4600 Hammond Bay Road, Nanaimo BC.

**GROUND WATER**

means water in a saturation zone or stratum beneath the surface of land or below a surface water body.

**HAULER**

means any person who owns or operates one (1) or more trucked liquid waste hauling trucks.

**HAULER DISCHARGE LICENCE**

means a Licence issued by the Regional District that permits a Hauler to enter upon and use trucked liquid waste receiving facilities.

**HAZARDOUS WASTE**

has the same meaning as defined in the *Hazardous Waste Regulation*.

**HOLDING TANK**

means a watertight container for holding sewage until the sewage is removed for treatment.

**HOLDING TANK PERMIT**

means a permit for a holding tank issued under the *Sewerage System Regulation*.

**IMPROVEMENT DISTRICT**

means an Improvement District incorporated under the *Local Government Act*.

**LICENCE**

see "HAULER DISCHARGE LICENCE"

**LOAD**

means any waste that is carried or to be carried by a trucked liquid waste hauling truck, or that is discharged at a trucked liquid waste receiving facility.

**MARINA**

means any dock, harbour, moorage, pier, or other facility where marine vessels are moored.

**MARINE SEWAGE RECEPTION FACILITY**

means any works or facilities at a marina that are for the purpose of collecting sewage from marine vessels.

**MARINE VESSELS**

means any boat, yacht, seaplane, ship, watercraft, submarine, or other vehicle for the purpose of transporting persons and goods across a body of water.

**MONITORING POINT**

means an access point to sewage or a sewage system for the purpose of:

- (1) measuring the rate of flow or volume of sewage being discharged;
- (2) collecting representative samples of sewage being discharged.

**MUNICIPALITY**

means any participating member city, town, district, or other incorporated area of the Regional District incorporated as a municipality or the Regional District itself.

**NON-DOMESTIC SEWAGE**

means all sewage except domestic sewage, storm water, ground water, trucked liquid waste, and uncontaminated water.

**NUCLEAR SUBSTANCE**

has the same meaning as defined in the *Nuclear Safety and Control Act*.

**OFFICER**

see "SEWAGE CONTROL OFFICER".

**OIL AND GREASE**

means *n*-Hexane extractable matter as described in Standard Methods and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high-molecular weight carboxylic acids.

**ON-SITE SEWAGE SYSTEM**

means any wastewater system that stores sewage on-site, including, but not limited to, holding tanks, septic tanks, and pit-toilets.

**OCCUPIER**

in respect of property has the same meaning as defined in the *Community Charter*.

**ORDER**

means an order issued by the Sewage Control Manager.

**OWNER**

means:

- (1) in respect of property, owner as defined in the *Community Charter*;
- (2) in respect of business, the owner, director, manager, president, or person who may otherwise act on behalf of a business;
- (3) in respect of waste, the person who produces, carries, possesses, or is otherwise responsible for that waste.

**PCB**

means any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

**PESTICIDE**

has the same meaning as defined in the *Integrated Pest Management Act*.

**pH**

means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in Standard Methods.

**PHENOLS**

means the hydroxy derivatives or aromatic hydrocarbons as determined by the appropriate procedure described in Standard Methods.

**PIT-TOILET**

means any container or pit that is for the purpose of collecting sewage that may or may not use chemicals to help the wastes decompose, typically designed with little to no plumbing features, including outhouses, privies, and composting toilets.

**POLYCYCLIC AROMATIC HYDROCARBONS (PAH)**

means the total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, methylnaphthalene, naphthalene, phenanthrene, pyrene.

**PREMISES**

means any land or building or both or any part thereof.

**PROHIBITED WASTE**

means prohibited waste as defined in Schedule 'A' of this Bylaw.

**RECREATIONAL VEHICLE WASTE**

means sanitary sewage accumulated in a holding tank in a trailer, camper, transportable housing unit, bus, aircraft, boat, houseboat, long-haul truck with on-board personal lavatory fixtures, or similar vehicles, but specifically excludes wastes carried in trucked liquid waste hauling trucks.

**REGIONAL DISTRICT**

means the Regional District of Nanaimo.

**RESIDENTIAL PROPERTY**

means a property classified as "Class 1" by BC Assessment.

**RESTRICTED WASTE**

means restricted waste as defined in Schedule 'B' of this Bylaw.

**SANITARY SEWAGE**

means human excreta and waterborne waste from the non-commercial and non-industrial preparation and consumption of food and drink, dishwashing, bathing, showering, and general household cleaning and laundry.

**SANITARY SEWER**

means a sewer which carries sanitary sewage but which is not intended to carry storm water or uncontaminated water.

**SEAWATER**

means any water from a marine environment.

**SEPTAGE**

means any sewage collected in a septic tank or accumulated in wastewater lines and appurtenances.

**SEPTIC TANK**

means a watertight container for receiving, treating, and settling sewage.

**SEWAGE**

means the composite of water wastes and water-carried wastes from residential, commercial, industrial, or institutional premises or any other source.

**SEWAGE CONTROL MANAGER**

means the Sewage Control Manager appointed by the Board, or a person appointed by the Board as her or his deputy, under the *Environmental Management Act*.

**SEWAGE CONTROL OFFICER**

means a Municipal Sewage Control Officer appointed by the Board under the *Environmental Management Act*.

**SEWAGE SLUDGE**

means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of sewage.

**SEWAGE FACILITY**

means any works owned or operated by the Regional District to treat, store, utilize, or discharge sewage.



**SEWER**

means all pipes, conduits, drains, pumping stations, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Regional District or a Municipality for the purpose of providing sewage collection, conveyance, treatment, or disposal.

**SHARPS**

means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects which have acute rigid corners, edges or protuberances.

**SLUDGE**

means sewage containing more than 0.5% total solids.

**STANDARD METHODS**

means the latest edition of "Standard Methods for the Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

**STORM SEWER**

means a sewer for the collection and transmission of storm water.

**STORM WATER**

means water resulting from natural precipitation from the atmosphere, including water from inflow and infiltration.

**SUBSTANCE**

includes any solid, liquid, or gas.

**SUSPENDED SOLIDS**

means the portion of total solids retained by a filter, as determined by the appropriate procedure in Standard Methods.

**TRUCKED LIQUID WASTE**

means any waste that originates from any plumbing fixtures or works that are not directly and permanently connected to a sewer system, including, but not limited to, holding tank waste, septic tank waste, pit toilet waste, chemical toilet content, and other sludge of organic or inorganic origin, but specifically excludes recreational vehicle waste.

**TRUCKED LIQUID WASTE HAULING TRUCK**

means any vehicle that collects trucked liquid waste for the purposes of transporting and disposing of that waste.

**TRUCKED LIQUID WASTE RECEIVING FACILITY**

means a sewage facility that receives trucked liquid waste, or other sewer works that receive trucked liquid waste for conveyance to a sewage facility, that is owned and operated by the Regional District.

**UNCONTAMINATED WATER**

means any water excluding storm water but including cooling water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use or to modify its use by any person.

**USER-FEE**

means the total charge calculated for the use of a trucked liquid waste receiving facility based upon the user-rate per volume.

**USER-RATE**

means the price per volume of waste that is discharged a trucked liquid waste receiving facility.

**WASTE**

means any substance that is or is intended to be discharged or discarded, including sewage.

**WASTEWATER**

see "SEWAGE"

**WATER**

means any water including seawater, surface water, groundwater, and ice.

**WATERWORKS**

means any works owned or otherwise under the control or jurisdiction of the Regional District or one or more of its member municipalities or an Improvement District that collects, treats, transports, or stores drinking water.

## WORKS

includes:

- (1) a drain, sewer, or waste disposal system including a sewage facility, pumping station, or outfall;
- (2) a device, equipment, land, or a structure that:
  - (a) measures, handles, transports, stores, treats, or destroys waste or a contaminant; or
  - (b) introduces waste or a contaminant into the environment;
- (3) an installation, plant, machinery, equipment, land or a process that causes or may cause a release of a contaminant into the environment or is designed or used to measure or control the introduction of waste into the environment or to measure or control a contaminant;
- (4) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a contaminant or waste.

## 4. ENACTMENTS

- (1) A reference in this Bylaw to an enactment includes a reference to the enactment as amended or replaced.
- (2) The following enactments are specifically referenced in this Bylaw and may be referred to as necessary. This list is for reference purposes only and in no way alters, limits, or enlarges the intent or scope of these and other enactments and their application to this Bylaw.

Title	Level	Reference
<i>Community Charter</i>	Provincial	[SBC 2003, c.26]
<i>Environmental Management Act</i>	Provincial	[RSBC 1996, c.118]
▫ <i>Hazardous Waste Regulation</i>		
▫ <i>Organic Matter Recycling Regulation</i>		
<i>Fertilizers Act</i>	Federal	[RSC 1985, c.F-10]
▫ <i>Fertilizers Regulations</i>		CRC c. 666
<i>Integrated Pest Management Act</i>	Provincial	[SBC 2003, c.58]
<i>Local Government Act</i>	Provincial	[2015 c.1]
<i>Nuclear Safety and Control Act</i>	Federal	[SC 1997, c.9]
<i>Public Health Act</i>	Provincial	[SBC 2008, c.28]
▫ <i>Sewerage System Regulation</i>		[B.C. Reg. 326/2004]
<i>Taxation (Rural Area) Act</i>	Provincial	[RSBC 1996, c.448]

## PART II: ALL DISCHARGES TO TRUCKED LIQUID WASTE RECEIVING FACILITIES

## 5. RESTRICTIONS

No person shall directly or indirectly discharge or allow or cause to be discharged into a trucked liquid waste receiving facility:

- (1) any prohibited waste, in any volume, as described in Schedule 'A';
- (2) any restricted waste, in any volume unless specified, as described in Schedule 'B';

- (3) any uncontaminated water, in any volume greater than 2.0 m<sup>3</sup>/day;
- (4) any storm water or ground water, in any volume;
- (5) any waste that originates from outside the Regional District or Lasqueti Island;
- (6) any water or other substance for the purpose of diluting any sewage, septage, sewage sludge, or non-domestic wastes in any volume.

