

## AMENDED

### AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO BE HELD IN THE BOARD ROOM, CITY HALL, ON MONDAY, 2008-JUL-28, COMMENCING AT 4:30 P.M.

---

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

2. **INTRODUCTION OF LATE ITEMS:**

- Add Item 10 (b) – Information Only Items – Motion from the "In Camera" Meeting of Council held 2008-JUN-23 re: Lease Disposal at 575 Fitzwilliam Street – RDN Transit Exchange. *[See Item 10 (b) under Information Only Items.]*

3. **ADOPTION OF AGENDA:**

4. **ADOPTION OF MINUTES:**

- (a) Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2008-JUN-16 at 4:30 p.m. *Pg. 4-7*

5. **PRESENTATIONS:**

6. **DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)**

7. **COMMISSION REPORTS:**

- (a) **Parks, Recreation and Culture Commission – Frank Crane Arena Elevator** *Pg. 8-9*
- 

*Commission's Recommendations:*

*Based on consultation with the disabled community, the Parks, Recreation and Culture Commission recommend that Council:*

1. *direct Staff not to proceed with the Frank Crane Arena elevator as designed and tendered;*

*AND:*

2. *direct Staff to proceed with developing terms of reference, for Parks, Recreation and Culture Commission's consideration of a comprehensive facility upgrade plan that would encompass the areas, swimming pool, and social centre and their relationship with the whole of Beban Park.*

- (b) **Parks, Recreation and Culture Commission – Tournament and Festival Grant Application from the Silly Boat Regatta** Pg. 10

*Commission's Recommendation: That Council not approve the \$1,000. tournament and festival grant request from the Nanaimo Child Development Centre Society for the Silly Boat Regatta.*

8. **COMMITTEE REPORTS:**

9. **STAFF REPORTS:** (blue)

DEVELOPMENT SERVICES:

- (a) **1 Chapel Street – Proposed Apartment Strata Conversion – Seacrest Apartments** Pg. 11-22

*Staff's Recommendation: That Council not support a strata conversion of 1 Chapel Street.*

CORPORATE SERVICES:

- (b) **Designating Council Board Room as the Council Chambers for the Purpose of the Tax Sale** Pg. 23

*Staff's Recommendation: That Council designate the Board Room at Nanaimo City Hall as the Council Chambers for the purposes of the tax sale for every year until otherwise designated.*

COMMUNITY SERVICES:

- (c) **Emergency Management Agreement** Pg. 24-44

*Staff's Recommendation: That Council endorse the multi-agent Emergency Management Agreement.*

10. **INFORMATION ONLY ITEMS:**

- (a) Report from Mr. R. J. Reimer, Manager of Revenue Services & Financial Systems, re: Assessment Roll Adjustments. Pg. 45-46

- (b) At the "In Camera" Meeting of Council held 2008-JUN-23, Council considered the following motion re: Lease Disposal at 575 Fitzwilliam Street – RDN Transit Exchange (*Supplemental*):

It was moved and seconded that Council:

1. approve in principle the continued use of the City-owned property at 575 Fitzwilliam Street as a Downtown Transit Exchange by way of a three-year lease to the Regional District of Nanaimo; and,
2. direct Staff to finalize the proposed capital improvement concept with the Regional District of Nanaimo, for approval by Council.

The motion carried unanimously.

11. **CORRESPONDENCE:**

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

- (a) Councillor Brennan – Permission to attend the 2008 Local Government Management Association of BC (LGMA) Women in Leadership Forum at the Delta Vancouver Airport Hotel in Richmond to be held 2008-OCT-01 to 2008-OCT-03.

14. **DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA:**  
(10 MINUTES)

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

16. **ADJOURNMENT:**

MINUTES OF THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING  
HELD IN THE BOARD ROOM, CITY HALL,  
ON MONDAY, 2008-JUN-16 COMMENCING AT 4:30 P.M.

---

PRESENT: Councillor Manhas, Chair

Members: Mayor G. R. Korpan  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor J. D. Cameron  
Councillor W. J. Holdom  
Councillor L. D. McNabb  
Councillor L. J. Sherry  
Councillor M. W. Unger

Staff: G. D. Berry, City Manager  
A. C. Kenning, Deputy City Manager  
A. W. Laidlaw, General Manager of Community Services  
E. C. Swabey, General Manager of Development Services  
I. Howat, Director of Legislative Services  
B. E. Clemens, Director of Finance  
T. P. Seward, Director of Permits and Properties  
Chief R. Lambert, Nanaimo Fire Rescue  
A. J. Tucker, Director of Planning and Development  
R. J. Harding, Director of Parks, Recreation and Culture  
J. E. Harrison, Manager of Legislative Services  
K. King, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Finance / Policy Committee of the Whole Meeting was called to order at 4:36 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 11 (a) – Correspondence – Letter from School District 68 regarding potential reduction of School Board Trustees.
- (b) Add Agenda Item 11 (b) – Correspondence – Letter from Mr. Nelson Allen opposing consideration of a School Board motion to reduce the representation on the School Board.
- (c) Add Agenda Item 13 (b) – Other Business – discussion regarding reconsideration of DP489 – 200 Linley Road.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall on Monday, 2008-MAY-05 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. COMMISSION REPORTS:

(a) Parks, Recreation and Culture Commission – Review of 2008 Tournament and Festival Fund Grant Applications

It was moved and seconded that Council:

1. deny the \$2,000. tournament and festival fund request from the Nanaimo School Financial Awards Society;
2. approve \$1,700. from the tournament and festival fund for the Nanaimo Art Gallery – Festival of Banners, on one-time basis, to offset costs associated with the development of street banners (included in chart below); and,
3. approve the following 2008 Tournament and Festival Grant requests:

		<b>2008 Requested</b>	<b>2008 Recommended</b>
(a)	CVI Botanical Garden Society	\$1,500	\$1,200
(b)	Canadian Body Painting Championships	\$6,250	\$1,800
(c)	Nanaimo Art Gallery – Artsfest	\$1,000	\$1,000
(d)	Nanaimo Art Gallery – Festival of Banners	\$4,758	\$1,700
(e)	Nanaimo Blues Festival	\$1,500	\$1,500
(f)	Nanaimo Breakers	\$2,500	\$900
(g)	Nanaimo Ice 2008 – Minor Hockey	\$2,000	\$1,400
(i)	Nanaimo Figure Skating Club	\$2,500	\$2,500
(j)	Vancouver Island Exhibition Association	\$2,000	\$1,700
(k)	White Rapids Invitational Meet	\$1,500	\$1,500
	<b>Total</b>	<b>\$27,508</b>	<b>\$15,200</b>

- (b) Parks, Recreation and Culture Commission – Travel Assistance Application from the Quick Silver Dragon Boat Team

It was moved and seconded that Council deny the application for a Travel Assistance Grant for the Quick Silver Dragon Boat Team because it does not meet two of the grant criteria – the team did not win a regional, provincial, or national competition to qualify, and they are not travelling out of the province. The motion carried unanimously.

6. STAFF REPORTS:

DEVELOPMENT SERVICES:

- (a) Professional Builder Process

It was moved and seconded that Council direct Staff to implement a Professional Builder Stream building permit application process for single family dwellings on a trial basis, and provide Council with a report in six months recommending if the process should be implemented permanently. The motion carried unanimously.

CORPORATE SERVICES:

- (b) Request for Name Change by Tourism Nanaimo

It was moved and seconded that Council support Tourism Nanaimo's request for name change from "Nanaimo Tourist and Convention Bureau Society" to "Tourism Nanaimo Society". The motion carried unanimously.

7. INFORMATION ONLY ITEMS:

- (a) Report from Mr. A. W. Laidlaw, General Manager of Community Services, re: Multiplex Site – Call for Proposals.

8. CORRESPONDENCE:

- (a) Letter dated 2008-MAY-30 from Mr. J. David Green, Secretary-Treasurer, School District 68 (Nanaimo-Ladysmith), requesting City Council's input regarding the potential reduction of School Board Trustees from nine to seven Trustees.
- (b) Letters dated 2008-JUN-07 and 2008-JUN-08 from Mr. Nelson Allen, Vice-Chair, Board of Education, Nanaimo-Ladysmith, advising of his objections to the School Board motion to consider a reduction of School Board Trustees from nine to seven Trustees.

Councillor Brennan vacated the Board Room on an apprehension of bias as her husband is the Chair of the School District #68 Board.

