



MERGED AGENDA REGULAR COMMITTEE OF THE WHOLE MEETING

Monday, February 11, 2019, 4:30 pm to Proceed In Camera, Open Meeting at 7:00 pm
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. CALL TO ORDER:

2. PROCEDURAL MOTION:

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

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

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2);

Community Charter Section 90(2):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

3. INTRODUCTION OF LATE ITEMS:

- a. Add Agenda Item 7h - Delegation From Heather and Edward Ambo regarding property safety costs

4. APPROVAL OF THE AGENDA:

5. ADOPTION OF THE MINUTES:

- | | | |
|----|---|--------|
| a. | <u>Minutes</u> | 5 - 8 |
| | <p>Minutes of the Special Committee of the Whole Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Monday, 2019-JAN-28 at 12:00 p.m.</p> | |
| b. | <u>Minutes</u> | 9 - 15 |
| | <p>Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-JAN-28 at 4:30 p.m.</p> | |

6. PRESENTATIONS:

7. DELEGATIONS:

- | | | |
|----|---|----|
| a. | <u>Delegation from John Dacombe regarding parking</u> | 16 |
| | <p>John Dacombe to speak regarding Parking and People: Solutions for Nanaimo's older neighbourhoods.</p> | |
| b. | <u>Delegation from Wanda Thompson regarding safer streets</u> | 17 |
| | <p>Delegation from Wanda Thompson regarding creating safer streets: A Pilot Proposal.</p> | |
| c. | <u>Delegation from Aaron Dixon regarding safe streets in Nanaimo</u> | 18 |
| | <p>Aaron Dixon to provide a presentation regarding safe streets in Nanaimo.</p> | |
| d. | <u>Delegation from Janet Ismail regarding Labieux Supportive Housing Security and Crime Concerns</u> | 19 |
| | <p>Janet Ismail to speak regarding Labieux Supportive Housing Security and Crime Concerns.</p> | |
| e. | <u>Delegation from Joanne Sales regarding Broombusters Invasive Plant Society</u> | 20 |
| | <p>Joanne Sales, Director, Broombusters Invasive Plant Society, and Lynn Kropinak requesting support from Council in order for the broom cut by volunteers to be removed.</p> | |
| f. | <u>Delegation from Chrissy Forsyth regarding 2020 Labieux Road Temporary Supportive Housing</u> | 21 |
| | <p>Chrissy Forsyth to speak regarding reoccurring issues in the community surrounding 2020 Labieux and request a meeting with Mayor and Council, Crown Council, RCMP, City Managers and community members to work</p> | |

towards a community task force to address these issues.

- g. Delegation from Marty Roberts and Hilary Harlow regarding 1400 Wingrove Street 22

Marty Roberts and Hilary Harlow to speak regarding continued issues of the Amrikkos property at 1400 Wingrove Street, Nanaimo.

- h. Delegation from Heather and Edward Ambo regarding property safety costs 23

Heather and Edward Ambo to speak regarding costs incurred to protect property.

8. REPORTS:

- a. New Horizons for Seniors Grant 24 - 27

To be introduced by Dale Lindsay, Director of Community Development.

Purpose: To obtain Council's endorsement for a collaborative Expression of Interest application to the Human Resources and Skills Development Canada New Horizons for Seniors Program.

Recommendation: That the Committee of the Whole recommend that Council support the City of Nanaimo's participation in a collaborative Expression of Interest application to the Human Resources and Skills Development Canada New Horizons for Seniors Program for the purpose of enhancing social connectivity amongst adults 55 years and older.

- b. Short-Term Rental Accommodation 28 - 37

To be introduced by Dale Lindsay, Director of Community Development.

Purpose: To provide Council with information on an upcoming process to develop new regulations for short-term rental accommodations in Nanaimo.

Recommendation: That the "Short-Term Rental Accommodation" report dated 2019-FEB-11 be received for information.

- c. Consultation Plan - Single-Use Checkout Bags Regulation 38 - 47

To be introduced by Bill Sims, Director, Engineering and Public Works.

Purpose: To obtain Council approval to proceed with consultation prior to adoption and implementation of a new bylaw to regulate the use of single-use checkout bags

Recommendation: That the Committee of the Whole recommend that Council approve the consultation plan as attached and add \$15,350 to the 2019 – 2023 Financial Plan, funded from General Taxation.

To be introduced by Bill Sims, Director, Engineering and Public Works.

Purpose: To provide Council with an update on Transportation and Mobility projects that are taking place in 2019.

Presentation:

1. Jamie Rose, Manager, Transportation.

Recommendation: That the Transportation Update 2019 report, dated 2019-FEB-11 be received for information.

- 9. **CORRESPONDENCE:**
- 10. **OTHER BUSINESS:**
- 11. **QUESTION PERIOD:**
- 12. **ADJOURNMENT:**

MINUTES
SPECIAL COMMITTEE OF THE WHOLE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
MONDAY, 2019-JAN-28 AT 12:00 P.M.

