

**AMENDED AGENDA**  
**REGULAR COMMITTEE OF THE WHOLE MEETING**  
**SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC**  
**MONDAY, 2013-NOV-04, AT 4:30 P.M.**

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**1. CALL THE REGULAR COMMITTEE OF THE WHOLE MEETING TO ORDER:**

**2. INTRODUCTION OF LATE ITEMS:**

- Item 8 (d) - Tree Management Protection Bylaw – add delegation Mr. Joe Lychak.
- Item 8 (e) – Downtown Parking Administration – add presentation by Mr. Rod Davidson, Manager, Parking Services / Assistant Manager Bylaw, Regulation and Security.
- Item 8 (f) – Waste-to-Energy Facility – Operations Review - replace page one of the report, including the Staff recommendation, and add the following delegations:
  - 1. Mr. Tim McGrath
  - 2. Mr. John Lucas, Seaspan, Mr. David Garcia, Urbaser
  - 3. Mr. Kim Smythe, Chamber of Commerce

**3. ADOPTION OF AGENDA:**

**4. ADOPTION OF MINUTES:**

- (a) Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, on Monday, 2013-OCT-21 at 4:02 p.m. *Pg. 4-10*
- (b) Minutes of the Special Open Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, on Wednesday, 2013-OCT-23 at 9:02 a.m. *Pg. 11-12*

**5. PRESENTATIONS:**

NONE

**6. ADMINISTRATION:**

NONE

7. **COMMUNITY SAFETY AND DEVELOPMENT:**

- (a) **Development Variance Permit Application No. DVP219 – 200-2980 Island Highway North**

*Purpose: To obtain Council authorization to vary the provisions of Bylaw No. 2850, in order to permit a rooftop sign.*

Staff Recommendation: That Council direct Staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP219 at 200 - 2980 Island Highway North.

Pg. 13-21

- (b) **Development Variance Permit Application No. DVP221 – 5101 Rutherford Road**

*Purpose: To obtain Council authorization to vary the lot depth provisions of Bylaw No. 4500 for a number of lots within the proposed subdivision.*

Staff Recommendation: That Council direct Staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP221 at 5101 Rutherford Road.

Pg. 22-25

- (c) **Development Variance Permit Application No. DVP222 – 6010 & 6016 Tweedsmuir Street**

*Purpose: To obtain Council authorization to vary the lot depth provisions of Bylaw No. 4500 in order to permit a 4 lot subdivision.*

Staff Recommendation: That Council direct Staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP222 at 6010 and 6016 Tweedsmuir Crescent.

Pg. 26-30

- (d) **Tree Management Protection Bylaw**

*Purpose: To provide Council with proposed updates and changes to the existing Tree Management and Protection Bylaw.*

Presentation:

Mr. Alan Kemp, Urban Forestry Coordinator.

Delegation:

1. Mr. Joe Lychak

Pg. 30.1

Staff Recommendation: That Council receive for information the report regarding the proposed "Tree Management and Protection Bylaw 2013 No. 7126".

Pg. 31-63

(e) **Downtown Parking Administration**

*Purpose: To provide an update on the administration, enforcement of downtown parking, security, and bylaw enforcement.*

Presentation:

Mr. Rod Davidson, Manager, Parking Services / Assistant Manager Bylaw, Regulation and Security.

Staff Recommendation: That Council receive for information the report regarding downtown parking administration. Pg. 64-70

(f) **Waste-to-Energy Facility – Operations Review**

*Purpose: To provide background information on the Metro Vancouver (Metro) process to identify locations for a waste-to-energy facility and outline options Council has regarding the potential location of the facility within the City of Nanaimo.*

Delegations:

- |    |  |          |
|----|--|----------|
| 1. | Mr. Russ Black, Belcorp Environmental Services Inc.    | Pg. 71   |
| 2. | Mr. Tim McGrath  | Pg. 71.1 |
| 3. | Mr. John Lucas, Seaspan, and Mr. David Garcia, Urbaser | Pg. 71.2 |
| 4. | Mr. Kim Smythe, Chamber of Commerce                    | Pg. 71.3 |

Staff Recommendation: That Council receive for information the report regarding the Waste-to-Energy Facility – Options Review. Pg. 72-75

8. **CORPORATE SERVICES:**

NONE

9. **COMMUNITY SERVICES:**

- (a) Minutes of the Parks, Recreation and Culture Commission Meeting held 2013-SEP-25 Pg. 76-79

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

- (a) Letter dated 2013-OCT-14 from Mr. Denis Lemelin, National President, Canadian Union of Postal Workers, requesting Council support for a review of the *Canadian Postal Charter* and the need for postal banking. Pg.80-95

11. **NOTICE OF MOTION:**

12. **OTHER BUSINESS:**

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

NONE

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

15. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR MCKAY

2013-OCT-21 to 2013-DEC-01

**MINUTES**  
**REGULAR COMMITTEE OF THE WHOLE MEETING**  
**SHAW AUDITORIUM, 80 COMMERCIAL STREET,**  
**MONDAY, 2013-OCT-21 AT 4:02 P.M.**

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**PRESENT:** Mayor J. R. Ruttan, Chair (vacated 4:28 p.m.)

**Members:** Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor J. F. K. Pattje

**Absent:** Councillor W. B. McKay

**Staff:** E. C. Swabey, City Manager  
T. P. Seward, Acting General Manager of Community Safety and Development  
T. M. Hickey, General Manager of Community Services  
I. Howat, Acting General Manager of Corporate Services  
T. L. Hartley, Director of Human Resources and Organizational Planning  
B. E. Clemens, Director of Finance  
D. Lindsay, Acting Director of Development  
A. J. Tucker, Director of Planning  
R. J. Harding, Director of Parks, Recreation and Culture  
P. Cooper, Communications Manager  
I. Blackwood, Manager, Facility Maintenance and Construction  
D. Blackwood, Client Support Specialist  
G. Ferrero, Acting Manager, Legislative Services  
K. King, Steno/Coordinator, Legislative Services  
S. Snelgrove, Recording Secretary

**1. CALL THE OPEN MEETING TO ORDER:**

The Regular Committee of the Whole Meeting was called to order at 4:02 p.m.

**2. INTRODUCTION OF LATE ITEMS:**

- (a) Add delegation Mr. Tim McGrath to agenda item 7 (a) – Update on Island Ferry Services Ltd. Efforts to Establish Foot Passenger Ferry Service.
- (b) Add delegations Mr. Jeff Solomon and Mr. Tim McGrath to agenda item 7 (b) - Process for Long-term Strategy for Middle and Lower Chase River Dams (Colliery Dams).

- (c) Add delegation Mr. Jim Taylor to agenda item 9 (b) – Nanaimo Centre Stage (25 Victoria Road) Building Remediation Budget.
- (d) Councillor Pattje advised that Mr. Dale Werezak was in attendance and wished to address Council as a late delegation regarding the Linley Valley.

It was moved and seconded that Mr. Dale Werezak be permitted to address Council as a late delegation with a five-minute time limitation. The motion carried unanimously.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2013-SEP-30 at 4:31 p.m. be adopted as circulated. The motion carried unanimously.

It was moved and seconded that the Minutes of the Special Open Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2013-OCT-09 at 8:07 a.m. be adopted as circulated. The motion carried unanimously.

It was moved and seconded that the Minutes of the Special Open Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2013-OCT-16 at 9:00 a.m. be adopted as circulated. The motion carried unanimously.

5. COMMUNITY SAFETY AND DEVELOPMENT:

- (a) Update on Island Ferry Services Ltd. Efforts to Establish Foot Passenger Ferry Service

Delegation:

- 1. Mr. David Marshall, Director of Marine Operations, Island Ferry Services Ltd.

Mayor Ruttan vacated the Shaw Auditorium at 4:28 p.m.  
Councillor Bestwick assumed the Chair.

- 2. Mr. Tim McGrath

It was moved and seconded that Council receive for information the report regarding an update on Island Ferry Services Ltd. efforts to establish a foot passenger ferry service. The motion carried unanimously.

(b) Process for Long-term Strategy for Middle and Lower Chase River Dams (Colliery Dams)

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Delegations:

1. Mr. Jeff Solomon
2. Mr. Tim McGrath

It was moved and seconded that Council direct Staff to:

1. take the necessary steps to meet the schedule for the long-term risk mitigation of the Colliery Dams attached as Appendix A;
2. proceed with the long term risk mitigation planning process using the structure and terms of reference illustrated in Appendix B;
3. sole source the necessary professionals to:
  - (a) enable City staff, Snuneymuxw staff, and the Colliery Dam Park Preservation Society representatives (Technical Committee representatives) to select qualified consultants to participate on the Technical Committee.
  - (b) conduct additional studies, reviews and designs identified as necessary by the Technical Committee in the time allotted in Appendix A;
4. direct the Technical Committee to focus on outcomes that only involve remediating the existing dams using the following phased approach:
  - Phase 1. Review and verify the existing data and direct additional data collection as necessary.
  - Phase 2. Develop option(s) for remediating the existing dams that will satisfy the requirements of the Dam Safety Section of the Ministry of Forests, Lands, and Natural Resources.
  - Phase 3. Develop plans for short-term physical alterations to the dams in 2014 to provide the necessary time to carry out the long-term strategy (if required).
5. proceed with a communication strategy that will inform and engage the public and other government agencies with respect to this process; and,
6. report back to Council on funding options for the long-term risk mitigation of the Colliery Dams.

The motion carried unanimously.

(c) Development Variance Permit No. DVP214 – 3105 Uplands Drive

It was moved and seconded that Council direct Staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP214 at 3105 Uplands Drive. The motion carried unanimously.

6. CORPORATE SERVICES:

(a) City Collector

It was moved and seconded that Council:

1. assign the duties and responsibilities of Collector for the City of Nanaimo to Diane Hiscock and that Brian Clemens remain as the deputy; and,
2. that all previous assignments for Collector be rescinded.

The motion carried unanimously.

(b) Quarterly Single Submission Purchases

It was moved and seconded that Council receive for information the report regarding Quarterly Single Submission Purchases for the period 2013-JUL-01 to 2013-SEP-30. The motion carried unanimously.

(c) Quarterly Direct Award Purchases

It was moved and seconded that Council receive for information the report regarding Quarterly Direct Award Purchases for the period 2013-JUL-01 to 2013-SEP-30. The motion carried unanimously.

7. COMMUNITY SERVICES:

(a) Nanaimo Art Gallery Agreement Approval

Delegation:

1. Ms. Deborah Zorkin, President, Nanaimo Art Gallery

It was moved and seconded that Council:

1. approve the 10 year Management Agreement with the Nanaimo Art Gallery for 150 Commercial Street;
2. authorize Staff to publish a Notice of Disposition as required under Sections 24 and 26 of the *Community Charter*;
3. allocate \$30,000 per year in additional funding to the Nanaimo Art Gallery in the 2014-2018 Financial Plan; and,



4. approve \$50,000 for Phase One renovations in 2014 with \$40,000 in funding coming from the 150 Commercial Street building fund and that \$10,000 be allocated in the 2014 Capital Plan.

The motion carried unanimously.

(b) Nanaimo Centre Stage (25 Victoria Road) Building Remediation Budget

Delegations:

1. Ms. Camela Tang on behalf of CVI Centre for the Arts-Nanaimo
2. Mr. Jim Taylor, President, Nanaimo Ratepayers Association

It was moved and seconded that Council approve the transfer of an additional \$34,700 from the Asset Management reserve, increasing the Nanaimo Centre Stage project budget from \$160,000 to \$194,700. The motion carried.

Opposed: Councillor Kipp

(c) Donation of Art "Satellite City" By Robert Naish

It was moved and seconded that Council accept the donation of the painting "Satellite City" by Robert Naish and that the artwork be displayed in City-owned public places starting with installation in the Service and Resource Centre stairwell. The motion carried unanimously.

(d) Poet Laureate Selection

It was moved and seconded that Council approve the selection of Naomi Beth Wakan as Nanaimo's inaugural Poet Laureate. The motion carried unanimously.

(e) Travel Assistance Grant Harbour City Football Club U16 Girls

It was moved and seconded that Council approve the application for a Travel Assistance Grant to the Harbour City Football Club U16 Girls in the amount of \$450 for nine athletes to attend the Provincial A Cup being held in Langley, BC. The motion carried unanimously.

(f) Travel Assistance Grant Harbour City Football Club U13 Girls

It was moved and seconded that Council approve the application for a Travel Assistance Grant to the Harbour City Football Club U13 Girls in the amount of \$800 for sixteen athletes to attend the Provincial Championships, being held in Langley, BC, with \$100 coming from remaining Sport Tournament Grant budget to cover the budget shortfall. The motion carried unanimously.

- (g) Minutes of the Parks, Recreation and Culture Commission Meeting held 2013-JUL-24.

8. DELEGATIONS (not related to a Report to Council):

- (a) Mr. Garth Mirau regarding importing garbage from Vancouver and incinerating the garbage.
- (b) Ms. Alexis Tatton regarding development in Linley Valley West.
- (c) Ms. Joanne Jonas-McRae regarding development in Linley Valley West.
- (d) Ms. Brunie Brunie regarding the Linley Valley.
- (e) Mr. Dale Werezak regarding the Linley Valley.

9. QUESTION PERIOD:

- Mr. Gord Fuller, re: Linley Valley, Update on Island Ferry Services Ltd. Efforts to Establish Foot Passenger Ferry Service, Process for Long-term Strategy for Middle and Lower Chase River Dams (Colliery Dams), Nanaimo Centre Stage (25 Victoria Road) Building Remediation Budget.

Councillor Bestwick vacated the Shaw Auditorium and Councillor Kipp assumed the Chair at 7:06 p.m.

Councillor Bestwick resumed the Chair at 7:10 p.m.

- Ms. June Ross, re: Council expenditures.
- Mr. Ron Bolin, re: Update of Island Ferry Services Ltd. Efforts to Establish Foot Passenger Ferry Service, Nanaimo Centre Stage (25 Victoria Road) Building Remediation Budget.
- Mr. Fred Taylor, re: Nanaimo Centre Stage (25 Victoria Road) Building Remediation Budget, Update on Island Ferry Services Ltd. Efforts to Establish Foot Passenger Ferry Service, Nanaimo Art Gallery Agreement Approval.
- Mr. Robert Fuller, re: Nanaimo Centre Stage (25 Victoria Road) Building Remediation Budget.
- Mr. Dale Werezak, re: Linley Valley.

10. ADJOURNMENT:

It was moved and seconded at 7:36 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

**MINUTES**  
**SPECIAL OPEN COMMITTEE OF THE WHOLE MEETING**  
**BOARD ROOM, SERVICE AND RESOURCE CENTRE,**  
**411 DUNSMUIR STREET, NANAIMO, BC**  
**WEDNESDAY, 2013-OCT-23 AT 9:00 A.M.**

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**PRESENT:** Mayor J. R. Ruttan, Chair

**Members:** Councillor G. Anderson (departed at 10:45 a.m.)  
Councillor W. L. Bestwick  
Councillor M. D. Brennan (departed at 10:15 a.m.)  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor J. F. K. Pattje

**Absent:** Councillor W. B. McKay

**Staff:** E. C. Swabey, City Manager  
T. M. Hickey, General Manager of Community Services  
I. Howat, Acting General Manager of Corporate Services  
T. P. Seward, Acting General Manager of Community Safety and Development  
T. L. Hartley, Director of Human Resources and Organizational Planning  
B. E. Clemens, Director of Finance  
D. Lindsay, Acting Director of Development (departed at 9:56 a.m.)  
P. Kristensen, Director of Information Technology  
S. Clift, Director of Engineering and Public Works (arrived 10:06 a.m.)  
R. J. Harding, Director of Parks, Recreation and Culture  
B. Prokopenko, Senior Manager of Engineering (departed at 9:56 a.m.)  
S. Samborski, Senior Manager of Recreation & Culture Services (departed at 9:56 a.m.)  
M. Demecha, Manager of Civic Facilities (arrived 10:01 a.m.)  
D. Duncan, Manager of Financial Planning  
A. Britton, Manager of Parks Operations  
I. Blackwood, Manager of Facility Maintenance & Construction  
W. Fulla, Manager of Finance, Community Services  
S. Raddysh, Manager of Recreation & Cultural Services (departed at 9:56 a.m.)  
M. Smith, Manager of Recreation & Cultural Services (departed at 9:56 a.m.)  
P. Cooper, Communications Manager  
B. Joiner, Infrastructure Planning & Energy Manager  
D. Fournier, Municipal Infrastructure Engineer (departed at 9:56 a.m.)  
K. King, Recording Secretary

**1. CALL THE OPEN MEETING TO ORDER:**

The Special Open Committee of the Whole Meeting was called to order at 9:02 p.m.

**2. ADOPTION OF AGENDA:**

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. PRESENTATIONS:

- (a) Mr. R. J. Harding, Director of Parks, Recreation and Culture, provided a presentation and a Staff/Council discussion took place regarding the 2014-2018 Financial Plan for Parks, Recreation and Culture.

4. OTHER BUSINESS:

- (a) Recent feedback from Council regarding the value of holding Special Committee of the Whole Meetings to review the 2014-2018 Financial Plan using the Parks, Recreation and Culture (PRC) budget as a model has been very positive and Staff proposed to proceed with scheduling further meetings for budget review. Council directed Staff to proceed with scheduling the following six Wednesdays from 9:00 a.m. to 11:00 a.m. in the Board Room for Special Committee of the Whole meetings to review other departmental budgets once the process for PRC has been completed:

2013-NOV-06  
2013-NOV-13  
2013-NOV-20  
2013-NOV-27  
2013-DEC-04  
2013-DEC-11

5. QUESTION PERIOD:

- Mr. Ron Bolin
- Mr. Jim Taylor

6. ADJOURNMENT:

It was moved and seconded at 11:05 a.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

# City of Nanaimo

## REPORT TO COUNCIL

**DATE OF MEETING:** 2013-NOV-4

**AUTHORED BY:** GARY NOBLE, DEVELOPMENT APPROVAL PLANNER  
PLANNING & DESIGN SECTION

**RE:** DEVELOPMENT VARIANCE PERMIT NO. DVP219 - 200 2980 ISLAND HIGHWAY N

### STAFF RECOMMENDATION:

That Council direct staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP219 at 200 2980 ISLAND HIGHWAY N.

### PURPOSE:

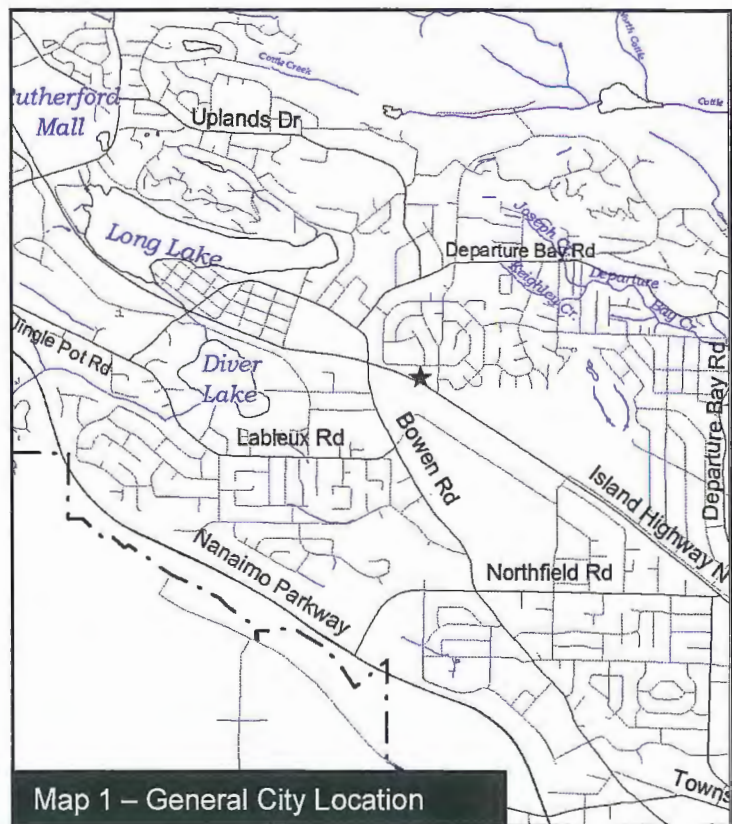
The purpose of this report is to seek Council authorization to vary the provisions of the City of Nanaimo "SIGN BYLAW 1987 NO. 2850", in order to permit a rooftop sign.

### BACKGROUND:

A development variance permit application was received from Mr. Peter Lovick (PJ LOVICK ARCHITECTS LTD.), on behalf of CASTERA INVESTMENTS INC., to vary the provisions of the City of Nanaimo "SIGN BYLAW 1987 NO. 2850", to permit a fascia sign to project above a roof line on a new parapet detail.

The existing Tim Hortons building at the Rock City Plaza is undergoing a façade upgrade. An existing fascia sign is being located on the new parapet which extends above the existing parapet or roof line of the building.

Statutory Notification must take place prior to Council's consideration of the approval of the variance.



Map 1 – General City Location

☐ Council  
☒ Committee of the Whole  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2013 NOV 04



### *Subject Property*

The subject property is within an established commercial shopping area (Rock City Plaza), which backs on to an established residential area. The subject property is bordered by the Island Highway North, Rock City Road and Glen Eagle Crescent (See 'Map 1 – General City Location' and Map 2 – Subject Property Location).

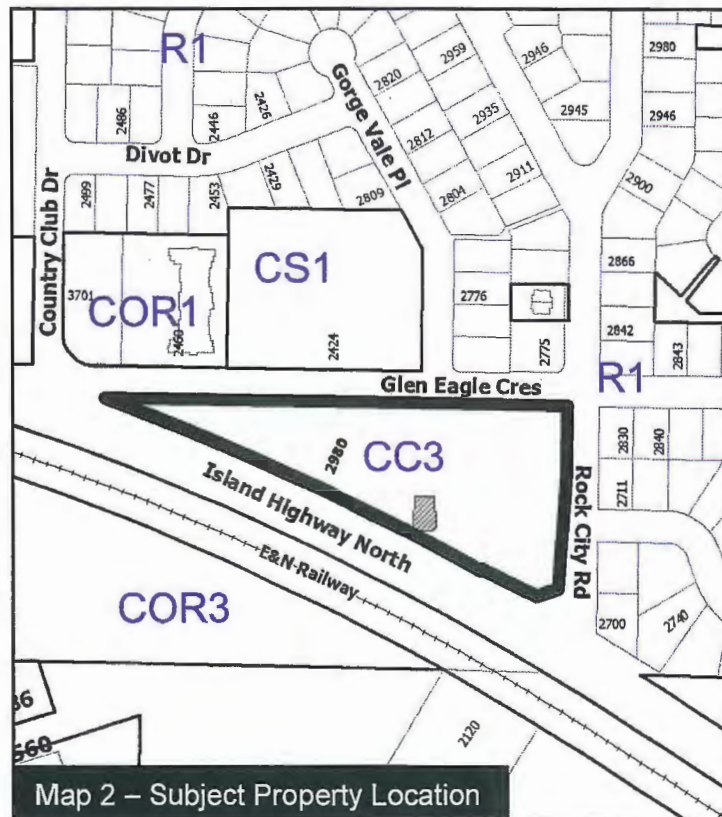
Tim Hortons is located in an existing pad building which is located mid-site and fronts the Island Highway on the Plaza site.

### DISCUSSION:

#### *Proposed Development*

The applicant is supervising a façade upgrade to the existing Tim Hortons building. The corporation routinely upgrades building facades in order for their franchises to maintain their corporate "Always Fresh" identity.

In this façade upgrade, the architecture of the front building elevation which faces the Island Highway has been changed by increasing the height of the parapet approximately 1.49 m above the building's roof line (existing parapet). Where the parapet has been increased, the building façade has been faced with a fiber/cement/stone panel.



The applicant views the new parapet as an architectural feature.

The sign bylaw defines an architectural feature as a vertical projection of the building façade that extends above the roof line of the building and is an integral part of the building's façade, and may include an entrance canopy. In Staff's opinion, the raised parapet is not an integral part of the building façade, nor the building design. The parapet is seen as a unique feature to the façade upgrade, and is not featured on any other building elevations. The façade upgrade is simply a replacement of an old metal parapet finish with a fiber/cement siding. The building style is of a simple rectangular box with a wall face that primarily consists of brick and finished with a detailed parapet. A raised parapet is not featured on the other building elevations.

*The Design Rationale along with the supporting Site Plan and Elevations are provided as Attachment A.*

*Required Variances*

- The City of Nanaimo "SIGN BYLAW 1987 NO. 2850", permits fascia signage located on an architectural feature on a façade of a building where it projects a maximum 1.2 m above the roof line of the building.

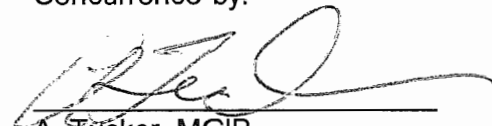
The proposed fascia sign is not located on an architectural feature and extends 1.1 m above the building roof line.

Respectfully submitted,



B. Anderson, MCIP  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker, MCIP  
DIRECTOR  
PLANNING



T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

*Drafted: 2013-OCT-25  
Prospero attachment: DVP00219  
GN/b*

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**P J LOVICK**  
ARCHITECT LTD.