It was moved and seconded that Staff advise School District 68 that as the School Board is an independent body, Council will respect its decision regarding whether or not to reduce the number of Trustees from nine to seven. The motion carried unanimously.

Councillor Brennan returned to the Board Room.

9. OTHER BUSINESS:

- (a) Cancellation of the Finance / Policy Committee of the Whole Meeting to be held on Monday, 2008-JUN-30

It was moved and seconded that Council cancel the Finance / Policy Committee of the Whole Meeting to be held on Monday, 2008-JUN-30 as it is the day prior to a statutory holiday. The motion carried unanimously.

- (b) Reconsideration of DP489 – 200 Linley Road

Councillor Holdom advised that Councillor Unger will be requesting reconsideration of the DP489 for 200 Linley Road at the Regular Meeting of Council to be held 2008-JUN-23.

10. ADJOURNMENT:

It was moved and seconded at 4:55 p.m. that the meeting terminate. The motion carried unanimously.

\_\_\_\_\_  
CHAIR

CERTIFIED CORRECT:

\_\_\_\_\_  
DIRECTOR,  
LEGISLATIVE SERVICES

REPORT TO: FINANCE / POLICY COMMITTEE OF THE WHOLE

FROM: LARRY McNABB, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

RE: FRANK CRANE ARENA ELEVATOR

---

RECOMMENDATION:

Based on consultation with the disabled community, the Parks, Recreation and Culture Commission recommend that the Finance / Policy Committee of the Whole:

1. direct Staff not to proceed with the Frank Crane Arena elevator as designed and tendered; and,
2. direct Staff to proceed with developing terms of reference, for Parks, Recreation and Culture Commission's consideration of a comprehensive facility upgrade plan that would encompass the areas, swimming pool, and social centre and their relationship with the whole of Beban Park.

EXECUTIVE SUMMARY:

Council, at their meeting of 2008-JUL-14, passed a motion, "that the issue of the location of an elevator at the Frank Crane Arena be referred back to the Parks, Recreation and Culture Commission in order to canvass the disabled community to determine their preference."

A meeting with representatives from the disabled community was convened at the Frank Crane Arena on 2008-JUL-17. The following groups were represented at the meeting: the RDN Custom Transit, the Measuring Up Committee, the MS Society, a Rehabilitation Consultant, the City's Special Needs Coordinator, the Arena Supervisor and the Senior Manager of Recreation and Culture. A number of considerations were discussed and options identified.

At their meeting of 2008-JUL-23, the Parks, Recreation and Culture Commission passed a motion that, based on consultation with the disabled community, the Commission recommends that the Finance / Policy Committee of the Whole direct Staff not to proceed with the Frank Crane Arena elevator as designed and tendered; and, direct Staff to proceed with developing terms of reference, for Parks, Recreation and Culture Commission's consideration of a comprehensive facility upgrade plan that would encompass the areas, swimming pool, and social centre and their relationship with the whole of Beban Park.

**Staff Note:** Council should be aware that proceeding with Commission's recommendation will delay providing persons with disabilities access to the upper level of Frank Crane Arena for at least another year; and, any alternative locations would increase the cost of the project by a minimum of \$150,000.

BACKGROUND:

Council, at their meeting of 2008-JUL-14, passed a motion, "that the issue of the location of an elevator at the Frank Crane Arena be referred back to the Parks, Recreation and Culture Commission in order to canvass the disabled community to determine their preference."

☐ Council  
☒ Committee *FLPCOW*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2008-JUL-28*



A group representing various special needs organizations met on site at Frank Crane Arena on 2008-JUL-17 to discuss the elevator. A number of considerations were discussed and the major points are:

- the need to have the entrance of elevators wide enough to facilitate four-wheel scooters and wide, electric wheelchairs;
- the turning radius must be wide enough to facilitate the wider and larger scooters and wheelchairs; and,
- the location should be in an area of lower use in order to avoid congestion and decrease any difficulties with maneuvering into and out of the elevator.

While the group was supportive of the proposed location, they are concerned that it might involve too tight of a turning radius area, which would negatively impact larger electric chairs and scooters; and, that it would be very congested increasing the difficulty of maneuvering into and out of the elevator. They suggested extending the elevator further out from the building thereby alleviating the congestion of the hallway and allowing for extension of the ramp area; and, changing the turn into a right turn instead of a left turn, resulting in the elevator extending through the windowed area. This solution may require the relocation of a sprinkler line, but potentially allows for an easier turn than the currently proposed left turn.

The group was not supportive of the music room or warm room location options as the areas are typically too congested during events and very hard to maneuver through. Overall, the group would rather see the timeline extended and an alternate solution found in the area currently being considered.

Overall, the group was pleased to have been consulted. They are happy and excited that a number of their members, who cannot access the facility in a more inclusive way, would now be able to have increased participation through the addition of the elevator. The group understands that because the Frank Crane Arena is an older building, there will not be a perfect solution.

At their meeting of 2008-JUL-23, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that based on consultation with the disabled community, the Parks, Recreation and Culture Commission recommend that the Finance Policy Committee of the Whole direct Staff not to proceed with the Frank Crane Arena elevator as designed and tendered; and, direct Staff to proceed with developing terms of reference, for Parks, Recreation and Culture Commission's consideration of a comprehensive facility upgrade plan that would encompass the areas, swimming pool, and social centre and their relationship with the whole of Beban Park.

Respectfully submitted,



Larry McNabb, Chair,  
Parks, Recreation and Culture Commission.

REPORT TO: FINANCE / POLICY COMMITTEE OF THE WHOLE

FROM: LARRY McNABB, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

RE: TOURNAMENT AND FESTIVAL GRANT APPLICATION FROM THE SILLY BOAT REGATTA

---

RECOMMENDATION:

That the Finance Policy Committee of the Whole not approve the \$1,000 tournament and festival grant request from the Nanaimo Child Development Centre Society for the Silly Boat Regatta.

EXECUTIVE SUMMARY:

The 2008 Parks, Recreation and Culture Budget includes funding to help the City host tournaments and festivals. The Parks, Recreation and Culture Commission's major thrust for this initiative is to encourage new, or to expand existing, tournaments and festivals.

The Recreation Committee reviewed the application and unanimously agreed to not support it. The Committee felt that as the Tournament and Festival Grant provides preferences for events that are in excess of one day, if the Silly Boat Regatta is expanded to two days in 2009, that they re-apply for the Tournament and Festival Grant and it will be re-evaluated. At their meeting of 2008-JUL-23, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that Council not approve the \$1,000 tournament and festival grant request from the Nanaimo Child Development Centre Society for the Silly Boat Regatta.

BACKGROUND:

The Tournament and Festival Grant objective is to assist as many groups as possible in hosting tournaments and festivals utilizing services and facilities within the City of Nanaimo.

The Silly Boat Regatta has historically been a one-day event that is held at the beginning of the Nanaimo Marine Festival. Although the group requested the use of Maffeo Sutton Park for two days, it was only available for one day. The Tournament and Festival Grant provides preferences for events that are in excess of one day. Staff wrote the Child Development Centre suggesting that if the Silly Boat Regatta is expanded to two days in 2009, that they re-apply for the Tournament and Festival Grant and it will be re-evaluated. At their meeting of 2008-JUL-23, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that Council not approve the \$1,000 tournament and festival grant request from the Nanaimo Child Development Centre Society for the Silly Boat Regatta.

Respectfully submitted,



Larry McNabb, Chair  
Parks, Recreation and Culture Commission

☐ Council  
☒ Committee E/PCOW  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2008-JUL-28

## STAFF REPORT

REPORT TO: FINANCE/POLICY COMMITTEE OF THE WHOLE

FROM: TED SWABEY, GENERAL MANAGER, DEVELOPMENT SERVICES

RE: 1 CHAPEL STREET – PROPOSED APARTMENT STRATA CONVERSION -  
SEACREST APARTMENTS

---

### STAFF'S RECOMMENDATION:

That Council not support a strata conversion of 1 Chapel Street.

### EXECUTIVE SUMMARY:

Council, at its regular meeting held 2008-Mar-17 made the following recommendations:

“That the Staff recommendation not to support the strata conversion be tabled until the developer has met with residents of the tower, and

That Council be invited to attend this meeting and the developer be given six months from 2008-Mar-17 to report back to Council.”

The applicant, representing Newlook Capital, advises that he has completed a consultation program with residents of the apartment and is now asking Council to formally consider the request to stratify the apartment building.