Present: Mayor L. Krog (arrived 12:45 p.m.)
Acting Mayor Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown (vacated 3:31 p.m.)
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director of Parks and Recreation
D. Lindsay, Director of Community Development
B. Sims, Director of Engineering and Public Works (vacated 2:03 p.m.)
B. Corsan, Deputy Director of Community Development (vacated 3:43 p.m.)
A. Manhas, Economic Development Officer
D. Blackwood, Client Support Specialist (vacated 12:16 p.m.)
S. Snelgrove, Deputy Corporate Officer
G. Whitters, Recording Secretary

1. CALL THE SPECIAL MEETING TO ORDER:

The Special Committee of the Whole Meeting was called to order at 12:06 p.m.

2. APPROVAL OF AGENDA:

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

3. PRESENTATIONS:

(a) Economic Development Backgrounder – City of Nanaimo

Introduced by Bill Corsan, Deputy Director, Community Development.

Bill Corsan, Deputy Director, Community Development, provided a presentation regarding economic development which included the following information:

- History of economic development in the City of Nanaimo
- Budget and function of in-house Nanaimo Economic Development Corporation
- Contracting and funding of tourism services

- Current economic development model and the departments responsible
- 2018 Economic Development accomplishments
- The City's economic development partners and their 2018 achievements
- The City's key initiatives for 2019

D. Blackwood vacated the Boardroom at 12:16 p.m.

Committee discussion took place regarding the facilitation and purpose of roundtables, how to attract skilled employees to Vancouver Island, and internships.

(b) Presentation from Dale Wheeldon and Colleen Bond regarding Economic Development

Dale Wheeldon, President and CEO, British Columbia Economic Development Association, and Colleen Bond, Partner, EDCD Consulting, provided a presentation on economic development which included the following information:

- Economic development is unique to each community
- A video was played regarding economic development
- What is economic development and who should be involved
- Correlation between economic development and community development

B. Corsan vacated the Boardroom at 12:24 p.m.

Mayor Krog entered the Boardroom at 12:45 and assumed the Chair.

The committee discussed integrating supportive housing into economic development.

B. Corsan returned to the Boardroom at 12:54 p.m.

The presentation continued regarding:

- The structure, functions and day-to-day responsibilities of economic development
- Benefits of an in-house or out-of-house program
- Importance of provincial and federal government involvement
- Length of strategic plan and annual updates
- The planning process, information sources and actions to take
- Developing a work plan based on the strategic plan
- Measuring success and evaluating plan progress

Committee discussion took place regarding:

- The Mid Island Tech Attraction Strategy
- Regional and local government partnerships and how to start collaboration
- Tourism and economic development go hand in hand
- Economic development at the Regional District of Nanaimo
- Keeping collaborations project-based to start
- Examples of projects include agriculture, film, arts and culture, mid island tech sector, Vancouver Island Coast Economic Developers Association (VICEDA)
- City to be initiator of partnerships and to reach out to other areas

- Which structure for economic development: in-house or out-of-house and their pros and cons
- Economic development organization needs a clearly defined mandate
- Trust in the economic development officer
- In-house model, requires a Director who is included with Senior Management
- Importance of communication between economic development officer and Council
- Freedom of Information requests and their impact on an internal economic development model
- How to market Nanaimo for business attraction
- Reignite economic development in the City and get buy-in from community

The Special Committee of the Whole recessed at 2:03 p.m.

The Special Committee of the Whole reconvened at 2:19 p.m.

Staff present: B. Corsan, R. Harding, D. Lindsay, A. Manhas, S. Snelgrove, and G. Whitters

J. Rudolph returned to the Boardroom at 2:21 p.m.

The presentation continued regarding:

- Essential tools for economic development include website, community profile, and social media
- How to make information more available to incoming businesses and engaging the business community
- The value of business retention and expansion (BRE)
- Why BRE is important, who is involved, what it accomplishes and how it's done
- Business walks are a quick and effective way to engage with local businesses
- Video was played regarding Abbotsford business walks
- Importance of follow-up after a business walk
- Virtual business walks

The Special Committee of the Whole recessed at 3:10 p.m.

The Special Committee of the Whole reconvened at 3:12 p.m.

The presentation continued regarding:

- Home businesses and entrepreneurship
- Why support small business and entrepreneurs
- Two videos were played regarding entrepreneurship training and pop-up shops
- Growth of pop-up shops
- Investment readiness and attraction

The Committee discussed initial contact with new businesses and the data collected for business licenses.

Councillor Brown vacated the Boardroom at 3:31 p.m.

The presentation continued regarding:

- Performing exit surveys with businesses to find out why they closed or moved
- Evaluation of Nanaimo's investment readiness according to the Investment Readiness Assessment
- Video was played regarding empty buildings
- Investment attraction strategies
- BC advantages and the City's advantages for attracting business

Councillor Turley vacated the Boardroom at 3:41 p.m.

B. Corsan vacated the Boardroom at 3:43 p.m.

- The radius of the labour force around Nanaimo
- Marketing through media and videos
- Promo video was played regarding Alpharetta, Georgia

Councillor Turley returned to the Boardroom at 3:46 p.m.