18 October 2013

City of Nanaimo  
455 Wallace Street  
Nanaimo, B.C.  
V9R 5J6

Attention: Gary Noble, RPP, Development Approval Planner

Re: **Tim Hortons – Restaurant, 2980 Island Hwy., Nanaimo, B.C.**

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**DESIGN RATIONALE**

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The subject building is an existing Tim Hortons Restaurant located at 2980 Island Highway. It presently has a low profile fascia that extends only a few inches above the roof level. Tim Hortons is presently engaged in a Canada wide rebranding/upgrade program that provides a new interior and exterior design that has been created specifically for each region. This building has recently gone through these design changes but our signage approval has inadvertently lagged behind the Building Permit approval and construction schedule.

We now have a newly renovated façade with a large feature wall clad in fiber cement stone paneling that extends approximately 4 ft. – 6 in. above the roof line. This new design also features striped awnings over the windows, and a decorative metal band running horizontally above the awnings.

Both of these features are dramatically illuminated by goose neck light features that are centered over each window. The final piece of the design is of course the traditional ‘Tim Hortons’ red lettering signage. In the combination described above, and reusing the existing signage, the top of the sign will be approximately 3 ft. – 8 in. above the roof line.

The new fascia line transforms the building, and gives it a much improved appearance, especially in relation to the neighboring buildings in the plaza. This feature wall will also provide a partial screen for the roof top equipment. However, if we install the sign as per the sign by-law i.e.: below the roof line, we would need to delete the awnings, the decorative metal band and the gooseneck lighting. In doing this we would have a large expanse of fascia with no features, and a total loss of the intended effect of the new design.

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Page 2  
Design Rationale  
Tim Hortons – 2980 Island Highway

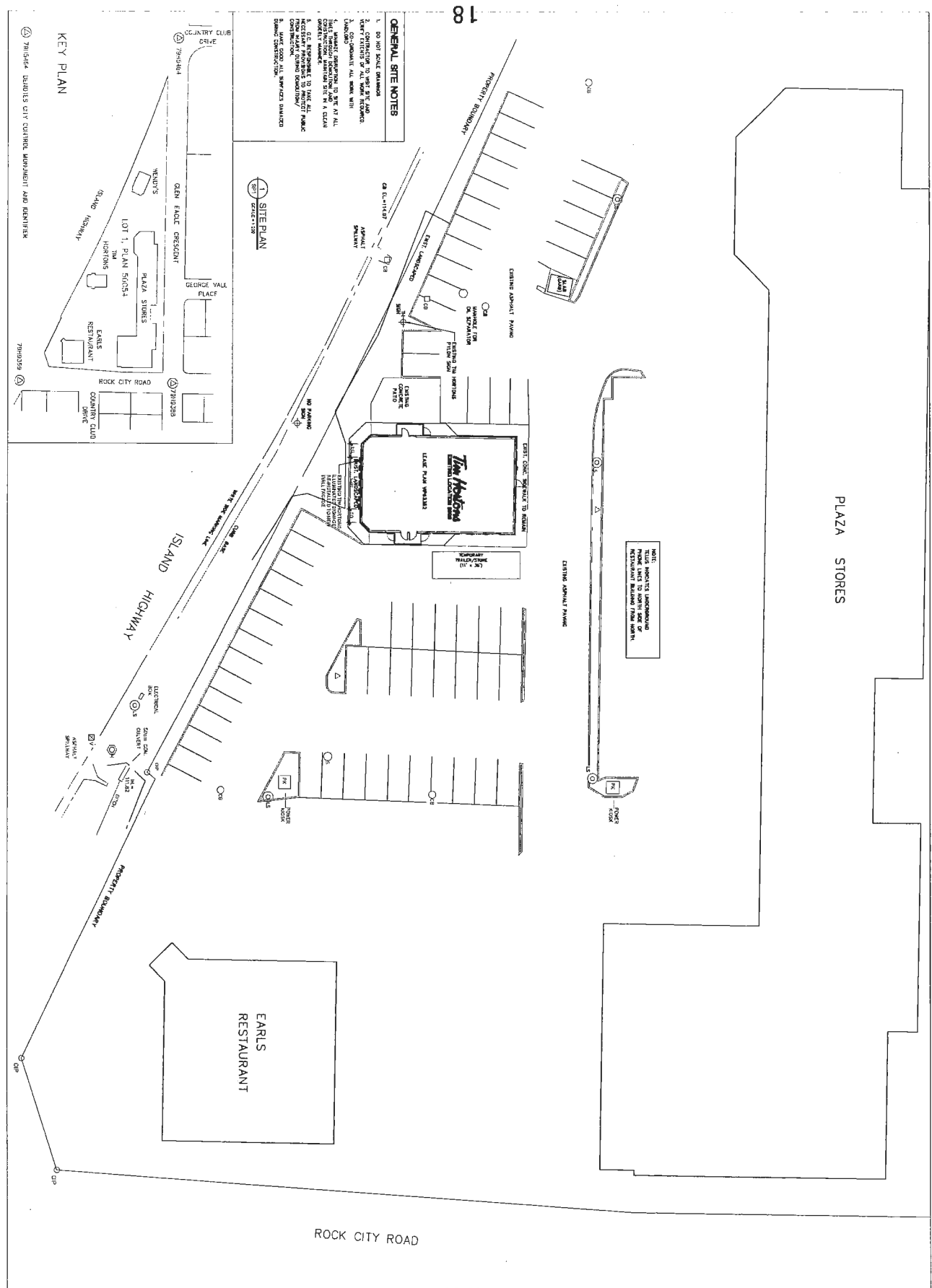
The proposed location for the sign is really the only highly visible location when you consider the surrounding traffic patterns. We now understand that this new design will require a variance to the current City of Nanaimo signage by-laws. It is unfortunate that the construction was complete prior to us realizing the significance of the restrictions in the building by-law.

We are requesting the City's consideration of the situation we are in and would request a Development Variance Permit. Please see the enclosed front elevation showing the proposed new feature wall with the signage described above.

Yours truly,  
**PJ LOVICK ARCHITECT LTD.**

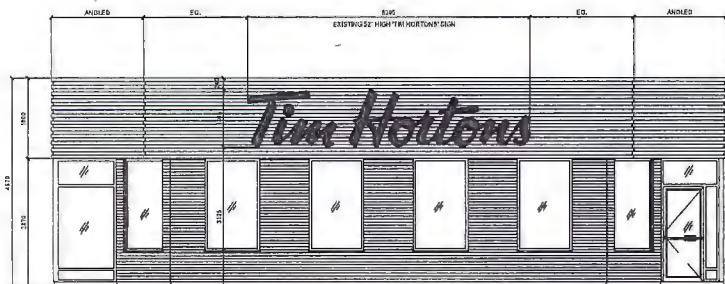
Peter J. Lovick, AIBC, CM, MAIC, AAAC, SAA  
PJL/SP





| SITE TABLE   |            | Rev.        | Date | Description |
|--|------------|-------------|------|-------------|
| 1  | DATE       | 16-07-2013  |      | DATE        |
| 2  | DATE       |             |      | DATE        |
| 3  | DATE       |             |      | DATE        |
| 4  | DATE       |             |      | DATE        |
| 5  | DATE       |             |      | DATE        |
| REVISIONS  |            |             |      |             |
| #  | DATE       | DESCRIPTION | DATE | DATE        |
| DRAWINGS INTENDED AS PER DESIGN BULLETIN                 |            |             |      |             |
| NO.  | DATE       | DESCRIPTION | DATE | DATE        |
| 01   | 16-07-2013 | DATE        | DATE | DATE        |
| ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON THE SITE |            |             |      |             |
| PROJECT  |            |             |      |             |
| 3707 1st AVENUE  |            |             |      |             |
| BURNABY, BRITISH COLUMBIA                                |            |             |      |             |
| VICTORIA, CANADA   |            |             |      |             |
| Tel: 604-298-4700 Fax: 604-298-6981                      |            |             |      |             |
| Internet: www.timhortons.com                             |            |             |      |             |
| Architectural Firm                                       |            |             |      |             |
| Tim Hortons  |            |             |      |             |
| RESTAURANT #100463                                       |            |             |      |             |
| 2980 ISLAND HIGHWAY N.                                   |            |             |      |             |
| NANAIMO, B.C.  |            |             |      |             |
| SITE PLAN  |            |             |      |             |
| Model 2880   |            |             |      |             |
| AS NOTED   |            |             |      |             |
| August 2013  |            |             |      |             |
| SP1  |            |             |      |             |





1 FRONT ELEVATION - EXISTING  
SCALE = 1:50



2 FRONT ELEVATION - PROPOSED  
SCALE = 1:50



1 - VIEW OF FRONT ELEVATION (SOUTH SIDE)



2 - VIEW OF SOUTH EAST SIDE



3 - VIEW OF SOUTH WEST SIDE



4 - VIEW OF PARKING LOT LOOKING EAST



5 - VIEW OF ISLAND HIGHWAY LOOKING SOUTH



6 - VIEW OF PARKING LOT LOOKING WEST

3 EXISTING PHOTOS



5 DESIGN RATIONALE

TIM HORTONS' UNPARALLELED COMMITMENT TO SERVICE THE COMMUNITY AND ITS LOYAL CUSTOMERS, BY CONTINUALLY UPGRADING ITS FACILITIES TO HAVE THE "ALWAYS FRESH" LOOK.

WITH THIS LATEST RENOVATION, NEW STONE AND ADDITIONAL COLOUR WERE ADDED TO THE FACADE OF THE EXISTING BUILDING TO HAVE A NEW ARCHITECTURAL FEATURE. WE HAVE ALSO INCREASED THE HEIGHT OF THE PARAPET TO INCORPORATE THE SIGN BAND AND GOOSENECK LIGHTING.

#### ISSUE TABLE

| No. | Date     | Description             |
|-----|----------|-------------------------|
| 1   | 08/15/13 | CHECKLIST REVIEW        |
| 2   | 08/15/13 | ISSUED FOR ELDG. PERMIT |
| 3   | 08/15/13 | ISSUED FOR TENDER       |
| 4   | 08/15/13 | ISSUED FOR CONSTRUCTION |
| 5   | 08/15/13 | ISSUED FOR DAMAGE DWP   |

#### REVISIONS

| No. | Date     | Description             |
|-----|----------|-------------------------|
| 1   | 08/15/13 | ISSUED FOR TENDER       |
| 2   | 08/15/13 | ISSUED FOR CONSTRUCTION |
| 3   | 08/15/13 | ISSUED FOR DAMAGE DWP   |

#### DRAWINGS REVISED AS PER DESIGN BULLETIN

| No. | Date     | Description             |
|-----|----------|-------------------------|
| 01  | 08/15/13 | ISSUED FOR TENDER       |
| 02  | 08/15/13 | ISSUED FOR CONSTRUCTION |
| 03  | 08/15/13 | ISSUED FOR DAMAGE DWP   |

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON THE SITE

Architect

**PILLOVICK**  
ARCHITECT LTD

3707 1st AVENUE  
BURNABY, BRITISH COLUMBIA  
V5C 3V6 E-MAIL: pillovick@pillovick.com  
Tel: 604-298-3700 Fax: 604-298-6081  
Member of the ARBC Member of the SAA  
Member of the RAIC Member of the AAA  
Certified Professional Architectural Firm

Project

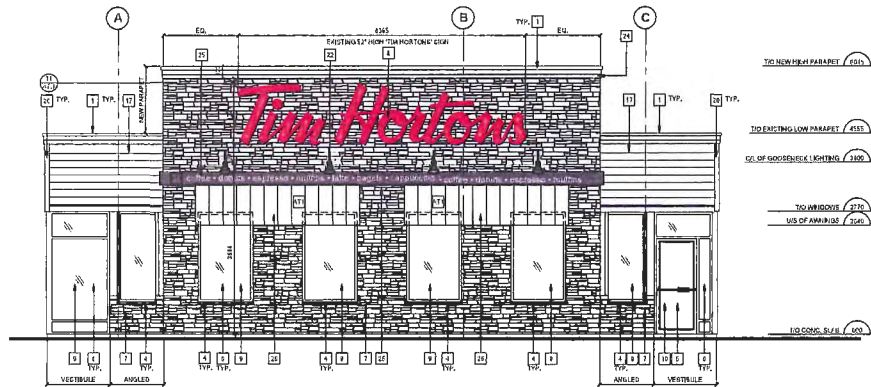
**Tim Hortons**

Store Type  
MODEL 2600

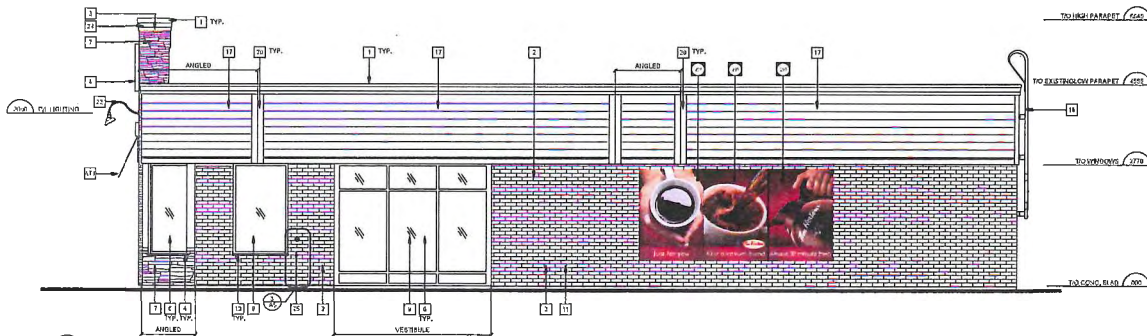
Location  
RESTAURANT #100463  
RN. #00711  
2980 ISLAND HIGHWAY N  
NANAIMO, BC

Drawing Title  
PROPOSED COLOR  
ELEVATION  
& EXISTING PHOTOS

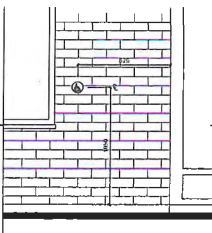
| Drawn       | Checked      |
|-------------|--------------|
| EH          | PJL          |
| Scale       | Date         |
| 1:50        | AUGUST 2013  |
| Project No. | Drawing File |
| # 100463    | A5.2         |



1 FRONT ELEVATION  
SCALE: 1/20



2 SIDE ELEVATION  
SCALE: 1/20



3 ELEVATION @ DOOR OPERATOR  
SCALE: 1/20

NOTE:  
1. PUSH BUTTON/JUNCTION BOX  
TO BE RECEIVED THROUGH THE  
EXISTING BRICK.  
2. REFER TO ATTACHED  
SCHEDULE FOR PUSH BUTTON  
MODELS.  
3. E.L.C. TO ORDER OPERATOR  
AND BUTTONS THROUGH THE  
TOL PROJECT MANAGER, C.E. TO  
INSTALL USING PUSH BUTTON  
AUTOMATICALLY APPROVED  
INSTALLER.

## GENERAL NOTES

- CONTROL JOINTS AND VERTICAL JOINTS TO BE CARVED TO MATCH EXISTING COLOUR (PROMINENT DIVISIONS).
- ONCE AROUND YELLOW METAL DOOR FRAMES AT EXTERIOR COLOUR TO MATCH MORTAR (REDWOOD/TERMO CYMEX/REX).
- CALLS BETWEEN VERTICAL JOINTS AT ACTING STUCCO FINISH TO MATCH EXISTING STUCCO COLOUR (SPORT TREND; BUILDING MODEL).
- CALLS BETWEEN WINDOW FRAMES AND BRICK VENEER COLOUR TO MATCH EXISTING FRAMES (TERMO CYMEX/REX).

## SYMBOL LEGEND

- SECTION NUMBER  
DRAWING SHEET NUMBER
- NOTE REFERENCE  
REFER TO ELEVATION NOTES
- AWNING TYPE
- DECORATIVE BAND TYPE

## AWNINGS

| TYPE | SIZE | QUANTITY |
|------|------|----------|
|------|------|----------|

|     |               |   |
|-----|---------------|---|
| AT1 | 360mm x 910mm | 2 |
|-----|---------------|---|

## DECORATIVE BANDS

| TYPE | LENGTH | QUANTITY |
|------|--------|----------|
|------|--------|----------|

|     |                |   |
|-----|----------------|---|
| BT1 | 1000mm x 320mm | 1 |
|-----|----------------|---|

## TOL APPROVED SUPPLIERS:

\* STEEL ART COOK CONTACT: PETER SAKMAN  
(604) 274-1078 EXT. 131  
psakman@telusnet.com

## MASONRY/MORTAR SPEC.

- THE MORTAR COLOURS BY ELEMENTS PREPARED, SEE FINISH SCHEDULE.
- THE SPECIFICATIONS OF THE COLOURING MANUFACTURER ARE TO BE FOLLOWED.
- ALL BRICK COLOURS ARE TO BE RANGES CAN DEEP.
- ALL BRICK MORTAR IS TO BE COLOURED AS SPECIFIED.
- MASONRY WORK SHALL NOT PROCEED WITHOUT PRIOR APPROVAL OF TOL CORP.
- AIR BRICK UNITS WHICH DOES NOT MATCH THE APPROVED SPECIFICATION WILL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL REMOVE FLEXIBLE WITH AND FOLLOW ALL DRAWINGS AND SPECIFICATIONS.

## EXTERIOR ELEVATION NOTES

- PREPARED METAL FLASHING, REFER TO EXTERIOR FINISH SCHEDULE.
- EXISTING BRICK TO REMAIN.
- NEW BUILT UP PARAPET.
- FLASHING D.E.L. REFER TO EXTERIOR FINISH SCHEDULE FOR COLOUR.
- EXISTING DOORS AND FRAMES TO REMAIN.
- EXISTING GLAZING AND FRAMES TO REMAIN.
- REPAIR FIBER CEMENT STONE PANELS, REFER TO EXTERIOR FINISH SCHEDULE FOR COLOUR.
- EXISTING ALUMINUM EDGERS RELOCATED AND MOUNTED ON FIBER CEMENT STONE. CONFIRM WITH TOL GROUP CORP.
- EXISTING GLAZING & FRAMES TO BE RELOCATED TO MATCH EXISTING BENCHMORQUE MIDDLEBURY  
H.C. - H.C. REFER TO SHEET 11.
- EXISTING DOOR & FRAME TO BE RELOCATED TO MATCH EXISTING BENCHMORQUE MIDDLEBURY  
H.C. - H.C. REFER TO SHEET 11.
- EXISTING ACCENT BRICK TO BE STAINED TO MATCH EXISTING BENCHMORQUE MIDDLEBURY  
H.C. - H.C. REFER TO EXTERIOR FINISH SCHEDULE.
- BRICKER FREE DOOR OPERATOR SWITCH LOCATION, REFER TO ELECTRICAL DRAWINGS, COORDINATE LOCATION OF AUTOMATIC  
DOOR OPERATOR AND PUSH BUTTON WITH SITE PLAN & TOL GROUP AUTOMATIC ACTUATORS SUPPLIED BY TOL, INSTALLED  
AND FINISHED BY G.E. REFER TO RETAIL G.E.
- EXISTING WINDOW SILL TO REMAIN.
- N/A
- N/A
- FIBER CEMENT ROOF, REFER TO RETAIL SHEETS & EXTERIOR FINISH SCHEDULE.
- EXISTING ROOF ACCESS LADDER TO REMAIN, PAINT TO MATCH EXTERIOR PARAPET FLASHING.
- N/A
- FIBER CEMENT TRIM, REFER TO RETAIL SHEETS & EXTERIOR FINISH SCHEDULE.
- N/A
- DOOR/SCREEN LIGHTING, REFER TO ELECTRICAL DRAWINGS, PROVIDE 150mm x 150mm FIBER CEMENT TRIM AT JUNCTION BOX  
ONLY AT EXISTING LOCATION.
- N/A
- CORNERED CORNICE BAND, REFER TO EXTERIOR FINISH SCHEDULE.
- DECORATIVE BAND BY EXH COMPANY MOUNTED ON THE WALL, SUPPLIED & INSTALLED BY G.E. REFER TO DECORATIVE BAND  
SCHEDULE.
- PREPARED METAL FLASHING BY EXH COMPANY SUPPLIED & INSTALLED BY G.E. REFER TO FINISH SCHEDULE G.E. TO SUPPLY SUD  
WOOD BRICKING AS SCHEDULE.

## EXTERIOR FINISH SCHEDULE

| PRODUCT                 | MANUF.         | TYPE & COLOUR   | SUPPLIER/CONTACT   |
|-------------------------|----------------|---|--|
| PREPARED METAL FLASHING | FIRESTONE      | FLASHING AT EXISTING AND NEW LOW PARAPETS: COLOUR: MIDDLEBURY BROWN.<br>FLASHING AT NEW HIGH PARAPETS: COLOUR: TERRA TAN.<br>FLASHING AT LOW BENCH: COLOUR: TERRA TAN.<br>FLASHING AT STONE FASE: COLOUR: BENCHMORQUE<br>DEEP PONDSETT  | CONTACT: CHISEL-HUTTEN<br>TELEPHONE: 1-800-355-1388                      |
| FIBER CEMENT BOARD      | HEXPER         | CELESTIAL FIBER CEMENT BOARD<br>H.C. 17MM L. 1.50MM THICKNESS - 15MM<br>TONGUE & GROOVE JOINTS - 15MM<br>DEEP PONDSETT  | CONTACT: JET HUISTEN<br>TELEPHONE: 1-878-473-3073<br>FAX: 1-779-860-8007 |
| FIBER CEMENT TRIM       | HEXPER         | ACQUINITY BENCH<br>H.C. 17MM L. 1.50MM THICKNESS - 15MM<br>TONGUE & GROOVE JOINTS - 15MM<br>DEEP PONDSETT   | PRODUCT DETAILS & SPEC<br>FOLLOW AT<br>WWW.HEXPER.COM/CANADA/EN          |
| FIBER CEMENT CORNER     | HEXPER         | ACQUINITY BENCH<br>H.C. 17MM L. 1.50MM THICKNESS - 15MM<br>TONGUE & GROOVE JOINTS - 15MM<br>DEEP PONDSETT   | CUSTOMER SERVICE -<br>1-800-234-1541                                     |
| CORNER BAND             | CANAMOULD      | CORNER BAND-BT-001<br>AT LAP Joints: COLOUR: DEEP PONDSETT<br>AT STONE FASE: COLOUR: TERRA TAN<br>PAINT: BENCHMORQUE - 15MM-20 DEEP PONDSETT  |  |
| ACRYLIC STUCCO FINISH   | BENAMOUR       | COLOR TO MATCH BENCHMORQUE H.C. 15 MIDDLEBURY<br>BROWN<br>TEXTURE MATCH EXISTING  |  |
| ACRYLIC STUCCO          | DRYVIT SYSTEMS | COLOR TO MATCH BENCHMORQUE H.C. 15 MIDDLEBURY<br>BROWN<br>TEXTURE MATCH EXISTING  | DRYVIT SYSTEMS CANADA LTD.<br>1-800-428-9326                             |
| DECORATIVE BENCHMORQUE  | STERLANT       | PRE-APPROVED SPECIFICATIONS BY TOL  | STERLANT - (905) 274-1872  |
| AWNING                  | 10-0743824     | SUBSTRATE: PAINTED 150 G/G CANOPUSQUE VINYL<br>FILM - ALTERNATE STAINING (150 G/G) USED CAST IN<br>COLOUR TILES & TILES - BENCHMORQUE WHITE FINISH<br>COVERED<br>FRAME: ALUMINUM WELDED FRAME PAINTED TO MATCH<br>CLEAR ANODIZED FINISH INSTALLED WITH ALUMINUM "Z"<br>BRACKETS TO BUILDING FACADES |  |
| BRICK STAIN             | BARNAUT        | ACQUINITY BENCH<br>H.C. 17MM L. 1.50MM THICKNESS - 15MM<br>TONGUE & GROOVE JOINTS - 15MM<br>DEEP PONDSETT   | FOR TECHNICAL<br>1-800-355-1388 EXT. 131                                 |
| CHALKING                | FRANKLIN       | CHALKING TO MATCH MIDDLEBURY BROWN - #4621<br>CHALKING TO MATCH TERRA TAN - #4621<br>CHALKING TO MATCH DEEP PONDSETT - #4621  | CUSTOMER SERVICE<br>1-800-477-4557                                       |
| METAL PAINT             | BENCHMORQUE    | ALL METAL PAINT TO BE BENCHMORQUE MIDDLEBURY<br>BROWN UP ON EXISTING BRICK WITH FINISH COATS  |  |

## ISSUE TABLE

| No. | Date     | Description             |
|-----|----------|-------------------------|
| 1   | DATE     | DESCRIPTION             |
| 2   | 06/10/13 | CHECKSET REVIEW         |
| 3   | 06/10/13 | ISSUED FOR BLDG. PERMIT |
| 4   | 06/10/13 | ISSUED FOR CONSTRUCTION |
| 5   | 06/10/13 | ISSUED FOR EXHAUST ON/P |

## REVISIONS

| No. | Date | Description |
|-----|------|-------------|
| 1   | DATE | DESCRIPTION |
| 2   | DATE | DESCRIPTION |
| 3   | DATE | DESCRIPTION |
| 4   | DATE | DESCRIPTION |
| 5   | DATE | DESCRIPTION |

## CHANGING REVISED AS PER DESIGN BULLETIN

| No. | Date | Description |
|-----|------|-------------|
| 01  | DATE | DESCRIPTION |

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON THE SITE

Architect

**P. ILOVICK**  
ARCHITECT LTD.

3707 1st AVENUE  
BURNABY, BRITISH COLUMBIA  
V5C 3V6 E-MAIL: p.lovick@p.lovick.com  
tel: 604-298-3700 fax: 604-298-6081  
Member of the ABC Member of the SAA  
Member of the IBCS Member of the A.A.  
Certified Professional

Architectural Seal

Project

**Tim Hortons**

Save Type

MODEL 2550

Location

RESTAURANT #100463  
RN. #00711  
2980 ISLAND HIGHWAY N.  
NANAIMO, BC

Drawing Title

EXTERIOR  
ELEVATIONS

Drawn

EH

Checked

P.J.