1 Chapel Street, known as Seacrest Apartments, is an apartment building constructed in 1964, which consists of 109 units.

### BACKGROUND:

#### How strata conversions are reviewed

The *Strata Property Act* provides the following framework for a municipality's consideration of approving or denying strata conversions of existing buildings.

1. The approving authority must not approve the conversion unless the building:
  - (1) Substantially complies with the applicable bylaws of the municipality.
  - (2) Is not located within a municipality, but substantially complies with the National Building Code of Canada issued by the Associate Committee and the National Building Code National Research Council, as amended from time to time and with any other bylaws that may apply to the building.

☐ Council  
☒ Committee E/PCOW  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2008-Jul-28

2. The approving authority must consider all of the following when making its decision:
  - (1) Priority of rental accommodation over privately-owned housing in the area.
  - (2) The proposals of the owner/developer for the relocation of persons occupied in the building.
  - (3) The life expectancy of the building.
  - (4) Projected major increases and maintenance costs due to the condition of the building.
3. The approving authority may consider other matters that in its opinion are relevant.
4. At the time of approval, the Approving Authority must issue a certificate in the form prescribed.
5. The certificate must be filed with the register on deposit of the strata plan.

In response to considering item 2(1), Council has set the policy restricting strata conversions if and when its vacancy rate is 3% or lower. This is, in fact, the policy specifically requested to be waived by this application.

At the previous meeting of Council, the applicants brought up a requirement made by Staff that at least 80% of the existing tenants are required in order to proceed with a strata conversion. This is not a Council policy and is, therefore, not covered in the authority provided for by the *Strata Property Act*. As per Council's recommendation to consult with the residents, the owners have provided a synopsis of their efforts, which is attached to this report (Schedule A).

#### Community Contribution

The applicant originally committed a community contribution of \$1 Million payable to the City of Nanaimo in support of downtown housing initiatives, as part of the strata conversion application. The community contribution has been revised by substituting the \$1 Million cash with an offer to purchase and transfer title of an existing vacant multi-family zoned property capable of supporting 35 units as part of the "supported and low barrier housing" as identified in the City's Harm Reduction and Housing First Action Plan. The applicant states that the transfer of title of the multi-family property would occur at the time of building permit issuance for the strata conversion of 1 Chapel Street and registration of a covenant on Title ensuring 100% of all units may be rented (at 1 Chapel Street). The property proposed to be purchased is located at 5930 Nelson Road (corner of Rutherford Road and Nelson Road) and is valued at approximately \$800,000. The advantage of this proposal is that it is zoned and ready to develop and would assist in spreading the affordable housing projects outside of the downtown. Staff has not evaluated this contribution for its use as part of the Harm Reduction Strategy and has no comment as to whether it would be seen as appropriate by VIHA or BC Housing.

Staff would recommend that if Council supports the strata conversion of 1 Chapel that it be done in principle, subject to a report from Staff providing an analysis of the community contribution offered by the applicant.

#### Summary

Staff is on record of not supporting the conversion of any rental stock, while the vacancy rate is below 3% (previous Staff Report attached as Schedule B). A conversion of this size is significant in our downtown core and maintaining it as "rental" adds to the diversity of housing form and affordability within our most significant commercial node. Should Council approve this

stratification, Staff anticipates a large number of similar applications from owners of other rental buildings in the community, including duplexes or multi-family buildings. Since the last report to Council in March, the vacancy rate in Nanaimo according to Canada Mortgage and Housing Corporation (CMHC) has dropped from 1.1% to .6%.

Respectfully submitted,

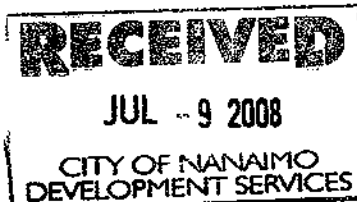


E.C. Swabey, General Manager  
DEVELOPMENT SERVICES

ECS/np  
Prospero: CIS391  
F/P CoW: 2008-Jul-28

# SCHEDULE A

**KEITH BROWN ASSOCIATES LTD.**  
5102 Somerset Drive Nanaimo, BC V9T 2K6  
Tel. 250-758-6033 Cel. 250-741-4776 Fax 250-758-9961



July 8, 2008

File No. 846.07

City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J2

**Attention: Mr. Ted Swabey,**  
**General Manager**  
**Development Services**

Dear Sir:

**SUBJECT: PROPOSED APARTMENT STRATA CONVERSION – SEACREST  
APARTMENTS, 1 CHAPEL STREET, NANAIMO, BC**

As requested we are pleased to provide an updated letter on the results of the meeting with the residents of Seacrest Apartments. We are also submitting an alternative to the former community contribution as a cash offer. That is, we submit an offer to the City of a zoned multiple family site (35 units) fully serviced for development of "supported and low barrier housing."

Would you please confirm the time and place for meeting with Council's Committee of the Whole.

Yours truly,

A handwritten signature in cursive script, appearing to read "R.K. Brown".

R.K. Brown,  
Consultant Planner

Enc.

p.c. Marcus Kurschat, Director

July 8, 2008

File No. 846.07

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

**ATTN: Mayor Korpan & City Councillors**  
**Finance/Policy Committee of the Whole**

**SUBJECT: PROPOSED APARTMENT STRATA CONVERSION - SEACREST  
APARTMENTS, 1 CHAPEL STREET, NANAIMO, BC**

**Applicant:**

The owner of the property is Newlook Capital No. 3 Corp. and is a BC based company. The company comprises a range of investors (not a MIC) that seeks sound investments. Newlook Capital has purchased a range of properties in the last 12 years and has recently completed a large condominium conversion within the mid- island. Newlook Capital has conducted business in Nanaimo since 2001, and specializes in multi family developments and has purchased approximately 400 dwelling units in the past 12 years.

**Subject Property:**

Seacrest Apartments (constructed in 1964) was purchased by Newlook Capital, January 2004 (see key map enclosed). A review of the existing building structure was completed with the following upgrades taking place:

- Individual apartment unit improvements as vacancies occur.
- Exterior building envelope recaulking of all joints, window sealings and complete building exterior recoated with elastomeric paint.
- Clean up and removal of abandoned rooftop cellular site.
- Currently researching green sources of energy (geo thermal).

**Existing Building Code and Zoning Compliance:**

The existing building structure is 25% in compliance with the seismic regulations of the 2006 Building Code and is void of building sprinklers.

Existing zoning and building regulations permit a wide range of commercial uses. However, the only realistic option for recovering costs for the required upgrading improvements is to retain the existing multi family use by conversion to a building strata.

The 2006 Building Code compliance deficiencies are identified for the purpose of evaluating the proposal for conversion to a building strata:

- Seismic upgrade (see geotechnical and structural letters enclosed).
- Spacing of patio railings (see architectural letter enclosed).
- Fire suppression and egress.
- Elevators.
- Upgrading heating system.

The code compliance review has determined the cost and the approach for upgrading and therefore the need to advance the proposal for a building strata conversion.

#### **Building Strata Conversion Policy:**

The City of Nanaimo Council Policy states that building strata conversions are precluded below 3%. Current CMHC vacancy rate survey remains below 3%.

#### **Benefits of Building Strata Conversion:**

- Mixed range demographic pays higher than average rents (now \$1050. per month. CMHC average rent is \$730. per month for two bedroom unit). Building strata conversion will provide affordable homeownership in an otherwise unaffordable area (projected sales average \$270,000.).
- Home purchase plan for current tenants includes down payment assistance and no sales commissions. Assistance will be provided for tenants requiring the securing of a mortgage.
- Program for retaining current tenants not wishing to purchase units will continue their tenancy under the *Residential Tenancy Act*.
- 100% of units can be rented. This will be reinforced with a restrictive covenant being registered on Title which precludes any future strata council resolution to the contrary.
- Existing building will be upgraded to comply with 2006 Building Code.

#### **Community Contribution:**

Newlook Capital commits to transferring Title to an existing multiple family zoned (35 unit) serviced apartment site located in the north portion of the City. This site is ideal for "Supported and Low Barrier Housing" as identified in the City's "Harm Reduction and Housing First Action Plan."

#### **Preconditions:**

- Transfer of Title of the multi-family property at time of issuance of building permit.
- Registration of a covenant on title ensuring that 100% of all units may be rented.