Committee discussion took place regarding:

- Which economic model would be best for Nanaimo
- The gap in business expansion and retention
- Developing strategy in sessions/roundtables with engagement from community and how to facilitate it
- Pros and cons of Nanaimo Economic Development Corporation and the Speculation Tax Report
- City Website lacking links to economic development information
- What the model will look like including funding and staffing
- Consultation with the community to have their support
- Economic advantages in Nanaimo

4. ADJOURNMENT:

It was moved and seconded at 3:58 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

CHAIR

MINUTES
REGULAR COMMITTEE OF THE WHOLE COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JAN-28, AT 4:30 P.M.

Present: Mayor L. Krog
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer (arrived 4:41 p.m.)
R. J. Harding, Director of Parks and Recreation (arrived 4:45 p.m., vacated 5:06 p.m.)
D. Lindsay, Director of Community Development
J. Van Horne, Director of Human Resources (arrived 4:53 p.m.)
Supt. C. Miller, OIC, Nanaimo Detachment RCMP (vacated 5:07 p.m.)
M. Desrochers, Client Support Specialist
S. Snelgrove, Deputy Corporate Officer
K. Gerard, Recording Secretary

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

The Regular Committee of the Whole Meeting was called to order at 4:30 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 6(f) – Delegation from Janet Ismail, Ida Adam and Rudy Adam regarding neighbourhood crime and security concerns in and around the Labieux Road Temporary Housing.
- (b) Add Agenda Item 9(a) – Councillor Bonner Five Notices of Motion regarding Growing Cannabis on the Agricultural Land Reserve.

3. APPROVAL OF THE AGENDA:

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

4. ADOPTION OF THE MINUTES:

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

- Minutes of the Special Committee of the Whole Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2019-JAN-07 at 1:00 p.m.
- Minutes of the Special Committee of the Whole Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JAN-14 at 1:00 p.m.
- Minutes of the Special Committee of the Whole Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Friday, 2018-JAN-18 at 9:00 a.m.

The motion carried unanimously.

5. DELEGATIONS:

- (a) Delegation from Paul Chapman, Executive Director, Nanaimo and Area Land Trust, regarding the upcoming Water Stewardship in a Changing Climate Symposium

Paul Chapman, Executive Director, Nanaimo and Area Land Trust spoke regarding the upcoming Water Stewardship in a Changing Climate Symposium, effects of climate change on our rivers, lakes and creeks and provided Mayor and Council with a calendar that contains dates of the upcoming Nanaimo and Area Land Trust workshops he hopes they will attend.

J. Rudolph entered the Shaw Auditorium at 4:41 p.m.

- (b) Delegation from Dennis McMahon regarding the Nanaimo Arts Community

Dennis McMahon spoke regarding the need for suitable and affordable space for the Nanaimo Arts Community and the proposed designation of 580 Fitzwilliam Street as the location for a future Nanaimo Centre for the Creative Arts. Mr. McMahon provided a brief history of appearances before Council and requested that Council and the Nanaimo Arts Community work together to provide artists with a studio space where artists can practice, sell art and hold workshops for the arts community.

It was moved and seconded that the Committee of the Whole direct Staff to prepare a report that provides information and outlines the feasibility of 580 Fitzwilliam Street being designated as a community arts centre with options for other community groups to use the facility as well. The motion carried unanimously.

R. Harding entered the Shaw Auditorium at 4:45 p.m.

(c) Delegation from Angela Wood, Todd Vass and Michelle Corfield regarding Safety Concerns at Beban Park and Park Watch

Angela Wood, Todd Vass and Michelle Corfield, provided the Committee of the Whole with findings and recommendations regarding safety concerns at Beban Park that were gathered by various community members who created a public group called "Park Watch". They spoke regarding the following:

- Group of parents and volunteers created a group called Park Watch, which patrols the BMX and Steve Smith bike track at Beban Park
- Increase in vandalism, graffiti, damage to property, garbage including needles and crime/theft at Beban Park
- Group and organizations want to work with the City of Nanaimo, RCMP, and Staff at Beban Park to focus on recommendations provided by the Park Watch group
- Priority recommendations include: clearing of trees and brush for better sightlines and lighting

J. Van Horne entered the Shaw Auditorium at 4:53 p.m.

(d) Delegation from Ken Clark regarding Crime and Safety in Nanaimo Neighbourhoods

Ken Clark spoke regarding the severity of crime in the neighbourhoods surrounding the Labieux Road Temporary Housing site. Mr. Clark provided examples of crime in the area and voiced his concern for the safety of residents and users of Beban Park facilities.

(e) Delegation from Holden Southward regarding City of Nanaimo Property Taxes

Holden Southward spoke regarding practical ways to reduce City of Nanaimo property taxes by 25%, including recommendation such as; saving money instead of borrowing for major projects, cap all municipal salaries at \$125,000/year, no pension after retirement for past and present Mayor and Council, utilize volunteers for projects and stop passing debt onto next generations.

R. Harding and D. Lindsay vacated the Shaw Auditorium at 5:06 p.m.

C. Miller vacated the Shaw Auditorium at 5:07 p.m.

6. REPORTS:

(a) Public Engagement Pilot Program Session Four

Introduced by Sky Snelgrove, Deputy Corporate Officer.