### **PART III: TRUCKED LIQUID WASTE RECEIVING FACILITIES**

#### **6. REGULATIONS**

- (1) No person shall discharge any trucked liquid waste within the Regional District, except:
  - (a) at a trucked liquid waste receiving facility listed in Schedule 'C', or,
  - (b) at a privately owned or operated facility that accepts trucked liquid waste;
- (2) No person shall discharge waste except in accordance with this Bylaw.

#### **7. USE OF TRUCKED LIQUID WASTE FACILITIES**

- (1) No person shall discharge any trucked liquid waste at a trucked liquid waste receiving facility, unless that person:
  - (a) is an employee of the Regional District,
  - (b) is a Hauler with a Licence that is not suspended, revoked, or expired,
  - (c) is an agent of or is otherwise authorized by the Regional District to make use of the trucked liquid waste receiving facility;
- (2) Any person who uses a trucked liquid waste receiving facility must follow the rules for that facility as follows:
  - (a) as set out in Schedule 'D' of this Bylaw,
  - (b) as stated on any signage or materials published by the Regional District,
  - (c) as indicated by an employee or agent of the Regional District;
- (3) Any person making a discharge at a trucked liquid waste receiving facility shall immediately stop the discharge at the instruction of an employee of the Regional District if that employee has reasonable grounds to believe that the discharge does not meet the provisions of this Bylaw or any other applicable enactment.

#### **8. AFTER HOURS**

No person shall make use of a trucked liquid waste receiving facility at any time other than the regular hours and days of operation, unless:

- (1) that person is an employee, contractor or agent of the Regional District; or,
- (2) there is an emergency situation, and the person using the trucked liquid waste receiving facility pays the After Hour Charges as set out in Schedule 'D'.

**9. MONITORING**

- (1) Any waste being discharged at a trucked liquid waste receiving facility may be metered, monitored, or sampled at any time and in any manner by a Sewage Control Officer or other employee, agent or contractor of the Regional District authorized by the Regional District to do so;
- (2) A person using a trucked liquid waste receiving facility must provide complete and accurate information regarding the nature or source of the waste as reasonably requested by a Sewage Control Officer or other employee, agent or contractor of the Regional District;
- (3) A Sewage Control Officer or other employee, agent or contractor of the Regional District may, at the sole expense of the Hauler, require that a Hauler weigh a hauling truck before and after discharging a load and use the calculated weight to determine the volume of the load, as determined by the formula in Schedule 'F';
- (4) The Hauler must provide the information regarding the weight of the hauling truck obtained under subsection 9(3) to the Sewage Control Officer or other employee, agent or contractor of the Regional District.

**PART IV: HAULER DISCHARGE LICENCES**

**10. HAULER DISCHARGE LICENCES**

- (1) A person must submit an application for a Licence to the Regional District at least thirty (30) working days prior to the date for which a Licence is required;
- (2) All costs and expenses directly or indirectly incurred by any person to obtain, maintain, or amend a Licence, or resulting from meeting the terms of the Licence, or an amendment, suspension or termination of a Licence shall be borne by the person;
- (3) A person that submits an application for a Licence must not use a trucked liquid waste receiving facility until a Licence is issued by the Regional District;
- (4) All information provided in the Licence application must be complete and accurate to the knowledge of the person submitting the application;
- (5) One (1) Licence is required for each person or hauling business that uses or intends to use a trucked liquid waste receiving facility;
- (6) The Licence only applies to the vehicles described or listed in the application;
- (7) A Hauler must immediately inform the Regional District of any changes or updates to the information provided in the application including, without limiting the generality of the foregoing, the vehicles to be used by the Hauler;
- (8) An employee of the Regional District may require a person who has submitted an application under subsection (1) to submit any additional information or documentation at any time to assist the evaluation of the application;
- (9) An application under subsection (1) must be submitted substantially in the form and manner set out in Schedule 'E'.

**11. HAULER DISCHARGE LICENCE CONDITIONS AND REQUIREMENTS**

- (1) No Licence is effective until signed by the Sewage Control Manager;

- (2) The Sewage Control Manager may withhold consent or refuse to approve a Licence:
  - (a) if the information provided is insufficient to permit the Sewage Control Manager to be satisfied that the application complies with this Bylaw, or
  - (b) if the Hauler or any person involved in the management of the Hauler's business has in the past failed to comply with the terms and conditions or restrictions in a Licence or this Bylaw, or
  - (c) where the Sewage Control Manager has other grounds to reasonably believe that the Hauler or any person involved in the management of the Hauler's business will not comply with the terms, conditions or restrictions of this Bylaw or a Licence, or
  - (d) if the application includes false or materially misleading information.
- (3) A Hauler must immediately inform the Regional District of any changes or updates to the information provided in the Licence;
- (4) Unless otherwise stated or compromised, a Licence shall be effective for five (5) years from the date it is issued;
- (5) A Hauler may renew a Licence up to sixty (60) working days before the expiry date stated on the existing Licence;
- (6) An expired Licence is deemed ineffective;
- (7) The Sewage Control Manager may, at any time, impose any additional provisions, requirements, or restrictions on a Licence related to the purposes of this Bylaw that the Hauler must meet in order to obtain, maintain or renew the Licence;
- (8) Licences cannot be transferred or assigned without the Sewage Control Manager's written approval.

## **12. HAULER DISCHARGE LICENCE SUSPENSION AND TERMINATION**

- (1) Without limiting the Sewage Control Manager's authority under the *Environmental Management Act*, the Sewage Control Manager may suspend a Licence where there has been a circumstance or event that results in a breach of this Bylaw, an event or circumstance that causes damage to any part of a trucked liquid waste receiving facility or Regional District property, or a spill, until the circumstance or event has been corrected, or remediation of a spill site is complete;
- (2) Before reinstating the Licence, the Sewage Control Manager may require that the Hauler provide documentation sufficient to show that the circumstance, event, or spill is corrected or remediated;
- (3) Without limiting subsection 12(1), the Sewage Control Manager may suspend or terminate a Licence if that Hauler:
  - (a) fails to comply with the terms, conditions, or restrictions of the Licence,
  - (b) fails to comply with this Bylaw, or any applicable enactment,
  - (c) provides or has provided any false, incorrect, or misleading information to the Regional District,

- (d) owes any monies to the Regional District under this Bylaw and fails to pay such monies within ten (10) days of a demand for such money mailed to the most recent address for the Hauler in Regional District records.
- (4) The Sewage Control Manager may, at any time, reconsider, amend, or cancel her or his decision with respect to the granting, refusal, suspension, amendment, or termination of a Licence.

**13. TRANSITION: HAULERS**

A Hauler who is hauling trucked liquid waste to a trucked liquid waste receiving facility at the date of adoption of this bylaw must submit an application for a Licence within six (6) months from the date that this Bylaw is adopted.

**PART V: TRUCKED LIQUID WASTE RECEIVING FACILITIES USER-FEES AND USER-RATES**

**14. ALL USER-FEES**

- (1) Any person disposing of waste at a trucked liquid waste receiving facility shall pay the user-fee in accordance with this Bylaw;
- (2) All user-fees shall be due within thirty (30) days of the date of invoice;
- (3) No complaint of an error in any user fee shall be considered and no adjustment of any such error shall be made after a period of one (1) year has elapsed since the end of the period for which such user fees imposed.

**15. HAULER BILLING TO USERS**

- (1) Any fees, charges, or user-rates established by the Regional District are separate from any service charges or fees charged by the Hauler;
- (2) It is a condition of use of the trucked liquid waste receiving facility that any invoice issued by a Hauler to a person regarding the discharge of waste at a trucked liquid waste receiving facility must clearly and separately state:
  - (a) the date that the load was pumped from the on-site sewage system,
  - (b) the date that the load was discharged at a trucked liquid waste receiving facility,
  - (c) the volume of the load discharged,
  - (d) the type of waste discharged,
  - (e) the Regional District user-rate that applied to the load,
  - (f) the total calculated user fee invoiced to the person,
  - (g) the full name of the person invoiced,
  - (h) the civic address from where the load originated, and
  - (i) the current contact information of the person invoiced.