**Meeting with residents:**

Individual meetings were held over the past several weeks with the tenants of Seacrest Apartments. A synopsis of the results of the individual meetings with the residents is enclosed.

**Summary:**

There are not any viable financial alternatives to permit the building to be upgraded to current building code standards.

The City's "Harm Reduction and Housing First Action Plan" states that, "new construction is a major component of the action plan. New builds will increase the supply of supported and low barrier housing by 150 new units over 5 years." The transfer of the 35 unit multiple family site interfaces with the City's Housing First Action Plan.

**Request/Recommendation:**

Giving consideration to the large expenditures and rising costs for improvements to comply with the Building Code standards, the owner requests the following:

1. City Council's resolution supporting the conversion of Seacrest Apartments to a building strata subject to:
  - a. Transfer of Title of 35 unit multiple family property to City.
  - b. Register rental covenant on Title.

We thank you for your consideration and would be please to respond to questions.

Respectfully Submitted,



R.K. Brown,  
Consultant Planner

Enc.

p.c. Mr. Marcus Kurschat, Director  
New Look Capital No. 3 Corporation

# Memorandum

**To:** Marcus Kurschat  
**From:** Elroy Gust  
**Date:** 08/07/2008  
**Re:** Communication to Residents of 1 Chapel St, Nanaimo

---

## **Communication to Residents**

Our intention was to meet with as many residents as possible in person in order to better communicate our intention to apply for Condominium conversion. We anticipated questions and concerns the residents may have and attempted to answer them in both a letter, that they could refer to later, and in a personal discussion. We attempted to answer questions for those wishing to purchase a unit and those who want to stay as a tenant.

Attached is the letter that was delivered to all residents that addressed most of the question residents had expressed to date.

## **Door to Door visits and Lobby Open House**

The letter was delivered during the week of April 15. This was then followed up by door to door visits during the week of May 3 and again letters were delivered to each resident.

During the week of June 3 I was available for meetings in the lobby office June 3 and June 4<sup>th</sup>.

We managed to talk personally to about 50 residents in the building, during our door to door visits and our time in the lobby office.

## **Discussion Results**

Discussion topics and questions varied. There were two residents who expressed quite strongly that they were not in favour of the conversion application and thought that it was unfair and was not right.

Many residents were simply not interested in discussion of the conversion. Either they felt it wouldn't affect them or they thought they would have vacated the building by then time anything started. The impression was that it was not something they were concerned with and was not an issue for them.

Residents expressed a genuine interest in what the sale price of their particular unit was anticipated to be. Not having firm pricing in place yet we could give a rough estimate and stated that the units would likely start at \$110,000. Residents were interested in the examples of a mortgage payment in

July 8, 2008

comparison to rent and were surprised in many cases with the fact that purchasing a unit wasn't that much higher than the rent.

Because of the interest expressed in financing option and arrangements we are intending to invite some local financial institutions in to have a series of presentations about the mortgages available to the residents and to discuss down payment options and the 40 year amortization mortgages available. The Royal Bank has indicated that they would be able to offer 40 year mortgages on this property. This makes an incredible difference in payments and makes the units affordable in almost every case.

In three cases residents had expressed interest in buying 2 or 3 units especially for rentals.

Several residents specifically want to stay as tenants in the building. We discussed options available to them and stressed that Newlook would make every effort to ensure that they would not have to move during the process. We went over the points made in the letter in detail outlining the efforts that we are making in the presentation to the City to ensure that the building continues as a predominantly rental building.

# SCHEDULE B

2008-Mar-12

## STAFF REPORT

REPORT TO: COUNCIL

FROM: TED SWABEY, GENERAL MANAGER, DEVELOPMENT SERVICES

RE: 1 CHAPEL STREET – PROPOSED APARTMENT STRATA CONVERSION -  
SEACREST APARTMENTS

---

### STAFF'S RECOMMENDATION:

That Council not support a strata conversion of 1 Chapel Street.

### EXECUTIVE SUMMARY:

Application has been made by Keith Brown Associates Ltd. on behalf of Newlook Capital No.3 Corp. to strata convert "Seacrest apartments" located at 1 Chapel Street. Seacrest is a 125-unit rental residential tower built in 1964 in the city's downtown core.

Council has delegated the authority to the City's Approving Officer to approve or reject strata conversion applications. As part of the delegation, Council has also provided a strata conversion policy to trigger when they would be permitted. This policy (Sec.1.6.2 of the Official Community Plan) states that strata conversions of existing rental buildings are not permitted when the vacancy rate is below 3%. Strata conversion is the raising of individual titles for each residential unit within a rental building. The current Canadian Mortgage and Housing Corporation (CMHC) vacancy rate survey for October, 2007, is 1.1% in Nanaimo. Therefore, prior to the Approving Officer's consideration of the Seacrest application, Council must first waive its 3% vacancy policy

Staff does not recommend waiving the strata conversion policy, primarily from the point of view of protecting rental housing stock within Nanaimo, but also from the point of view of maintaining a mix of housing affordability and mix within our downtown/community. The implications of waiving the strata policy, go beyond the 125 units of Seacrest as it would open the door for a large number of existing rental buildings to request a similar conversion. There are currently approximately 3,387 rental units in Nanaimo, however, this number includes stratified multi-family units currently being rented. The actual number of rental apartments (i.e. not strata units being rented) is very low. The last "purpose-built" rental multi-family building was constructed behind the RBC commercial development at the corner of Turner Road and Uplands Drive, as a condition of the rezoning to permit the commercial portion of the development. This is the only purpose-built rental multi-family development constructed in the last 20 years in Nanaimo. It would take many years to replace the rental units lost if Seacrest is stratified.

## BACKGROUND:

The owner of the subject property (New Look Capital No. 3 Corp.) is a BC based company which purchased Seacrest apartments in January of 2004. Given the age of the construction of the tower, one of the biggest challenges of stratifying these units is bringing it into substantial compliance with the current Building Code. Compliance with today's Building Code is a requirement of strata conversions. The Code improvements required include, but are not limited to:

- seismic upgrades
- spacing of patio railings
- fire suppression
- fire egress
- elevators
- upgrade of heating system

The most significant in these upgrades is the seismic improvements. The costs associated with the seismic upgrading alone are substantial (i.e. estimated at over \$5 Million).

The applicant has identified the following benefits to the strata conversion:

- the current rental mix pays higher than average rents (currently renting at \$1,000 per month; CMHC average rent is \$700 for a two-bedroom unit). Conversely, a building strata conversion will provide affordable home ownership in an otherwise unaffordable area (projected sales averaging \$270,000);
- proposed property tax base will generate \$350,000 annually;
- home purchase plan for current tenants include down payment assistance and no sales commissions;
- program for retaining current tenants;
- 100% of the units after strata conversion will be protected for rental pool flexibility; and
- existing building will comply with 2006 Building Code.

## Community Contribution

The applicant has committed a community contribution of \$1 Million payable to the City of Nanaimo in support of downtown social program initiatives, as part of the strata conversion application. If Council proceeds with approving the application, Staff would return with a report outlining options for using the \$1 Million. The \$1 Million amenity contribution would be paid at the time of building permit issuance for a strata conversion of the building. The owner also proposes to protect rental flexibility of future strata owners by registering on title a restrictive covenant that would not permit a future Strata Council from restricting rentals.

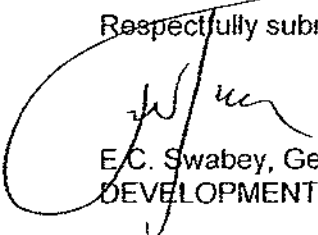
## Summary

The loss of 125 units of rental stock in Nanaimo is significant. There are currently 3,387 rental units in the city, of which this building represents 3.8% of all rentals in the city. Seacrest is a large rental project within the heart of the city's downtown core, which adds to the diversity of housing form and affordability within our most significant commercial node. There is no doubt that the units once stratified would be affordable in terms of home ownership when compared to brand new units, such as those being produced by Insight Towers across the street or by Cape down the road, however, once taken out of the rental pool, these units are lost forever as guaranteed rentals.

Should Council approve the stratification of Seacrest, Staff anticipates a large number of similar applications from owners of other rental buildings in the community, whether it be duplexes or multi-unit apartment buildings.

Staff does not support amending the current Council policy and believes it is important to protect the existing rental housing stock. The current rate for rental building units (aside from secondary suites) is low and it would take years to replace the lost rental units from Seacrest if they are converted. There has only been one other purpose-built rental apartment building constructed in Nanaimo in the last 20 years at the corner of Turner Road and Uplands Drive. Protecting what we have is essential to maintaining affordability and a mix of housing in Nanaimo.