It was moved and seconded that the report "Public Engagement Pilot Program Session Four", dated 2019-JAN-28, be received for information. The motion carried unanimously.

(b) Public Engagement Pilot Program – Final Report

Introduced by Sky Snelgrove, Deputy Corporate Officer.

Presentation:

1. Nancy Mitchell, Norm Smith, Les Barclay and Bill Manners, members of the Community Engagement Task Force, provided the Committee of the Whole with a verbal report regarding the Community Engagement Task Force Final Report, which included the following:
 - Outcome of the four sessions and noted that the community does want engagement regarding city matters
 - Encourages Mayor and Council to be active in community engagement and thanked Mayor and Council for attending the last public engagement session
 - Thanked Staff that assisted with and were part of the Community Engagement Task Force
 - Provided recommendation to ensure that community engagement remains active

It was moved and seconded that the Public Engagement Pilot Program – Final Report dated, 2019-JAN-28, be received for information. The motion carried unanimously.

(c) Code of Conduct

Introduced by John Van Horne, Director, Human Resources.

It was moved and seconded that the Committee of the Whole recommend that Council adopt the attached Code of Conduct and sign the accompanying declaration at the next regular meeting of Council. The motion carried unanimously.

D. Lindsay returned to the Shaw Auditorium at 5:34 p.m.

7. OTHER BUSINESS:

(a) Councillor Bonner Notice of Motion re: Growing Cannabis Plants on the Agricultural Land Reserve (ALR)

Councillor Bonner provided the following Notice of Motion for consideration at a future Council meeting:

1. WHEREAS the *Agricultural Land Commission Act* states "farm use" means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;

AND WHEREAS the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the ALR Regulation) has differentiated the lawful production of cannabis from other “farm use” by limiting the structures for production, and narrowing the definition of ‘necessary’ activities under section 2(3), unlike any other crop in British Columbia:

THEREFORE, BE IT RESOLVED that the AVICC request the provincial government to amend the ALR Regulation so that the lawful production of cannabis aligns with the growing structures and site development measures available for all other crops. More specifically, placing limits on the unique concrete structure growing method initially targeted for regulation to all crops. Thus enabling cannabis, when grown as any other crop, to be deemed a “farm use”, as defined in the *Agricultural Land Commission Act* and a “farm operation” under the *Farm Practices Protection (Right to Farm)*. Circumscribing cannabis production in structures that are lawful by regulation for all other crops, may not withstand judicial review.

2. WHEREAS the *Agricultural Land Commission Act* states “farm use” means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;

AND WHEREAS the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the ALR Regulation) has differentiated the lawful production of cannabis from other “farm use” by limiting the structures for production, and narrowing the definition of ‘necessary’ activities under section 2(3), unlike any other crop in British Columbia:

THEREFORE, BE IT RESOLVED that the AVICC request the provincial government to amend the ALR Regulation in order to clarify the interpretation of section 2(2.5) of the ALR Regulation regarding the lawful production of cannabis “inside a structure (a) that has a base consisting entirely of soil”, and clarify that when producing cannabis in a greenhouse, it has the same meaning as “Greenhouse” under section 2(o)(i) of the Regulation. Circumscribing cannabis production in structures that are lawful by regulation for all other crops, may not withstand judicial review.

AND BE IT FURTHER RESOLVED THAT the AVICC request the provincial government to amend the ALR Regulation section 2(2.5) to resemble something like the following:

- (2.5) The lawful production of cannabis is designated as farm use for the purposes of the Act if produced outdoors in a field or inside a structure
- (a) which has a base consisting entirely of soil, and
 - (i) that is moveable in nature; or
 - (ii) on a helical pile foundation; or
 - (iii) whose base does not create irreversible damage to the soil.

3. WHEREAS the structural use of concrete as a foundation system and associated fill, is known to cause irreparable damage to soil biology and render a site unfit for soil-based crops in the future, and low-impact, low carbon, removable foundation technologies are available as a new standard for agricultural structure foundations;

AND WHEREAS the *Agricultural Land Commission Act*, and the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the ALR Regulation) regulate “farm use” structures on the agricultural land reserve (ALR) and the deposit of fill is considered a farm use for all activities under sections 2(1) to (2.2), and does not require notification to the ALR except under limited circumstances, and the National Farm Building Code applies to all agricultural “farm use” structures;

THEREFORE, BE IT RESOLVED that the AVICC request the provincial government to encourage the use of low carbon, low impact, cement-free foundation technologies for farm use structures and buildings within the ALR, thereby reducing the deposition of fill material and elimination of arable soil capability in the long term.

4. WHEREAS the *Agricultural Land Commission Act*, and the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the ALR Regulation) Section 2(2.5)(b) has limited cannabis production to existing structures which were previously utilized for crop production, or were under continuous production prior to the regulatory change, eliminating the ability to convert non-crop or other structures within the Agricultural Land Reserve (ALR);

AND WHEREAS the Cannabis Act and Regulations require “good production practices” that create hygienic conditions for the cultivation and production of cannabis, and existing structures are available for federally compliant conversion, which would strengthen municipal 2018 BC Building Code oversight, reduce the pressure for new construction, and facilitate contribution to the local and BC Economy:

THEREFORE, BE IT RESOLVED that the AVICC request the provincial government to amend the ALR Regulation to allow for the retrofitting of existing non-residential structures on the ALR for cannabis production.