**16. REGIONAL DISTRICT BILLING TO HAULERS**

- (1) The Regional District shall invoice any Hauler that discharges waste at a trucked liquid waste receiving facility;

- (2) If section 18 [*holding tank waste disposal user-rate*] or section 19 [*municipal step-system user-rate*] of this Bylaw applies to a load, a Hauler must submit all billing information regarding the discharge of that load at a trucked liquid waste receiving facility to the Regional District for each month on or before the last day of the following month, including a copy of any invoice described in subsection 15(2) and any trucked liquid waste disposal claim slips;
- (3) Upon the request of the Regional District, a Hauler must submit all billing information regarding the discharge of waste at a trucked liquid waste receiving facility to the Regional District within thirty (30) days of the request, including a copy of any invoice described in subsection 15(2) and any trucked liquid waste disposal claim slips;
- (4) Any invoice issued by the Regional District to a Hauler for the use of a trucked liquid waste receiving facility is separate from any other charges or fees imposed by the Regional District;
- (5) A Hauler must pay to the Regional District the full amount of the invoice within thirty (30) days of the invoice date;
- (6) Any amount outstanding thirty (30) days after the invoice date shall bear interest at the rate of one and one-quarter percent (1.25%) per month;
- (7) A person must not provide incorrect, false or misleading information to the Regional District regarding the characteristics of waste discharged at a trucked liquid waste receiving facility, including, the volume, strength, origin, and type of the discharge;
- (8) If a person provides incorrect, false or misleading information, as described in subsection 16(7), the invoice relating to the waste shall be re-calculated by the Regional District accordingly, and the Hauler must pay to the Regional District the amount owing as corrected within thirty (30) days of receiving the corrected invoice and the Hauler must pay the Administrative Charge as set in Schedule 'D' in addition to any amount owing;
- (9) The Regional District may retroactively invoice a Hauler for any corrections made to an invoice for up to one (1) year from the date that the billing information was first submitted by the Hauler to the Regional District;
- (10) A Hauler must retain all billing information regarding the use of a trucked liquid waste receiving facility for at least one (1) year from the date that the billing information was first submitted by the Hauler to the Regional District;
- (11) Subsections 16 (4), (5), and (6) of this Bylaw apply to any amount owing to the Regional District from the Hauler.

## **PART VI: USER-RATES**

### **17. SEPTAGE DISPOSAL USER-RATE**

Any person discharging waste at a trucked liquid waste receiving facility shall pay the Septage Disposal User-Rate for that waste, unless the property from which the waste originates is registered under the Holding Tank Registration or is listed in Schedule 'F' to receive the Municipal STEP-System User-Rate.



**18. HOLDING TANK WASTE DISPOSAL USER-RATE**

Any person discharging waste at a trucked liquid waste receiving facility from a property that is registered under the Holding Tank Registration shall pay the Holding Tank Waste Disposal User-Rate for that waste.

**19. MUNICIPAL STEP-SYSTEM USER-RATE**

Any person discharging waste from a property listed in Schedule 'F' at a trucked liquid waste receiving facility shall pay the Municipal Step-System User-Rate for that waste.

**PART VII: HOLDING TANK REGISTRATION**

**20. HOLDING TANK REGISTRATION ELIGIBILITY**

A property that is within the Regional District is eligible for Holding Tank Registration if:

- (1) the owner or occupier of that property has first obtained a holding tank permit in accordance with the Sewerage System Regulation, and each of the following apply:
  - (a) the property is within Electoral Area 'B', 'E', 'F', 'G', or 'H', the City of Nanaimo, or the District of Lantzville,
  - (b) the property is a parcel that is greater than 700m<sup>2</sup>,
  - (c) the property is for existing uses and the on-site sewage disposal system malfunctioned, or the property is currently vacant and will only be used for the construction of a single family residence,
  - (d) the property is a parcel that cannot be further subdivided, including subdivision under the *Strata Property Act*, according to existing zoning or a section 219 covenant under the *Land Title Act*,
  - (e) a community sewer system is not available,
  - (f) including the property will not facilitate development of any additional units on the property, and,
  - (g) the development conforms to zoning bylaws.
- (2) section 24 [*marine sewage reception facilities*] of this Bylaw applies; or,
- (3) section 25 [*temporary eligibility*] of this Bylaw applies.

**21. AVAILABILITY OF COMMUNITY SEWER**

The owner or occupier of a property that is included in the Holding Tank Registration under subsection 20(1) must, within a reasonable timeframe, connect the property to the community sewer system if a community sewer system is constructed and becomes available for connection adjacent to that parcel.

**22. HOLDING TANK REGISTRATION FORM**

To register a property under the Holding Tank Registration, the owner or occupier of an eligible property must submit a registration form to the Regional District, substantially in the form set out in Schedule 'G': and,

- (1) the registration form must be approved as complete by the Regional District before the owner or occupier of the property is qualified for the Holding Tank Waste Disposal User-Rate;
- (2) an employee of the Regional District may require that a person submit additional information or documentation at any time to assist the evaluation of the property's qualification for the Holding Tank Registration;
- (3) the Regional District may reject a registration form where it is incomplete or the property does not meet the criteria in section 20.

**23. HOLDING TANK REGISTRATION FEE**

Unless section 25 applies, any person submitting a registration form for the Holding Tank Registration must pay the registration fee, as set in Schedule 'G': and,

- (1) the registration fee must be paid in full at the time the registration form is submitted;
- (2) a registration form will not be considered if the registration fee is unpaid;
- (3) the registration fee is non-refundable.

**24. MARINE SEWAGE RECEPTION FACILITIES**

A property that has a marine sewage reception facility is eligible for Holding Tank Registration if:

- (1) no person using the marine sewage reception facility is directly or indirectly charged for the disposal of sanitary sewage from marine vessels; and
- (2) the marine sewage reception facility accepts only sanitary sewage from marine vessels.

**25. TEMPORARY ELIGIBILITY**

- (1) A property is eligible for the Holding Tank Registration for a temporary period of time if:
  - (a) the property's on-site sewage disposal system malfunctioned;
  - (b) the property's on-site sewage disposal system has been converted to a holding tank for the purpose of storing sewage until the on-site sewage disposal system is repaired;
  - (c) an Authorized Person inspected the site and confirms to the Regional District that the on-site sewage disposal system has failed and that the system can be repaired; and,
  - (d) an Authorized Person provides a date to the Regional District by which the failed on-site sewage disposal system shall be repaired, which date is not longer than ninety (90) days following the date of submission of a Registration form to the Regional District.
- (2) It is a condition of eligibility under section 25(1) that the Septage Disposal User-Rate shall apply to any load that accumulated in the on-site sewage disposal system prior to the malfunction, including but not limited to septage in a septic tank.

**26. MAXIMUM TERM OF TEMPORARY ELIGIBILITY**

- (1) The maximum term for temporary eligibility for Holding Tank Registration under section 25 is ninety (90) days from the date that the registration form is approved by the Regional District;

- (2) The Regional District may extend the term for up to an additional ninety (90) days if:
  - (a) the owner or occupier of the subject property requests an extension not less than ten (10) days prior to the expiry date first stated, and,
  - (b) an Authorized Person confirms to the Regional District that the on-site sewage system can be repaired within the extended term.

**27. TERMINATION OR SUSPENSION OF HOLDING TANK REGISTRATION**

The Regional District may remove a property from the Holding Tank Registration where the property ceases to meet the conditions for registration under section 20 of this Bylaw.

**28. TRANSITION: SERVICE AREAS TO REGISTRATION SYSTEM**

- (1) Any property that was previously:
  - (a) included in "Regional District of Nanaimo Pump and Haul Local Service Establishment Bylaw No. 975, 1995", and its subsequent amendments, prior to its repeal, or,
  - (b) included in "Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001", and its subsequent amendments, prior to its repeal, or,
  - (c) a marine sewage reception facility approved to receive a reduced rate under Bylaw 988, and its subsequent amendments, prior to the adoption of this Bylaw,shall automatically be transitioned to the Holding Tank Registration, and the owner or occupier of that property shall be exempt from paying the registration fee;
- (2) Where section 28(1)(a) or (b) applies to a property, the adoption of this Bylaw in no way limits, expands, or alters any restriction, covenant, or other requirement that was placed on that property for the purpose of including that property to the applicable bylaw;
- (3) Any person with temporary authorization for access to the equivalent Holding Tank Waste Disposal User-Rate at the time this Bylaw is adopted shall continue to be eligible to pay at that rate until the expiry date of such temporary authorization.

**29. MULTIPLE PROPERTIES**

If a person wishes to register more than one (1) property under the Holding Tank Registration, she or he must submit a separate application for each property.

**PART VIII: OFFENCES AND PENALTIES**

**30. MAXIMUM FINE**

A person who contravenes this Bylaw, or other requirements made or imposed under this Bylaw, commits an offence and is liable to a fine not exceeding \$2,000.00.

**31. RECURRING OFFENCES**

Where an offence is committed on or continues for more than one day, a person shall be deemed to have committed a separate offence for each day on or during which an offence

occurs or continues, and separate fines, each not exceeding \$2,000.00, may be imposed for each day on or during which an offence occurs or continues.

## **PART IX: GENERAL**

### **32. OTHER ENACTMENTS**

- (1) Nothing in the Bylaw shall be interpreted as relieving a person, business, or organization from complying with federal, provincial, and local government enactments;
- (2) Nothing in this Bylaw shall be interpreted as restricting the powers of the Regional District or its employees, the Sewage Control Manager, or Officers under the *Local Government Act*, *Environmental Management Act*, *Public Health Act*, or any other applicable enactments of the Province of British Columbia or the Government of Canada.

### **33. ENFORCEMENT**

The Sewage Control Manager, an Officer, or a Bylaw Enforcement Officer may enforce the provisions of this Bylaw.

### **34. AUTHORITY OF THE BOARD**

When the Board has authority to direct that a matter or thing be done by a person, the Board may also direct that, if the person fails to take the required action, the matter or thing shall be done at the expense of the person in default in accordance with the *Local Government Act*. If the action in default is taken, the Board may recover the expense from that person, together with costs and interests at the rate prescribed under the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.