Respectfully submitted,



E.C. Swabey, General Manager  
DEVELOPMENT SERVICES

ECS/hp  
Prospero: CIS391  
F/P CoW: 2008-Mar-17

## STAFF REPORT

REPORT TO: B. E. CLEMENS, DIRECTOR OF FINANCE

FROM: R. REIMER, MANAGER, REVENUE SERVICES AND FINANCIAL SYSTEMS

RE: DESIGNATING COUNCIL BOARD ROOM AS THE COUNCIL CHAMBERS FOR  
THE PURPOSE OF THE TAX SALE

---

### RECOMMENDATION:

That Council designate the Board Room at Nanaimo City Hall as the Council Chambers for the purposes of the tax sale for every year until otherwise designated.

### EXECUTIVE SUMMARY:


Section 403(1) of the *Local Government Act* states "At 10:00 a.m. on the last Monday in September, at the Council Chambers, the Collector must conduct the annual tax sale".

From Staff's perspective, it is important for both technical and manpower reasons to hold the tax sale at City Hall. Therefore Staff recommends that Council designate the Board Room at Main City Hall as the Council Chamber for the purposes of the tax sale for every year until otherwise designated.

Respectfully submitted,

  
R. Reimer  
Manager, Revenue Services & Financial Systems

  
B.E. Clemens  
Director of Finance

  
D.W. Holmes  
General Manager, Corporate Services

DK/sm  
FPCOW: 2006-AUG-28  
G:Administration/Council/Reports/2008AUG12 STAFF REPORT

☐ Council  
☒ Committee *FPCOW*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2008-JUL-28*

# STAFF REPORT

TO: CHIEF RON LAMBERT, FIRE RESCUE DEPARTMENT  
FROM: KAREN LINDSAY, EMERGENCY PROGRAM MANAGER  
SUBJECT: EMERGENCY MANAGEMENT AGREEMENT

---

## STAFF RECOMMENDATION:

That Council endorse the multi-agent Emergency Management Agreement.

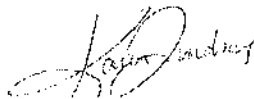
## EXECUTIVE SUMMARY:

By statute Local government is required to plan for and respond to emergency situations within their respective jurisdictions and capabilities. Disasters and emergency situations are not geographical and the likelihood of the impact extending beyond the City of Nanaimo can be expected. As a result, these situations can require a multi-jurisdictional or multi-agency response. Dependent upon the scale of the disaster or emergency there is often a requirement to work with bordering jurisdictions and agencies to manage and respond to the situation to ensure community continuity.

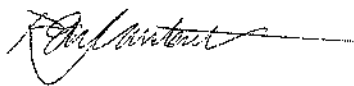
In 2001, Council endorsed a multi-agent Emergency Management Agreement for the mutual benefit of the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach, and the Regional District of Nanaimo. The original agreement has since expired and the Mid-Island Emergency Coordinators have developed an updated Emergency Management Agreement that includes the above-mentioned parties while being extended to include Snuneymeux First Nations, Nanoose First Nations and Qualicum First Nations.

The agreement formally addresses the conditions for mutual assistance between the parties as well as detailing operations and issues involved in multi-jurisdictional response. Further the agreement establishes the conditions for the activation of an Emergency Coordination Centre Operation in the event of a disaster or emergency as well as cost sharing procedures should a multi-jurisdictional response to an event occur. The Agreement period extends for a five year term beginning May 1<sup>st</sup>, 2008 and ending May 1, 2013.

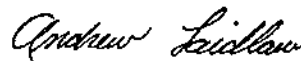
Respectfully submitted



Karen Lindsay  
Emergency Program  
Manager



Ron Lambert  
Fire Chief



A.W. Laidlaw  
General Manager,  
Community Services

☐ Council  
☒ Committee *ELPCow*  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2008-JUL-28



THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_, 2008

BETWEEN: REGIONAL DISTRICT OF NANAIMO  
6300 Hammond Bay Road  
Nanaimo BC V9T 6N2

AND: CITY OF NANAIMO  
455 Wallace Street  
Nanaimo BC V9R 5J6

AND: CITY OF PARKSVILLE  
100 E. Jensen Avenue  
Parksville BC V9P 2H3

AND: TOWN OF QUALICUM BEACH  
201 - 660 Primrose Street  
Qualicum Beach BC V9K 1S7

AND: DISTRICT OF LANTZVILLE  
7192 Lantzville Road  
Lantzville BC V0R 2H0

AND: SNUNEYMUXW FIRST NATION  
668 Center Street  
Nanaimo BC V9R 4Z4

AND: NANOOSE FIRST NATION  
209 Mallard Way  
Lantzville BC V0R 2H0

AND: QUALICUM FIRST NATION  
5850 River Road  
Qualicum Beach BC V9K 1Z5

(hereinafter called "the Parties")

**NOW THIS AGREEMENT WITNESSETH:**

WHEREAS, it is desirable that the resources and facilities of the Parties, their various departments and agencies, be made mutually available to prevent and combat the effects of emergencies and disasters; and

WHEREAS, *Nanaimo Regional District Regulation*, B.C. Reg. 194/91, enacted under the *Local Government Act*, grants to the Regional District of Nanaimo the additional power to provide emergency programs as an extended service under the *Emergency Program Act*; and

WHEREAS, pursuant to the *Local Government Act* and the *Local Authority Emergency Management Regulation*, B.C. Reg. 380/95, enacted under the *Emergency Program Act*, a local authority may enter into a Mutual Aid Agreement with one or more local authorities for emergency resources of all types and subsequent cost recovery; and

WHEREAS, it is necessary and desirable that an Emergency Management Agreement (the "Agreement") be executed for the interchange of such mutually beneficial assistance.

NOW, THEREFORE, it is hereby agreed by and between each and all of the Parties as follows:

## 1. Interpretation

In this Agreement:

**"Disaster"** means a calamity that

- (a) is caused by accident, fire, explosion or technical failure or by the forces of nature; and
- (b) has resulted in serious harm to the health, safety or welfare of people or in widespread damage to property.

**"Emergency"** means a present or imminent event that

- (a) is caused by accident, fire, explosion or technical failure or by the forces of nature; and
- (b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.

**"Local Authority"** means

- (a) for a municipality, the municipal council;
- (b) for an electoral area in the Regional District, the Board of the Regional District.

**"Providing Party"** means a party receiving a request for assistance under this Agreement.

**"Requesting Party"** means a party requesting assistance under this Agreement.

**"Regional District"** means the Regional District of Nanaimo.

**"Region"** means the area within the boundaries of the Regional District of Nanaimo.

**"Resources"** means employees, members of any volunteer emergency program or agency, and equipment, supplies and other property owned or leased by one of the Parties.

**"Senior Elected Representative"** means the Chairperson of the Regional District of Nanaimo or in his/her absence, the Deputy Chairperson or designate; the Mayors of the City of Nanaimo, the Town of Qualicum Beach, the City of Parksville, and the District of Lantzville, or in their absence, the Deputy Mayor or designate; and the Chiefs of the Snuneymuxw First Nation, Nanoose First Nation and Qualicum First Nation or in their absence, the Deputy Chief or designate.