Scale

1:50

Date

AUGUST 2013

Project No.

# 100463

Drawing No.

A5.0





# City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2013-NOV-4

AUTHORED BY: DAVE STEWART, PLANNER  
PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP221 – 5101 RUTHERFORD ROAD

### STAFF RECOMMENDATION:

That Council direct Staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP221 at 5101 RUTHERFORD ROAD.

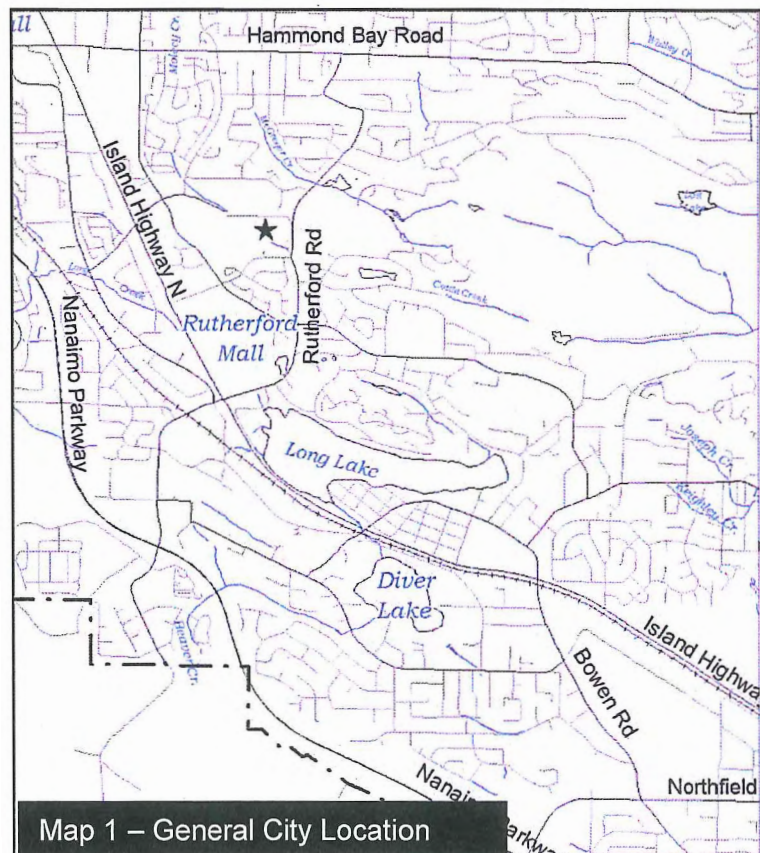
### PURPOSE:

The purpose of this report is to seek Council authorization to vary the lot depth requirement for a number of lots within the proposed subdivision which is to be located at 5101 Rutherford Road.

### BACKGROUND:

A development variance permit application has been prepared by INSIGHT HOLDINGS LTD., on behalf of SCHOOL DISTRICT 68 to vary the provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500", in order to permit a 34 lot, small lot subdivision. The project is a continuation of the City's partnership with School District 68 on implementing the land exchange project.

A Statutory Notification must take place prior to Council's consideration of the approval of the variance.



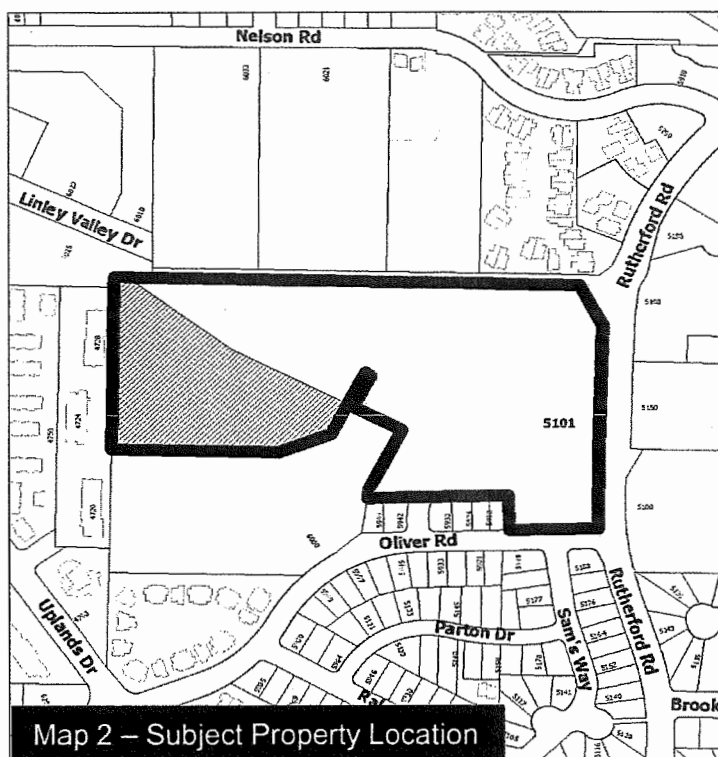
☐ Council  
☒ Committee of the Whole  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2013-NOV-04

### *Subject Property*

The subject property is located immediately to the north of Oliver Woods Community Centre and between Rutherford Road to the east, and existing and proposed multiple family housing to the west. (see 'Map 1 – General City Location' and 'Map 2 – Subject Property Location').

The subject property has a total lot area of 8.4 ha. Approximately 6.0 ha will be transferred from the School District to the City for parkland and future road dedication. The existing wetland and riparian area boundary are included within the proposed park portion of the site.

On 2013-OCT-28 the proposed park area was rezoned through Zoning Amendment Bylaw 4500.045 (RA317) for use as a nature park. The remaining 2.4 ha was also rezoned through the same bylaw, from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) Zone to support a 34 lot, small lot subdivision. The proposed development site is located within the southwest portion of the site (as shown within the shaded area of 'Map 2 – Subject Property Location'), abutting Oliver Woods Community Centre.



### DISCUSSION:

#### *Proposed Development*

As part of the School District/City land exchange the School District plans to retain the 2.4 ha parcel as a development site. The school district has entered into a preliminary agreement with Insight Holdings, to develop the site for a 34 lot, small lot, single dwelling residential subdivision.

The proposed subdivision will be accessed from Linley Valley Drive to the northwest. Proposed lot sizes range from 599 m<sup>2</sup> to 328 m<sup>2</sup>. The proposed lots will be located between the wetland area to the north and northeast, and Oliver Woods Park to the south. In order to ensure the required 15 m aquatic buffer area for the wetland is included entirely within the proposed park area, the depths of the proposed lots have been reduced. Of the proposed lots, 22 out of 34 will require lot depth variances. All of the proposed lots exceed the minimum required lot area and frontage requirements for the R2 Zone, and in Staff's opinion include a workable building envelope. The proposed subdivision layout is identified in Attachment A.

#### *Required Variances*

Zoning Bylaw 4500 requires a lot depth of 28 m for R2 zoned lots which do not abut a laneway. The applicant is requesting the following lot depth variances as shown within the following table:



| Lot Number | Proposed Lot Depth (m) | Variance Required (m) |
|------------|------------------------|-----------------------|
| 1          | 24.2                   | 3.8                   |
| 3          | 27.9                   | 0.1                   |
| 4          | 27.0                   | 1.0                   |
| 5          | 26.4                   | 1.6                   |
| 6          | 26.3                   | 1.7                   |
| 7          | 26.4                   | 1.6                   |
| 8          | 26.1                   | 1.9                   |
| 9          | 25.5                   | 2.5                   |
| 10         | 25.4                   | 2.6                   |
| 11         | 26.8                   | 1.2                   |
| 12         | 27.2                   | 0.8                   |
| 13         | 27.8                   | 0.2                   |
| 14         | 27.9                   | 0.1                   |
| 16         | 27.6                   | 0.4                   |
| 17         | 24.5                   | 3.5                   |
| 18         | 24.1                   | 3.9                   |
| 19         | 25.8                   | 2.2                   |
| 26         | 25.1                   | 2.9                   |
| 27         | 25.5                   | 2.5                   |
| 29         | 24.8                   | 3.2                   |
| 31         | 25.3                   | 2.7                   |
| 32         | 27.2                   | 0.8                   |

Respectfully submitted,

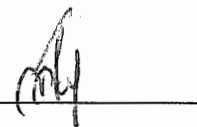


B. Anderson, MCIP  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker, MCIP  
DIRECTOR  
PLANNING



T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

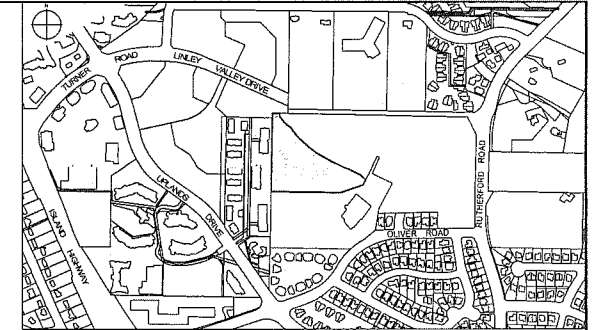
I concur with the Staff recommendation.

DS/lb

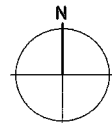
Drafted: 2013-OCT-18

\\Tent\TempestDocs\PROSPERO\PLANNING\DEVVARPERMIT\DVP00221\DVP-CNCLRPT.DOCX

# ATTACHMENT A



KEY PLAN  
N.T.S.



## SITE STATISTICS

PROPOSED ZONE: R2  
DEVELOPMENT VARIANCE  
LOT DEPTH REQUIRED 20m  
LOT DEPTH PROPOSED 24m

PROJECT: OLIVER WOODS  
SMALL LOTS  
CLIENT: INSIGHT  
HOLDINGS LTD.

DRAWING: DEVELOPMENT LAYOUT

DATE: MAY 10/13  
SCALE: 1:400  
DRAWN: CH  
FILE: 12135-3  
SHEET: 1 OF 1

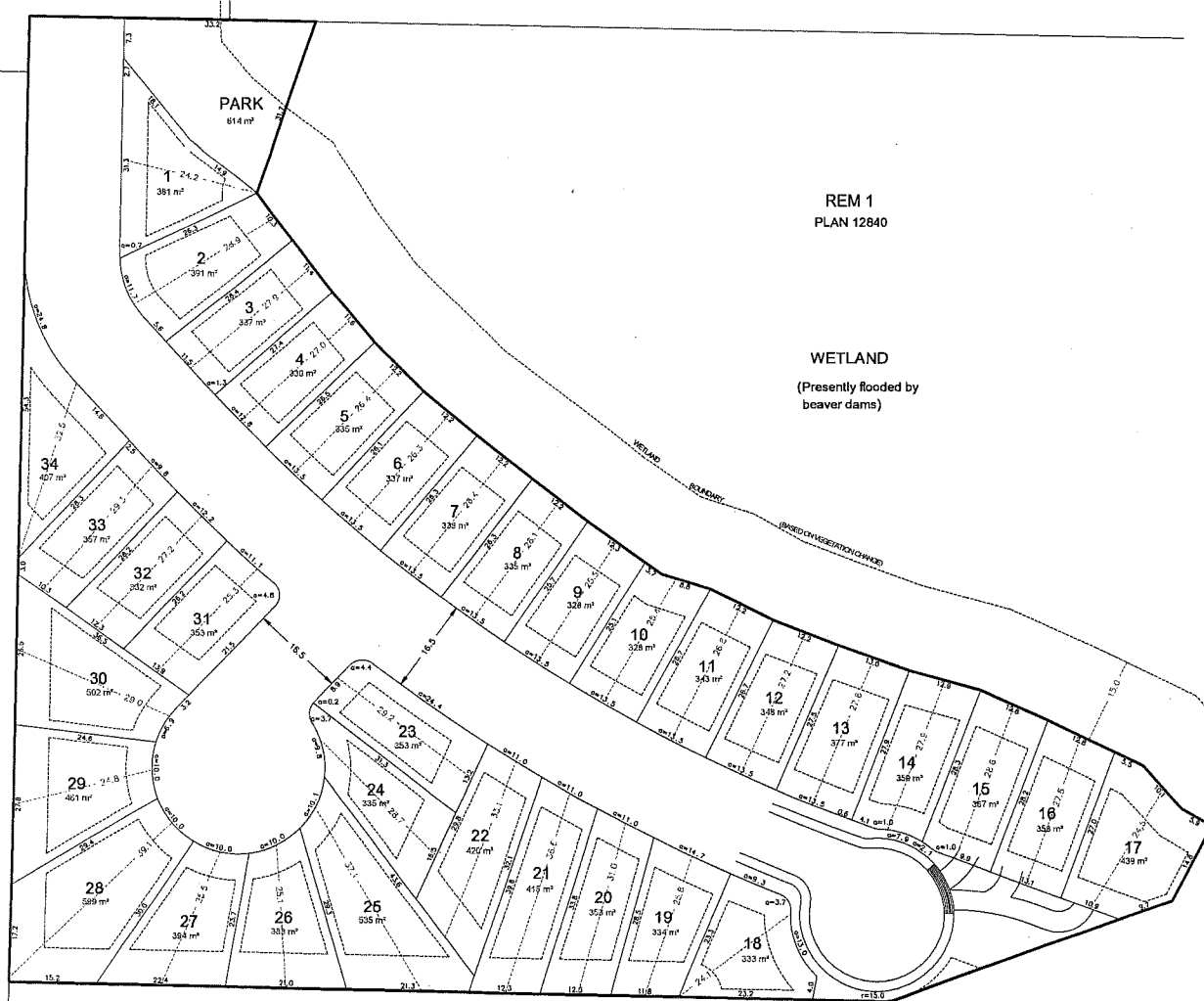
**WILLIAMSON & ASSOCIATES**  
PROFESSIONAL SURVEYORS  
3008 BARNES ROAD KANAKAK B.C. V0T 4H5  
PHONE: (250) 756-7133 FACSIMILE (250) 756-7124  
EMAIL: INFO@WASURV.COM

REVISIONS  
MAY 10/13 FIRST ISSUE  
JUNE 07/13 AMEND TO 10M FRONTAGE  
OCT. 18/13 ADD PARK AT NORTH END  
OCT. 28/13 ADDED LOT DEPTHS

OLIVER WOODS  
(PARK)

REM 1  
PLAN 12840

WETLAND  
(Presently flooded by  
beaver dams)



# City of Nanaimo

## REPORT TO COUNCIL

**DATE OF MEETING:** 2013-NOV-04

**AUTHORED BY:** GARY NOBLE, DEVELOPMENT APPROVAL PLANNER  
PLANNING & DESIGN SECTION

**RE:** DEVELOPMENT VARIANCE PERMIT NO. DVP222  
- 6010 and 6016 TWEEDSMUIR CRESCENT

### STAFF RECOMMENDATION:

That Council direct staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP222 at 6010 and 6016 TWEEDSMUIR CRESCENT.

### PURPOSE:

The purpose of this report is to seek Council authorization to vary the lot depth provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500", in order to permit a 4 lot subdivision.

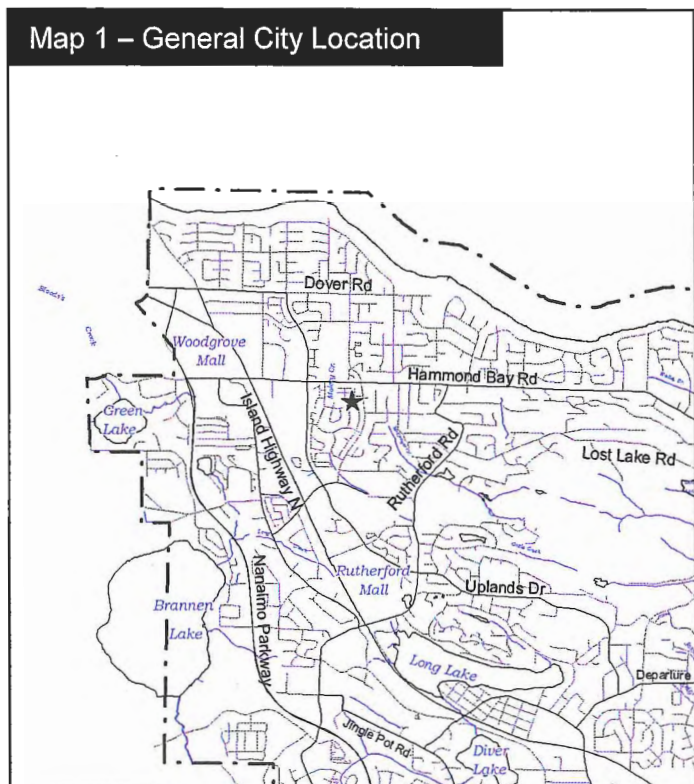
### BACKGROUND:

A development variance permit (DVP) application was received from Mr. Jim Routledge on behalf of ROUTLEDGE FLOORS LTD., to vary the provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500", to permit a 4 lot, single dwelling residential, small lot (R2) subdivision.

The lot depth for an R2 zoned lot is 28 m. The proposed subdivision will result in the two large lots (both fronting Kenning Place and Tweedsmuir Crescent) being divided into four lots. Three lots will have reduced lot depths, whereas one lot meets the required minimum lot depth.

A Statutory Notification must take place prior to Council's consideration of the approval of the variance.

Map 1 – General City Location



☒ Council  
☒ Committee of the Whole  
☒ Open Meeting  
☒ Camera Meeting  
Date: 2013. NOV. 04

## Subject Property

The subject property is located in an established residential neighbourhood. The predominantly single family residential neighbourhood known as Parkwood is bounded by Turner Road to the east, Glacier Way to the south, Hammond Bay Road to the north and Uplands Drive to the west (See 'Map 1 – General City Location' and 'Map 2 – Subject Property Location').

Existing Lot 6 has a lot area of 715.1 m<sup>2</sup>, and existing Lot 7 has a lot area of 597.6m<sup>2</sup>.

## DISCUSSION:

### *Proposed Development*

The applicant completed the rezoning of Lots 6 and 7 to R2 on 2013-SEP-23. The applicant is now proposing to subdivide the two subject properties into a 4 lot, small lot subdivision. The four proposed lots exceed the minimum lot area of 325 m. The lot areas are as follows:

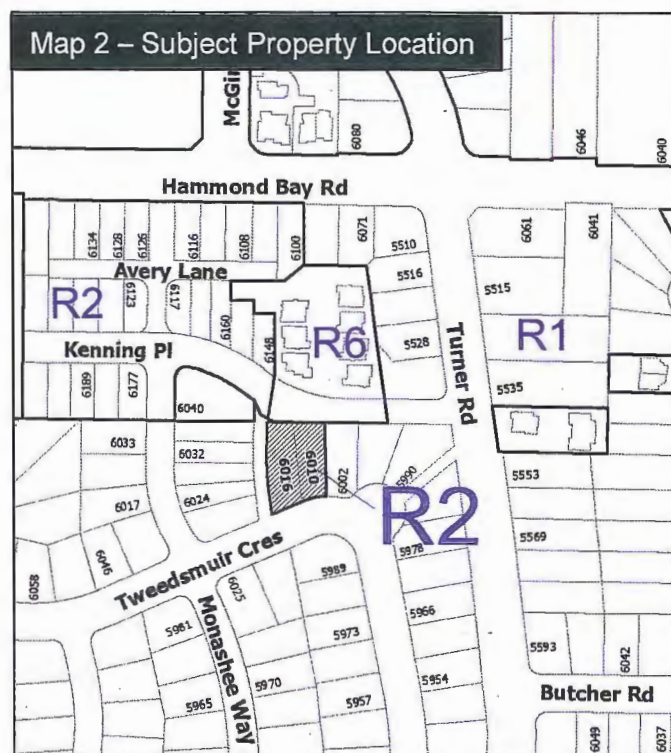
| Proposed Lot No. | Required Lot Area  |
|------------------|--------------------|
| 1                | 331 m <sup>2</sup> |
| 2                | 327 m <sup>2</sup> |
| 3                | 327 m <sup>2</sup> |
| 4                | 327 m <sup>2</sup> |

Three of the four proposed small lots require the minimum lot depth to be varied. The minimum lot depth for Lots 1 and 4, *without lanes* is 28 m. The minimum lot depth for Lots 2 and 3, *with lanes* is 24 m. The summary of variances is as follows:

| Lot No. | Required Lot Depth | Actual Lot Depth | Required Variance |
|---------|--------------------|------------------|-------------------|
| 1       | 28 m               | 21.1 m           | 6.9 m             |
| 2       | 24 m               | 22.0 m           | 2.0 m             |
| 3       | 24 m               | 24.4 m           | 0 m               |
| 4       | 28 m               | 19.4 m           | 8.6 m             |

The proposed subdivision will allow Lots 2 and 3 to have lane access.

The applicant's Letter of Rationale is attached as Attachment A. The proposed subdivision plan is shown as Attachment B.



*Required Variances*

*Lot Depth*

- Section 7.4.1 of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" requires a minimum lot depth of 28 m for lots without a lane and requires a minimum lot depth of 24 m for lots with a lane. The lot depth variances are as follows:

*Proposed Lots 1 and 4, without lanes*

- The proposed lot depth of Lot 1 is 21.1 m, a proposed variance of 6.9 m.
- The proposed lot depth of Lot 4 is 19.4 m, a proposed variance of 8.6 m.

*Proposed Lot 2 with a lane*

The minimum lot depth for lots with a lane within an R2 zone is 24 m.

- The proposed lot depth of Lot 2 is 22 m, a proposed variance of 2 m.

Respectfully submitted,

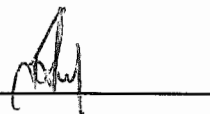


B. Anderson, MCIP  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker, MCIP  
DIRECTOR  
PLANNING



T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the Staff recommendation.

DS/lb

Drafted: 2013-OCT-25  
Prospero attachment: DVP00222  
GN/lb

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**VARIANCE RATIONALE  
6010 & 6016 TWEEDSMUIR CRESCENT**

A shorter lot depth variance is necessary in this case to facilitate creation of 4 building lots. The lots meet size requirements, variance is only with respect to depth. The development would respond to not meeting the regular requirement by utilizing innovative and interesting home design. Creative and efficient planning will be applied to ensure full functionality and maintain a high standard of form and character.

## 30





## REQUEST TO APPEAR AS A DELEGATION

ON 2013 - Nov. - 04  
year month day

RECEIVED



### COUNCIL

(at 7:00 p.m. in the Shaw Auditorium, 80 Commercial Street)

NOV - 1 2013



### COMMITTEE OF THE WHOLE

(at 4:30 p.m. in the Shaw Auditorium, 80 Commercial Street)

LEGISLATIVE SERVICES

|  |  |                     |                                     |
|--|--|---------------------|-------------------------------------|
| NAME OF PERSON MAKING PRESENTATION: <u>JOE LYCHAK</u><br>Print |  |                     |                                     |
| ADDRESS: _____<br>street address                               |  | <u>NAN.</u><br>City | <u>B.C.</u><br>Province             |
| PHONE: _____<br>home   |  | business            | FAX: _____                          |
| EMAIL ADDRESS: _____   |  |                     |                                     |
| NAME OF APPLICANT IF OTHER THAN ABOVE: _____                   |  |                     |                                     |
| DETAILS OF PRESENTATION:                                       |  |                     |                                     |
| <u>BYLAW. 7/26</u>   |  |                     |                                     |
|  |  |                     |                                     |
|  |  |                     |                                     |
| <input type="checkbox"/> Council                               |  | Agenda Item         | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> Committee of the Whole     |  | Delegation          | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Open Meeting               |  | Proclamation        | <input type="checkbox"/>            |
| <input type="checkbox"/> In-Camera Meeting                     |  | Correspondence      | <input type="checkbox"/>            |
| Meeting Date: <u>2013-NOV-04</u>                               |  |                     |                                     |

### PLEASE NOTE

- Audio/Visual presentations must be provided on a CD or by e-mail no later than 12:00 noon on the Friday preceding a Meeting.
- Please submit a written copy of your presentation to the Recording Secretary either at, or prior to, the Meeting.
- Multiple speakers on a single issue or topic shall be given 5 minutes each to make their presentations as per Section 18 of the Council Procedure Bylaw.