### **35. SCHEDULES**

- (1) The schedules attached to this Bylaw shall be deemed to be an integral part of this Bylaw;
- (2) An employee of the Regional District may update, re-format, or edit any application, registration, or other form that accompanies a schedule as necessary, including both paper and digital forms, without an amendment to this Bylaw provided that the changes or edits are not inconsistent with this Bylaw.

### **36. SEVERABILITY**

If any provision of this Bylaw is found to be invalid by a court of competent jurisdiction, it may be severed from the Bylaw without affecting the interpretation or validity of any other provision of this Bylaw.

### **37. HEADINGS AND TABLE OF CONTENTS**

The headings and the table of contents in this Bylaw are inserted for convenience of reference only and in no way limit, expand, or alter the contents of this Bylaw.

### **38. REPEAL**

The following bylaws are hereby repealed:

- (1) "Regional District of Nanaimo Pump & Haul Local Service Establishment Bylaw No. 975, 1995";
- (2) "Regional District of Nanaimo Trucked Liquid Waste Disposal Bylaw No. 988, 1995";
- (3) "Horne Lake Pump and Haul Service Establishment Bylaw No. 1217, 2001";
- (4) "Horne Lake Service Area Sewage Disposal Regulation Bylaw No. 1218, 2001"; and,
- (5) "Regional District of Nanaimo Sewage Disposal Regulation Bylaw No. 1224, 2000".

Introduced and read three times this 4th day of October, 2016.

Received the approval of the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 201\_.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 201\_.

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CHAIRPERSON

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CORPORATE OFFICER

SCHEDULE 'A' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### **SCHEDULE 'A': PROHIBITED WASTES**

Prohibited waste means any one (1) or more of the following, in any volume:

1. **HAZARDOUS WASTE** as defined by the *Hazardous Waste Regulation*;
2. **AIR CONTAMINANT WASTE**, meaning any waste, other than sanitary waste which, by itself or in combination with another substance is capable of creating, causing, or introducing an air contaminant outside any sewer or sewage facility or is capable of creating, causing, or introducing any air contaminant within any sewer or sewage facility which would prevent safe entry by authorized personnel;
3. **FLAMMABLE, COMBUSTIBLE, OR EXPLOSIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sewer or sewage facility including, but not limited to gasoline, naphtha, propane, diesel, fuel, oil, kerosene, or alcohol;
4. **OBSTRUCTIVE WASTE**, meaning any waste which, by itself or in combination with another substance, is capable of obstructing the flow of or interfering with the operation or performance of any sewer or sewage facility including, but not limited to, sludge, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, wipes, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish, or fowl, and solidified fat;
5. **CORROSIVE WASTE**, meaning any waste with corrosive properties which, by itself or in combination with any other substance, causes or may cause damage to any sewer or sewage facility or which may prevent safe entry by authorized personnel;
6. **HIGH TEMPERATURE WASTE**, meaning:
  - (1) any waste which, by itself or in combination with another substance, creates or will create heat in amounts which will interfere with the operation and maintenance of a sewer or sewage facility or with the treatment of waste in a sewage facility;
  - (2) any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
  - (3) any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. **BIOMEDICAL WASTE**, including, but not limited to, any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps, and untreated human blood and body fluids known to contain viruses and pathogens listed in "Risk Group 4" defined in "Laboratory Biosafety Guidelines" published by Health Canada;
8. **SPECIAL RISK ORGANIC WASTE**, meaning any substances that:
  - (1) are affected by bovine spongiform encephalopathy as defined by federal *Fertilizers Regulations*; or,
  - (2) are produced by the dissolving of remains;
9. **RADIOACTIVE WASTE**, meaning any waste containing nuclear substances that, at the point of discharge into a sewer, exceeds the limitations as established under the *Nuclear Safety and Control Act* and its Regulations.
10. **PCBs OR PESTICIDES**, meaning any waste containing PCBs or pesticides;
11. **PHARMACEUTICAL WASTE**, meaning any unused or unconsumed pharmaceutical substance, which, by itself or in combination with another substance, alters or may alter the chemical composition of treated effluent;
12. **CONTROL WORKS WASTE**, meaning any wastes accumulated in or collected by control works, including but not limited to oil and grease collected in grease traps;
13. **ODOUROUS WASTE**, meaning any waste which, by itself or in combination with another substance, may cause offensive odour to emanate from sewage works or facilities, including hydrogen sulphide, carbon disulphide, other sulphur compounds, amines, or ammonia;
14. **MISCELLANEOUS WASTE**, meaning any substance which, by itself or in combination with another substance:
  - (1) constitutes or may constitute a significant health or safety hazard to any person, animal or vegetation;
  - (2) causes or may cause damage, pollution, or harm to any property or environment;
  - (3) causes or may cause any conveyance or treatment process to not comply with any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the conveyance or treatment process;
  - (4) causes or may cause a discharge from a sewage treatment facility to contravene any requirement by or under any permits, laws, certifications, enactments, or any regulations governing the quality of the discharge;
  - (5) causes or may cause biosolids to fail criteria for beneficial land application use in British Columbia under the *Organic Matter Recycling Regulation*, or to fail any requirement of or under any other applicable permits, laws, certifications, enactments, or regulation governing the quality of biosolids.

SCHEDULE 'B' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'B': RESTRICTED WASTES

Restricted waste means any one (1) or more of the following, in any volume unless otherwise specified:

1. **CONTAMINATED WASTE**, meaning any waste which, by itself or in combination with another substance, contains contaminants at or above the limits identified as follows:

Item	Limit [mg/L]
Biochemical Oxygen Demand	20,000.00
Chemical Oxygen Demand	40,000.00
Oil and Grease, total	3,500.00
Total Suspended Solids	35,000.00
BETX	1.00
Chlorinated Phenols	0.05
Polycyclic Aromatic Hydrocarbons	0.05
Phenols	2.00
Petroleum Hydrocarbons	15.00
Arsenic	1.00
Cadmium	0.20
Chromium	4.00
Cobalt	5.00

Item	Limit [mg/L]
Copper	65.00
Cyanide	1.00
Iron	500.00
Lead	1.00
Manganese	8.00
Mercury	0.05
Molybdenum	1.00
Nickel	2.00
Silver	1.00
Sulphate	1,500.00
Sulphide	10.00
Zinc	71.00

- (1) all concentrations expressed are total concentrations, which include all forms of the contaminant, whether dissolved or undissolved.
  - (2) the concentration limits expressed apply to both grab and composite samples.
  - (3) contaminant definitions and methods of analysis to determine concentration limits are outlined in Standard Methods, or, where the Sewage Control Manager considers that the methods prescribed in Standard Methods are insufficient or inappropriate, as specified by the Sewage Control Manager.
2. **ACIDIC OR ALKALINE WASTE** meaning any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 10.0, as determined by either a grab or a composite sample
3. **NON-DOMESTIC FOOD WASTE** meaning any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.50 centimetres in any dimension.



4. **DYES AND COLOURING MATERIALS** meaning any dyes or colouring materials which may pass through a sewage treatment facility and discolour the effluent from a sewage treatment facility except where the dye is used by the Regional District, or one of the municipalities, as a tracer.
5. **SEAWATER** meaning any water from a marine environment.

SCHEDULE 'C' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

#### **SCHEDULE 'C': TRUCKED LIQUID WASTE RECEIVING FACILITIES**

**1. Trucked liquid waste receiving facilities:**

- (1) Chase River Pump Station  
1174 Island Highway, Nanaimo BC.
- (2) French Creek Pollution Control Centre  
957 Lee Road, Parksville BC.

**2. Alternate trucked liquid waste receiving facility in case of emergency:**

Greater Nanaimo Pollution Control Centre  
4600 Hammond Bay Road, Nanaimo BC.

SCHEDULE 'D' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

## **SCHEDULE 'D': RULES OF USE FOR FACILITIES AND APPLICABLE CHARGES**

### **1. Rules of Use:**

The rules of use for trucked liquid waste receiving facilities are as follows:

- (1) A vehicle transporting trucked liquid waste to a trucked liquid waste receiving facility must be of such width, length, height, and capacity so that the vehicle can enter the facility without blocking or hindering other traffic;
- (2) A hauling vehicle must have connection devices compatible with those of the facility;
- (3) A Hauler must ensure that all vehicles, tanks, and ancillary equipment are maintained and inspected to ensure a safe and spill free operation;
- (4) Vehicles with dripping or leaking hoses, valves, tanks, or other ancillary equipment are not allowed to enter or use the facilities;
- (5) A Hauler must not lift or cause to be lifted a vehicle's tank;
- (6) A Hauler is liable for any damage to a trucked liquid waste receiving facility or Regional District property caused by the Hauler or caused by the functioning or operation of a Hauler's vehicle, tank, or equipment.
- (7) A Hauler must only park a hauling vehicle while awaiting discharge or while discharging;
- (8) A Hauler must only discharge a load to an inlet intended for trucked liquid waste receiving, and a Hauler must not discharge a load to any other manhole or other sewer works;
- (9) A Hauler must notify the Regional District at least two (2) days before discharging any waste from a pit-toilet;
- (10) Priority of use of a trucked liquid waste facility shall be determined on a first-come-first-serve basis;
- (11) A Hauler must not wash or service a vehicle at a trucked liquid waste receiving facility or on Regional District property, except for required clean-up;
- (12) Office, telephone, and washroom facilities are for the use of Regional District employees only.