5. WHEREAS water sustainability, healthy watersheds and ground water are of vital importance and, commercial fertilizers can be damaging to groundwater and influence water quality in watersheds;

AND WHEREAS the use of fertilizers in greenhouses and indoor structures creates effluent that contains concentrated commercial fertilizers which, if released untreated can be damaging to groundwater and the overall watershed:

THEREFORE, BE IT RESOLVED that the AVICC request that the provincial government explore including in the BC Agricultural Best Practices, the requirement for closed loop greenhouse irrigation systems in commercial greenhouse and indoor agricultural structures, to prevent commercial fertilizers from being emitted into the environment.

8. QUESTION PERIOD:

- Mike Smith, President of Nanaimo BMX re: funding for lighting and assistance with clean up and maintenance of the bike parks.
- Chrissy Forsythe re: addiction services, repeat offenders and residents patrolling their neighbourhoods at night.
- Heather Ambo re: budget and cost of calls to emergency services.
- Ed Ambo re: assigning a single RCMP member to each temporary housing site as a contact for residents and neighbourhood groups.
- Sandra Steward-Kobeuka re: a clear plan to resolve the issues in and around the temporary housing sites
- Laura Bonner re: temporary portable be set up at each site as a community policing station and a portion of Brannen Lake Jail being made into a detox centre
- Les Barclay re: Agenda Item 7(c) – Code of Conduct.

Jake Rudolph, Chief Administrative Officer, spoke regarding the current action plan and summarized the various steps that are being taken at the temporary housing sites, which included the following:

- Neighbourhood advisory committees have been established and are meeting on an ongoing basis
- BC Housing has and is currently investing funding and time to work with the operators and service providers of each housing site
- Improvements have been made to the Terminal Avenue housing site including a new gate, fencing and better lighting; more work on the Labieux Road site will be done soon
- RCMP are maintaining a presence at both sites with regular officers, plain clothes officers and bike patrol
- RCMP are offering training for operators and outreach workers
- Island Health Authority is present at each site at least 5 days per week
- Staff, RCMP and neighbourhood groups are assisting in the maintenance, clean up and patrols of all parks and a new Parks Bylaw will be coming forward to Council soon that addresses overnight camping in Parks
- Mayor and Council, Staff, outreach workers, RCMP, operators and BC Housing are meeting on a regular basis
- Goal now is to look at long term solutions and identify potential properties for long term housing

9. ADJOURNMENT:

It was moved and seconded at 6:35 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER

Delegation Request

John Dacombe has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: Yes

Details of Presentation:

Parking and People: Solutions for Nanaimo's older neighbourhoods

Delegation Request

Wanda Thompson has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: Yes

Details of Presentation:

Creating Safer Streets: A Pilot Proposal

Delegation Request

Aaron Dixon has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: Yes

Details of Presentation:

Safe Streets in Nanaimo

Delegation Request

Janet Ismail has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

Labieux Supportive Housing security and crime concerns, elderly in community. Changes. Temp housing timeline. Reduce site location time from 2-5 to 1-2. Set as priority. Reporting request monthly updates new site land prospects.

Delegation Request

Broombusters Invasive Plant Society Director Joanne Sales has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: Yes

Details of Presentation:

Broombuster volunteers have been clearing broom in Nanaimo for hundreds of hours each year since 2008. We want to explain why Scotch broom is undesirable, as it crowds out native species and young trees, takes over parks and farms, and creates a serious fire hazard. We want to give credit to the wonderful Nanaimo Parks department, and will ask council for extra support so that the broom cut by volunteers can be removed. We can share with staff the ways this is done by 9 other municipalities on the island. Broombuster volunteers cut broom over 5000 hours each year! Thank you!

Delegation Request

Chrissy Forsythe has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

I would like to address the reoccurring problem of theft in neighbouring communities to 2020 Labieux. I would like to request a meeting with Mayor and Council, Crown Council, RCMP, City Managers and community members to work towards a community task force to combat internal issues we are now experiencing in our community. We also have a high volume of drug use in public and violence happening to us and businesses as well. Hope we can all find a solution rather than creating more problems.

Delegation Request

Marty Roberts and Hilary Harlow has requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

Speaking to the continued issues of the Amrikkos property at 1400 Wingrove St Nanaimo.

Delegation Request

Heather Ambo and Edward Ambo have requested an appearance before Council.

The requested date is February 11, 2019.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

To speak regarding costs incurred to make a property safer at a time when housing in Nanaimo is not affordable and an increase in homelessness as a result of rents.