Legislative Services Department  
455 Wallace Street, Nanaimo BC V9R 5J6

30.1

Phone: (250) 755-4405  
Fax: (250) 755-4435  
legislativeservices.office@nanaimo.ca



# City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2013-NOV-04

AUTHORED BY: ALAN KEMP, URBAN FORESTRY COORDINATOR

RE: NEW TREE MANAGEMENT AND PROTECTION BYLAW

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### STAFF RECOMMENDATION:

That Council receive the report pertaining to the "TREE MANAGEMENT AND PROTECTION BYLAW 2013 NO. 7126".

### PURPOSE:

The purpose of this report is to advise Council on the updates and changes to the existing Tree Management and Protection Bylaw and to seek support for the adoption of the new Bylaw (Attachment A). Providing Council supports the proposed changes, the Bylaw will be brought forward at the next Council meeting for first Three Readings.

### BACKGROUND:

In 2005, the Parks Recreation and Culture Master Plan recognized the need for an Urban Forest Strategy. Work on this document began in 2007, which was presented to the public in draft form at three open house events in June of 2008. The feedback from these open houses and a successful questionnaire was included in a final draft for presentation to the Parks Recreation and Culture Commission. In 2010, Council adopted the Urban Forest Management Strategy, which created a comprehensive document including guiding principles and seven working modules. The seventh module, Planning and Enforcement, includes a recommendation to update the existing Tree Management and Protection Bylaw.

The current "TREE MANAGEMENT AND PROTECTION BYLAW 2013 NO. 4695" was adopted in August 1993. Since that time, there have been no amendments to the Bylaw. As noted above, in 2010, Council adopted the Urban Forest Management Strategy, which directed that Bylaw No. 4695 be reviewed as it had become clear that there was a need to update the Bylaw to better reflect modern standards of arboriculture, development processes, public expectations, provincial legislation and current Council policy.

The review and drafting of the proposed Bylaw was done "in house" under the supervision of the Urban Forestry Coordinator. The review included precedent research of other tree management Bylaws from comparable jurisdictions within Canada and specifically British Columbia. Valuable input received through the development of the Urban Forest Management Strategy helped inform the process and the drafting of the proposed Bylaw. The Bylaw has been reviewed by all City departments as well as the City Solicitor. Staff are comfortable that the Bylaw reflects the direction provided through the public processes during the development of the Urban Forest Strategy and responds to the issues and challenges that had been identified by City Arborists through their administration of the current Bylaw over the past 20 years.

Once the final draft of the Bylaw was developed, it was then presented to the Development Process Review Committee and the Advisory Committee on Environmental Sustainability.

☒ Committee of the Whole  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2013 NOV 04

## DISCUSSION:

As noted in the Urban Forest Management Strategy, a Tree Management Bylaw is key to the protection of Nanaimo's Urban Forest and, in order to be effective, the current Bylaw needs to be updated. The proposed Bylaw includes the following substantive changes from the existing Tree Management and Protection Bylaw:

- The exemption section has been expanded to more clearly define activities where a permit is not required. For example, under the previous Bylaw there were only five exemptions, such as the removal of hazard trees, trees on managed forest lands, trees on parcels less than 0.2 hectares, trees located on City property where removals were required for construction or repair and, lastly, the removal of four non-significant trees on any parcel of land in a calendar year. The Draft Bylaw includes the following additional exemptions; intersection sight line pruning, scheduled tree maintenance by City staff or their contractors, trees in a commercial tree farm or nursery operation, hedge pruning, utility line clearing and the removal of a dead tree.
- Tree Permit removal criteria has been added as previously there were no terms of reference. Prohibitions and exemptions were defined in the previous Bylaw, but not the criteria required for a Tree Removal Permit. For example:
  - the tree has been determined to be a hazard tree that cannot be mitigated by pruning or other practical means; and
  - the removal of the tree is expressly authorized to permit development authorized under a Building Permit or Development Permit.
- The Tree Permit Application requirements have been greatly expanded to better encompass all aspects of the application process. The proposed Bylaw now provides detailed information on all requirements of an application, whether for a single family home or a development site, which would include a detailed Tree Management Plan. This section also provides clarity on replacement requirements such as amounts required, species and options where replacement on site is not practical. Application forms and Permit information have been edited and expanded to reflect these changes.
- A Tree Permit Approval and Conditions section has been added as there were no terms of reference for the conditions of approval. For example:
  - An owner who has been issued a Permit must notify the Director prior to commencing any work authorized by the Permit and upon completion of the work authorized by the permit.
  - Where a permit is issued to prune or remove a tree or trees, all pruned or cut materials must be removed from the site and the site must be cleaned up and left safe within thirty (30) days of completion or cessation of the work.
- Replacement of Trees: The existing Bylaw only recommended replacement species but had no quotas or criteria for replacement, such as 1 for 1 or 2 for 1 replacement. In the proposed Bylaw, this is now clearly defined. Replacement options have also been expanded to give better options to clients. For example:
  - Schedule G gives options for street and natural area plantings dependent on size. Examples are: Less than 300mm – 1 replacement for a street tree. 100 to 151mm – 2 replacements for natural areas.
  - Schedule H provides guidelines for replacement ratios, planting space, species and size for replacements in Watercourse Leave Strips, Steep Slope and similar Development Permit Areas, Character Protection and Tree Protection Zones and other areas.

- **Security Deposit for Replacement or Retention Trees:** This section has been added as previously there was no provision for a security deposit. This gives the City a mechanism to ensure a replacement or retention process is successful. For example:
  - The security deposit shall be equal to 120% of the value of all the replacement trees or retained trees, site restoration and clean up measures required by the City of Nanaimo.
  - 50% of the value of the security shall be withheld for the first year, commencing after the landscape installation has been completed, inspected and approved by the City, and 10% for the second year to ensure the replacement or retention is successful.
- **Permit fees,** which are now prescribed in Schedule E of the proposed Bylaw, are proposed to be increased for the first time since the adoption of the existing Bylaw 20 years ago. The application fee has been increased from \$25 to \$50, which is consistent with most municipalities in British Columbia. The price per tree has increased from \$2 to \$10 per tree, with the exception of significant trees. Previously, there was no extra charge for the removal of a significant tree. There will now be a \$100 charge for the removal of a significant tree, which is more reflective of the values attached to these trees.
- **Penalty:** Introduction of a fine schedule is a critical addition to the Bylaw. Under the conditions of the existing Bylaw, it has been difficult to deal with illegal tree cutting as any violation required a court process. The new document sets out a fine schedule, whereby the City can write a ticket for lesser offences. Examples of the fines schedule are:
  - Cut any tree (without permit)                      \$500.00
  - Work contrary to tree permit                      \$250.00
  - Damage trunk or branches                      \$250.00
  - Failure to clean up site                      \$300.00
- **Other changes of interest within Schedules:**
  - **Heritage Trees:**
    - Recognition of the 60 English Oaks on the Millstone River bank adjacent to properties on Buttertubs Drive, Adams Avenue and Pryde Avenue not previously noted.
    - Loss of seven English Oaks in Buttertubs Marsh due to age and changing water levels.
    - Loss of a row of Western large leaf maples on a private lot at 9 Comox Road due to age.
    - Recognition of Garry Oak collections at Pipers Lagoon, Neck Point Park, Nob Hill Park and two individual significant oaks, one below the Bastion and one adjacent to the Seaplane Terminal on Anchor Way.
    - Recognition of eight London Plane and six Linden trees adjacent to Deverill Square on Irwin and Milton Streets.
  - **Identified Wildlife Trees:**
    - Recognition of one new Bald Eagle nest in an Atlas cedar at 104 Esplanade (Robins Garden site).

Advisory Committee on Environmental Sustainability (ACES)

The ACES reviewed the proposed Bylaw at its meeting of 2013-SEP-11 and received the updates as information.

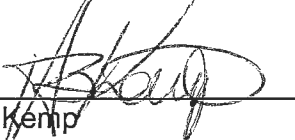
Development Process Review Committee (DPRC)

The DPRC reviewed the proposed Bylaw at its meeting of 2013-SEP-10 and made the following motion "Moved and Seconded" that the presentation be received and the Tree Management and Protection Bylaw be endorsed".

Strategic Plan Considerations:

The 2012-2015 Strategic Plan recognizes environmental responsibility as one of the four pillars of sustainability and identifies the adoption of a revised and updated Tree Management Bylaw as an initiative under this pillar.

Respectfully submitted,

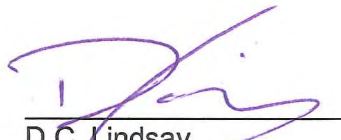


A. Kemp  
URBAN FORESTRY COORDINATOR

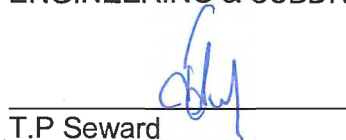
Concurrence by:



D. Mousseau  
MANAGER  
ENGINEERING & SUBDIVISION



D.C. Lindsay  
ACTING DIRECTOR  
DEVELOPMENT



T.P. Seward  
ACTING GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-SEP-25  
G:/DEVSUB/COUNCIL REPORTS  
AK/hd/jm

# ATTACHMENT A

## CITY OF NANAIMO

### BYLAW NO. 7126

#### A BYLAW FOR THE MANAGEMENT AND PROTECTION OF TREES WITHIN THE CITY OF NANAIMO

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WHEREAS a Council may, in accordance with the *Community Charter*, regulate, prohibit and impose requirements in relation to trees;

WHEREAS a Council may, pursuant to Heritage Conservation provisions of the *Local Government Act* designate trees that Council considers to have cultural or historical value;

WHEREAS a Council may, pursuant to the *Wildlife Act* of British Columbia, designate trees that Council considers valuable as wildlife habitat;

WHEREAS Council's objective is to ensure the long term sustainability of the trees within Nanaimo's urban forest and the preservation of existing trees as a priority;

NOW THEREFORE the Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the "Management and Protection of Trees Bylaw 2013 No. 7126".

2. Interpretation

In this Bylaw, unless the context otherwise requires:

|                             |   |
|-----------------------------|---|
| "Bylaw Enforcement Officer" | means a person or persons appointed from time to time by resolution of the City Council pursuant to Section 36 of the <i>Police Act</i> , to enforce regulatory bylaws of the municipality. |
| "Boulevard Tree"            | means a tree planted on the boulevard beside the sidewalks managed by either the property owner or the City of Nanaimo.   |
| "Branch"                    | means the lateral secondary woody growth originating from the stem of a tree.   |
| "Building Permit"           | means a permit required by the City of Nanaimo for any construction, alteration, reconstruction, demolition, removal or relocation of any building or structure.                            |

|                                    |   |
|------------------------------------|---|
| "Certified Arborist"               | means a person certified by the International Society of Arboriculture or the National Arborist Association as an Arborist.   |
| "City"                             | means the City of Nanaimo.  |
| "City Tree"                        | means any tree located on property owned or in the control of the City including a street tree, a Boulevard Tree and a median tree.   |
| "Cut"                              | means to cut down, kill or remove a tree by any means and without limiting the generality of the foregoing includes the topping of a tree or stem of a tree.  |
| "Dbh"                              | means diameter of a stem at 1.4 metres off the ground.  |
| "Diseased or Damaged Tree Limbs"   | means a tree limb identified by a qualified person that may be considered to be a potential hazard to people or property or a significant risk to the health of other trees in the immediate future.                        |
| "Development Permit Area" or "DPA" | an area of land designated as such in an Official Community Plan of the City.   |
| "Director"                         | means the person or persons appointed from time to time by Council as the Director of Development and any duly authorized designate of the Director.  |
| "Drip Line"                        | means a line on the ground around the stem of a tree directly beneath the ends of the outermost twigs and branches of a tree.   |
| "Fire Interface Tree"              | means a tree designated and listed in Schedule J of this Bylaw.   |
| "Guide For Plant Appraisal"        | means the standard guide for tree appraisals as published by the International Society of Arboriculture and authored by representatives of the Council of Tree and Landscape Appraisers.                                    |
| "Hardscape"                        | includes a sidewalk, footpath or other surface installed as a means of public passage or to surface an area of public assembly.   |
| "Hazard Tree"                      | means any tree which due to its location, condition, health or any other circumstances has been determined by a Certified Arborist as presenting a hazard to the safety of persons or to the public or to private property. |

|   |  |
|---|--|
| "Hedge"   | means a row of shrubs, bushes or trees planted close together, especially when forming a fence or boundary.  |
| "Heritage Tree"                                 | means a tree designated and listed in Schedule A of this Bylaw.  |
| "Landmark Tree"                                 | means a tree of the genus or species and size outlined in Schedule C of this Bylaw.  |
| "Median Tree"                                   | means a tree growing in a hard or soft surface between traffic lanes.  |
| "Permit"  | means written permission from the Director authorizing the <i>pruning, cutting or removal</i> of one or more trees from a specified parcel of land.  |
| "Protected tree"                                | means: <ul style="list-style-type: none"><li>(a) a City tree;</li><li>(b) a significant tree;</li><li>(c) a tree within a Development Permit Area;</li><li>(d) a tree within an area designated by a covenant to:<ul style="list-style-type: none"><li>(i) protect stability of a slope; or,</li><li>(ii) provide a landscape buffer;</li></ul></li><li>(e) a tree designated to be retained within an area pursuant to an approved development permit landscape plan; or,</li><li>(f) a tree with scientific value.</li></ul> |
| "Protection"                                    | means taking any and all actions necessary to ensure that trees on a parcel of land are not in any way damaged.  |
| "Prune"   | means the removal of living or dead parts of a tree, including branches, in order to reduce size, to maintain shape, health, and flowering or to regulate growth, but does not include topping.  |
| "Provincial Crown Land"                         | means Crown Land under the administration and control of Her Majesty in right of a province or any agency thereof, e.g. DL56 / Newcastle Island / Brannen Lake Correctional Centre.  |
| "Qualified Environmental Professional" or "QEP" | means an applied scientist or technologist, registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association. The applicable professional may be a professional Biologist, Agrologist, Forester, Geoscientist, Engineer, or Technologist.   |

|   |   |
|---|---|
| "Registered Professional Forester" or "RPF" | means a person who is registered under the <i>Foresters Act</i> .   |
| "Replacement Tree"                          | means any tree, regardless of size, that is shown on a tree management or landscape plan, as a replacement for a tree which has been removed or damaged on the same property.   |
| "Retained Tree"                             | means a tree not to be cut, removed or damaged.   |
| "Riparian areas"                            | means the areas of land and vegetation adjacent to watercourses that need to remain in a largely undisturbed state in order to maintain healthy watercourse environments, as defined in DPA 1 of the Official Community Plan as amended from time to time.  |
| "Scientific Value"                          | <p>means a tree may be considered to be of scientific value when it:</p> <ul style="list-style-type: none"><li>(a) is evidence of the former range limits or extent of the species or an ecological community; or,</li><li>(b) is endangered or vulnerable species that is endemic to the territory or local region now reduced in range or abundance; or,</li><li>(c) demonstrates a likelihood of providing information which will contribute significantly to a wider understanding of natural history by virtue of its use as a research site, teaching site, type locality or benchmark site; or,</li><li>(d) is of botanical or genetic value and is not well represented elsewhere in the City; or,</li><li>(e) significant habitat element for a threatened native species.</li></ul> |
| "Significant Tree"                          | means any tree that is of particular significance to the City, due to size, age, landmark value, overall cultural, ecological, heritage or social impact, scientific value, and any tree that is protected as wildlife habitat for an egg or nest as defined in the <i>Wildlife Act</i> and has been listed in Schedules A, B or C.   |
| "Stem"                                      | means the main ascending axis of a woody plant.   |
| "Steep slope"                               | means land, in its natural state, that has a slope angle of 20% or greater.   |
| "Street Tree"                               | means a tree planted within the public right-of way in a hardscape (sidewalks) managed by the City of Nanaimo.  |



|                        |   |
|------------------------|---|
| "Subdivision"          | means the process of dividing a parcel of land into two or more parcels under the <i>Land Title Act</i> or the division of land into strata lots under the <i>Strata Property Act</i> .   |
| "Top" or "Topping"     | means the removal of crown branches and main leader to stubs or lateral branches that are not large enough to assume the terminal role.   |
| "Tree"                 | means a living native or non-native, living self-supporting perennial woody plant, including native shrubs, that is a species of coniferous or deciduous genus where the diameter of tree stem is six (6) cm or more and is capable of reaching a mature height of 4.5 m or greater within its natural range.                         |
| "Tree Management Plan" | means a plan of a parcel of land prepared by or for an owner identifying the trees proposed to be cut or removed, the retained trees, replacement trees and any tree protection area.   |
| "Tree Protection Area" | means an area of treed land to be protected within a development as laid out in a Tree Management Plan.   |
| "Urban Forest Plan"    | means a plan developed to preserve, protect and enhance the green spaces in Nanaimo.  |
| "Wildlife Tree"        | means a tree or dead tree which:<br>(a) contains the nest of an eagle, peregrine, falcon, gyrfalcon, osprey or heron; or,<br>(b) the nest of a bird not referred to in paragraph (a) when the nest is occupied by a bird or its egg; or,<br>(c) contains a nest of a forest mammal; or,<br>(d) is listed in Schedule B of this Bylaw. |

### 3. Application

This Bylaw applies within the City of Nanaimo.

### 4. Tree Designation

In Schedules A, B, C and J, the City hereby designates the trees listed in:

- (a) Schedule A to this Bylaw as Heritage Trees.
- (b) Schedule B to this Bylaw as Wildlife Trees.
- (c) Schedule C to this Bylaw as Landmark Trees.
- (d) Schedule J to this Bylaw as Fire Interface Trees.

5. Prohibitions

- (1) No person shall carry out any of the following activities in respect of a tree without first obtaining a Permit issued by the Director for that purpose:
- (a) cut any tree or suffer any tree to be cut;
  - (b) undertake any activity contrary to any permit conditions;
  - (c) cut or damage the roots of a tree inside the drip line;
  - (d) place fill, building materials or asphalt or deposit concrete washout or other liquid or chemical substances or any other materials harmful to a tree on land inside the drip line of a tree;
  - (e) operate trucks, backhoes, bobcats, excavators or other construction equipment over the roots of a tree inside the drip line;
  - (f) dent, gouge or damage the trunk or branches of a tree;
  - (g) remove bark from a tree;
  - (h) construct or place a building or structure on land inside the drip line of the tree;
  - (i) remove soil from land inside the drip line of a tree, except that a person may remove a small quantity of soil if the act of doing so is not likely to damage the health of the tree;
  - (j) blast inside the drip line of a tree or blast outside the drip line so as to damage roots or disturb soil inside the drip line;
  - (k) undermine the roots inside the drip line;
  - (l) cable or brace a tree for purposes other than tree support and protection;
  - (m) top or prune a tree except as permitted under section 6(1) of this Bylaw;
  - (n) attach a sign to a tree.

6. EXEMPTIONS

- (1) Notwithstanding Section 5, a person may cut or remove a tree, other than a protected tree, without first obtaining a Permit if:
- (a) a Certified Landscape Horticulturist or Certified Arborist has determined that a tree, tree limb or root is diseased, damaged or hazardous and:
    - (i) prior to any removal or pruning written approval from the Director has been received;
    - (ii) the removal or pruning is undertaken using standard arboricultural practices; and
    - (iii) if a significant tree is removed, another tree is planted as required by this Bylaw.
  - (b) the tree is located on lands to which the *Private Managed Forest Land Act* applies;
  - (c) the tree is a City tree and the pruning or removal by the City is required to facilitate the repair of City works or to correct intersection sight lines;
  - (d) the tree is a City tree and the work is being done as part of a tree maintenance schedule by the City or one of its contractors;
  - (e) the tree is cultivated as part of commercial tree farms or nursery operations;
  - (f) the cutting and removal of trees is undertaken by a BC Land Surveyor cutting survey lines which have a width of less than 2 m and the trees are not a protected tree or trees growing in riparian assessment areas;

- (g) an owner is removing or pruning an existing hedge located on their parcel of land;
  - (h) an owner is removing a tree other than a significant tree from that owner's parcel of land, to a maximum total of four (4) trees in a calendar year on their parcel of land (this exemption is void where a subdivision or other development permit has been applied for);
  - (i) the tree is affecting overhead utility lines and pruning operations are not considered practical; as determined by a Certified Arborist.
  - (j) the tree is dead; or,
  - (k) pruning is carried out as part of the customary care and maintenance of a tree using standard arboricultural practices.
- (2) In addition to the powers of the Director under Section 11, the Director may refuse approval under subsection (1) if the Director considers that the hazard presented by the tree can reasonably be addressed in some way other than tree removal.

## 7. EMERGENCY REMOVAL

- (1) Emergency removal of a hazard tree or branches as the result of a weather event or motor vehicle accident is permitted without a permit if the removal is undertaken using standard arboriculture practices and:
- (a) an owner notifies the City within forty-eight (48) hours of the removal; and
  - (b) an owner replaces such tree or trees as required in accordance with the requirements of this Bylaw.

## 8. TREE PERMIT REMOVAL CRITERIA

The Director may approve removal of a tree when one or more of the following criteria have been met:

- (1) the tree has been determined to be a hazard tree and at risk of failure that cannot be mitigated by pruning or other practical means;
- (2) the tree is endangering the health or stability of other trees;
- (3) the tree is interfering with or inhibiting the normal development of a more desirable tree;
- (4) the tree poses an extreme public nuisance or hazard due to its species, size, location or position;
- (5) the tree's removal has been approved as part of a park plan;
- (6) the tree is impeding the development of highways, utilities, public works or facilities;

- (7) the removal of the tree is expressly authorized or reasonably necessary to permit development authorized under a building permit or development permit and is not a retained tree or a tree within a tree protection area.

9. TREE PERMIT APPLICATIONS

- (1) The owner of a parcel of land shall make application for a permit on forms, as provided for this purpose, by the City of Nanaimo.
- (2) An application for a permit and Tree Management Plan shall be reviewed by the Director to ensure compliance with the Official Community Plan.
- (3) The City of Nanaimo shall make application for a permit prior to the removal of trees for its own development purposes.
- (4) The owner must provide with the application, a Tree Management Plan which clearly indicates the species, size and locations of the trees to be removed and retained. The plan must also show in detail how the retained trees will be protected. (See Tree Removal Permit application requirements for details.)
- (5) An application for a permit and all supporting drawings and documents shall become the property of the City.
- (6) When an application for a permit is submitted, the City may inspect all trees on the parcel of land that are to be removed or retained for verification of species, location, size, condition or impact.
- (7) If an application is received proposing that one or more protected trees are to be cut during the course of the development of a parcel of land, the Director may authorize removal of such trees subject to submission of a Tree Management Plan with the application that indicates trees will be replaced with species in accordance with Schedule H of this Bylaw.
- (8) Where the application for a permit is to facilitate the subdivision of a parcel of land, the owner shall submit to the Director a Tree Management Plan which shall provide for:
  - (a) the protection or replacement of all protected trees on the parcel of land or an approved replanting plan of appropriate urban trees on or near the site such as an adjacent park, boulevard or median strip, and
  - (b) the protection of at least 20% of the trees on the parcel of land exclusive of any area set aside for the park dedication, pursuant to the provisions of the *Local Government Act*, when the parcel of land to be subdivided is greater than 0.5 ha (1.0 acre) in size, and
  - (c) the replanting of one tree per lot, for single-family and duplex dwellings, not before and within six (6) months following the issuance of an Occupancy Permit, in accordance with a Tree Management Plan approved by the Director.

- (9) An application for a Permit to facilitate the logging of commercial timber shall not be granted if the parcel is subject to an application for rezoning or development and the outcome of the rezoning or development process could affect the logging or Tree Management Plan.
- (10) An owner applying for a permit to facilitate logging of commercial timber on a parcel of land 0.5 ha or greater in size, shall provide information through a Tree Management Plan prepared by a Registered Professional Forester on the logging methods and measures for the protection of trees which are to be retained on the parcel of land.
- (11) A Tree Management Plan developed to facilitate the issuance of a permit to facilitate logging of commercial timber on a parcel of land under subsection (10) shall include provision for the retention of at least 20% of the trees 6 cm or more in diameter on the parcel of land over a five (5) year period as well as the replanting of forest seedlings in accordance with a reforestation plan approved by the Director.
- (12) An application for a Permit to facilitate development shall not be considered until completion of logging operations and expiry of the Tree Removal Permit.
- (13) Every application for a permit in respect to a Steep Slope Area shall be accompanied by a report prepared by a qualified geotechnical engineer, at the applicant's expense, to ensure that the proposed tree removal will not create a danger from flooding, erosion, landslip or avalanche.

10. Tree Permit Approval and Conditions

- (1) A permit which has been issued under this Bylaw may not be assigned or transferred to any other person except with the consent of the Director and under the following conditions:
  - (a) the person applying for the transfer of the permit is an owner of the parcel of land in respect of which the permit has been issued;
  - (b) the person to whom the permit was issued is not in breach of any condition of the permit or any provision of this Bylaw; and,
  - (c) the person seeking transfer of the permit has paid to the City of Nanaimo a permit transfer fee as required pursuant to Section 16 of this Bylaw.
- (2) An owner who has been issued a permit must notify the Director prior to commencing any work authorized by the permit and upon completion of the work authorized by the permit.
- (3) An owner who has been issued a permit must notify the Director of any work that cannot be carried out in accordance with the permit.
- (4) The owner must clearly mark in a manner satisfactory to the Director by methods such as flagging tape, tree tags or surveyor's paint, all trees that the owner is applying to remove prior to the issuance of the permit.