**2. After Hour Charges**

The After Hour Charges are set as follows:

<b>AFTER HOUR CHARGES</b>	
Minimum charge, up to one (1) hour	\$100.00
Every additional half ( $\frac{1}{2}$ ) hour, or portion of, after the first hour	\$75.00

**3. Administrative charge**

The Administrative Charges are set as follows:

<b>ADMINISTRATIVE CHARGE</b>	
First submission of incorrect information	\$50.00
Each subsequent submission of incorrect information	\$75.00

SCHEDULE 'E' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### **SCHEDULE 'E': HAULER DISCHARGE LICENCES**

#### **1. Application form**

The application form shall request from the applicant not less than the following:

- (1) Applicant information including her or his name and current contact information;
- (2) Emergency contact information for the applicant or designated emergency contact;
- (3) Business information including the business name and location;
- (4) Fleet description, including the number of hauling trucks, each licence plate, the size of each truck tank, and each truck's Commercial Vehicle Inspection Program decal number and expiry date;
- (5) Declaration, where the application must be signed by the owner of the business.

The application form shall also include:

- (1) The Regional District's current address and contact information;
- (2) Information on how to obtain a copy of this Bylaw.

#### **2. Hauler Discharge Licence**

An employee of the Regional District must prepare the Licence, and the Licence must include:

- (1) The Licence number issued to the Hauler or hauling business, in accordance with the current method of determining the Licence number;
- (2) The name and address of the Hauler or hauling business;
- (3) The date that the Licence is issued;
- (4) The date that the Licence shall expire;
- (5) Any additional terms, conditions, or restrictions imposed on the Licence;
- (6) A line for the signature of the Sewage Control Manager.

SCHEDULE 'F' to accompany "Trucked Liquid Waste Rates and Regulations Bylaw No. 1732, 2016".

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CHAIRPERSON

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CORPORATE OFFICER

### SCHEDULE 'F': USER-RATES

The user-rates are set as follows:

USER-RATE CLASSIFICATION	USER-RATE	
	PER IMPERIAL GALLON	PER 100 LITRES*
SEPTAGE DISPOSAL USER-RATE	\$0.23	\$5.06
HOLDING TANK WASTE DISPOSAL USER-RATE	\$0.01	\$0.22
MUNICIPAL STEP-SYSTEM USER-RATE, which is for the following properties: -All properties on Protection Island -The following properties within the City of Nanaimo: 1323/1325 Fielding Road    1390 Fielding Road 1335 Fielding Road        1400 Fielding Road 1341 Fielding Road        1403 Fielding Road 1343 Fielding Road        1416/1420 Fielding Road 1350 Fielding Road        1417 Fielding Road 1357 Fielding Road        1421 Fielding Road 1373 Fielding Road	\$0.00	\$0.00

*\*User-rate per one-hundred (100) Litres is provided for reference only. The total user fee shall be based upon the price per imperial gallons.*

The volume of a load discharged may be determined by the following weight to volume formula:

$$\left[ \begin{array}{c} \text{TRUCK WEIGHT} \\ \text{BEFORE DISCHARGE} \\ \text{kilograms} \end{array} - \begin{array}{c} \text{TRUCK WEIGHT} \\ \text{AFTER DISCHARGE} \\ \text{kilograms} \end{array} \right] \times \frac{1 \text{ imperial gallon}}{4.59 \text{ kilograms}} = \begin{array}{c} \text{LOAD VOLUME} \\ \text{imperial gallons} \end{array}$$

SCHEDULE 'G' to accompany "Trucked Liquid  
Waste Rates and Regulations Bylaw No. 1732,  
2016".

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CHAIRPERSON

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CORPORATE OFFICER

### **SCHEDULE 'G': HOLDING TANK REGISTRATION**

#### **1. Registration form**

The application form shall request from the applicant not less than the following:

- (1) A copy of the holding tank permit obtained under the Sewerage System Regulation, if applicable;
- (2) The full name of the property owner;
- (3) The property owner's phone number and email address;
- (4) The full address of the property for which the application is being made;
- (5) The full legal description of the property for which the application is being made;
- (6) The name and affiliation of the Authorized Person who installed, inspected, or otherwise maintained the on-site sewage system;
- (7) A place for the property owner's signature;
- (8) For temporary registration, a place for the Authorized Person's signature;
- (9) For temporary registration, the estimated date of repair for the on-site sewage system.

#### **2. Registration fee**

The registration fee is set as follows:

<b>REGISTRATION FEE</b>	
For a single-family residential property	\$100.00
For any property other than a single-family residential property	\$300.00

DATE OF MEETING    October 24, 2016

AUTHORED BY        SHEILA GURRIE, DEPUTY CORPORATE OFFICER

SUBJECT              **APPOINTMENTS TO THE REGIONAL DISTRICT OF NANAIMO  
BOARD FOR 2017**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council direction regarding the appointment of Regional District of Nanaimo Board Directors and establish voting assignments for each Director for 2017.

### **Recommendation**

That Council:

1.     appoint for a one year term, seven Directors to the Regional District of Nanaimo Board;
2.     assign 5 votes to each of six Directors and 4 votes to one Director; and,
3.     appoint and establish a schedule for Primary and Secondary Alternate Directors.

## **BACKGROUND**

Council Policy on Appointments to the Board of Directors of the Regional District of Nanaimo (RDN) states the following:

Council to review, on a yearly basis, the City's appointees to the Regional District of Nanaimo Board of Directors, and that the selection of members of Council shall be considered on a combination of experience and voter confidence.

Two Councillors may also be appointed as Alternate Directors to the RDN in accordance with Section 786 of the *Local Government Act*. In April of 2008, a system of appointing Primary and Secondary Alternate Directors was established as follows:

Upon the absence of any City of Nanaimo Municipal Director to the Regional District of Nanaimo from any Regional District meeting of the Board, the Primary Alternate Director for the month in which the absence occurs will attend on behalf of the absent Director. In the absence of the Primary Alternate Director, the Secondary Alternate Director will attend. Should more than one Municipal Director be absent from any Regional District meeting, both Alternate Directors will attend.

For the purpose of the above-noted system, the two Councillors alternate between Primary and Secondary Alternate Director on a monthly basis.

The following motion was made last year at the 2015-DEC-07 "In Camera" Meeting of Council:

Special Council Meeting  
2016-OCT-24



**15915** It was moved and seconded that Council:

appoint the following Council members to the Regional District of Nanaimo Board of Directors:

<b>Regional District of Nanaimo Board Appointments</b>	
<b>Name</b>	<b>Weighted Vote</b>
Mayor McKay	5
Councillor Bestwick	5
Councillor Kipp	5
Councillor Yoachim	5
Councillor Pratt	5
Councillor Hong	5
Councillor Thorpe	4
<b>Alternate Directors</b>	
Councillor Fuller	Primary Alternate
Councillor Brennan	Secondary Alternate

## **OPTIONS**

1. That Council:
  1. appoint for a one year term, seven Directors to the Regional District of Nanaimo Board;
  2. assign 5 votes to each of six Directors and 4 votes to one Director; and,
  3. appoint and establish a schedule for Primary and Secondary Alternate Directors.
2. That Council:
  1. appoint for a one year term, seven Directors to the Regional District of Nanaimo Board;
  2. establish voting assignments in a manner different than described above; and,
  3. appoint and establish a schedule for Primary and Secondary Alternate Directors.

## **SUMMARY POINTS**

- Council reviews, on a yearly basis, the City's appointees to the Regional District of Nanaimo Board of Directors.
- In addition to the seven Directors appointed annually, Councillors may also be appointed as Alternate Directors to the RDN in accordance with Section 786 of the *Local Government Act*.

**Submitted by:**



Sheila Gurrie,  
Deputy Corporate Officer

DATE OF MEETING    October 24, 2016

AUTHORED BY        RICHARD HARDING, DIRECTOR  
PARKS AND RECREATION

**SUBJECT                BEBAN PARK CENTRAL FACILITY DEVELOPMENT  
OPPORTUNITIES**

## **OVERVIEW**

### **Purpose of Report**

To update Council on options for next steps with regard to the Beban Park Central Facility Development Opportunities.

### **Recommendation**

That Council:

1. Receive the information obtained from the public open house for Beban Park Central Facility Development Opportunities held at Beban Park on 2016-AUG-10;
2. Approve in Principle the development concepts as outlined in the Proposed Collaborative Development Plan (see Schedule B) for IPPC, VIEX, NEA, and, Island Roots Market Cooperative;
3. Direct staff to draft leases for Council review and consideration; and,
4. Prior to moving forward on the IPPC proposal confirm that the proponents have secured letters of support from SFN and other indigenous organizations.

## **BACKGROUND**

At their meeting held on 2016-JUN-27 staff presented Council with a detailed report entitled "Beban Park Central Facility Development Opportunities" and presented recommendations for their consideration as well as receiving various delegations by the each organization.

The subsequent Council motion read:

That Council:

1. receive as information the shared development concept for the central portion of Beban Park presented by the, Nanaimo Equestrian Association, Vancouver Island Exhibition Society, Island Roots Market Cooperative, and the Indigenous Peoples Place of Culture (Boys and Girls Club, Aboriginal Centre, and Métis Nation);
2. direct Staff to host, with proponents, a public open house at Beban Park on the proposed developments this summer as well as consult with SFN on proposed use; and,
3. Direct Staff to report back with feedback and options for next steps for Council's consideration within the next three months.