Staff Report for Decision

DATE OF MEETING | FEBRUARY 11, 2019 |

AUTHORED BY | JOHN HORN, SOCIAL PLANNER |

SUBJECT NEW HORIZONS FOR SENIORS GRANT

OVERVIEW

Purpose of Report

To obtain Council's endorsement for a collaborative Expression of Interest application to the Human Resources and Skills Development Canada New Horizons for Seniors Program.

Recommendation

That the Committee of the Whole recommend that Council support the City of Nanaimo's participation in a collaborative Expression of Interest application to the Human Resources and Skills Development Canada New Horizons for Seniors Program for the purpose of enhancing social connectivity amongst adults 55 years and older.

BACKGROUND

On 2019-JAN-21, the United Way of Central and Northern Vancouver Island (UWCNVI) submitted an Expression of Interest (EOI) to the Human Resources and Skills Development Canada (HRSDC) New Horizons for Seniors Program (NHSP). The purpose of the funding is to enhance the social inclusion of seniors. If the submission of the EOI is successful, UWCNVI will be invited to submit a full proposal for consideration by the funders. The City of Nanaimo had partnered previously on a successful application to this funding stream under the 'Seniors Connect' banner, and in 2016, the City received \$168,360 to reduce social isolation in Nanaimo for residents 55 years and older. The partners in the Seniors Connect initiative include Nanaimo Family Life Association, Nanaimo Hospital Foundation, Nanaimo Women's Centre, Healthwell Associates, and Vancouver Island Mental Health Society. That funding supported two programs: City Builders, which focused on investing in age-friendly infrastructure such as bus shelters and crosswalks, and Living History, an oral history project that provides older adults with an opportunity to share true stories drawn from their own lives with a live audience drawn from the general public. The funding provided by HRSDC in that round will end in April of 2019.

Staff would like to continue one aspect of that work: the oral history series, Living History. To date, the series has featured 20 evenings with 72 speakers, and total attendance of more than 1,500 seats filled, comprised of approximately 300 to 400 unique individuals. An advertising flyer for the February 2017 Living History series is attached to this report as Attachment A. Several projects remain in the pipeline for the second component (City Builders) of the current funding: four bus stop shelters and two crosswalks that are expected to complete prior to the expiration of the funding. As other priorities have since arisen, the capacity to continue this component of the original funding is limited.

The UWCNVI has made provision in the EOI for continuation of the oral history series as one aspect of supporting seniors to participate in community life. The EOI identifies a total budget of

\$4,141,758 over a five-year timeframe (2019-2024), of which \$55,000 (\$11,000 per year) has been allocated for the Living History series. Each Living History series (four two-hour evenings) costs approximately \$3,500 to put on (inclusive of payments to a contractor who identifies and schedules the speakers). With a proposed allocation of \$11,000 per year, this funding request, if successful, would support three Living History series per year for five years.

Expenses associated with the series would be covered by the proposed budget and is inclusive of a consultant who is paid to manage the job of identifying and organizing the speakers. Some Staff time would be required on an ongoing basis over the five-year timeframe to attend the speaker series, manage advertising for the series, participate in meetings with our partners in the collaborative, support the volunteer committee that has been developed for this program, and report on expenditures and outcomes to the funder.

OPTIONS

1. That the Committee of the Whole recommend that Council support the City of Nanaimo's participation in a collaborative Expression of Interest application to the Human Resources and Skills Development Canada New Horizons for Seniors Program for the purpose of enhancing social connectivity amongst adults 55 years and older.
 - **Budget Implication:** If the grant application is successful, the 2019 – 2023 Financial Plan will be amended to include \$11,000 per year for five (5) years for the Living History series costs with the grant as the funding source.
 - **Other Implications:** Addresses the issue of social isolation amongst seniors in support of the City of Nanaimo's goal of making Nanaimo an age-friendly community.
2. That Council provide alternative direction.

SUMMARY POINTS

- In 2016, the City of Nanaimo received funding of \$168,360 from the New Horizons for Seniors Program to address the issue of social isolation in seniors.
- One component of that work is an oral history series – Living History – where local seniors tell true stories to a live audience.
- A collaborative EOI has been submitted to the New Horizons for Seniors Program to allow the City to continue the series within the five-year timeframe (2019-2024).

ATTACHMENTS

ATTACHMENT A: Advertising Flyer for Living History Series (February 2017)

Submitted by:

Lisa Bhopalsingh
Manager, Community & Cultural Planning

Concurrence by:

Dale Lindsay
Director, Community Development

Laura Mercer
Acting Director, Financial Services

FREE!

ATTACHMENT A

FREE!



LIVING HISTORY SPEAKER SERIES

Stories from Here

4 Nights in February X 4 Speakers per Night = 16 ORIGINAL STORY TELLERS

FOUR WEDNESDAYS IN FEBRUARY

FROM 6:30PM - 8:00PM AT WELLINGTON SECONDARY SCHOOL

PRESENTATION ROOM AT MAIN ENTRANCE (3135 MEXICANA ROAD)

WEDNESDAY FEBRUARY 1, 2017

Laurie Hutchinson shares the story of her parents inseparable love & 3 generation wedding.
William Good speaks about the history of the Snuneymuxw people.
John Horn Sr talks about his early days as a lawyer in Africa.
Bob Coulter tells us about the history of the Metis.