- (5) Where a permit is issued to prune a tree, the owner shall ensure that the tree is pruned in accordance with proper arboricultural / horticultural practices.
- (6) Where a permit is issued to prune or remove a tree or trees, all pruned or cut materials must be removed from the site and the site must be cleaned up and left safe within thirty (30) days of completion or cessation of the work.
- (7) Where a permit has expired, all work permitted under the permit must cease until the owner applies for and obtains a new permit.
- (8) The Director has authority to impose conditions in a permit as reasonably required to effectively administer this Bylaw in accordance with the *Community Charter*, based on the review of the application and all supporting drawings and documents.

#### 11. Tree Removal Refusals

- (1) The Director may refuse an application for the cutting or removal of a tree if the purpose is to:
  - (a) maintain or enhance view corridors;
  - (b) prevent a City tree or a tree on Provincial Crown Land from shading areas on private property;
  - (c) cut or remove a City tree or a tree on Provincial Crown Land due to issues with leaf, flower or seed litter; or,
  - (d) cut or remove a tree in contravention of the Development Permit Area Guidelines as defined in the City's Official Community Plan.
- (2) The Director may refuse an application for the cutting or removal of a tree if this would cause a breach of the City's obligations under the Riparian Areas Regulation.

#### 12. Expiry, Renewal and Revocation of Permits

- (1) All permits expire after 12 months from the date of issuance.
- (2) A permit may be renewed under the following conditions:
  - (a) the permit holder applies for renewal of the permit prior to the expiry date of the issued permit;
  - (b) an application for renewal shall be subject to all bylaw requirements that are in effect at the time of the renewal application.
- (3) The Director may revoke a permit where:
  - (a) there is a contravention of any provision of this Bylaw;
  - (b) there is a contravention of any term or condition under which the Permit was issued;
  - (c) the permit was issued on the basis of incorrect information supplied by the applicant;

- (d) in the case of a permit to permit the logging of a parcel of land, where the applicant failed to prepare a Tree Management Plan required by this Bylaw.
- (4) The owner shall be notified in writing of the revocation of the permit.
- (5) The owner shall not be entitled to recover permit fees originally paid in the case of a revocation or an expired permit.

13. Replacement of Trees Unlawfully Removed

- (1) An owner must replace every tree that is removed contrary to this Bylaw as prescribed pursuant to Schedule G of this Bylaw.

14. Replacement of Trees

- (1) A tree replacement:
  - (a) shall be in accordance with Schedules D and G – Tree Replacement, and Schedule H in the case of a protected tree to which section 9 (7) applies;
  - (b) in the case of a silviculture operation to which this Bylaw applies, includes replacement with forest seedlings in accordance with a reforestation plan prepared by a Registered Professional Forester; and,
  - (c) include substitute species replacement under Schedule D Option 1 and 2 only where the original species is not available or practical and the substitution is approved by the City.

- (2) Where any person:
  - (a) cuts down a tree or allows a tree to be cut down contrary to the provisions of this Bylaw or a tree cutting permit; or,
  - (b) cuts down a protected tree, with or without a permit;

and is required to plant one or more replacement trees pursuant to this Bylaw, the person must submit a Tree Management Plan to the Director. (See Schedules D, G and H for replacement guidelines.)

- (3) The Tree Management Plan required under subsection (2) must include a detailed and comprehensive maintenance agreement.
- (4) Where a person is required to plant one or more replacement trees pursuant to this Bylaw, the person must provide security as required pursuant to Section 15 of this Bylaw.
- (5) Where replacement trees are required in relation to a development, the number of trees required to be replaced may be reduced by the number of trees proposed in a Landscape Plan approved by the City included as part of a development permit.

15. Security Deposit for Replacement or Retention Trees

- (1) Where replacement trees or retained trees are required as a condition of a permit or as a consequence for cutting or removing trees without a permit, or damaging trees beyond repair, or cutting or removing trees in excess of the number allowed by the permit, the owner or person responsible for the cutting, removal or damage shall provide to the City a security deposit and the security deposit:
  - (a) shall be in the form of a cash deposit or an automatically renewable, irrevocable letter of credit drawn upon a chartered bank in the form acceptable to the City of Nanaimo;
  - (b) shall be equal to 120% of the value of all the replacement trees or retained trees, site restoration and clean up measures required by the City of Nanaimo. Replacement trees or retained trees, restoration and clean up values shall be estimated by a Qualified Environmental Professional, Certified Arborist or Landscape Architect having reference to the *Guide for Plant Appraisal* or similar reference.
- (2) 50% of the value of the security shall be withheld for the first year, commencing after the landscape installation has been completed, inspected and approved by the City and 10% for the second year to ensure the replacement or retention is successful.
- (3) Should the permit holder fail to comply with the terms and conditions of a permit or a requirement of this Bylaw, the City of Nanaimo may enter the property and perform the necessary work, and may retain all or a portion of the security deposit to cover the cost of the work.

16. Fees

- (1) The fees for applications, permits, transfers and renewals shall be prescribed in Schedule E of this Bylaw.
- (2) Notwithstanding subsection (1), a person who cuts or removes a tree without holding a permit must pay a fee equal to twice the amount of the fee payable otherwise.
- (3) The City is exempt from fees.

17. Reconsideration

- (1) If a decision is made by the Director with regards to the issuance or refusal of a permit, the owner has a right to have Council reconsider the matter.
- (2) If an owner would like Council to reconsider a decision, the owner shall deliver written notice to the Corporate Officer within fourteen (14) days of receiving notice of the decision.



- (3) The owner shall be notified by the Corporate Officer of the date that Council will reconsider the decision.
- (4) Council may confirm, overturn or modify the decision of the Director.

18. Penalty

- (1) A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than ten thousand dollars(\$10,000) and not less than the fines prescribed in Schedule F of this Bylaw, the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* (British Columbia) or the *Offence Act* (British Columbia) as amended from time to time.
- (2) Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

19. Enforcement

- (1) The Director and bylaw enforcement officers are authorized to enforce this Bylaw and for that purpose, to enter onto real property in accordance with the *Community Charter*.

20. Schedules

- (1) The following Schedules attached to and forming a part of this Bylaw are:
  - (a) Schedule A – Identified Heritage Trees
  - (b) Schedule B – Identified Wildlife Trees
  - (c) Schedule C – Landmark Trees – Native Trees of Nanaimo
  - (d) Schedule D – Landmark Tree Replacement
  - (e) Schedule E – Fees
  - (f) Schedule F – Fines
  - (g) Schedule G – Street and Natural Areas Tree Replacement
  - (h) Schedule H – Regulations for Protected Tree Replacement
  - (i) Schedule I – Tree Removal Guidelines
  - (j) Schedule J – Fire Interface Trees

21. Severability

- (1) If any section, subsection, sentence or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, it shall not affect the validity of the remaining parts of this Bylaw or the validity of this Bylaw as a whole.

22. Repeal

- (1) City of Nanaimo "Tree Protection Bylaw 1993 No. 4695" and all amendments thereto are hereby repealed.

PASSED FIRST READING \_\_\_\_\_  
PASSED SECOND READING \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

## SCHEDULE A

### IDENTIFIED HERITAGE TREES

Trees that Council considers important to the community for heritage value.

| SPECIES  | NO.        | ADDRESS (or abbreviated Legal Description)  |
|--|------------|---|
| Pseudotsuga menziesii<br>(Douglas Fir)         | 2          | Pipers Lagoon (Hammond Bay/Chinook)   |
|  | Collection | Bowen Park ( <i>original trees cannot be distinguished from others</i> )  |
|  | 2          | Lot 1, Plan 34409 (5890 Waldbank Road)  |
|  | 5          | Sealand Park  |
|  | 3          | Rosstown Road, Blvd. 2474, 2498, 2502   |
| Sequoiadendron<br>giganteum<br>Sierra Redwood  | 1          | 480 Caledonia Avenue  |
|  | 1          | 3255 Stephenson Point Road  |
| Quercus robur<br>(English Oak)                 | 4          | 577 Sixth Street<br>Strata P.L. 519, Lots 1-24 (Howard Avenue)  |
|  | 19         | Row from Jingle Pot to Third Street – R/A+<br>Addison Road Blvd or Lot 3, Plan 35726, VIP 71816<br>1780, 1900 Jingle Pot Road<br>Lot 1, Plan 28980 (Buttertubs Marsh) |
|  | 3          | 165 Pryde Avenue, Rem. Sec. 13, Range 8   |
|  | 3          | Seventh Street and Howard Avenue (2 Blvd)   |
|  | 3          | Sixth Street at Howard Avenue, adj 577 Sixth Street   |
|  | 60         | Millstone River Bank south and east side (from Pryde to Bowen) – <i>ownership uncertain</i>   |
|  |            |   |
| Chamaecyparis<br>lawsoniana<br>(Lawson-Cyprus) | 2          | 461 Albert Street, Lot 14, Blk 16, Plan 584   |
| Acer macrophyllum<br>(Big Leaf Maple)          | 4          | 911 Comox Road  |
| Catalpa bignoniodes<br>(Indian Bean Tree)      | 1          | 129 Milton Street   |
|  | 1          | 321 Wesley Street   |

| SPECIES   | NO.        | ADDRESS (or abbreviated Legal Description)                                 |
|---|------------|--|
| Araucaria araucana<br>(Monkey Puzzle Tree<br>or Chilean Pine) | 1          | 225 Vancouver Avenue   |
|   | 1          | 536 Kennedy Street   |
|   | 1          | 330 Machleary Street   |
|   | 1          | 120 Victoria Road  |
|   | 1          | 100 Cameron Road (Museum)  |
| Robinia pseudoacacia<br>(Black Locust or False<br>Acacia)     | Collection | Third Street blvd, adj to Vancouver Island University)                     |
|   | 7          | 324 Howard Avenue (Third Street)   |
| Fagus sylvatica<br>atropunicea<br>(Copper Beech)              | 1          | 126 Mount Benson Street  |
| Trachycarpus fortunei<br>(Windmill Palm)                      | 1          | 897 Howard Avenue  |
| Castanea sativa<br>(Spanish Chestnut)                         | 1          | 745 Townsite Road  |
| Albizzia julibrissin<br>(Mimosa or Silk Tree)                 | 1          | 522 Victoria Road  |
| Juglans nigra<br>(Black Walnut)                               | 1          | 215 Newcastle Avenue   |
| Aesculus<br>hippocastanum<br>(Chestnut)                       | 1          | Lot 1, Plan 14199 – Corner of 575 Albert Street and<br>510 Prideaux Street |
| Robins Gardens –<br>selection of tree genera                  |            | Lots 1 – 8, Blk 2, Plan 584<br>1150 Milton Street                          |
| Quercus garryana<br>(Garry Oak)                               | Collection | Neck Point Park  |
|   | Collection | Pipers Lagoon Spit   |
|   | Collection | Nob Hill Park  |
|   | 1          | Below Bastion, Lot A, P.L. 44834<br>94 Front Street                        |
|   | 1          | By Lighthouse Bistro, part of Blk 56<br>40 Anchor Way                      |

| <b>SPECIES</b>  | <b>NO.</b>  | <b>ADDRESS (or abbreviated Legal Description)</b>                      |
|---|-------------|--|
| Thuja plicata<br>(Native Red Cedar or<br>Western Cedar) | 3<br>1<br>2 | Bowen Park<br>Lot 1, Plan 34409 Waldbank Road<br>Sealand Park          |
| Abies grandis<br>(Grand Fir)                            | 6           | Bowen Park   |
| Tsuga heterophylla<br>(Western Hemlock)                 | 1           | Bowen Park   |
| Populus trichocarpa<br>(Western Black Poplar)           | 1           | Charlaine Boat Ramp  |
| Pinus ponderosa<br>(yellow)<br>(Yellow Pine)            | 1           | 150 Townsite Road (Vancouver Avenue blvd)                              |
| Ulmus glabra<br>(Camperdown Elm, or<br>Wych Elm)        | 1           | 555 Bowen Road   |
| Platanus x acerifolia<br>(London plane)                 | 8           | 200 Irwin Street and Milton Street adjacent to<br>Deverill Square Park |
| Tilia cordata<br>(Linden tree)                          | 6           | 200 Irwin Street and Milton Street adjacent to<br>Deverill Square Park |

**SCHEDULE B**  
**IDENTIFIED WILDLIFE TREES**

**Trees that Council considers important to the community as wildlife habitat.**

**Bald eagle (BAEA), Great blue heron (GBHE)**

| <b>REFERENCE<br/>NUMBER</b>                  | <b>TREE SPECIES</b>  | <b>LOCATION</b>            | <b>WILDLIFE</b>   |
|--|--|----------------------------|-------------------|
| BAEA-105-115                                 | <i>Douglas fir</i>   | 6695 Seabold Road          | <i>Bald eagle</i> |
| BAEA-105-114                                 | <i>Douglas fir</i>   | 6294 Icarus Drive          | <i>Bald eagle</i> |
| BAEA-105-113                                 | <i>Douglas fir</i>   | 6258 Icarus Drive          | <i>Bald eagle</i> |
| BAEA-105-305                                 | <i>Douglas fir</i>   | 6166 Icarus Drive          | <i>Bald eagle</i> |
| BAEA-105-112                                 | <i>Douglas fir</i>   | 6098 Icarus Drive          | <i>Bald eagle</i> |
| BAEA-105-111                                 | <i>Douglas fir</i>   | 5890 Waldbank Road         | <i>Bald eagle</i> |
| BAEA-105-038<br>BAEA-105-039<br>BAEA-105-040 | <i>Douglas fir</i><br><i>Douglas fir</i><br><i>Douglas fir</i> | 6100 Driftwood Place       | <i>Bald eagle</i> |
| BAEA-105-110                                 | <i>Douglas fir</i>   | 5410 Bayshore Drive        | <i>Bald eagle</i> |
| BAEA-105-037                                 | <i>Douglas fir</i>   | 5398 Bayshore Drive        | <i>Bald eagle</i> |
| BAEA-105-036<br>BAEA-105-078                 | <i>Douglas fir</i>   | 3947 Gulfview Drive        | <i>Bald eagle</i> |
| BAEA-105-109                                 | <i>Douglas fir</i>   | 1055 Morningside Drive     | <i>Bald eagle</i> |
| BAEA-105-035                                 | <i>Douglas fir</i>   | 970 Morningside Drive      | <i>Bald eagle</i> |
| BAEA-105-101                                 | <i>Douglas fir</i>   | 3455 Stephenson Point Road | <i>Bald eagle</i> |
| BAEA-105-100                                 | <i>Douglas fir</i>   | 3455 Stephenson Point Road | <i>Bald eagle</i> |
| BAEA-105-079                                 | <i>Douglas fir</i>   | 250 Dogwood Road           | <i>Bald eagle</i> |
| BAEA-105-029                                 | <i>Douglas fir</i>   | 501 Duke Point Hwy         | <i>Bald eagle</i> |
| BAEA-105-332                                 | <i>Douglas fir</i>   | 501 Duke Point Hwy         | <i>Bald eagle</i> |
| BAEA-105-333                                 | <i>Douglas fir</i>   | 501 Duke Point Hwy         | <i>Bald eagle</i> |
| BAEA-105-030                                 | <i>Douglas fir</i>   | 501 Duke Point Hwy         | <i>Bald eagle</i> |
| BAEA-105-060                                 | <i>Douglas fir</i>   | 1140 Hooker Road           | <i>Bald eagle</i> |
| BAEA-105-059                                 | <i>Douglas fir</i>   | 1150 Hooker Road           | <i>Bald eagle</i> |
| BAEA-105-065                                 | <i>Douglas fir</i>   | 1180 Phoenix Way           | <i>Bald eagle</i> |
| BAEA-105-058                                 | <i>Douglas fir</i>   | 1060 Phoenix Way           | <i>Bald eagle</i> |
| BAEA-105-032                                 | <i>Douglas fir</i>   | 900 Douglas Avenue         | <i>Bald eagle</i> |

| <b>REFERENCE<br/>NUMBER</b>  | <b>TREE SPECIES</b>  | <b>LOCATION</b>             | <b>WILDLIFE</b>         |
|--|----------------------|-----------------------------|-------------------------|
| BAEA-105-304   | <i>Douglas fir</i>   | 6466 Lewis Road             | <i>Bald eagle</i>       |
| BAEA-105-078   | <i>Douglas fir</i>   | 3947 Gulf View              | <i>Bald eagle</i>       |
| BAEA-105-108   | <i>Douglas fir</i>   | 3600 Place Road             | <i>Bald eagle</i>       |
| BAEA-105-307   | <i>Douglas fir</i>   | ROW Bonnie Drive            | <i>Bald eagle</i>       |
| BAEA-105-033   | <i>Douglas fir</i>   | 150 Dogwood Road            | <i>Bald eagle</i>       |
| BAEA-105-313   | <i>Douglas fir</i>   | 2243 Arbot Road             | <i>Bald eagle</i>       |
| BAEA-105-308<br>BAEA-105-309   | <i>Douglas fir</i>   | 3945 Biggs Road             | <i>Bald eagle</i>       |
| BAEA-105-061   | <i>Douglas fir</i>   | N Jack Point (central)      | <i>Bald eagle</i>       |
| BAEA-105-341   | <i>Douglas fir</i>   | N Jack Point (water)        | <i>Bald eagle</i>       |
| BAEA-105-062   | <i>Douglas fir</i>   | S Jack Point                | <i>Bald eagle</i>       |
| BAEA-105-063   | <i>Douglas fir</i>   | Biggs Point- Jack Point     | <i>Bald eagle</i>       |
| BAEA-105-031   | <i>Douglas fir</i>   | 1141 Frew Road – estuary    | <i>Bald eagle</i>       |
| BAEA-105-339   | <i>Douglas fir</i>   | 1560 Island Hwy S - estuary | <i>Bald eagle</i>       |
| BAEA-105-059   | <i>Douglas fir</i>   | Jackson Road                | <i>Bald eagle</i>       |
| BAEA-105-102   | <i>Douglas fir</i>   | Leask Road                  | <i>Bald eagle</i>       |
| BAEA-105-057   | <i>Douglas fir</i>   | Dodd Narrows (South)        | <i>Bald eagle</i>       |
| BAEA-105-106   | <i>Douglas fir</i>   | 960 Phoenix Road            | <i>Bald eagle</i>       |
| BAEA-105-064   | <i>Douglas fir</i>   | 732 Maughan Road            | <i>Bald eagle</i>       |
| BAEA-105-080   | <i>Douglas fir</i>   | 1390 Fielding Road          | <i>Bald eagle</i>       |
| BAEA-105-330   | <i>Douglas fir</i>   | 48 Cutlass Lookout          | <i>Bald eagle</i>       |
| New location   | <i>Cedrus libani</i> | 104 Esplanade               | <i>Bald eagle</i>       |
| BAEA-105-326<br>BAEA-105-327   | <i>Douglas fir</i>   | 86 Captain Morgans Blvd     | <i>Bald eagle</i>       |
| BAEA-105-070<br>BAEA-105-071<br>BAEA-105-072<br>BAEA-105-073<br>BAEA-105-323<br>BAEA-105-324 | <i>Douglas fir</i>   | Newcastle Island            | <i>Bald eagle</i>       |
| GBHE-105-031   |                      | 5414 Lost Lake Road         | <i>Great blue heron</i> |
| GBHE-105-009   |                      | 3669 Rock City Road         | <i>Great blue heron</i> |
| GBHE-105-021   |                      | 2140 Departure Bay Road     | <i>Great blue heron</i> |
| GBHE-105-007   |                      | 11 Capt. Kidds Terrace      | <i>Great blue heron</i> |
| GBHE-105-037   |                      | 140 Tenth Street            | <i>Great blue heron</i> |
| GBHE-105-025   |                      | 1105 Old Victoria Road      | <i>Great blue heron</i> |

List not comprehensive

## SCHEDULE C

### LANDMARK TREES NATIVE TREES OF NANAIMO

Trees that Council considers important to the community for landmark value.

| <b>TREE</b>   | <b>STATUS</b>   | <b>SIZE OF TREE DIAMETER<br/>FOR RETENTION</b> |
|---|-----------------|--|
| Western White Pine<br>( <i>Pinus monticola</i> )              | Very Uncommon   | 20 cm +  |
| Shore Pine<br>( <i>Pinus contorta</i> vari. <i>contorta</i> ) | Fairly Common   | 20 cm +  |
| Sitka Spruce<br>( <i>Picea sitchensis</i> )                   | Very Uncommon   | 80 cm +  |
| Western Hemlock<br>( <i>Tsuga heterophylla</i> )              | Common          | 50 cm +  |
| Douglas-Fir<br>( <i>Pseudotsuga menziesii</i> )               | Abundant        | 80 cm +  |
| Grand Fir<br>( <i>Abies grandis</i> )                         | Fairly Common   | 80cm +   |
| Western Red-Cedar<br>( <i>Thuja plicata</i> )                 | Common          | 80cm +   |
| Rocky Mountain Juniper<br>( <i>Juniperus scopulorum</i> )     | Uncommon        | 10 cm +  |
| Western Yew<br>( <i>Taxus brevifolia</i> )                    | Uncommon        | 15 cm +  |
| Trembling Aspen<br>( <i>Populus tremuloides</i> )             | Very Uncommon   | 20 cm +  |
| Black Cottonwood<br>( <i>Populus balsamifera</i> )            | Fairly Uncommon | 80 cm +  |
| Pacific Willow<br>( <i>Salix lasiandra</i> )                  | Fairly Uncommon | 15 cm +  |
| Hooker's Willow<br>( <i>Salix hookeriana</i> )                | Very Uncommon   | 15 cm +  |
| Sitka Willow<br>( <i>Salix sitchensis</i> )                   | Fairly Uncommon | 15 cm +  |
| Red Alder<br>( <i>Alnus rubra</i> )                           | Common          | 30 cm +  |
| Garry Oak<br>( <i>Quercus garryana</i> )                      | Fairly Uncommon | 10 cm +  |
| Pacific Crabapple<br>( <i>Malus fusca</i> )                   | Uncommon        | 10 cm +  |
| Black Hawthorne<br>( <i>Crataegus douglasii</i> )             | Uncommon        | 10 cm +  |



| <b>TREE</b>                                    | <b>STATUS</b>   | <b>SIZE OF TREE DIAMETER<br/>FOR RETENTION</b> |
|--|-----------------|--|
| Bitter Cherry<br>( <i>Prunus emarginata</i> )  | Fairly Uncommon | 30 cm +  |
| Bigleaf Maple<br>( <i>Acer macrophyllum</i> )  | Common          | 80cm +   |
| Douglas Maple<br>( <i>Acer glabrum</i> )       | Very Uncommon   | 40 cm +  |
| Cascara<br>( <i>Rhamnus purshiana</i> )        | Fairly Common   | 15 cm +  |
| Pacific Dogwood<br>( <i>Cornus nuttallii</i> ) | Common          | 10 cm +  |
| Arbutus<br>( <i>Arbutus menziesii</i> )        | Common          | 50 cm +  |