Special Council Meeting  
2016-OCT-24

## **Beban Park Master Plan**

The Beban Park Master Plan Update adopted by Council in May, 2015, outlines the development of a central gathering and recreation hub in the middle of Beban Park (referred to in the plan as the Core Facility Development Opportunity Area). This core is described as a flexible space area that could be developed with indoor recreation facilities of varying size, be the site of indoor and outdoor special events, and be a destination for day-to-day park use. Extending out of this facility core could be a series of pedestrian scaled urban plazas, open spaces, productive landscapes, and trails that connect to existing buildings and facilities.

The core facility development opportunity area Map 7 added as Schedule A identifies generic locations where current facilities could be improved and future buildings of various sizes and configurations could be constructed as needs and opportunities arise. Potential building footprints are shown for the development of future multi-purpose facilities. These could be constructed to host a variety of uses and events that enhance Beban Park such as sporting events, covered practice spaces, outdoor spaces and outdoor parking pods. The Beban Park Master Plan recommends that building uses should be flexible, multipurpose wherever possible, incorporate public amenities such as washrooms, avoid duplication of program spaces wherever possible and incorporate parking pods. More details on the public spaces in between the buildings would also need to be provided so that they are pleasant and comfortable park spaces for the public to enjoy. In general the draft concept being proposed meets the objectives of the Beban Park Master Plan.

## **Current Proposal for the Core Facility Development Opportunity Area**

Since adopting the Master Plan in 2015, six organizations have contributed toward a shared development concept proposal for the Core Facility Development Opportunity area. These groups include: the Nanaimo Equestrian Association (NEA); Vancouver Island Exhibition (VIE); Island Roots Market Cooperative; and, the Indigenous Peoples Place of Culture IPPC (comprised of the Boys and Girls Clubs of Central Vancouver Island, Nanaimo Aboriginal Centre, and Mid Island Métis Nation).

Overall, the conceptual layout being proposed (see attached Schedule B) meets the general layout principles of the Beban Park Master Plan. It depicts a variety of built spaces with outdoor public spaces interspaced in between. As the plan suggests, it focuses the buildings on a “grand avenue” or circulation spine that could be a main access point and function as a special event area. It also achieves its access from a new multi-modal extension of the Beban Parkway that could be provided to offer safe access for vehicles, pedestrians, and bikes to the centre of Beban Park. It incorporates the existing park license holders including the VIE and the NEA.

The groups are looking for support of their collaborative concept so they can proceed with developing more details on the feasibility of each project and ultimately leases with the City to proceed with their specific projects.

## **Public Open House Results**

In accordance with the motion, a public open house was held on 2016-AUG-10 at Beban Park and within the area of the proposed areas under consideration. The open house was co hosted by the City and all organizations involved in the proposed improvements.

The Open House was held in a central location during the Wednesday Farmers Market in Beban Park. Representatives from the IPPC, VIEX, NEA, and Island Roots Market Cooperative participated in the Open House and had displays and volunteers available to answer questions and meet the public.

Displays on the conceptual layout were presented, along with background information on the Beban Parks Master Plan process and the existing conditions of the site. Staff and volunteers from each organization were on hand to answer questions and explain the display boards and proposed concepts. Visitors were asked to complete a comment sheet on the proposed concepts presented.

The Open House was well attended and over 105 written comments were received as of 2016-SEP-15. Overall, the comments received were overwhelmingly supportive for the proposed shared development concept. A summary of comments received are attached as Schedule C.

This is a follow up report as requested and provides additional recommendations to consider in order to continue with the proposals as presented by each organization.

## **OPTIONS**

### 1. That Council:

1. Receive the information obtained from the public open house for Beban Park Central Facility Development Opportunities held at Beban Park on 2016-AUG-10;
2. Approve in Principle the development concepts as outlined in the Proposed Collaborative Development Plan (see Schedule B) for IPPC, VIEX, NEA, and, Island Roots Market Cooperative;
3. Direct staff to draft leases for Council review and consideration; and,
4. Prior to moving forward on the IPPC proposal confirm that the proponents have secured letters of support from SFN and other indigenous organizations.

- **Budget Implication:** None at this time other than Staff time in drafting lease agreements for Council consideration. At the lease agreement development and approval phase groups may ask for Council assistance in various ways that may have budget implications. Those will be highlighted for Council consideration at the next phase of approval.
- **Legal Implication:** None at this time. If concepts proceed to next steps each group would require lease agreements to be developed and approved by Council.
- **Policy Implication:** Consistent with adopted Park Master Plan.
- **Engagement Implication:** Not until lease agreements are provided for consideration.
- **Strategic Priorities Implication:** Asset Management of aging infrastructure and working with others to achieve public objectives.

2. Council not approve proceeding with Concepts at this time.

- Council may believe there is not enough information, or concepts are not supportive, to move forward.

**SUMMARY POINTS**

- Proposals are consistent with vision and principles in the 2015 Beban Park Master Plan.
- Public Open House comments were overall very supportive of the collaborative approach and proposed improvements.
- The IPPC, VIEX, NEA, and Island Roots Market Cooperative are asking for support in principle so as to continue work on the feasibility of each proposal.

**ATTACHMENTS**

- Schedule A: Map 7 – Excerpt from the 2015 Beban Park Master Plan Update.
- Schedule B: Proposed Collaborative Development Plan.
- Schedule C: Summary of Public Input from Open House held 2016-AUG-10.

**Submitted by:**



Richard Harding, Director  
Parks and Recreation

## SCHEDULE A

### MAP 7 – Excerpt from the 2015 Beban Park Master Plan Update

MAP 7 - Central Facility Development Opportunity Area Concept Plan



City of Nanaimo

- Legend
- Central Facility Development Opportunity Area Boundary
  - Washroom
  - Flexible Space and Storm water Management
  - Trees - Existing and Proposed
  - Shrubs - Proposed
- |  |                           |
|--|---------------------------|
| ① Multi-modal Beban Parkway Extension with Traffic calming | ⑩ Multipurpose Building   |
| ② Grand Avenue   | ⑪ Gardens                 |
| ③ The Atrium   | ⑫ Greenhouses             |
| ④ Improved Agriplex  | ⑬ Multipurpose Building   |
| ⑤ Multipurpose Building                                    | ⑭ Multipurpose Space      |
| ⑥ Multipurpose Building                                    | ⑮ Gardens and Green Space |
| ⑦ Multipurpose Building                                    | ⑯ Grand Stage             |
| ⑧ Red Barn   |                           |

#### New Flexible Building Space Framework



Master Plan Concept 43



## SCHEDULE B

### Proposed Collaborative Development Plan

(IPPC, VIEX, NEA, Island Roots Market Cooperative)





## SCHEDULE C

### Beban Park Development Opportunity Open House - 2016-Aug-10

#### Summary of Public Input

Apologies for the late response. Thank you for setting up the Open House at Beban Park last week. I think it was good for our club members (Nanaimo Kennel Club) to see how our club could fit into the redevelopment plans with the VIEX partnership. Our club has been active in Nanaimo for almost 80 years and a significant rental group at Beban Park for several decades, so changes to the park are important to us. While we were disappointed that our club were not specifically identified in the VIEX literature we do support the conceptual plan and hope to work towards more practical aspects of the planning (e.g. RV facilities etc for our major events). Currently we are working with Arbutus Meadows for our 2017 June Show but hopefully we will see the slow return to Beban Park in the future. The concept plan for the VIEX building will meet our needs for trials and other public events.

Great ideas and concepts. Can see lots of work has gone into it! Look forward to seeing it come to being.

It all looks great! Make use of the land. Bring on the development and bring the community together.

This is a great project that should have the full support of the City.

I have had a horse for 40 yrs and enjoy using the horse facilities that are available through NEA and the 2 horse clubs that I belong to: Cedar Horse Club and Back Country Horsemen - CVI. It would be a shame to lose the facilities that have been there for so long.

Food security is of utmost importance. People need garden space to share and need to see how food grows. 4H has a proven record of helping young folks learn about their world. Great idea to redevelop the area for more use through the year.

The Shared Development Concept Drawing looks good. As far as design is concerned: I'd suggest that it be not too sleek, not too rustic, with lots of light. I prefer the last 3 photos to the first 3 of the 6 that were lined up.

I think the proposed plan looks great! I would love to see an equestrian presence remain. I would love to see a perimeter fence due to increased business in the area since it was built. I also think the idea of sharing the area is great.

I am very pleased to see continued equestrian use. Other communities have updated and supported their agricultural roots and Nanaimo is embarrassingly behind.

The proposed building and activities planned look like an excellent use of Beban Park. I look forward to participating in all the various activities and the community spirit they will provide. Very positive effort by the groups involved.
If the groups are self funded, I think this is a great idea.
We truly believe a year round market for primarily farm produce from the Nanaimo local area is essential for our local sustainability. Local produce is responsible management for improved health and lifestyle for Nanaimo residents. Beban is the perfect location for a facility that incorporates the artisanal approach of local producers and farm based products and we would commit to help financially and with labour for assisting the construction of a year round covered market home. Thanks.
Year round market great idea for multi-use. First Nation focus o.k. as long as it includes access to non-natives and does not sit empty as a monument. Granville Island Market Style modern. My vote.
We have been shown a brochure with VIEEX and market and aboriginal facilities proposal and fully support these progressive changes in our neighbourhood.
About time, all for it.
Excellent plan for multiple uses encouraging a wide variety of ages and interests to use the facility. Upgrades would bring even more people in.
This is an amazing place! As a bike rider, horseback rider and sport person, I believe this is what our town needs.
As a life member of the VIEEX, I have been working toward the much needed facilities at Beban Park for the last 10 years. Let's hope the time has finally come. The VIEEX is one of the few fairs to hold its own in North America and one of the few within City Limits.
I am strongly in favour of this proposal. My personal priority is the year round farmers' market. I believe it is necessary to support food sustainability on Vancouver Island. Also, very much support Indigenous Cultural Centre.
We need this planned farmers' market and accompanying facilities as presented in the Open House Development Opportunity Plan.
I think the "shared development concept" makes the most sense - certainly having regular access to the quality of market goods available through Island Roots Co-op has been a boon for us here. I witnessed the combined presentation re: this concept to City Council and I am behind this 100%. Thank you.
I love the idea of a year round market. It's a terrific way to support local food producers through the year, enabling them to produce more and have more regular income. Love the idea of redevelopment here - has excellent access to transportation.