WEDNESDAY FEBRUARY 8, 2017

Come hear renowned music teacher Bryan Stovell talk about Nanaimo's jazz music history.
Nelson Allen tell stories about our local governments.
Les Skipsey fills us in on his teaching career which began here in 1949.
Eva Manly will speak about her experiences as an activist.

WEDNESDAY FEBRUARY 15, 2017

David Stanley, author and professional traveller has some stories to tell and he will be telling them to the Living History audience.
Local thespians Barbara and Roger Desprez tell theatre stories.
Les Dickason schools us on the history of education in Nanaimo.
Eric Ricker will share stories of the Ricker family.

WEDNESDAY FEBRUARY 22, 2017

Don Olsen reflects on his experience of the Great Depression in Canada.
Seamus McGlynn talks about bicycling from Nanaimo to New Zealand.
Phil Little will discuss liberation theology.
Joe Martin will talk about his time on the Nanaimo Athletic Commission.

For more information, call 250-755-4491 or email john.horn@nanaimo.ca

This project is funded in part by the Government of Canada's
New Horizons for Seniors Program.



DATE OF MEETING FEBRUARY 11, 2019

AUTHORED BY KARIN KRONSTAL, SOCIAL PLANNER

SUBJECT **SHORT-TERM RENTAL ACCOMMODATION**

OVERVIEW

Purpose of Report

To provide Council with information on an upcoming process to develop new regulations for short-term rental accommodations in Nanaimo.

Recommendation

That the “Short-Term Rental Accommodation” report dated 2019-FEB-11 be received for information.

DISCUSSION

On 2018-SEP-17, Council adopted the Nanaimo Affordable Housing Strategy (the “Strategy”), which establishes the City’s priorities in addressing housing affordability over the next ten years. Increasing the supply of rental housing is a key objective of the Strategy, and the regulation of short-term accommodations was identified as an important step in achieving this objective.

The Strategy defines short-term rental accommodation as “the rental of a room or an entire residential dwelling unit on a temporary basis (i.e., less than 30 days)”. While online home-sharing platforms such as Airbnb have popularized short-term rentals, this definition also includes the rental of entire dwelling units such as those advertised through HomeAway and Vacation Rental By Owner (VRBO), which have existed in Nanaimo for many years. The only short-term rental accommodations currently regulated by “Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) are “Bed and Breakfasts”, which are allowed in all zones where single residential dwellings are a permitted use.

The Strategy recommended seven actions to regulate short-term rental accommodations:

1. Restrict short-term rentals (i.e., less than 30 days) to dwelling units where the owner is currently residing on the property, either in the main dwelling or the secondary suite.
2. Require all short-term rental operators (including bed and breakfasts and others) to obtain a business licence and to display their business licence number in all listings.
3. Support fair taxation for all types of short-term accommodation, including hotels, bed and breakfasts, and other types of short-term rentals.
4. Ensure that zoning regulations that apply to bed and breakfasts are extended to short-term rentals.
5. Assess the implications of requiring different business licences for properties located in areas zoned as residential versus properties located in areas zoned as commercial.
6. Determine an appropriate fine for listing a short-term rental without a valid licence.
7. Prepare an explanatory guide that outlines short-term rental operator requirements.

As part of the Strategy implementation, Staff are now bringing forward to Council a process and public engagement plan for moving forward on the action items listed above.

Nanaimo's Rental Market Context

The Affordable Housing Discussion Paper, which provided the research to support the Strategy's policy recommendations, found that there were 416 homes or rooms advertised for short-term rental in Nanaimo towards the end of 2017. Approximately half of those listings were for entire homes, indicating that over 200 units potentially available for long-term rental were instead being used for short-term rental. This number may have grown significantly over the past year; in Kelowna, the number of short-term rentals grew 69% between the winter of 2017 (1,172 listings) and spring of 2018 (1,979 listings). This figure reflects both an overall growth in the short-term rental market and increased demand during the summer months, which are trends that Nanaimo is likely to follow.

Nanaimo's current vacancy rate of 2.4% (November 2018) is well below the 5% threshold indicator of a healthy rental housing market. This demonstrates that there is a continued need for more long-term rental housing in Nanaimo. Increased demand for short-term rentals in the summer may also threaten the tenancy of long-term renters who may face seasonal and/or permanent eviction so the owner can use the unit for short-term rental.

Bed and Breakfast Regulations

Section 16.6 of the Zoning Bylaw defines a Bed and Breakfast as the "partial use of a single residential dwelling for transient tourist accommodation in which rooms are rented on a short term basis, and may include the provision of breakfast served on the premises." This definition specifically excludes the rental of accommodation to one party for more than 14 days. Bed and breakfast facilities may be established in any single residential dwelling, as long as the dwelling is a permitted use and the operator lives in the dwelling unit. There is a limit on the number of guests and rooms permitted, depending on the zoning of the property. The current bed and breakfasts regulations found in the Zoning Bylaw are included as Attachment B.