## SCHEDULE D

### LANDMARK TREE REPLACEMENT

#### RECOMMENDED REPLACEMENT TREE GENUS AND SPECIES:

| Tree Species Removed                        | Replacement Required                        | Unable to replant with replacement required Option 1               | Unable to replant with replacement required Option 2 |
|---|---|--|--|
| <i>Pinus monticola</i>                      | <i>Pinus monticola</i>                      | <i>Pinus ponderosa</i> - Ponderosa Pine                            | <i>Pinus sylvestris</i> - Scots Pine                 |
| <i>Pinus contorta</i> vari. <i>contorta</i> | <i>Pinus contorta</i> vari. <i>contorta</i> | <i>Pinus nigra</i> - Austrian Pine                                 | <i>Pinus strobus</i> – Eastern White Pine            |
| <i>Picea sitchensis</i>                     | <i>Picea sitchensis</i>                     | <i>Picea abies</i> - Norway Spruce                                 | <i>Picea omorika</i> - Serbian Spruce                |
| <i>Tsuga heterophylla</i>                   | <i>Tsuga heterophylla</i>                   | <i>Pseudotsuga menziesii</i> - Douglas Fir                         | <i>Abies concolour</i> - White Fir                   |
| <i>Pseudotsuga menziesii</i>                | <i>Pseudotsuga menziesii</i>                | <i>Tsuga heterophylla</i> - Western Hemlock                        | <i>Abies concolour</i> - White Fir                   |
| <i>Abies grandis</i>                        | <i>Abies grandis</i>                        | <i>Abies amabilis</i> - Amabilis Fir                               | <i>Pseudotsuga menziesii</i> - Douglas Fir           |
| <i>Thuja plicata</i>                        | <i>Thuja plicata</i>                        | <i>Thuja occidentalis</i> 'Nigra' – Eastern cedar                  | <i>Chamaecyparis nootkatensis</i> - Yellow Cypress   |
| <i>Taxus brevifolia</i>                     | <i>Taxus brevifolia</i>                     | <i>Taxus baccata</i> - English Yew                                 | <i>Taxus cuspidata</i> - Japanese Yew                |
| <i>Populus tremuloides</i>                  | <i>Populus tremuloides</i>                  | <i>Betula utilis</i> 'jacquemontii' – White barked Himalayan birch | <i>Betula papyrifera</i> - White Birch               |
| <i>Populus balsamifera</i>                  | <i>Populus balsamifera</i>                  | <i>Betula utilis</i> 'jacquemontii' – White barked Himalayan birch | <i>Betula papyrifera</i> – White Birch               |
| <i>Salix lasiandra</i>                      | <i>Salix lasiandra</i>                      | <i>Salix alba</i> – White willow                                   | <i>Salix capre</i> – Pussy willow                    |
| <i>Salix hookeriana</i>                     | <i>Salix hookeriana</i>                     | <i>Salix capre</i> - Pussy willow                                  | <i>Salix alba</i> – White willow                     |
| <i>Salix sitchensis</i>                     | <i>Salix sitchensis</i>                     | <i>Salix hookeriana</i> – Hookers willow                           | <i>Salix alba</i> – White willow                     |
| <i>Alnus rubra</i>                          | <i>Alnus rubra</i>                          | <i>Alnus glutinosa</i> – Black alder                               | <i>Fagus sylvatica</i> - Beech                       |
| <i>Quercus garryana</i>                     | <i>Quercus garryana</i>                     | <i>Quercus robur</i> – English oak                                 | <i>Quercus rubra</i> "Red Oak"                       |
| <i>Malus fusca</i>                          | <i>Malus fusca</i>                          | <i>Malus floribunda</i> – Japanese crabapple                       | <i>Pyrus calleryana</i> – Callery pear               |
| <i>Crataegus douglasii</i>                  | <i>Crataegus douglasii</i>                  | <i>Crataegus columbiana</i> - Columbia Hawthorn                    | <i>Crataegus oxyacantha</i> - Hawthorn               |
| <i>Prunus emarginata</i>                    | <i>Prunus emarginata</i>                    | <i>Prunus virginiana</i> - Choke Cherry                            | <i>Prunus padus</i> – common bird cherry             |

| <b>Tree Species Removed</b> | <b>Replacement Required</b> | <b>Unable to replant with replacement required Option 1</b> | <b>Unable to replant with replacement required Option 2</b> |
|-----------------------------|-----------------------------|---|---|
| Acer macrophyllum           | Acer macrophyllum           | Acer platanoides - Norway Maple                             | Acer pseudoplatanus - Sycamore Maple                        |
| Acer glabrum                | Acer glabrum                | Acer circinatum - Vine Maple                                | Acer ginnala - Amur Maple                                   |
| Rhamnus purshiana           | Rhamnus purshiana           | Cornus nuttallii - Western Dogwood                          | Cornus kousa – Kousa dogwood                                |
| Cornus nuttallii            | Cornus nuttallii            | Cornus nuttallii - White Wonder Dogwood                     | Cornus kousa – Kousa dogwood                                |
| Arbutus menziesii           | Arbutus menziesii           | Acer griseum – Paperbark maple                              | Prunus serrula – paperbark cherry                           |

## SCHEDULE E

### FEES

- (1) The minimum charge for a tree permit will be fifty dollar (\$50) (application fee) plus the cost of each tree as indicated below.
- (2) Prior to issuance of a permit, the applicant shall pay the municipality a fee of:
  - (a) Ten dollars (\$10) for each tree of 6 cm Dbh or more, other than a significant tree, to be cut or pruned; and
  - (b) One Hundred dollars (\$100) for each significant tree to be cut or pruned.
- (3) Notwithstanding subsections (1) and (2) of this section, the fee for a permit shall not exceed:
  - (a) Five hundred dollars (\$500) per hectare of land upon which trees are to be cut; or,
  - (b) Twenty-five hundred dollars (\$2500) in total.
- (4) There shall be no fee charged for a permit authorizing the removal of a hazardous tree.
- (5) The fee for transfer of a permit shall be fifty dollars (\$50).
- (6) The fee for renewal of an expired permit shall be fifty dollars (\$50) and may require an updated application.

|   |                    |
|---|--------------------|
| Application Fee – New Permit                      | \$50.00            |
| Trees, other than significant, over 6 cm diameter | \$10.00 each tree  |
| Significant Trees                                 | \$100.00 each tree |
| Permit Transfer Fee                               | \$50.00            |
| Permit Renewal Fee                                | \$50.00            |

## SCHEDULE F

### FINES

Fines for tickets issued pursuant to this Bylaw, shall be as follows:

| <b>DESCRIPTION OF OFFENCE</b>                           | <b>SECTION #</b> | <b>FINE</b> |
|---|------------------|-------------|
| Cut any tree  | 5(1)(a)          | 500.00      |
| Work contrary to tree removal permit conditions         | 5(1)(b)          | 250.00      |
| Cut or damage roots                                     | 5(1)(c)          | 500.00      |
| Place prohibited material inside the drip line          | 5(1)(d)          | 150.00      |
| Operate equipment inside drip line                      | 5(1)(e)          | 250.00      |
| Damage trunk or branches                                | 5(1)(f)          | 250.00      |
| Remove bark   | 5(1)(g)          | 500.00      |
| Place structure inside drip line                        | 5(1)(h)          | 150.00      |
| Remove soil from inside drip line                       | 5(1)(i)          | 150.00      |
| Blast inside drip line                                  | 5(1)(j)          | 500.00      |
| Undermine roots inside drip line                        | 5(1)(k)          | 500.00      |
| Improper cable or brace                                 | 5(1)(l)          | 250.00      |
| Improper pruning or topping                             | 5(1)(m)          | 500.00      |
| Attach sign to tree                                     | 5(1)(n)          | 150.00      |
| Fail to notify within 48 hours                          | 7(1)(a)          | 150.00      |
| Fail to replace tree                                    | 7(1)(b)          | 150.00      |
| Illegal transfer of permit                              | 10(1)            | 150.00      |
| Failure to notify the Director                          | 10(2)            | 150.00      |
| Failure to notify the Director for work not carried out | 10(3)            | 150.00      |
| Failure to mark trees                                   | 10(4)            | 150.00      |
| Failure to prune with proper practices                  | 10(5)            | 150.00      |
| Failure to clean up site                                | 10(6)            | 300.00      |
| Work after expiry of permit                             | 10(7)            | 500.00      |
| Fail to replace tree                                    | 13(1)            | 150.00      |

## SCHEDULE G

### STREET AND NATURAL AREA REPLACEMENT GUIDELINES

A person who cuts or removes a tree, including cutting or removal contrary to the Bylaw, shall replace the tree by planting one or more replacement trees as set out below and maintain the replacement trees for a minimum of at least two years:

- (a) Table 1 in the case of a Street Tree; and,
- (b) Table 2 in the case of other trees

**Table 1**

| Dbh of trees cut or removed | Replacement Criteria |
|-----------------------------|----------------------|
| Less than 300mm             | 1 replacement tree   |
| 301mm to 600mm              | 2 replacement trees  |
| 601mm or greater            | 3 replacement trees  |

**Table 2**

| Dbh of trees cut or removed | Replacement Criteria                     |
|-----------------------------|--|
| 100 mm to 151mm             | 2 replacement trees (min height of 1.5m) |
| 152mm to 304mm              | 3 replacement trees (min height of 1.5m) |
| 305mm to 456mm              | 4 replacement trees (min height >2.0m)   |
| 457mm to 609mm              | 6 replacement trees (min height > 2.0m)  |
| 610mm or greater            | 8 replacement trees (min height 2.0m)    |

**SCHEDULE H**  
**REGULATIONS FOR PROTECTED TREE REPLACEMENT**

| <b>LOCATION</b>                                | <b>SIGNIFICANT TREES (per tree)</b>  | <b>INDIVIDUAL TREES (per tree)</b>   | <b>SPECIES</b>                               | <b>SIZE</b>                                      |
|--|--|--|--|--|
| Watercourse Leave Strip                        | Ratio of replaced/removed trees $\geq 3$ , and minimum density of 1 tree per 10 sq. m over affected area                           | Ratio of replaced/removed trees $\geq 2$ and minimum density of 1 tree per 10 sq. m. over affected area    | Native trees and shrubs                      | Maximum size which is free to grow after 2 years |
| Steep Slope and Similar DPA's                  | Ratio of replaced/removed trees $\geq 2$ , and minimum density of 0.5 trees per 10 sq. m. over affected area                       | Ratio of replaced/removed trees $\geq 1$ and minimum density of 0.5 trees per 10 sq. m. over affected area | Native trees and shrubs                      | Maximum size which is free to grow after 2 years |
| Character Protection and Tree Protection Zones | Sufficient number to provide screening pursuant to the City of Nanaimo Official Community Plan - Nanaimo Parkway Design Guidelines | Sufficient number to provide screening per Nanaimo Parkway Design Guidelines                               | Pursuant to the City of Nanaimo Zoning Bylaw | Pursuant to the City of Nanaimo Zoning Bylaw     |
| Other Areas                                    | Ratio of replaced/removed trees $\geq 1$ or per current Zoning Bylaw regulations   | Current Zoning Bylaw regulations   | Pursuant to the City of Nanaimo Zoning Bylaw | Pursuant to the City of Nanaimo Zoning Bylaw     |

## SCHEDULE I

### TREE REMOVAL GUIDELINES

|                   | Repair and Maintain 1   | Repair and Maintain 2   | Repair and Maintain 3   | Remove  | Remove ASAP  |
|-------------------|---|---|---|---|--|
| General Condition | Fair  | Poor  | Very poor and / or minor indication of poisoning  | Unlikely to recover and/ or indication of mortal poisoning  | Dead   |
| Trunk             | 1 or 2 wounds < diameter of the trunk in any dimension                            | 1 or 2 wounds > diameter but <2x diameter of the trunk in width, or 2-4x diameter in height or 3-5 wounds < diameter but <2x diameter of the trunk in any dimension | 1 wound >2x diameter of the trunk in width, or > 4x diameter but <6x diameter in height or 3-5 wounds > diameter but <2x diameter of the trunk in any dimension | Less than 1/10 of the circumference of bark and cambium alive at any height of 2 or more wounds >2x diameter of the trunk in width, or >4 x diameter in height or biological attack present that will make the tree structurally unsafe within five years | Structurally unsafe due to physical or biological damage                   |
| Branches          | Less than ¼ of branches dead, removed or damaged but acceptable structure remains | ¼ to ½ of branches dead, removed or damaged but acceptable structure remains  | More than ½ of branches dead, removed or damaged but acceptable structure remains or can be developed.  | Branch(es) dead, removed or damaged such that acceptable structure redevelopment is unlikely  | Branch(es) removed or damaged making the tree unstable                     |
| Canopy            | Less than ¼ foliage killed or damaged but should recover within two years         | ¼ to ½ foliage dead or badly damaged, may take more than two years to recover   | More than ½ of foliage dead or badly damaged, may take more than five years to recover  | Most of foliage destroyed, recovery of the tree is unlikely   |  |
| Young Tree        | Loss of less than 25% of roots between circles of radius 5x and 10x DbH of trunk  | Loss of >25% but <50% of roots between circles of radius 5x and 10x DbH of trunk or loss of < 20% of roots within circle of radius 5x DbH of trunk                  | Loss of >50% but <75% of roots between circles of radius 5x and 10x DbH of trunk or loss of >20% but <40% of roots within circle of radius 5x DbH of trunk      | Loss of >75% of roots between circles of radius 5x and 10x DbH of trunk or loss of >40% of roots within circle of radius 5x DbH of trunk  | Tree unstable due to root loss or damage or loss of more than 75% of roots |
| Roots             | Loss of <10% of roots between circles of radius 10x and 15x DbH of trunk          | Loss of >10% but <25% of roots between circles of radius 10x and 15x DbH of trunk   | Loss of >25% but <50% of roots between circles of radius 10x and 15x DbH of trunk or loss <10% of roots between circles of radius 10x DbH of trunk              | Loss of >50% of roots between circles of radius 10x and 15x DbH of trunk or loss of >10% of roots within circle of radius 10x DbH of trunk  | Tree unstable due to root loss or damage or loss of more than 60% of roots |



## SCHEDULE J

### FIRE INTERFACE TREES

The following table indicates some characteristics of flammable versus fire resistant vegetation. Nursery and landscape professionals are a source of information on species appropriate for your area that may also be fire resistant.

| <b>Flammable Vegetation</b>  | <b>Fire Resistant Vegetation</b>  |
|--|---|
| Areas of largely dead vegetation (forest with disease or insect infestation)               | Little or no accumulation of dead vegetation  |
| Resinous plants that produce flammable sap or pitch (e.g. pine or juniper)                 | Non-resinous plants (most other deciduous species)                                    |
| Drought intolerant plants (many shallow rooted or wetland species subjected to drought)    | Drought tolerant plants (e.g. deeply rooted plants with thick heavy leaves)           |
| Trees with lots of lower branches that can "ladder" a ground fire into the crown           | Trees with fewer branches between the ground and the canopy                           |
| High maintenance vegetation (plants that grow or reproduce rapidly such as annual grasses) | Low maintenance vegetation (slow growing plants that require little care)             |
| "Flash Fuel" vegetation (plants that ignite easily and burn rapidly (such as dry grass)    | Plants that require prolonged heating to ignite (those with woody stems and branches) |

# City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2013-NOV-04

AUTHORED BY: ROD DAVIDSON, MANAGER OF PARKING SERVICES  
ASSISTANT MANAGER, BYLAW, REGULATION & SECURITY  
COMMUNITY SAFETY AND DEVELOPMENT

RE: DOWNTOWN PARKING ADMINISTRATION

---

### STAFF RECOMMENDATION:

That Council receive the report.

### PURPOSE:

To provide Council with an update on the administration, enforcement of downtown parking, security and bylaw enforcement.

### BACKGROUND:

On 2013-APR-01 the City of Nanaimo took control of the downtown parking administration and enforcement which was previously managed and staffed by a private contractor. The implementation to date has been successful with overall revenue exceeding forecast targets and expenditures being consistent with overall budget allocations.

### DISCUSSION:

Parking staff includes a manager, four enforcement officers and one parking clerk. These officers and staff have their office and operations centre in the Community Policing and Services Office (CPSO) which is located at 18 Victoria Crescent.

In addition to enforcing the traffic regulations in the downtown core of Nanaimo, the officers have assumed daytime security patrols, relieved the downtown Bylaw enforcement from the overall City Bylaw service area and are acting as City Ambassadors in the downtown area. As forecast, staff have issued fewer violation notices in comparison with 2012, attributed to taking an ambassadorial approach to traffic enforcement and an overall reduction in hours. This has resulted in a 19% decrease in fine revenue compared to 2012.

Overall revenue for the period of April 1 to September 30, 2013 has increased over the same period from last year by \$60,601. This can mainly be attributed to an increased demand for monthly parking permits and parking fees.

☐ Council  
☒ Committee of the Whole  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2013-NOV-04

For the period of April 1 to September 30, 2013, the new Parking Services Department has generated income totalling \$709,722 with expenses of \$708,832 which results in a net profit of \$890 (see Attachment A for a breakdown of Revenue and Expenses).

Expenditures for the period of April 1 to September 30, 2013 were \$708,832 which was an increase over 2012 of \$141,257. The expenses include a transfer of \$155,656 to the Parking Reserve Fund (Attachment A). This increase is attributed to the increase in staffing, including the hiring of a full-time Parking Manager, the purchase of uniforms, renovations done to the CPSO office and training. These costs were anticipated and were included in the 2013 Operating Budget. These additional costs would have been offset by the Fair Wage clause, if the City continued providing this source with a contractor, which would have more than doubled wages paid by the City contractor for their enforcement personnel.

In addition to parking duties our officers have been conducting daily security patrols in the Downtown and Old City Quarter commencing each day at 7:00 a.m. These patrols are conducted 7 days a week and include checking the City parkades, downtown public areas, parks and the Waterfront Promenade. The officers deal with a variety of issues during these patrols that include acting as Ambassadors for the City of Nanaimo. The officers deal with the security issues as they arise and work closely with the outreach programs in assisting with the City's homeless population.

Since taking parking in-house, the City of Nanaimo has also adopted a Bylaw Adjudication system. This initiative has allowed the City to effectively deal with bylaw violation notices outside of the Provincial Court system. Prior to adopting this system, ticket disputes were heard in Provincial Court at a cost of \$1,200 per month. Ticket disputes are now dealt with by a Provincially Appointed Adjudicator and the Adjudication Hearings are held at the Service and Resource Centre, 411 Dunsmuir Street. To date we have held one hearing date with an overall cost of \$500. This cost was also proportionally shared with the City of Parksville who participated in the Adjudication program with ticket disputes from their region.

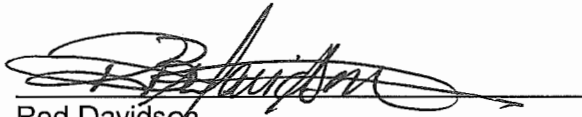
The City Parking Manager has participated in a number of meetings with various Nanaimo stakeholders such as the Downtown Nanaimo Business Improvement Area (DNBIA), the Old City Quarter Residents Association, the Nob Hill Residents Association, the Brechin Hill Area Residents Association and the Nanaimo Regional General Hospital. He has also participated in the Transportation Advisory Committee as requested. This has allowed for an exchange of information and views from the different stakeholders in the formation of future parking management options.

The CPSO has become a central hub for RCMP, Bylaw Enforcement and Parking Administration and created a central location for the public to attend when in need of these services.

The City of Nanaimo and Canadian Union of Public Employees local 401 signed a Letter of Understanding in regards to Downtown Parking Administration. This Letter of Understanding, among other things, specifically excluded the classification of the newly hired Bylaw Officers from articles 27(a) and Article 32 of the Collective Agreement until December 31, 2015. After this date the full provisions of the collective agreement will apply.

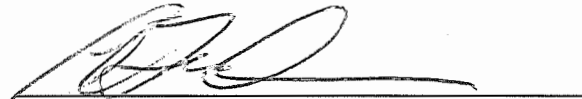
To date, the transition of parking administration has met or exceeded its operational and financial goals and is establishing itself as a positive influence in the downtown core of Nanaimo (Attachments B and C).

Respectfully submitted,



Rod Davidson  
Manager of Parking Services  
Assistant Manager, Bylaw, Regulation and Security

Concurrence by:



Andrew Tucker  
Director of Planning  
Community Safety & Development



Toby Seward  
Acting General Manager  
Community Safety & Development

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-OCT-28  
g:\CPSO\Reports\CouncilReports\2013\RPT20131104DowntownParkingAdministration.docx  
RD/cr

ATTACHMENT A

City of Nanaimo  
 Community Safety and Development - Parking Operations - Dashboard  
 for 6 months, April to September

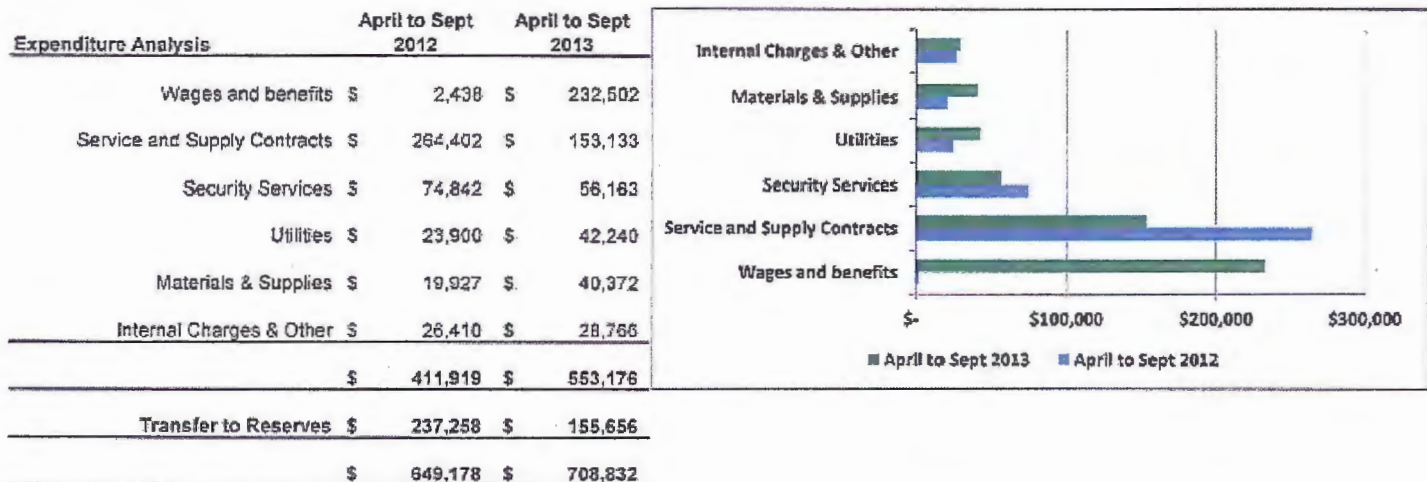
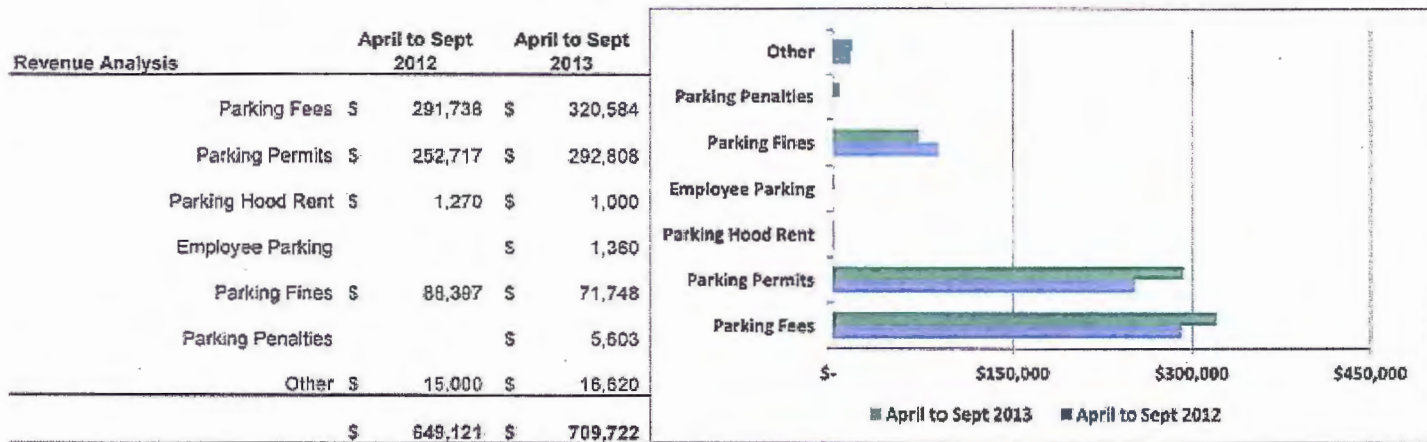
Notes:

The business model for parking services and parking bylaw enforcement changed significantly in 2013

Net annual operating surplus (revenues less expenses) is transferred to a parking reserve, parking reserve \$ are used to fund debt repayment

Revenues and expenditures analysis excludes debt (fully funded from reserves)

FTEs:  
 2012 -  
 2013 6.0 Manager, 4 Bylaw Enforcement Officers, Clerk





ATTACHMENT B



Royal Canadian  
Mounted Police

Gendarmerie royale  
du Canada

Security Classification/Designation  
Classification/désignation sécuritaire

Unclassified

Nanaimo Detachment  
303 Prideaux Street  
Nanaimo, BC V9R2N3

Your File - Votre référence

Our File - Notre référence

City of Nanaimo  
Attention Toby Seward  
General Manager, Community Safety and Development

Date

Dear Sir,

October 17, 2013

**Letter of Recognition – Successful Transition of Parking Services**

I would like to take an opportunity to recognize the successful transition of parking services in the Downtown District from a private contract service to municipal staff.

In 2006, Council initiated discussions on how to create a safer downtown district in Nanaimo. This led to the creation of the Safer Nanaimo (Advisory) Committee that developed policies and strategies to collectively problem-solve the issues of public disorder through a balance of enforcement and social programming.

In partnership with the downtown business association, the city funded co-ordinated private security patrols and ambassador programs to increase perception of personal safety in public areas and to develop social responses that would reduce social exclusion of vulnerable populations.

In the spring of 2013, Bylaw Services took over management and enforcement of downtown parking services, utilizing a team of four uniformed bylaw officers reporting to a parking manager. The new bylaw parking enforcement team works out of the Downtown Policing & Services Office on Victoria Crescent, collectively undertaking the roles of the former ambassador program, security patrols, and Robbin's parking enforcement.

From a policing and public safety perspective, this new service delivery model has been very successful from a number of perspectives;

- Community Policing & Services Office (CPSO) - the original vision of the Safer Committee was to have a downtown office that comprehensively integrated public safety services. The realities of coordinating volunteers, private contracted security, municipal and police services provided to be difficult. By combining many of these roles into the duties of bylaw officers with Peace Officer status supported by an administrative assistant, a framework was developed which provided the security, privacy and continuity necessary to coordinate sensitive enforcement activities. The detachment was able to re-align a member of the bike patrol unit as a permanent liaison to the CPSO in support of the new bylaw team.