I think it would be wonderful to have a central location with many community groups. This would make it easier for newcomers to the area.
I like the enhanced access to the park. I support shared community space. I don't support individual or commercial use on public land. The farmers' market looks like a grocery store and should be on private land.
Year round market is an awesome idea. We need to encourage local agriculture.
I would like to see a development that is accessible/usable for the community all-year round. A true community development where people could come together to learn and share knowledge; a covered market space for people to buy locally-grown food and facilities for exhibitions and sports-people as well as the equestrian community and dog owners.
I fully support the collaborative vision of the six groups that have made a proposal to Parks & Recreation for a development in central Beban Park. I have been aware of the vision of both North Island Roots Market and that the Indigenous People's group has expanded to include a local Métis group and the Boys and Girls Club, and has partnered with Island Roots and four other groups is truly exciting. I believe it will be a very special model of cooperation in the heart of our city.
Looks like an excellent plan. Layout looks functional and aesthetically pleasing. Impressive group work done by user groups. I'd support public funding of project.
I like the joint project concept. The groups are working well together. Horse grounds need perimeter fencing for safety. I hope this project goes through.
I have a concern with the agenda being directed by a vocal well-organized minority. There are thousands of licensed dogs in Nanaimo, and maybe 10 horses. Why are the tax payers of Nanaimo allowing this use of a finite space in our parks for the enjoyment of a very few residents in Nanaimo with horses. There is a much greater need for residents with dogs for an expansion of off-leash areas. Unfortunately a well-organized group of non-resident tax payers are leading this master plan. (could not decipher) of a lack of media. Let's keep our parks for our residents. Horses and their needed space belong in the Regional District where their owners pay taxes.
Keep the equestrian facility and add a perimeter fence please and thank you. Also would like to keep the Agriplex. <a href="mailto:vbres@live.com">vbres@live.com</a>
Like new plan. Have worked on this ground for 50 years, saw lots of changes, this will be good for the horse world. Glad to see everyone with this shared vision.
I've lived in Nanaimo for 5 years and have utilized its many beautiful parks and services. Beban Park needs a central community and cultural focused development like the one being proposed. Being an Indigenous person I believe the IPPC will build strength and connection among the many vibrant nations living in Snuneymuxw territory. I look forward to utilizing the services within this development. This is a project I fully support as a neighbour of Beban Park.

Looks like a fantastic project that is forward thinking and makes a better use of the existing space! Onward and upwards! I support this use of taxpayer dollars.
Let's get this started right away. I think we should make this a priority.
Perfect collaboration. Love the different groups working together. Will make our trips to the park even more enjoyable.
I support the Shared Development Concept.
I am very much in favour of the development. The shared development concept is exciting. The addition of a farmer's market and the Indigenous People's Place of Culture hold great promise for the community.
This is a finite amount of park space in Nanaimo. As this city grows there will be a need for more green space. I am not in favor of any more building structures being leased out and occupy space needed in the present and future for the resident's recreation, ball, soccer, dog parks, walking etc., not agriculture or First Nations Buildings. They don't pay tax in this City.
This is a perfect place for a permanent Farmers' Market - Granville Island style would be great. Study Old City Quarter, Quebec City. For a perfect standard. It would be a perfect tourist local destination for Islanders as well. Thanks.
I strongly support the establishment of a permanent indoor market, and the IPPC.
It's time citizens of Nanaimo had access to a year-round market! The benefits of redevelopment, including such a market are many and varied. I am excited to see the economic, social, health, and many other positive outcomes that we will benefit from.
This is an excellent proposal. It will transform an area needing updating to a contemporary functional facility to benefit the local community. A year round Farmer's Market is needed to service Nanaimo with local farm produce and artisanal products. An outlet to market local food is imperative if the local food movement is to grow and flourish. Totally in support.
I would like to see the indoor horse area stay and horse arena.
<ol style="list-style-type: none"> <li>1. The range of proposal opportunities for a diversity of community groups is impressive.</li> <li>2. As a member of the Community Garden Society - and a Board member - I, or course, strongly support the inclusion of the Greenhouse development portion of the plan. I believe it is a very compatible opportunity which promotes good nutrition in the community. It is a natural fit accompanying the Farmers' Market.</li> <li>3. I hope you will consider documenting the positive process of community involvement and collaboration from very diverse groups and the general public. Other communities could benefit from this positive process.</li> </ol>
Please support a year round Farmer's Market.

<p>Would be great to make it easy to access for disabled people. Also places to sit for them. Thank you.</p>
<p>Fantastic idea that is so needed in Nanaimo.</p>
<p>I would love to see lots of fresh produce regularly. It would be great to also have a commercial kitchen space for food demos and classes. I think Beban Park is a great, central location for a permanent market.</p>
<p>I do not think this is the place for Indigenous Peoples Place of Culture. This building will be the main focus of the area and not needed. They would be off in a different location. They have a huge facility on the reserve that could house this concept. I am in favour of the root concept; keep the VIEX and Nanaimo Equestrian.</p>
<p>Great ideas. I would like to see an outdoor dog agility ring - grass 100' x 100' to accommodate local dog sport groups. Glad to see the groups coming together to create a functional and diverse complex. I look forward to seeing this site being renovated and re-designated for so many user groups.</p>
<p>I am impressed with the overall design. The present space is underutilized. It looks like the main user groups have come together and agreed on a good plan. I would vote for it.</p>
<p>Like idea of cultural centre and equestrian area. Need fencing for safety. Unsure how feasible costs are for new VIEX building but some good overall ideas.</p>
<p>Last year was my first time participating at the fall horse show here at Beban and I had an amazing time, made memories and got a chance to connect with other horse people. I will be back again this year!! I also really enjoy watching the horse competitions at VIEX. Please keep the horse facilities. Horses teach people and especially children so much!!</p>
<p>I support the Beban Park Redevelopment Plan, and am excited for the opportunities that this will bring for the community. The Indigenous Peoples Place of Culture is of special importance as a gesture of changed attitude within the broader society. The Nanaimo I want to see will embrace these opportunities to build rather than stifle culture especially that of the First Nations people who deserve our respect and support. I will be happy to volunteer to help with this project.</p>
<p>Nanaimo needs a year round farmers' market. Many great cities are centered around a central-style market. Local food is a public health issue and the city has a great opportunity to support the redevelopment of a local food economy. Food is something we all have in common. There is tremendous potential to create jobs in agriculture if farmers have a venue that is covered and year-round to sell their food. Consumers challenge is to access local food. This park is an ideal location for a market due to its central location. Other community user groups will mesh well with a market because they can access food while they are here. This would also be an ideal spot for food trucks, a community root cellar, seed bank, NFP rental space, demonstration food gardens, alternative energy projects, education, and community outreach. Thank you for supporting local food so that local food can support our community.</p>

I am a rider (equestrian) and use the Beban facilities for shows and other riding activities. The Beban Equestrian facility is prime for riders to showcase the sport. It is in need of upgrades to both the barns and arena and the redevelopment plan will help with this though changing the size and current layout, it will allow us to keep the location which is the most important issue here. Nanaimo and area has a huge rider base and with the publicity that would go hand in hand with the redevelopment, riders from near and far will take an interest to use the facility to its fullest.

I am very excited about this project. Nanaimo needs an indoor market building surrounded by fruit trees and a Community Kitchen. Another dog park sounds great, bike park/walk trails awesome. I am happy to see different groups in Nanaimo come together to collaborate on this project. Nanaimo needs to support more agriculture and bring community together. The year round market space would allow for jobs in this community and healthy humans. The City needs to be supporting local agriculture. We need more green space, more trees and more Farmers. Healthy humans, healthy community - healthy people.

Farmers work hard and deserve community support in bringing their produce to market; during changing economic times for young people and those hanging occupation are of huge value to the community as a whole. The partnering with other community organizations especially the first nations with the place of culture are of huge significance moving forward for everyone to feel included and have true community ownership. I am looking forward to helping fundraise and will gladly volunteer to help make this vision a reality. Hychqua.

Imagine if we had an indoor space to sell our food! No more vending in the rain! A café would be lovely also. Thank you for the opportunity for collaboration, sense of community ownership, civic involvement and choosing local food. P.S. Don't forget to attend the Wednesday and Saturday Beban markets. Tell your friends and family.

This is an exciting project for the City of Nanaimo. Nanaimo needs a much stronger presence of indigenous culture so our people better understand one another. I believe that Boys & Girls Clubs participants will benefit greatly from the City recreation facilities, VIE X programs (like 4-H), Island Roots to learn about food and commerce, and NRA to learn about equestrian activities.

I am impressed with the concept. I am in support of this idea.

I am very supportive of the vision expressed by the six community organizations. I am very impressed in the willingness of the groups to work together and comprise to ensure that all of their needs are being addressed. I also think these groups have listened to community through their respective memberships and their use of social media. I am especially supportive of the concept for IPPC. I believe Nanaimo will demonstrate great leadership by supporting this unique and innovative project.