**2. Services**

- (a) The Parties agree to be bound by and conduct themselves in accordance with the procedures and obligations set out in Schedule "A" and Schedule "B", attached to and forming part of, this Agreement.
- (b) Each Party to this Agreement shall provide for the effective mobilization and utilization of its Resources to respond to major Emergencies and/or Disasters. The attached Schedule "A" outlines where and under what circumstances Emergency Coordination Centre(s) ("ECCs") will be located within the boundaries of the Regional District of Nanaimo, including the municipalities of Nanaimo, Parksville, Qualicum Beach, Lantzville, and the Qualicum, Nanoose and Snuneymuxw First Nations and the command structure that will be implemented to operate the ECCs.
- (c) Each of the Parties to this Agreement are committed to ensuring that the use of Resources and other emergency response capabilities are directed toward achieving the common goal of maximizing the efficiency of coordinated planning and response to, and recovery from, major Emergencies and Disasters within the Region.
- (d) Whenever any Party is in need of assistance to combat an Emergency or Disaster, it may request assistance from one or more of the Parties and the Party or Parties receiving the request shall, subject to the conditions in the Agreement, provide the assistance requested.
- (e) Requests for assistance shall be made by the Senior Elected Representative of the Requesting Party to the Senior Elected Representative of the Providing Party.
- (f) All Parties understand that their Resources may be deployed outside their own jurisdiction. The extent of the assistance given will be entirely at the discretion of the Providing Party having due regard for its own need for the Resources at the time of the request. The Providing Party shall have the primary interest of protecting the welfare of their own jurisdiction and does not assume any responsibilities or liabilities by not providing Resources as laid out in this Agreement.
- (g) The Providing Party retains the right to recall their Resources back into their own jurisdiction should the need arise to combat an Emergency or Disaster.
- (h) It is understood that this Agreement shall not supplant pre-existing Mutual Aid Agreements nor deny the right of any Party to this Agreement to negotiate supplemental Mutual Aid Agreements.
- (i) Assistance extended under this Agreement shall be provided in accordance with applicable current Federal and Provincial legislation, and the standards agreed to by the Parties.
- (j) The Requesting Party will assume direction and control over Resources provided under this Agreement as soon as the Resources arrive in the jurisdiction of the Requesting Party.

### 3. Term

The Agreement will be in effect until May 1, 2013 (the "Term").

### 4. Cost Sharing of Resources

The Parties shall be entitled to receive, and shall be required to make, compensation and payments in accordance with Schedule "B" to this Agreement.

### 5. Claims

Claims for compensation by owners of real or personal property for damage or injury suffered in a Disaster should be processed, either individually or jointly through the provisions of the *Emergency Program Act*. First Nations are required by the Provincial Emergency Program to file their own disaster financial assistance claims.

#### Independent Jurisdiction

- (a) Any and all agents, servants or employees of each of the Parties or, while engaged in the performance of any work or services required to be performed by the Parties under this Agreement shall not be considered employees of any other Party and a Party shall not be responsible for any act or omission of any person other than one of its own agents, servants, or employees, except as provided in this Agreement.
- (b) Each of the Parties to this Agreement will retain decision-making authority within their own jurisdiction. All Parties will ensure that decisions involving multiple jurisdictions are made in consultation with the Parties involved.
- (c) Each of the Parties to this Agreement is responsible for declaring their own "State of Local Emergency" under the *Emergency Program Act*, should it be necessary. The other Parties are to be notified as soon as possible, should this occur.

### 6. Indemnity

Despite Section 6(a), where a Providing Party supplies Resources to a Requesting Party pursuant to this Agreement, the Requesting Party shall indemnify and save harmless the Providing Party from any and all claims, causes of actions, suits and demands whatsoever arising out of the assistance rendered by the Providing Party, its servants, employees or agents; the failure to respond to a request for assistance under this Agreement; the failure to render adequate assistance; or any other reason.

### 7. Insurance

Each Party to this Agreement shall maintain insurance and liability coverage, in a minimum amount of Five million dollars (\$5,000,000.00), on any and all chattels and equipment owned by the Party that could be utilized to meet the provisions of this Agreement.

### 8. Waivers

The failure at any time of any Party to enforce any of the provisions of this Agreement or to require at any time performance by the other Parties of any such provision shall not constitute, or be construed to

constitute, a waiver of such provision, nor in any way to affect the validity of this Agreement or any of its parts, or the right of any Party to enforce each and every provision of this Agreement.

#### **9. Modification**

No waiver, modification or amendment of any of the provisions of this Agreement shall be binding unless it is in writing and signed by the duly authorized representatives of all Parties.

#### **10. Termination**

Notwithstanding any other provision of this Agreement:

- (a) If any Party fails to comply with any provision of this Agreement, then, and in addition to any other remedy or remedies available a Party may, at its option, terminate this Agreement by giving written notice of termination to all other Parties.
- (b) Any Party may terminate its participation in this Agreement at any time, without cause, by giving all other Parties at least seven (7) days notice of such termination.

If either such option is exercised by a Party ("the terminating Party"), the terminating Party will be under no further obligation to the other Parties except to pay the Parties such amount as the Parties may be entitled to receive for services properly performed and provided to the date notice is given to the Parties less any amounts necessary to compensate the terminating Party for damages or costs incurred by the terminating Party arising from another Party's default.

#### **11. Assignment**

No assignment of this Agreement shall be made by the Parties without the written consent of all the Parties. The Parties' consent to assign will not release or relieve the Parties from their obligations to perform all the terms, covenants and conditions that this Agreement requires the Parties to perform.

- a) Representatives of all Parties will meet at least annually to discuss, review and evaluate the effectiveness of the Agreement.

#### **12. Dispute Resolution**

Any and all claims arising in and out of the implementation of this Agreement will not be brought forward until the response phase of the Emergency or Disaster is over.

All Parties will mutually resolve any issue(s) arising out of the implementation of this Agreement. An external mediator may be brought in to assist in the resolution of any outstanding issues, if required.

#### **13. Counterparts**

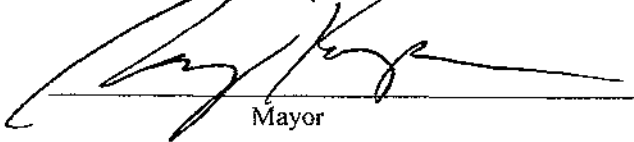
It is understood and agreed that this Agreement may be executed in any number of counterparts. All counterparts will be considered together and constitute one and the same Agreement.

IN WITNESS WHEREOF the Parties hereto have executed this Agreement as follows:

The Corporate Seal of the  
REGIONAL DISTRICT OF NANAIMO  
as hereto affixed in the presence of:

	)
	)
Chairperson	)
	)
	)
General Manager Corporate Services	)

The Corporate Seal of the  
CITY OF NANAIMO  
as hereto affixed in the presence of:

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
City Clerk

)  
)  
)  
)  
)  
)

The Corporate Seal of the  
CITY OF PARKSVILLE  
as hereto affixed in the presence of:

_____	)
Mayor	)
_____	)
Director of Administrative Services	)



The Corporate Seal of the  
TOWN OF QUALICUM BEACH  
as hereto affixed in the presence of:

	)
	)
_____ Mayor	)
	)
_____ Corporate Administrator	)
	)

The Corporate Seal of the  
DISTRICT OF LANTZVILLE  
As hereto affixed in the presence of:

_____	)
Mayor	)
_____	)
Corporate Administrator	)

The Corporate Seal of the  
SNUNEYMUXW FIRST NATION  
As hereto affixed in the presence of:

_____	)
Chief	)
	)
_____	)
Band Administrator	)

The Corporate Seal of the  
NANOOSE FIRST NATION  
As hereto affixed in the presence of:

\_\_\_\_\_)  
Chief )  
\_\_\_\_\_)  
Band Manager )

The Corporate Seal of the  
QUALICUM FIRST NATION  
As hereto affixed in the presence of:

_____	)
Chief	)
_____	)
Band Manager	)

## SCHEDULE "A"

### EMERGENCY COORDINATION CENTRE (ECC) OPERATIONAL PROCEDURES

The parties agree to the following ECC Operational Procedures as outlined below:

#### 1. Operations

The main purpose for establishing a Regional ECC is to standardize ECC operational procedures between the participating jurisdictions, and to become more cost effective and efficient by sharing resources.

The Regional ECC concept can be utilized when one or more of the participating jurisdictions are affected by an Emergency or Disaster. The primary site for the Regional ECC will be determined according to the location, type and scale of the Emergency or Disaster.

#### British Columbia Emergency Response Management System (BCERMS) and the Use of Incident Command System (ICS)

Unless otherwise agreed to by the Parties the BCERMS, established by the Province of British Columbia Provincial Emergency Program, is the comprehensive management standard that will be used as a model for emergency management personnel involved in this Agreement. BCERMS has been developed to ensure a coordinated and organized response all emergency incidents. The four operational levels of BCERMS are; Site Level, Site Support (normally through an Emergency Operations Centre (ECC)), Provincial Regional Coordination Level (normally through a Provincial Regional Operations Centre (PROC), and Provincial Central Coordination Level (normally through a Provincial Operations Centre (POC).

The ICS, established by the Province of British Columbia Provincial Emergency Program, is the emergency management system to be used by all Parties to this Agreement. ICS is a modular management system that expands or contracts as the incident escalates or de-escalates.