Canada

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RCMP GRC 2823 (2002-11) WPT

- The downtown bylaw parking team provide many services beyond the scope of parking enforcement. They are continuous eyes on the street with Peace Officer status enabling them to observe, report, and respond to crime and disorder issues. They are able to quickly and effectively address nuisance problems that affect the enjoyment of property including traffic, parking, street entertainment, noise, aggressive soliciting, obstruction of roads and sidewalks, unsightly and nuisance properties.
- The bylaw parking team have become thoroughly familiar with vulnerable, street-entrenched populations. They quickly identify new individuals in the community, and share information with police who work in partnership with VIHA's homeless and crisis outreach teams to connect individuals at risk to health and support services.
- The bylaw parking team work in close partnership with the Downtown Nanaimo Business Improvement Area (DNBIA). They fulfill important ambassador and goodwill roles, working with downtown businesses and residents to enhance quality of life and vitality downtown. They are intricately networked with other city services to respond to graffiti, maintenance issues, road, parking, and traffic issues. They work with the BIA to assist with parking turnover and flow during peak periods and special events. The parking team provides a visual enforcement presence around public venues including the Port Theatre, Conference Centre and in city parks during major public events. Their team provides representation within the city's graffiti task-force and expertise in crime prevention through environmental design.
- Parking enforcement is conducted in a balanced and equitable manner encouraging orderly flow of street parking and use of parkade facilities. The bylaw team exercise good discretion in dealing with persistent problems while giving latitude for minor offences. This balanced approach leaves visitors with a positive impression of their downtown experience.

The downtown bylaw team provide value-added services well beyond the scope of parking enforcement. They have proven their value as ambassadors for the downtown district and as respected partners to the police in matters of enforcement and public safety.

If you require any further information, please contact Corporal David LaBerge or Constable David Scherr of the Nanaimo Detachment Bike Patrol Unit.

Yours truly,

(Originally signed S. Armstrong Sgt - for)  
A. O'Donnell, Inspector (AOD)  
A/Officer in Charge, Nanaimo Detachment

Canada

RCMP GRC 2623 (2002-11) WPT

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ATTACHMENT C



October 18<sup>th</sup>, 2013

Mayor and Council  
City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J6

Re: DNBIA Support of Community Policing and Services Department

Dear Mayor John Ruttan and Council,

The Downtown Nanaimo Business Improvement Association (DNBIA) is an enthusiastic partner of the City of Nanaimo in the revitalization efforts of downtown Nanaimo. With this in mind, the DNBIA Board of Directors would like to show our support for the direction the City has taken with regard to community policing and parking enforcement downtown.

Since the City has taken over the role of parking enforcement, the DNBIA has noted positive changes that we find favourable to a business friendly downtown. It has been noted that the attitudes of the officers are more up-beat and friendly; that an increased leniency toward first-time offenders and more warnings for Bylaw infractions are given. The DNBIA also supports the reduced hours of enforcement, which the DNBIA finds much more reasonable as we try to establish higher demand for parking in the city centre.

It is our belief that the Community Policing and Services Office share the same goals as the DNBIA. With this in mind, we are committed to continue working with the Community Policing and Services Office, in particular the Manager of Parking Services, to improve parking issues and perceptions downtown.

As the principal organization mandated to advocate for the revitalization of the downtown core, the DNBIA would like to congratulate City Council on their keen understanding of these issues and their commitment to revitalization.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Cooper', written over a light blue horizontal line.

John Cooper, President  
Downtown Nanaimo Business Improvement Association

☎ 250 754 8141 info@dnbia.ca  
☎ 250 754 8108 www.DNBIA.ca

Downtown Nanaimo Business Improvement Association  
A10 Victoria Crescent, Nanaimo BC, V9R 5B8



Delegation Request

Russ Black has requested an appearance before council.

The requested date is Nov 4, 2013.

The requested meeting is:  
Council

Presenter's information

City: Vancouver  
Province: BC  
Bringing a presentation: Yes

Details of Presentation:

Increasing waste reduction through material recovery--On the way to zero waste, what should be done with what's left after diversion from source-separated recycling and composting? Highlights of recent work on the financial and environmental benefits of recycling over incineration of municipal solid waste. A material recovery approach is proposed to maximize recycling before disposal to incineration or landfilling.

|  |                |                                     |
|--|----------------|-------------------------------------|
| <input type="checkbox"/> Council                         | Agenda Item    | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> Committee <i>cow</i> | Delegation     | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Open Meeting         | Proclamation   | <input type="checkbox"/>            |
| <input type="checkbox"/> In-Camera Meeting               | Correspondence | <input type="checkbox"/>            |
| Meeting Date: <u>2013-NOV-04</u>                         |                |                                     |

Delegation Request

Tim McGrath has requested an appearance before council.

The requested date is Nov 04, 2013.

The requested meeting is:  
FPCOW

Presenter's information

City: Nanaimo  
Province: BC

Details of Presentation:

Agenda item:  
Duke Point Waste-to-energy

71.1

|  |                |                                     |
|--|----------------|-------------------------------------|
| <input type="checkbox"/> Council                           | Agenda Item    | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> Committee of the Whole | Delegation     | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Open Meeting           | Proclamation   | <input type="checkbox"/>            |
| <input type="checkbox"/> In-Camera Meeting                 | Correspondence | <input type="checkbox"/>            |
| Meeting Date: <u>2013-NOV-04</u>                           |                |                                     |

Delegation Request

John Lucas, Seaspan & David Garcia, Urbaser has requested an appearance before council.

The requested date is Nov 04, 2013.

The requested meeting is:  
FPCOW

Presenter's information

City: Nanaimo  
Province: B.C.  
Bringing a presentation: No

Details of Presentation:

Discuss Metro Vancouvers WtE/RFP process and the Duke Point location and zoning.

71.2

|  |                |                                     |
|--|----------------|-------------------------------------|
| <input type="checkbox"/> Council                         | Agenda Item    | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> Committee <u>COW</u> | Delegation     | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> City Meeting         | Proclamation   | <input type="checkbox"/>            |
| <input type="checkbox"/> In-Camera Meeting               | Correspondence | <input type="checkbox"/>            |
| Meeting Date: <u>2013-Nov-04</u>                         |                |                                     |

Delegation Request

Chamber of Commerce has requested an appearance before council. The request is made on behalf of Kim Smythe.

The requested date is Nov 04, 2013.

The requested meeting is:  
FPCOW

Presenter's information

City: Nanaimo  
Province: British Columbia  
Bringing a presentation: No

Details of Presentation:

To address concerns of the business community around the Waste to Energy Facility -- Options Review - Staff Report

71.3

|  |                |                                     |
|--|----------------|-------------------------------------|
| <input type="checkbox"/> Council                         | Agenda Item    | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> Committee <i>cow</i> | Delegation     | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Open Meeting         | Proclamation   | <input type="checkbox"/>            |
| <input type="checkbox"/> In-Camera Meeting               | Correspondence | <input type="checkbox"/>            |
| Meeting Date: <i>2013-Nov-04</i>                         |                |                                     |

# City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2013-NOV-04

AUTHORED BY: BRUCE ANDERSON, MANAGER, PLANNING & DESIGN SECTION

RE: WASTE-TO-ENERGY FACILITY – OPTIONS REVIEW

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### STAFF RECOMMENDATION:

That Council receive the report for information.

### PURPOSE:

The purpose of this report is to provide background information on the Metro Vancouver (Metro) process to identify locations for a waste-to-energy facility and outline options Council has regarding the potential location of the facility within the City of Nanaimo.

### BACKGROUND:

At its meeting of 2013-JUL-22, Council endorsed the following motion:

Direct Staff to prepare a report outlining the process to rezone property at Duke Point to eliminate the potential use of a waste to energy facility and the implications of restricting such a use. The motion carried unanimously.

At its meeting of 2013-Jul-23, the Board of the Regional District of Nanaimo (RDN) passed the following motion:

That the Board direct staff to advise Metro Vancouver that the RDN does not support a waste-to-energy facility within the boundaries of the RDN.

This issue has arisen as a result of a process being conducted by Metro to identify sites and technologies for a waste-to-energy facility. Metro initiated an eight-phase process with:

**Phase 1:** Request for Qualifications, concluded in June 2013;

**Phase 2:** Potential Site Identification Process, submissions close in November 2013;

**Phase 3:** Technology and Sites, slated to conclude May 2014; and

**Phase 4:** Request for Proposals, ending June 2015.

The remaining phases of the process would involve a selected proponent / site and lead to the construction and operations of a facility in 2018.

☐ Council  
☒ Committee COW  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2013-NOV-04

In March 2013, the City of Nanaimo was advised that a site at Duke Point is one of the potential candidate sites that are part of Metro's waste-to-energy process. The proposal is to locate a facility at Duke Point on land owned by Seaspan. The proposal will be submitted by Seaspan, in conjunction with Wheelabrator Technologies, a subsidiary of Waste Management, and Urbaser, a European operator of waste-to-energy facilities.

The process initiated by Metro to expand its services to the new facility outside of Metro was initiated without any notice or consultation with municipalities. This prompted Council to direct Staff to conduct a review of the Zoning Bylaw as it relates to waste-to-energy facilities.

### DISCUSSION:

This report provides Council with three options respecting the potential for Metro to locate a waste-to-energy facility within the city's boundaries. These options range from direct government to government communication with Metro, outlining Council's opposition to a waste-to-energy facility in Nanaimo; to amending the Zoning Bylaw to make waste-to-energy a prohibited use; and finally, to rely on the interpretation already provided to the proponent, allowing Metro to complete its process. Each of these options is presented below along with pros and cons of each option.

**Option 1** – Advise Metro that Nanaimo does not support a waste-to-energy facility within the boundaries of the city.

The simplest and most direct approach with respect to the Metro process is to write to Metro and advise that the City does not support any proposal to manage solid waste from Metro using a waste-to-energy facility located in Nanaimo. The Staff recommendation with respect to this option would result in a motion being forwarded to the Metro Board that the City of Nanaimo does not support a waste-to-energy facility to process lower mainland materials within the boundaries of the city. The advantage of this option is that it allows Council to express its views to the Board of Metro in a direct and concise manner.

Council and City staff have discussed this issue with Metro staff and has been advised by them that if the City of Nanaimo provides written notice that Nanaimo does not support their waste-to-energy facility, sites in Nanaimo will no longer be considered.

It is anticipated that this direction will result in the proposal for a facility at Duke Point to be removed from the Metro selection process; however, because this action does not have the force of an enactment, Metro could choose to ignore the correspondence and continue to consider a Wheelabrator / Urbaser proposal at Duke Point. It also does not meet the intent of the Council resolution which was to use its zoning powers to eliminate the potential for a waste-to-energy facility.

**Option 2** – Amend the Zoning Bylaw to prohibit waste-to-energy facilities.

The second option is for Council to direct staff to amend the Zoning Bylaw to prohibit waste-to-energy facilities. Council would need to take two steps to amend the Zoning Bylaw to not allow a waste-to-energy facility. The first step would be to provide a specific definition for a "waste-to-energy facility" in Part 5 - Definitions section of the Zoning Bylaw. The second step would be to add a 'Prohibited Uses' section to Part 6 – General Regulations, and list the "waste-to-energy facility" as a prohibited use in all zones within the city.

This option would provide the most clarity of not allowing a waste-to-energy facility in the city, if that is Council's intent. The process to amend the Zoning Bylaw would follow the typical City rezoning process. Should Council proceed with this option, there are a number of implications to be considered. As no application has been received for the Duke Point site, no in-stream status has been established, thus changing the Zoning Bylaw at this time would prohibit this facility in Nanaimo.

The act of prohibiting the use in response to the Metro process would likely eliminate a Wheelabrator / Urbaser proposal, which will soon be under active consideration by Metro. Given the stage of the Metro process, where potential sites are to be identified in November and then a review process expected to be completed May 2014, there is the potential that prohibiting the use in the Zoning Bylaw now could effectively remove the Nanaimo site from the process. Alternatively, the Wheelabrator / Urbaser proposal could remain in the process "subject to rezoning". This would place Council in the role of weighing the arguments of the proponents and those opposed to the proposal.

Prohibiting the waste-to-energy facility could also affect any future local waste-to-energy uses. Staff understands there are processes under review by industry in Nanaimo that involve converting waste-to-energy (i.e., compost to biofuel). The implication of eliminating the use is potentially negative for local business and for the management of solid waste in the region.

The Solid Waste Management Plan for the RDN does not currently contemplate the use of a waste-to-energy facility to manage solid waste; the focus is on reduction of the waste stream and landfill of the remaining waste. However, the RDN's Waste Stream Management Licensing Bylaw does provide authority to license facilities for municipal solid waste management and recycling facilities.

**Option 3** – Do not take any action at this time.

The final option for Council to consider is to do nothing and allow the Metro process to run its course. This would not eliminate the potential for a waste-to-energy facility at Duke Point.

A review of "ZONING BYLAW 2011 NO. 4500" confirms that a waste-to-energy facility could be considered a permitted use within the I4 – Industrial zone; which is the current zone for the waste-to-energy site proposed at Duke Point. This is a general interpretation of this zone, and is based on the definition of "Industry" as contained in the Zoning Bylaw. There is no specific waste-to-energy terminology used in the permitted use nor is a definition contained in the current Zoning Bylaw.

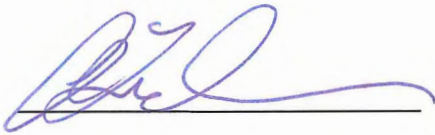
The primary implication of this option is the Metro process would continue and include the current candidate proposal for a waste-to-energy site proposed at Duke Point.

In conclusion, if Council would like to act on this issue, staff recommend Council give direction to write to Metro outlining its opposition to the waste-to-energy facility within the boundaries of the city. Council may also wish to proceed with a zoning amendment to eliminate this potential or to take no further action at this time, which would allow the Metro process to run its course.

Respectfully submitted,

  
for: B. Anderson, MCIP  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:

  
A. Tucker, MCIP  
DIRECTOR  
PLANNING

  
T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-OCT-28  
G:\Devplan\Files\Legis\3900\30\ZA1-61\2013Nov04 Waste-to-energy Facility Cncl Rpt  
BA/pm/hp/



**MINUTES**  
REGULAR MEETING OF THE PARKS, RECREATION AND CULTURE COMMISSION  
BEACON HOUSE, 208 COLVILLETON TRAIL, PROTECTION ISLAND  
WEDNESDAY, 2013-SEP-25, AT 6:00 P.M.

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PRESENT: Commissioner D. Johnstone, Chair

Members: Commissioner F. Pattje  
Commissioner K. Alden  
Commissioner M. Beaudoin-Lobb  
Commissioner A. McPherson  
Commissioner D. Rinald  
Commissioner G. Savage  
Commissioner I. Thorpe  
Commissioner M. Young

Regrets: Commissioner T. Greves  
Commissioner L. Avis  
Commissioner H. Houle

Staff: R. Harding, Director, Parks, Recreation and Culture  
S. Samborski, Senior Manager, Recreation and Culture Services  
J. Ritchie, Senior Manager, Parks and Civic Facilities  
A. Britton, Acting Manager, Parks Operations  
J. Farrell, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Meeting was called to order at 6:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Replace Pages 19-24 with new pages 19-24.3 of Item 7 (c) ii. Cultural Committee Report – Donation of Art “Satellite City” by Robert Naish.
- (b) Remove Item 12 (a) delegation Mr. Bill Merriman.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Parks, Recreation and Culture Commission Meeting held Wednesday, 2013-JUL-24 at 7:01 p.m. in the Service and Resource Centre Board Room be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

- (a) Lin Neufeld gave a presentation on the operations of the Protection Island Museum and Archives and presented a request for direction on building maintenance including window and gutter replacement.

Staff will follow up with maintenance concerns and will return with a report if structural issues arise.

- (b) Jim Harris gave a presentation on the operations of the Protection Island Lions Club and introduced a concept for expansion of the Beacon House.

It was moved and seconded that Staff work with the Protection Island Lions Club outlining options for the Beacon House project. The motion carried unanimously.

6. CHAIR'S REPORT:

The Chair, Councillor D. Johnstone, thanked Jeff Ritchie, Senior Manager of Parks Operations and Civic Facilities, for his service and great work and wished him luck in his retirement.

7. REPORTS OF ADVISORY BODIES:

- (a) Parks Committee: No meeting held.
- (b) Recreation Committee: Commissioner Johnstone gave a verbal report on the Recreation Committee meeting held 2013-SEP-11.

- i. Financial Access Programs:

It was moved and seconded that the Parks, Recreation and Culture Commission recommend the 80 years old and over pass be amended to pay half the price of the seniors rate for drop-in fees and admissions effective with the next Bylaw 7073 update. The motion carried unanimously.

- (c) Cultural Committee: Commissioner Pattje gave a verbal report on the Cultural Committee meeting held 2013-SEP-04.

It was moved and seconded that the Parks, Recreation and Culture Commission recommend installing a commemorative photograph of Robert and Lillian Booth in the Port Theatre to remember their contribution to culture in Nanaimo. The motion carried unanimously.

- i. Poet Laureate Selection:

It was moved and seconded that the Parks, Recreation and Culture Commission recommend that Council approve the selection of Naomi Beth Wakan as Nanaimo's inaugural Poet Laureate. The motion carried unanimously.

ii. Donation of Art "Satellite City" by Robert Naish:

It was moved and seconded that the Parks, Recreation and Culture Commission recommend that Council accept the donation of the painting "Satellite City" by Robert Naish and that artwork be displayed in City-owned public places starting with installation in the Service and Resource Centre stairwell. The motion carried unanimously.

- (d) Grants Advisory Committee: Commissioner Thorpe reported on the meeting held on 2013-SEP-11.
- (e) Port Theatre: Monthly report for July/August 2013.
- (f) Nanaimo Art Gallery: Monthly report for July/August 2013.
- (g) Nanaimo District Museum: Monthly report for July/August 2013.

8. STAFF REPORTS:

- (a) Travel Assistance Grant  
Harbour City Football Club U16 Girls

It was moved and seconded that the Parks, Recreation and Culture Commission recommend that Council approve the application for a Travel Assistance Grant to the Harbour City Football Club U16 Girls in the amount of \$450 for nine athletes to attend the Provincial A Cup, being held in Langley, BC. The motion carried unanimously.

- (b) Travel Assistance Grant  
Harbour City Football Club U13 Girls

It was moved and seconded that the Parks, Recreation and Culture Commission recommend that Council approve the application for a Travel Assistance Grant to the Harbour City Football Club U13 Girls in the amount of \$800 for sixteen athletes to attend the Provincial Championships, being held in Langley, BC, with \$100 coming from the Sport Tournament Grant budget to cover the shortfall. The motion carried unanimously.

- (c) BC Summer Games Update  
L. Williams, Manager, Recreation and Culture Services

It was moved and seconded that the Parks, Recreation and Culture Commission receive the report for information. The motion carried unanimously.

- (d) Senior Manager of Parks and Civic Facilities: Monthly report for July/August 2013.
- (e) Senior Manager of Recreation and Culture Services: Monthly report for July/August 2013.
- (f) Verbal Update on new Budget Process  
R. Harding, Director, Parks, Recreation and Culture

9. CORRESPONDENCE:

- (a) Letter dated 2013-JUL-22 from the Western Canada Cup Organizing Committee thanking the City of Nanaimo for the financial support and the use of the City's venues.
- (b) Minutes of the Nanaimo Harbour City Seniors, Board of Directors meeting, held 2013-SEP-06.

It was moved and seconded that the correspondence be received. The motion carried unanimously.

10. QUESTION PERIOD:

- (a) Margaret Harris is impressed with the Wharf Street Loo and would love to see something similar on Protection Island.
- (b) The Commission members thanked the community for the support of the tour and the meeting location.

11. ADJOURNMENT:

It was moved and seconded at 7:18 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:



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D. Johnstone, Chair  
Parks, Recreation and Culture Commission

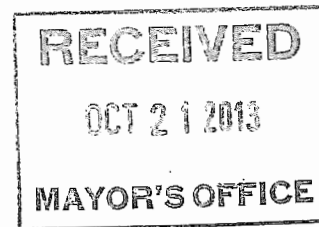


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R. Harding, Director  
Parks, Recreation and Culture

October 14, 2013

John Ruttan  
Mayor  
City of Nanaimo  
455 Wallace St  
Nanaimo, BC V9R 5J6



Dear Mr. Ruttan:

**Re: The future of Canada Post**

Next year, the federal government will look at how it handles public postal service with a review of the Canadian Postal Service Charter. This review is important because the government could reduce Canada Post's obligation to provide service or even lay the groundwork for privatizing or deregulating our public post office.

Canada Post has been holding consultations on the future of our public postal service to prepare for the upcoming charter review. The corporation has been clear. It wants to dramatically cut service to improve its financial situation.

Cutting might help Canada Post with its money problems in the short-term but it is not a good long-term strategy and it certainly won't improve the future of postal service in our country. Fortunately, the corporation has other options according to a new study by the Canadian Centre for Policy Alternatives (CCPA).

**CCPA study: Why Canada Needs Postal Banking**

The CCPA study is entitled *Why Canada Needs Postal Banking*. It makes a powerful case for preserving postal services and improving Canada Post's financial picture through the addition of financial and banking services.

The study looks at the changing banking environment in our country as well as our post office's experience with banking. In addition, it reviews the status of postal banking around the world, highlighting five successful models in the United Kingdom, France, Italy, Switzerland and New Zealand. Having established that there is a need for improved financial services in our country and viable models in other countries, the study concludes by suggesting possible models for postal banking in Canada. It recommends that the federal government and Canada Post immediately establish a task force to determine how to deliver new financial services, and establish priorities for delivering new products.

☐ Council  
☒ Committee... *of the whole*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2013 NOV 04*



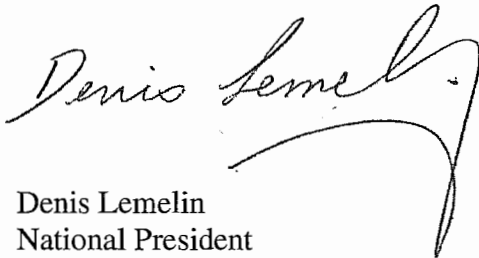
CUPW has enclosed an executive summary of the CCPA study. You can get the full report by going to <http://www.policyalternatives.ca/publications/reports/why-canada-needs-postal-banking>

The union has also enclosed two resolutions that it would like you to consider passing. These resolutions request that you ask the Minister Responsible for Canada Post:

1. To use the upcoming review of the Canadian Postal Service Charter to focus on revenue-generating services, not cuts, including financial services such as bill payments, insurance and banking.
2. To improve the Canadian Postal Service Charter and make the upcoming review of the Charter open to public input.

Thank you very much for considering our request. If you have any questions or concerns, please do not hesitate to contact me.

Yours truly,



Denis Lemelin  
National President

Encl.

cc. National Executive Committee, Regional Executive Committees, National Union Representatives, Regional Union Representatives, Specialists

/bk cope 225



## **CANADIAN POSTAL SERVICE CHARTER REVIEW SHOULD FOCUS ON REVENUE-GENERATION, NOT ADDITIONAL CUTS**

**WHEREAS** the federal government will look at how it handles public postal services with a review of the Canadian Postal Service Charter in 2014.

**WHEREAS** Canada Post is preparing for the review by campaigning for major service cuts.

**WHEREAS** Canada Post has already dramatically cut service by closing or downsizing public post offices, eliminating rural mailbox delivery and removing street letter collection boxes.

**WHEREAS** Canada Post and the federal government should do everything in its power to prevent additional cuts during the upcoming review, and instead deal with financial issues by adding revenue-generating services like many other post offices around the world, including lucrative financial services like bill payments, insurance and banking.

**BE IT RESOLVED THAT** the (name of municipality, business or organization) write a letter to the Minister responsible for Canada Post to request that the government consider innovative ways to generate postal revenue during the Charter review, including financial services like bill payments, insurance and banking.

### **MAILING INFORMATION**

Please send your resolution to: Lisa Raitt, Minister of Transport, Place de Ville, Tower C, 29th Floor, 330 Sparks Street, Ottawa, Ontario, K1A 0N5.

Please send copies of your resolution to:

1. Denis Lemelin, President, Canadian Union of Postal Workers, 377 Bank Street, Ottawa, Ontario, K2P 1Y3
2. Your Member of Parliament. You can get your MP's name, phone number and address by calling 1-800 463-6868 (at no charge) or going to the Parliament of Canada website: <http://www.parl.gc.ca/common/index.asp?Language=E>
3. Claude Dauphin, President, Federation of Canadian Municipalities, 24 Clarence St, Ottawa, Ontario K1N 5P3

### **FOR FURTHER INFORMATION**

Contact us at "Charter Review" 377 Bank Street, Ottawa Ontario, K2P 1Y3 or [feedback@cupw-sttp.org](mailto:feedback@cupw-sttp.org)

## IMPROVE THE CANADIAN POSTAL SERVICE CHARTER

**WHEREAS** the federal government will look at how it handles public postal services with a review of the Canadian Postal Service Charter in 2014.