I believe that the Nanaimo Kennel Club should be included in decision making and participation at meetings regarding design and future plans for Beban Park.



I appreciate how the process of this redevelopment plan is going. Lots of opportunity for community input, lots of collaboration. The more modular the designs the better to accommodate shifting interests. Great to see the different stakeholders working together. The more user groups that have a say in the design process, the better. Multifunctional spaces are great!
I think this is a wonderful idea and I love the plan! We need this in Nanaimo.
This seems like it would be a fantastic addition to the City, as it would integrate the various communities within the region! Being very new to the City, I know we would have loved to see this upon arrival.
Excellent example of community collaboration. Best way of bringing many people of diverse cultures and needs and talents together.
I am in support of the shared development plan. It will be great for the community and local business.
I think it is a great plan providing spaces for so many groups. I'm happy that the horse and dog sport will still have indoor and outdoor facilities to train and put on events. Including washrooms.
Yes Please!! - Market Yes!!! - Agricultural Centre - Indigenous Peoples - VIEX. Fantastic ideas and I 100% support these projects. Community life in our town!!! Best things proposed in Nanaimo since the seawall. I am so looking forward to this project being completed. P.S. sorry for messy writing - pens wouldn't work!!
I truly support this project.
I love the idea of a year round farmers' market in the heart of Beban Park. Centre of Nanaimo and easily accessible by transit. I fully support the IPPC development as well. Providing for childcare, school, youth centre, gathering place for culture and coming together as community. What a great way to provide for families and future of Nanaimo as a leader in initiatives that grow the community this way. Very Exciting!
Year Round Market Please and Thanks.
For the beginning I have supported this concept of an Indigenous Place of Culture, encompassing all first Nation, Métis and Inuit who live, work and go to school here in Nanaimo. For myself and my fellow Inuit, it will be a place to connect and learn about my people who have lived in the coldest part of the world for thousands of years. We invented the igloo to stay out of the elements, the kayak designed with a minimum of wood and stories to teach us how to live in harmony.
It's great to see a First Nations faction at Beban Park. This will give them a continuous presence to promote their causes and programs.
Great Idea!
The IPPC is a wonderful conception and we wholeheartedly support it in our neighbourhood.

The addition of the IPPC to the Grand Plan for Beban Park will bring a broad scope of Aboriginal Culture representing Aboriginal Peoples all across the Country who call Nanaimo and Vancouver Island their home. The collaboration with Agriculture, Nanaimo urban activities and groups is such a wonderful reflection of the community.
Are all these spaces/buildings going to be used by all or just the people who raised the funds to build? Is this council going to be able to work together and support this venture? I need someone to prove to me/city that city council can handle what is required of them.
Interesting plan and concept. Look forward to seeing it put into action. 0 emission green building techniques should be showcased where possible - respecting the intended users' space. My only other concern is how much money you are going to drain from my pocketbook.
Great collaborative plan.
I don't know how important an equestrian part of the park is. Seems like a bit of an elite sport with few (relatively) participants. My other concern is with the farmers' market. I think a market is sadly missing in the City but I don't support the for-profit model of Island Roots.
Amazing idea - Yes Please !!!
Being an urban aboriginal in Nanaimo I am so excited to have a place that I can go where I can feel at home and be a part of the urban community.
I believe it is important for urban youth having a centre for to keep them a place to meet and have fun.
I fully support and am happy to see this and the First Nations people being celebrated through this collaboration.
I am very excited about the IPPC project! As a Métis citizen it will be wonderful to have a cultural space to learn more about my culture and other aboriginal cultures! This project will be great for Nanaimo and in particular urban aboriginal youth! I am very excited about seeing this project go forward.
I would like to utilize this space with my young family - the childcare cultural center and kitchen would be very welcomed. In my work I see a need for such a space. I believe this space would be of great service to the facilitation of healing of Indigenous Peoples in our community.
I think a central location of culture, healing and caring for the youth is very important in moving forward with the Truth & Reconciliation Committee Recommendations. It would also support a community of health and healing among different cultures. We need to create a more supportive and inclusive community in Nanaimo and I believe this Centre would be a great initiative towards this. Thanks!
A great way to include various facets of our community! I can see this model being replicated in other communities. We will be the first and will role model success.



<p>The proposal for the Indigenous People's Place of Culture is absolutely wonderful. A place for nurturing healthy/healing relationships between all peoples, a place for youth and children to share stories and increase knowledge and understanding. Surely the entire proposal in partnership with Métis Nations, Boys and Girls Club, Nanaimo Aboriginal Centre and Island Roots...and the Equestrian Centre will be an enormous benefit to Nanaimo. Unique with Beban (all Beban facilities) benefitting the project. Recreational opportunities for the children - the synergy of all the different components - would ensure full utilization. This project would be a big plus for the City. So excited!</p>
<p>Like the plan. Should allow for self-contained RV camping for events involving animals such as horse shows and dog shows.</p>
<p>It's great coming to this farmers' market at Beban Park. Lots of organic food and largest gathering I've seen so far. It's necessary for a permanent market building. Thanks.</p>
<p>Fully support the IPPC.</p>
<p>As an active member of the Nanaimo Kennel Club I would love to see areas available to the dog sports and storage plus a covered area for the market. Centennial building has worked for N.K.C. for many years but it would be wonderful to have use of a bigger brighter facility.</p>
<p>The Indigenous People Place of Culture sounds very positive. The plans for Nanaimo Kennel Club sound good. All of the plans that were pitched sound very positive.</p>
<p>I am glad to see multiple interest groups collaborating to come up with a new plan for the site. On the basis of what's been presented on Aug. 10, 2016, I am supportive of the "Shared Development Concept."</p>
<p>We need a year-round market!!!! This is a very handy location for shoppers like me.</p>
<p>Very impressed with this idea! I really like how it could be a place to celebrate, share culture and even mourn, as well as provide an education facility. The Community Kitchen is very important because I believe food really brings people together. I think it is a very ambitious dream, and I hope it goes through.</p>
<p>Although I live in Ladysmith I own property in Nanaimo and have lived and worked in and around Nanaimo since 1977. I have read the summary of the proposed Indigenous Peoples Place of Culture. I fully support the concept and can't think of a better location.</p>
<p>I think this is a very good idea. It will give both Aboriginal and Non-Aboriginal people a place to meet and hold events. It will increase tourism and give some cultural legitimacy to Nanaimo who can, in my view, rightly be called out for not doing more to embrace the culture on the Island and to distinguish itself. Nanaimo can certainly use some good will after the unfortunate comments made by the city officials in response to some Chinese investors within the last year.</p>
<p>I think that it is a very good idea. Projects promoting reconciliation and strong indigenous leadership, is a good way forward for the City. I appreciate that the project will also promote more cultural sharing.</p>

### Delegation Request

Marla Thorburn has requested an appearance before Council. The request is made on behalf of Unitarian Winter Weather Shelter.

The requested date is October 24, 2016.

The requested meeting is:  
COW

Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: No

Details of Presentation:

Annual application for the City of Nanaimo to supply sufficient funds for our Homeless Shelter to remain open every night from November 1st through March 31st. We receive funding from BC Housing for Extreme Weather nights and the City of Nanaimo traditionally funds the remaining nights so we can be open every night for 5 months.

Reasoning for this decision includes reduced impact on the neighbourhood including Brechin Elementary School, and reduced need for policing and emergency room services and their attendant costs.

We are asking for \$35,000 in funding this year, which is the minimum annual amount received in past years.

Delegation Request

Bill McCracken has requested an appearance before Council.

The requested date is October 24, 2016.

The requested meeting is:  
COW

Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: No

Details of Presentation:

To discuss punitive water and user rates due to a leak causing extremely high water consumption, and changes to the "Waterworks Rate and Regulation Bylaw 2006 No. 7004"

### Delegation Request

Tim Tessier, Director; Dave Porier, Architect; & Lorne Hildebrand, President have requested an appearance before Council. The request is made on behalf of Nanaimo Deep Dive Association.

The requested date is October 24, 2016.

The requested meeting is:  
COW

Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: Yes

Details of Presentation:

This presentation is an Introduction to a major tourism and education center planned for a waterfront location focused around Nanaimo. This center will be about our Oceans, the ocean environment and man's interaction to with it. It will include educational, historic, first nations and 'fun' attractions that will draw people from around Canada and the US. To date a number of key preliminary meetings have taken place. We are now at the important point where we feel comfortable approaching city council.

### Delegation Request

Carol Fetherston has requested an appearance before Council.

The requested date is October 24, 2016.

The requested meeting is:  
COW

#### Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: No

#### Details of Presentation:

A request for a review of parking bylaws for multi family dwellings. Inadequate spaces – developer cutting corners. Street parking bylaws complaint process unfair and inadequate particularly across from 3659 Cottleview.

### Delegation Request

Ron Cantelon and George Hanson have requested an appearance before Council. The request is made on behalf of Vancouver Island Economic Alliance.

The requested date is October 24, 2016.

The requested meeting is:  
COW

#### Presenter's Information:

City: Nanaimo  
Province: BC  
Bringing a presentation: No

#### Details of Presentation:

Ron Cantelon, Past Chair, & George Hanson, President of VIEA, will speak to provide information in support of a request for funding to enable the City of Nanaimo to participate in an initiative to expand and diversify wood manufacturing opportunities on Vancouver Island.