#### Establishing a Unified Command

Unified Command is an aspect of ICS. Unified Command may be established when there is more than one agency involved, thereby necessitating the development of a common set of response strategies, objectives and tactical decisions without losing or abdicating agency authority, responsibility or accountability. Under Unified Command there would be one Incident Commander from each of the agencies involved, and one single spokesperson speaking on behalf of the incident team (selected by I.C.'s by consensus).

### Command Post

A command post is the location at the scene of an Emergency where the Incident Commander(s) and Incident Management Team are located for the purpose of incident coordination and communications. This may be a command vehicle or facility. There would be one Command Post per Incident Site.

#### **1) Communication**

- a) An appointed Information Officer, or delegate, of the respective participants will speak on behalf of their own jurisdiction. Information Officers will;
  - (i) either speak jointly about the existing situation, or,
  - (ii) represent their own jurisdiction, or,
  - (iii) delegate the authority to a mutually agreed upon Public Information Officer to represent the group and speak on the situation as a whole.
- (b) Mayors, Chiefs, Councils and/or Board members will be kept informed by the ECC Director on a regular basis. They will be consulted regarding policy-related issues as required.
- (c) All communications will be directed through the ECC Director to the Incident Commander(s) at the Site Level, the policy group, other ECC's (if activated), and the Provincial Regional Level. All communications to the Provincial Level will be directed through the Provincial Regional Level.

### **Definitions**

#### Levels of Operational Response

Level 1 – Site Response – (Readiness and Routine) - *All ongoing routine response activities by Emergency Services Personnel (Police, Ambulance, Fire) on a daily basis.*

Level 2 – Site Support or Local ECC Response – (Local Emergency) – *A situation confined to one location/jurisdiction that does not affect zone-wide services, population or traffic.*

Level 3 – Regional ECC Response – (Regional Emergency) – *A situation affecting multiple-jurisdiction services, populations and geographical areas.*

Level 4 – PRECC Response, Regional ECC – (Major Disaster) – *A region-wide disaster that involves widespread damages in addition to the disruption of services. A "Provincial Regional Operations Centre" will be activated and the Attorney General may declare a "state of emergency".*

Level 5 – PECC Response – (Major Disaster) – *A region-wide disaster that involves widespread damages in addition to the disruption of services, requiring additional support and resources from*

*Federal Government and/or other Provinces. A "Provincial Operations Centre" will be activated and the Attorney General may declare a "state of emergency".*

Sector Definitions – The border between the Regional District's North and South Sectors is defined as the School Districts 68 and 69 border:

*Regional District South Sector – Includes the following areas; City of Nanaimo, District of Lantzville, Regional District of Nanaimo Electoral Areas "A" (Cassidy, Cedar, Yellowpoint, S. Wellington), "B" (Gabriola, DeCourcy, Mudge Islands), "C" (Extension, Arrowsmith-Benson, Wellington, Pleasant Valley), and the Snuneymuxw First Nation.*

*Regional District North Sector – Includes the following areas; City of Parksville, Town of Qualicum Beach, Regional District of Nanaimo Electoral Areas "E" (NanOOSE Bay), "F" (Coombs, Hilliers, Errington), "G" (French Creek, Dashwood, Englishman River), "H" (Shaw Hill, Qualicum Bay, Deep Bay, Bowser), the NanOOSE First Nation and the Qualicum First Nation.*

ECC Director (Municipal or Regional) – is the designated ECC Director of the area most affected by the Emergency or Disaster, unless otherwise specified, or mutually agreed upon by all Parties to this Agreement affected by the situation.

## **ECC Locations**

### Site Level (Level 1 Emergency)

An ECC would not normally be established at this level.

### Regional District of Nanaimo or Municipal ECC's (Level 2 Emergency)

A Regional District of Nanaimo or Municipal ECC may be activated under the following Level 2 Emergency Conditions:

- (a) Localized Municipal/First Nations Emergency – North Sector (involving only the City of Parksville, the Town of Qualicum Beach or the NanOOSE or Qualicum First Nations.)

The existing facilities at the Parksville Civic and Technology Centre Forum, the Qualicum Beach Town Hall, the Qualicum First Nation Band Office, or the NanOOSE First Nation Band Office may be utilized to establish an ECC should the need arise in each of these respective communities. These sites would provide alternate ECC locations for each other should the need arise. The request to set up, or move the ECC to the alternate location would come from the jurisdictional ECC Director. The ECC would be jointly and cooperatively set-up and the designated ECC Director of the Party most affected would assume command of the ECC.

- (b) Localized Municipal/First Nations Emergency – South Sector (involving only the City of Nanaimo, the District of Lantzville or the Snuneymuxw First Nation.)



The existing facilities at the Nanaimo Fire Rescue, #1 Fire Hall, the District of Lantzville Administration Building or the Snuneymuxw First Nation Band Office will be utilized to establish a jurisdictional ECC should the need arise. The existing facilities at these sites would provide alternate ECC locations for each other should the need arise. The request to set up, or move the ECC to the alternate location would come from the jurisdictional ECC Director. The ECC would be jointly and cooperatively set-up and the designated ECC Director of the Party most affected would assume command of the ECC.

- (c) Localized Regional District Emergency – North Sector (involving Electoral Areas E, F, G, H of the Regional District of Nanaimo only)

The existing facilities at the Regional District of Nanaimo Administration Building would be utilized to establish a Regional ECC should the need arise to assist any one of these electoral areas. The Parksville Civic and Technology Centre Forum, the Qualicum Beach Town Hall, the Nanoose First Nation Band Office or the Qualicum First Nation Band Office would serve as alternate ECC locations should the need arise. The request to set up, or move the ECC to the alternate location would come from the Regional District's ECC Director. The ECC would be jointly and cooperatively set-up and the designated Regional District's ECC Director would assume command of the ECC.

- (d) Localized Regional District Emergency – South Sector (involving Electoral Areas A, B, and C of the Regional District of Nanaimo only).

The existing facilities at the Regional District of Nanaimo Administration Building would be utilized to establish a Regional ECC should the need arise to assist any one of these electoral areas. The Nanaimo Fire Rescue # 1 Fire Hall, the District of Lantzville Administration Building and the Snuneymuxw First Nation Band Office would serve as an alternate ECC location should the need arise. The request to set up, or move the ECC to the alternate location would come from the Regional District's ECC Director. The ECC would be jointly and cooperatively set-up and the Regional District's ECC Director would assume command of the ECC.

Regional ECC (Level 3 Emergency)

A Regional ECC will be activated under one of the following Level 3 Emergency Conditions:

- (a) Regional Emergency (involving the Regional District of Nanaimo North Sector)

The Regional District's ECC Director would decide which of the following locations would be most appropriate to setup the ECC: the Regional District of Nanaimo Administration Building, the District of Lantzville Administration Building, the Parksville Civic and Technology Centre, the Qualicum Beach Town Hall, Qualicum First Nation Band Office or the Nanoose First Nations Band Office, or other facility if deemed necessary. The ECC would then be jointly and cooperatively set-up and the Regional District's ECC Director would assume command of the ECC.

- (b) Regional Emergency (involving the Regional District of Nanaimo South Sector)

The Regional District's ECC Director would decide which of the following locations would be most appropriate to setup the ECC: the Regional District of Nanaimo Administration Building, the Nanaimo Fire Rescue # 1 Fire Hall, District of Lantzville Administration Building, or the Snuneymuxw First Nation Band Office or other facility if deemed necessary. The ECC would

then be jointly and cooperatively set-up and the Regional District's ECC Director would assume command of the ECC.

- (c) Region-wide Emergency (involving portions of, or the entire Regional District of Nanaimo North & South Sectors)

Should the need arise to have one combined ECC when both the North and South Sectors are affected, the location of the ECC would be determined by the Regional District's ECC Director. The ECC could be set up in any of the following locations; the Regional District of Nanaimo Administration Building, the Nanaimo Fire Rescue # 1 Fire Hall, the District of Lantzville Administration Office, the Parksville Civic and Technology Centre Forum, the Qualicum Beach Town Hall, the Qualicum First Nation Band Office, the Nanoose First Nation Band Office, the Snuneymuxw Band Office or other facility if deemed necessary. The ECC would then be jointly and cooperatively set-up and the Regional District's ECC Director would assume command of the ECC.

Provincial Regional Emergency Coordination Level (Level 4 Emergency)

At this time, a location has not been pre-designated. Provincial Regional Emergency Operations Centre (PRECC) location would be designated by Provincial Emergency Program (PEP) officials immediately prior to activation and the location communicated to all other levels of operation.