**WHEREAS** the public has a right to have input on matters involving its publicly owned post office.

**WHEREAS** the current Charter has a number of serious problems that need fixing.

**WHEREAS** the government could use the Charter review to reduce our public post office's obligation to provide service (instead of improving the Charter) and even lay the groundwork for privatizing or deregulating Canada Post.

**BE IT RESOLVED THAT** the (name of municipality, business or organization) write a letter to the Minister responsible for Canada Post to request 1) that the upcoming review of the Canadian Postal Service Charter be open to public input and 2) that the Charter be improved by:

- Ensuring that the moratorium on post office closures in small and rural communities protects the public nature of post offices
- Eliminating the exceptions to the moratorium
- Extending the consultation process over possible closures and making the process and moratorium more transparent
- Establishing an independent Canada Post ombudsperson to report on Canada Post's performance in meeting Charter expectations
- Establishing a reasonable, uniform and democratic process for making changes to the postal and delivery network (closures, downsizing, removal of rural mailboxes, etc), but only after consultation with the public and other stakeholders.

### MAILING INFORMATION

Please send your resolution to: Lisa Raitt, Minister of Transport, Place de Ville, Tower C, 29th Floor, 330 Sparks Street, Ottawa, Ontario, K1A 0N5.

Please send copies of your resolution to:

1. Denis Lemelin, President, Canadian Union of Postal Workers, 377 Bank Street, Ottawa, Ontario, K2P 1Y3
2. Your Member of Parliament. You can get your MP's name, phone number and address by calling 1-800 463-6868 (at no charge) or going to the Parliament of Canada website:  
<http://www.parl.gc.ca/common/index.asp?Language=E>
3. Claude Dauphin, President, Federation of Canadian Municipalities, 24 Clarence St, Ottawa, Ontario K1N 5P3

### FOR FURTHER INFORMATION

Contact us at "Charter Review" 377 Bank Street, Ottawa Ontario, K2P 1Y3 or [feedback@cupw-sttp.org](mailto:feedback@cupw-sttp.org)



## SUMMARY

# Why Canada Needs Postal Banking

John Anderson





**CCPA**

CANADIAN CENTRE  
for POLICY ALTERNATIVES  
CENTRE CANADIEN  
de POLITIQUES ALTERNATIVES

This report is available free of charge at [www.policyalternatives.ca](http://www.policyalternatives.ca). Printed copies may be ordered through the CCPA National Office for \$10.

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*The opinions and recommendations in this report, and any errors, are those of the authors, and do not necessarily reflect the views of the publishers or funders of this report.*



**ABOUT THE AUTHOR**

*John Anderson* is an independent researcher and consultant. He is the former Director of Parliamentary Affairs for the Official Opposition, and, before that was Director of Government Affairs and Public Policy for the Canadian Co-operative Association. He has also been a Senior Policy Analyst at the National Council of Welfare and the Vice-President of Strategic Partnerships and of Research for the Canadian Council on Social Development. In the nineties, he was Co-ordinator of the Technology Adjustment Research Program of the Ontario Federation of Labour. He is the author of and researcher on numerous studies and briefs on the economy, poverty, technology and the workforce, co-operatives and Aboriginal issues. He received his education at McGill University, University of Sussex and the London School of Economics. He has taught at McMaster, Western and York Universities. He has been a long time supporter of and participant in the CCPA Alternative Budget process.

**ACKNOWLEDGEMENTS**

The author would like to thank the Canadian Union of Postal Workers (CUPW) for their generous support of this research. The views are the author's own and do not necessarily reflect those of CUPW. He would like to especially thank Katherine Steinhoff and Geoff Bickerton of CUPW for their help and for their own groundbreaking research on this topic. He would also like to thank all those who agreed to be interviewed for this project and all those who helped review the manuscript. Thanks are due to the dedicated staff at CCPA especially Bruce Campbell, David Macdonald, Kerri-Anne Finn, and Tim Scarth for his work on layout. Also a very special thanks to the translation team at CUPW, including Guy Laflamme, Manon Parrot, Anne Boulet, Charles Drouin and Maryse Prévost for all their excellent work and suggestions.

# Summary

## Why Canada Needs Postal Banking

OVER THE LAST two decades, we have seen a major decline in the number of branches and locations for banks and credit unions. In 1990, there were almost 8,000 branches (7,964) and, by 2002, the number had fallen to 5,908, a decline of 26%.

The Canadian Bankers' Association reports that, between 2006 and 2012, there was a small increase in the number of bank branches in Canada: from 5,902 to 6,205. But since 1990, there has been a decline of more than 1,700 branches, a 22% drop, and the number of branches increased by only 5.1% from 2002 to 2012, with most of the new branches added in Ontario (195), Alberta (98), and British Columbia (37).

In many communities today, credit unions or caisses populaires are the only financial institution. In 2012, the Credit Union Central of Canada reported that credit unions were the only financial in-

stitution in 380 communities. The Desjardins Group noted in 2013 that caisses populaires are the only financial institution in 388 towns and villages in Quebec. But the total number of credit union and caisse locations has also dropped from 3,603 in 2002 to 3,117 in 2012, a decline of 13.5%.

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### The Rise of Banking Fees and High Credit Card Rates

In 2010, a study by Vision Critical (commissioned by ING Direct bank before it was taken over by the Bank of Nova Scotia) found that banking fees in Canada were among the highest in the world. More than half of Canadians (55%) have fee-based chequing accounts and, on average, pay \$185 per year in fees for these accounts. Credit card rates remain high in spite of

low Bank of Canada prime rates. Typical bank card interest rate hover around 20% annually and department store cards are closer to 30%.

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### **ATM, Internet, Telephone Banking**

The decline of branch banking is not only linked to banks rationalizing their bricks-and-mortar locations. It is also linked to the rise of ATMs, Internet and telephone banking. Today there are more than 58,000 ATMs across Canada, 61% of them so-called white machines owned by non-bank companies. Online banking has grown at a tremendous rate in recent years, with 67% of Canadians now using this form of banking, according to a CBA study. The study also noted that 47% of Canadians “now use the Internet as their main means of banking, up from 8 % 12 years ago.”

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### **Retail Store Banking**

Canadian Tire, WalMart, and PC Financial (to name only the largest) are all major challengers to the traditional banks. Clients of these institutions are not using traditional bank branches. There has also been a rise of branchless banking. ING Direct Canada, a branchless bank, which was originally a subsidiary of a major Dutch bank, now has some 1.8 million clients and almost \$40 billion in assets. It was absorbed by the Bank of Nova Scotia in 2012, but still maintains autonomous activity.

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### **Fringe Financial Institutions**

Another major change in the banking environment that shows there is an opening for new financial services is the rise of Fringe Financial Institutions. These FFIs provide short-term loans and cheque cashing services, as well as money transfers and prepaid credit cards.

While offering services customers want, the interest rate charges for their services on an annual basis can only be considered usurious. A study of FFIs in Prince George, B.C., for example, concluded: “Given that the average pay-day loan in Canada is \$280 for a 10-day period, a pay-day lender in B.C. can now legally charge \$64.40 for this transaction. This computes to a nominal annual percentage rate of interest (APR) of 839.5%.”

These are extremely profitable operations. DFC, the owner of Money Mart, the largest Canadian pay-day loan firm, made global profits before tax of \$387 million on revenues of \$1.062 billion in 2012, and 28.7% of their total global revenues for the fiscal third quarter 2013 came from Canada.

A new group of Internet branchless companies, such as Zippy Cash and Wonga, have also started up in Canada in the last few years. In Canada, on the Wonga website, the cost for a \$200 loan for 30 days is \$40.10, or a rate of over 240% per year.

The rise of this kind of institution is linked in a chicken-and-egg fashion to the increase in the number of “unbanked” or “underbanked.” It is estimated that between 3% and 15% of the population do not

have a bank account. If we take the lowest figure of 3% that was estimated to be 842,000 people in 2005. Today, the number of unbanked, using the same method of calculation, would approach 910,000.

Aboriginal communities remain largely without banks or credit unions. Over the past decade, the Aboriginal population has increased dramatically, growing by 20.1% between 2006 and 2011. Some 1.4 million people now identify as Aboriginal, or 4.3% of the Canadian population. But banks and credit unions lag behind in providing services. While the major banks all have Aboriginal services, there are very few branches on reserves. There are 615 First Nations communities in Canada today and many other Métis and non-status communities. A quick tally of branches of banks and credit unions on reserve shows only 54.

All these trends in financial services have opened up the potential for the entry of new banking and financial services in Canada. They show there is a market demand that is not being met by the existing major banks and credit unions.

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### **Postal Banking: The Canadian Debate**

Postal banking is not something new to Canada. For over 100 years after Confederation, Canada had a postal savings system.

The high point of deposits for the Post Office Savings Bank was \$47.5 million total in 1908. This would be around \$1 billion in today's money. The total shrank to \$17.2

million in 1968. In 1968, the Postal Savings Bank was closed down, although the legislation still remains on the books.

Today, over 45 years later, the debate around the need to revive or relaunch a Post Office Bank has begun to grow again.

In 2005, a study from Library of Parliament research services supported the extension of financial services as an important means of preserving the post office across Canada, and particularly in rural areas. "At present, the idea of establishing a postal bank underpinned by Canada Post's network is not based primarily on a need to change the banking landscape. Rather, it stems from the growing need to breathe new life into Canada Post so that it can both cope with globalization and guarantee universal postal service, which is a real, if not official, part of its social mandate, particularly in rural areas."

A recent study by the Conference Board of Canada, commissioned Canada Post, provided a positive analysis of the effects of financial services in post offices around the world, but failed to recommend financial services or even to examine their possible application in Canada, on the grounds that a highly developed banking system in Canada left no room for a postal banking option.

Public support has been confirmed in a recent survey by Strategic Communications of 1,514 Canadians from May 24–26, 2013, commissioned by the Canadian Union of Postal Workers. The survey showed that nearly two-thirds (63%) of Canadians "supported Canada Post expanding revenue-generating services, including financial

services like bill payments, insurance and banking.” Politically the New Democratic Party has supported the expansion of financial services in Canada Post.

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## Postal Banking Around the World

Postal banking has deep roots internationally and is entering a period of expansion of services. This has been shown in a major global study of postal banking recently carried out in 2012 by researchers of the Universal Postal Union, of which Canada is a member.

The UPU report shows that, “After banks, postal operators and their postal financial subsidiaries are the second biggest world-wide contributor to financial inclusion, far ahead of microfinance institutions, money-transfer organizations, co-operatives, insurance companies, mobile money operators, and all other providers of financial services.”

There are many large and important postal banking operations around the world, from Japan Post Bank, the world’s largest deposit holder with ¥203 trillion (c\$2.15 trillion) in assets, to the Postal Savings Bank of China, the fifth-largest commercial bank in China with over 400 million customers, to the Deutsche Post Bank, which is now owned by Deutsche Bank but remains one of the largest in Germany with its own network of over 100 branches and 4,500 postal outlets.

Our study does not examine these banks, but rather looks at five successful

models in industrialized countries — the United Kingdom, France, Italy, Switzerland, and New Zealand — which have all maintained an important relationship between the financial services offered through post office outlets and the post office. These countries have been chosen because of their relevance to Canadian options. In all five countries, the Post Office is publicly owned, although the UK is in the process of privatizing its delivery services, the Royal Mail, while keeping the Post Office public.

The United Kingdom’s Post Office’s financial services, in their present form, offer a model which is based on a major partnership with a private sector financial institution, some new products, as well as access for customers of most existing banking services.

France’s Banque Postale is a chartered bank owned by the Post Office that offers a wide range of products, including insurance, and is particularly concerned with offering products to the NGO and mutual sector, as well as to low-income citizens. The bank makes the list of the world’s top 50 safest banks.

Italy’s BancoPosta presents the model of a non-chartered bank that offers a wide range of services and excels in offering them through mobile phones as well as banking cards.

Switzerland’s PostFinance, wholly owned by the Swiss Post Office, is the leader in money transfers and one of the largest banks in a country famous for its private sector banking. It has just this year become a chartered bank. It also offers

**FIGURE 1** Summary of Postal Banking Models and Services in the United Kingdom, France, Italy, Switzerland and New Zealand

| Postal Financial Services | Name of Financial Services Institution(s) | Structure of ownership of Financial Services                          | Services Offered  | Bank Charter | % of Post Office sales or profits for latest year | Rank of Services                                       |
|---------------------------|---|---|---|--------------|---|--|
| United Kingdom            | Post Office                               | Main partnership with Bank of Ireland and agreements with other banks | All financial services, including new chequing accounts                       | No           | 25% of sales                                      | No ranking   |
| France                    | La Banque Postale                         | La Poste  | All services  | Yes          | 36% of before-tax earnings                        | 44 <sup>th</sup> Safest Bank in World                  |
| Italy                     | BancoPosta and insurance companies        | Poste Italiane  | All services; savings in partnership with the CDP (Cassa Depositi e Prestiti) | No           | 67% of total profits                              | Largest retail bank in Italy                           |
| Switzerland               | PostFinance                               | Swiss Post, with partnership on all loan and insurance products       | All services  | Yes          | 71% of total Swiss Post operating profits         | Number 1 in payment services and number 3 in customers |
| New Zealand               | Kiwibank                                  | NZ Post   | All services  | Yes          | 70% of profits                                    | Largest NZ-owned bank                                  |

mortgages and loans in partnership with major private sector financial institutions.

Finally, Kiwibank, owned by New Zealand Post, is a relatively new entrant in the world postal banking sector and has been able to offer a wide range of services, including special mortgage products to low-income earners and to the Maori community.

### Postal Banking for Canada

When we examined these five national postal banking systems in detail, we found that they were all successful in their own way. However, success did not seem to be

linked to the particular form of structuring of the financial services (which ranged from full ownership by the Post Office to various kinds of partnership with the private sector), or to the kind of products offered, as some offered all major financial products and some fewer. The diversity in successful models shows that the key component for success seems to be characteristics of the Post Office itself, including widespread locations, trust in the institution, and the staff.

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## Why Postal Banking?

Our study shows clearly that postal banking would succeed in Canada and would help improve and stabilize Canada Post's services and revenues. The five post offices we studied in other countries are all publicly owned, and receive a substantial percentage of their sales and profits from financial services while other sources of revenue declined.

The rise of virtual and new retail banking and the growth of Fringe Financial Institutions in Canada show that the traditional financial banking sector is not meeting all the needs of Canadians. Millions of Canadians have opened accounts in or are using the services of these new institutions; but, although they operate in a similar fashion to traditional banks, they tend to be concentrated in urban areas and are not available in many parts of the country.

A new Canada-wide financial institution could offer products and services that challenge the existing patterns. The ability to offer competition for existing fees would be helped by the fact that banking services would be delivered through existing premises and staff. Use of the e-post system, as well as existing Canada Post delivery services, could help keep costs low.

Clearly, offering postal financial services would allow the millions of Canadians without local bank branches or easy access to banking the access they need.

First, there are many Canadians living in large parts of Canada who lack physical access to banks or credit unions. The

number of bank and credit union branches has shrunk over the last two decades. In rural Canada, many bank branches have closed in small towns and, while credit unions have purchased some of these branches, this process has slowed markedly in recent years.

Because postal outlets are present in both rural communities and inner city neighbourhoods, new postal banking could offer to citizens and businesses in many communities banking services where they do not currently exist. In Northern and rural Canada, on Aboriginal reserves, and in the three Northern territories, there have always been fewer banks and credit unions than are needed. (There are no credit unions in the territories.)

Second, it is estimated that some 3% to 8% of Canadians do not have a bank account. This represents a potential of more than a million new customers for postal financial services. Many Canadians use fringe financial services at a high personal cost. New postal banking services could also be combined with legislation requiring the immediate roll-back of FFI interest rates to bring them in line with existing banking rates.

The Kiwibank and Banque Postale are both excellent examples of how a postal bank can offer special services to low-income people, such as home mortgages, rent-to-buy, and even social housing loans. In the case of Kiwibank, a special mortgage program for Aboriginal peoples has been developed that could be replicated in Canada.



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## Canada Post's Banking Advantages

- Canada Post has the largest network of retail outlets already in place across Canada.
- Canada Post had a total of almost 6,400 postal outlets in 2012.
- 3,800 Canada Post outlets (60%) are in rural areas where there are fewer banks and credit unions. The post offices in these locations could provide key services for individuals, but also for local businesses.
- Some communities in Canada have a postal outlet, but no other (or limited) banking services, especially since the closure of 1,700 bank branches and hundreds of credit unions over the last two decades.
- Canada Post has a high trust factor among Canadians, and an already existing skilled and stable workforce of 68,000 employees, some of whom could easily be trained to handle financial services. Thus it would not mean starting from scratch, but rather building on what already exists.
- Many Canada Post outlets are already open 6 or 7 days a week and could operate longer daily hours if necessary. Many of them are located in drug stores or small convenience stores with long weekday and weekend opening hours.
- Since Canada Post is owned 100% by the federal government, it could use

the expertise developed at the Bank of Canada, the Business Development Bank of Canada, Farm Credit Canada, Canada Mortgage and Housing Corporation, Export Development Canada, and Canada Savings Bonds.

The financial services Canada Post could provide would be tested regionally first; would be fair and transparent; be delivered from bricks-and-mortar branches as well as through the telephone and Internet; expand existing services; and contribute to financial literacy. All services, of course, would be profitable for Canada Post to provide.

Canada Post already provides some financial services, such as postal money orders, domestic and international money transfers, bill payment and financial transaction and payment notices, and prepaid Visa cards.

Brand new services could consist of:

- access by all banks and credit union customers to their accounts to deposit or withdraw cash, as is the case in the UK;
- savings accounts and low-fee chequing accounts;
- low-interest credit cards; and
- prepaid debit cards.

In the future, services could be extended to:

- mortgages;
- small-business loans and agricultural loans;

- insurance products;
- mutual funds and stocks; and
- special new products for low-income and Aboriginal peoples.

Canada Post financial services should offer new competitive products to all Canadians, but they could also make sure that there were special services offered to low-income and Aboriginal Canadians, similar to services offered by both the French and New Zealand post office financial systems.

The postal bank could also provide special services for NGOs and social economy organizations. The Banque Postale in France has become a banker for NGOs, social economy and mutual organizations in fields such as social housing. For a while it looked as though Citizen's Bank would take on this role in Canada, but its retreat from the sector means that once again there is no bank specializing in the needs of this kind of business.

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### **Delivering Financial Services**

Canada Post Corporation could examine the optimum method of delivering these services. This could be done by establishing a task force of experts from the financial and postal services to examine how they are delivered in other jurisdictions, the best method for Canada Post (in terms of profit and sales), and the best method for users of these services.

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### **Who Should Own the Services?**

There are several possibilities:

- Create a non-chartered bank — a Canada Post-owned subsidiary — to deliver financial services. This is the route taken in Italy
- Create a chartered bank wholly owned by Canada Post. This is the route taken by France, Switzerland, and New Zealand
- Create a bank to deliver some of the services and partner with banks and others to deliver the rest. This is the route taken by Switzerland.
- Create a national credit union or mutual to deliver the financial services in partnership with Canada Post. A national credit union is one such possibility, as it would allow for widespread ownership by Canada Post employees as well as the public.
- Partner directly with one or more financial institutions to deliver the services. This is the route taken in the U.K.

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### **What Mix of Financial Services Should Be Offered? Who Should Deliver Them?**

Canada Post already has partnerships with a number of different institutions that could be approached to assist with these services. Once the first question is answered, the second one could be exam-

ined and the experience of other countries taken into account.

All potential partnerships, if that is a route taken, should be determined by open tender on delivering a service for a specific period of time. With its 6,400 outlets, which often serve populations with no competition in financial services and sometimes no services at all, Canada Post would undoubtedly be courted by many financial institutions anxious to supply services. There is also no reason to necessarily have all services provided by the same stakeholder or stakeholders across the country.

Whatever the ownership mechanisms, some services could be completely owned by Canada Post and others delivered by a partnership with existing credit unions or banks. Partnerships could be made nationally or developed on a regional basis. This would also allow Canada Post to partner with regionally-based credit unions and *caisse populaires* in different provinces.

The question of delivery has become easier with the uptake in Internet and mobile phone technology. For example, the UK Post Office Ltd. delivers its services with a core of 300 financial specialists, as well as trained Post Office staff for 11,500 outlets. Internet and telephone technologies allow people in remote areas to connect with financial specialists.

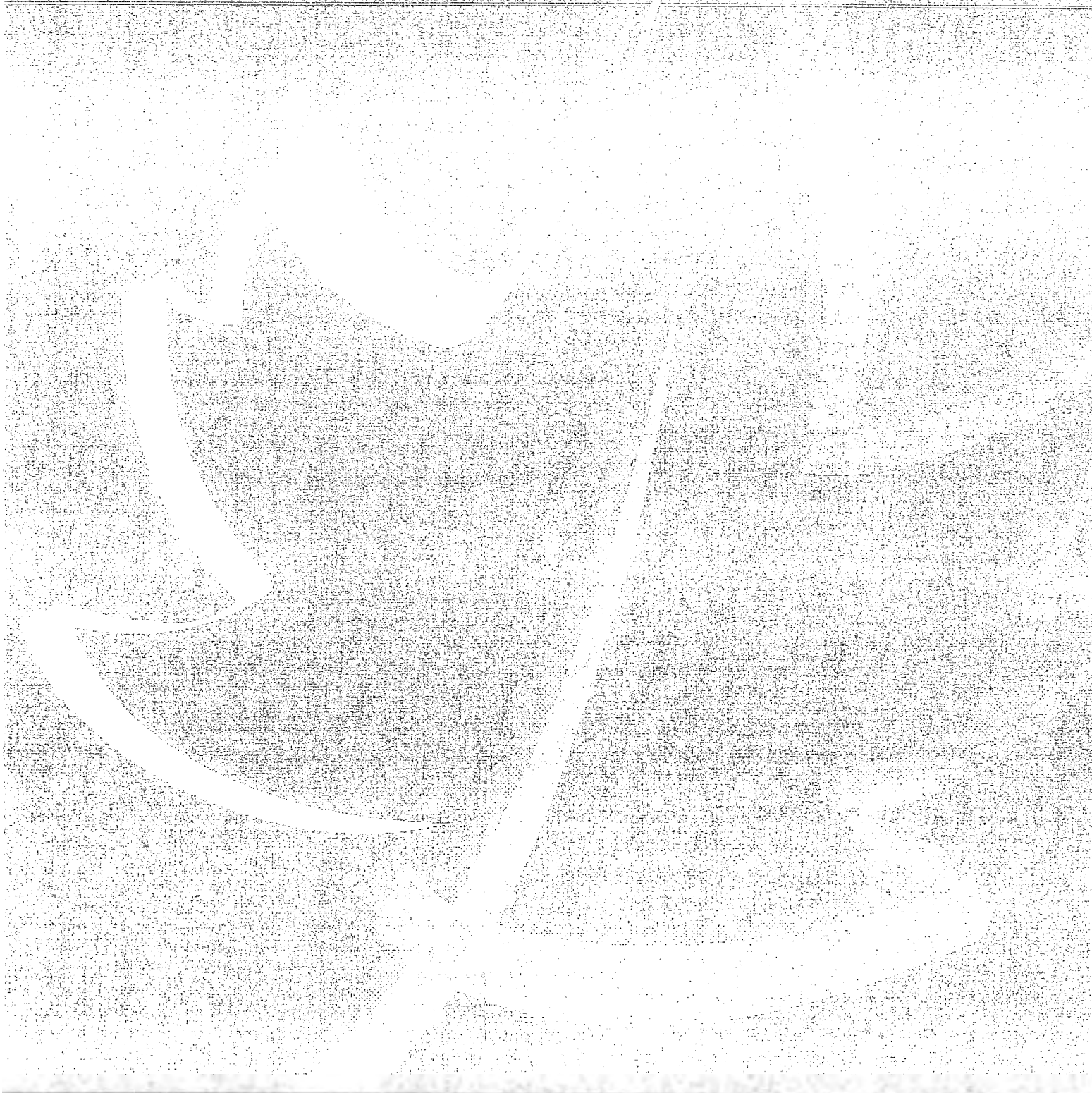
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## Conclusion

- Canada's existing financial and banking system is not providing competi-

tive services to Canadians, nor adequate service to many of the under- or unbanked.

- Canada's postal system has a long history of delivering financial services. Currently delivering some products, it could develop a full banking system.
- Postal banking systems are proliferating around the world and are prominent in most of the developed countries. They have shown themselves capable of generating the additional income needed to preserve the postal system as traditional letter volumes decline.
- Analysis of the postal banking systems in the five developed countries we have selected has demonstrated that there are many ways of creating a successful system. We can use the experience of these countries to create our own model in Canada.
- Our study concludes that the idea of Canada Post expanding into financial services is a sound one. Other studies, as well as opinions of past Canada Post presidents and experts around the world, have reached the same conclusion.
- We recommend that the federal government and Canada Post immediately establish a task force to determine how to deliver new financial services, and determine priorities for delivering new products.



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