The PRECC would be activated by PEP at the request of the Regional District's ECC Director. This level would provide support to the existing Regional ECC.

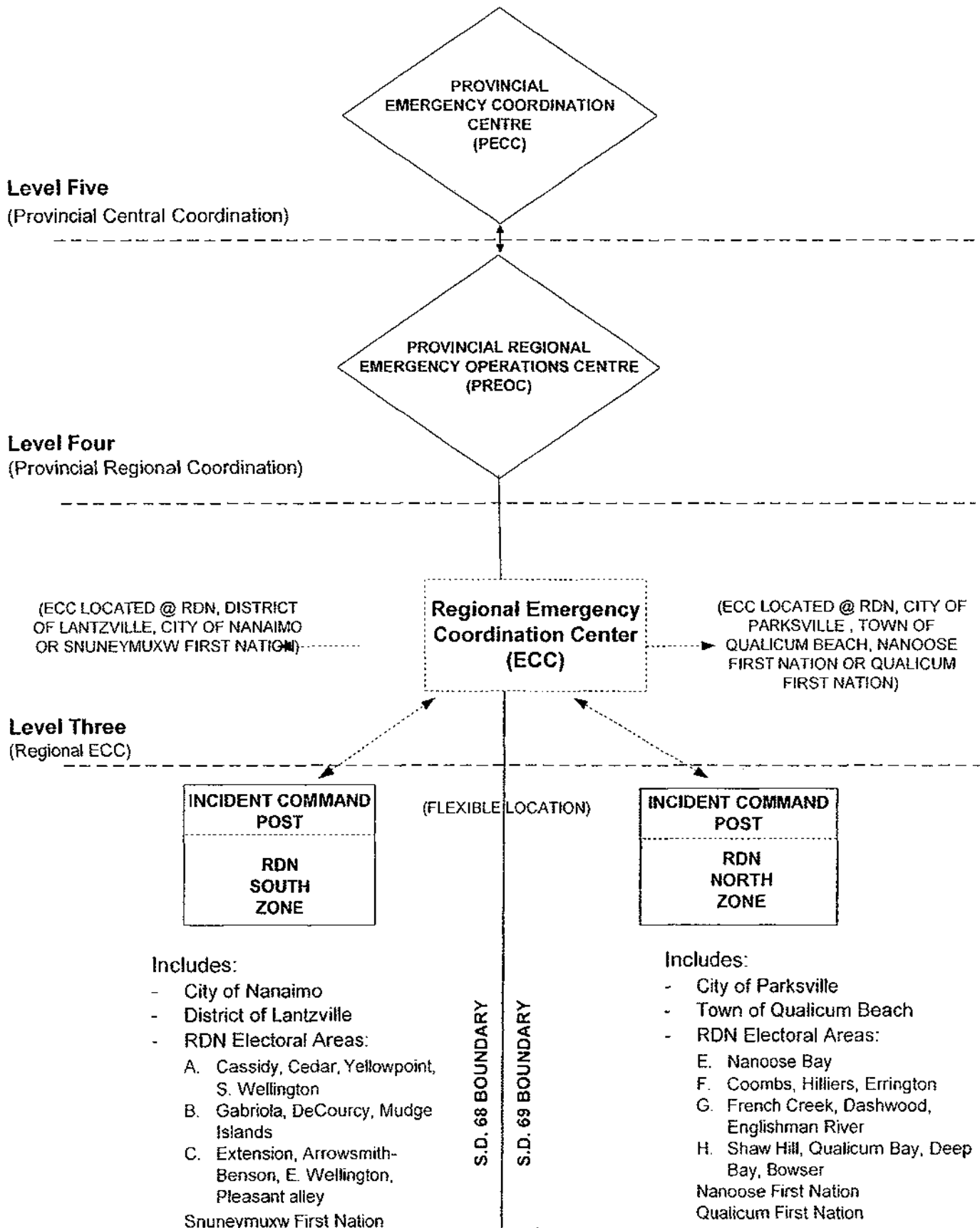
Provincial Emergency Coordination Centre Level (Level 5 Emergency)

At this time, a location has not been pre-designated. Provincial Emergency Coordination Centre (PECC) location would be designated immediately prior to activation and the location communicated to all other levels of operation.

Acronyms used in this Schedule:

BCERMS	British Columbia Emergency Response Management System
ECC	Emergency Coordination Centre
ICS	Incident Command System
PECC	Provincial Emergency Coordination Centre
PEP	Provincial Emergency Program
PREOC	Provincial Regional Emergency Operations Centre

## REGIONAL OPERATIONS CENTRE STRUCTURE



## **SCHEDULE "B"**

### **COST SHARING OF RESOURCES**

The Parties agree to the following Cost Sharing Principles as outlined below:

1. The Providing Party shall be responsible for any costs incurred in connection with the gathering, movement and deployment of resources to the jurisdiction of the Requesting Party.
2. A Requesting Party shall pay to the Providing Party:
  - (a) Salaries, wages and other employment expenses of employees or members of volunteer emergency programs, if such volunteers are entitled to compensation under their arrangements with the Providing Party for the time spent by such persons combating the Emergency or Disaster in the Requesting Party's jurisdiction.
  - (b) Market value, as set by the Provincial Emergency Program, of supplies, , provisions or other property which is consumed or otherwise not returnable to the Providing Party.
3. Following the cessation of the Emergency or Disaster, the Providing Party shall submit an invoice to the Requesting Party for payment under Paragraph 2 of this Schedule and the Requesting Party shall make payment within thirty (30) days of receipt of the invoice.
4. The Requesting Party shall be responsible for the operating costs of equipment provided, including repair costs while in its possession, but shall not be required to pay rent or any other charge to the Providing Party for the use of the equipment.
5. Equipment provided to a Requesting Party shall be returned, in the same working condition as when it was accepted, as soon as it is no longer needed to combat the Emergency or Disaster. Equipment shall be deemed to be provided in good working order unless otherwise noted by the Requesting Party at the time of acceptance.
6. Each Party shall within three months of the date of this Agreement compile a list of major equipment and distribute a copy of the list to each other Party. Each Party shall annually revise the list by no later than the anniversary date of each year of this Agreement. and distribute a copy of the revised list to each other Party.

## FOR INFORMATION ONLY

REPORT TO: B. E. CLEMENS, DIRECTOR OF FINANCE

FROM: R.J. REIMER, MANAGER, REVENUE SERVICES & FINANCIAL SYSTEMS

RE: ASSESSMENT ROLL ADJUSTMENTS

---

### STAFF'S RECOMMENDATION:

That Council receive the report for information.

### DISCUSSION:

We are now in receipt of two additional assessment roll adjustments from BC Assessment processed as follows:

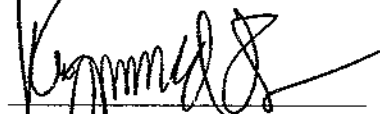
"2008 Supplementary 4" which was received in 2008  
"2007 Supplementary 15" which was received in 2008

The attached schedule summarizes the assessment adjustments and the impact on property taxation levies.

The impact of these assessment adjustments received in 2008 is to decrease gross taxation by \$52,226.38 which includes a decrease in the municipal portion of \$31,596.48.

The impact of all 2007 and 2008 assessment adjustments received in 2008 is to decrease gross taxation by \$69,080.45 which includes a decrease in the municipal portion of \$42,618.83.

Respectfully submitted,

  
Raymond J. Reimer  
Manager, Revenue Services  
& Financial Systems

  
Brian E. Clemens  
Director of Finance

  
Douglas W. Holmes  
General Manager, Corporate Services

RR/as  
Council: 2008-Jul-28  
G:\ADMINISTRATION\Council\Reports\Assessment Roll Adjustments 2008Jul28.doc

☐ Council  
☒ Committee F/PCOW  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2008-Jul-28

**CITY OF NANAIMO**  
**ASSESSMENT ADJUSTMENT SCHEDULE**

YEAR	SUPPLEMENTARY	GENERAL, DEBT, AND LIBRARY	OTHER AGENCIES	TOTAL ADJUSTMENTS
2008	4	(19,658.12)	(12,912.19)	(32,570.31)
2007	15	(11,938.36)	(7,717.71)	(19,656.07)
Total Adjustments		(\$31,596.48)	(\$20,629.90)	(\$52,226.38)