Currently, bed and breakfasts do not need to obtain a business licence. One of the recommendations of the Strategy is to require that all short-term rental operators, including bed and breakfasts, obtain a business licence and display it in all listings. The Strategy also recommends ensuring consistency in the zoning regulations that apply to bed and breakfasts and all other types of short-term rentals. As part of the process of developing regulations, Staff will consider whether the current parking requirement applied to bed and breakfasts (one parking space per sleeping unit) is appropriate for short-term rentals in all zones, or whether the parking requirement should vary based on proximity to the downtown and/or access to transit.

Municipal Best Practices

There is an emerging consensus among municipal governments that short-term rentals should be regulated and licensed, though the extent to which they are permitted varies widely. The Strategy recommends that the City introduce new regulations to restrict short-term rental accommodations to dwelling units where the owner is currently residing on the property, either in the main dwelling or in the secondary suite. This is generally consistent with regulations recently introduced in cities such as Vancouver, Victoria, and Kelowna, where vacancy rates are low, and short-term rentals have been identified as problematic for the rental housing stock.

Attachment A provides information on short-term rental regulations in comparable B.C. municipalities, as well as their respective business licensing and enforcement strategies.

Public Input to Date

The impact of short-term accommodations on the availability of long-term and affordable rental units was a significant concern raised by the public and stakeholders during the consultation that took place as part of the development of the Affordable Housing Strategy. Primary concerns raised included the impact of short-term rentals on the housing stock, as well as the impact on neighbourhood character and social cohesion. While there was strong support for introducing new regulations for limiting the impact of short-term accommodations, there was also interest in continuing to allow some short-term rentals as long as they are treated and taxed as a business.

Online Accommodation Platform Tax

The Strategy recommends that the City support fair taxation for all types of short-term accommodation that is consistent with the taxes paid by hotels. In 2018, the Province of British Columbia extended the Municipal and Regional District Tax (MRDT), which is applied to hotels, motels and resorts, to include an Online Accommodation Platform (OAP) tax. As of October 2018, online accommodation providers (e.g., hosts using Airbnb, VRBO, and others) must register and collect the 3% OAP MRDT. Through an agreement with the Province, Airbnb collects and remits both the 3% OAP MRDT and 8% provincial sales tax. On 2019-JAN-21, Council directed Staff to submit the necessary documentation to Destination BC to access OAP revenue and allocate it to the Housing Legacy Reserve for the purpose of funding affordable housing initiatives. Early estimates of the potential OAP revenue for Nanaimo is \$60,000 - \$80,000 per year.

NEXT STEPS

Planning Staff have conducted a preliminary best practices review, but more work is required to determine optimal regulations for preserving long-term rental housing stock, allowing short-term rentals where appropriate, limiting neighbourhood impacts, and ensuring compliance and enforcement are both realistic and cost-effective. Once draft regulations have been prepared, there will be an opportunity for stakeholders (local businesses, neighbourhood associations, tourism industry representatives, short-term accommodation providers, and/or short-term rental platforms) to provide feedback through a focus group. There will also be an online survey available to the general public for a minimum of three weeks, which will be advertised through the City's website and social media. In the spring of 2019, Staff will prepare a report for Council that includes the proposed draft regulations as well as a summary of the public engagement input.

SUMMARY POINTS

- The Affordable Housing Strategy identified the need to regulate the short-term rental accommodation market as a key step in increasing the availability of rental housing.
- The only type of short-term rental accommodation presently regulated by the Zoning Bylaw applies to bed and breakfasts, which are permitted in single residential dwellings in residential areas (provided the operator also occupies the dwelling), but do not require a business license.
- Staff will consult with stakeholders and the public and then return to Council with proposed regulations for short-term rental accommodations that aim to protect the long-term rental market, while ensuring fairness in zoning, licensing, and taxation between all types of short-term accommodation providers.

ATTACHMENTS

ATTACHMENT A: Municipal Case Studies of Short-Term Rental Regulation

ATTACHMENT B: Bed and Breakfast Regulations (Section 6.16 of Zoning Bylaw 4500)

Submitted by:

Lisa Bhopalsingh
Manager, Community & Cultural Planning

Concurrence by:

Dale Lindsay
Director, Community Development

ATTACHMENT A

Municipal Case Studies of Short-Term Rental Regulation¹

City of Kelowna

With a 0.5% vacancy rate, Kelowna has one of the tightest rental markets in Canada. Staff began looking into regulating short-term rentals in 2016, and on 2018-DEC-03 Council approved proposed regulations. The regulations were guided by three principles: 1) Ensure short-term rental accommodations do not impact the long-term rental housing supply in a negative way; 2) Ensure short-term rental accommodations are good neighbors; and 3) Ensure equity among short-term accommodation providers. Staff are now preparing bylaws to implement the new regulations, as well as related licensing and enforcement details.

Regulatory Approach	<p>Allowed for short-term rental accommodation to be a secondary use to a principal dwelling unit in most zones where residential uses are permitted, including single family, multi-family and mixed-use commercial zones. Operation of short-term rental accommodation would be restricted to the operator's principal residence in these zones, but short-term rental accommodations would not be permitted in secondary suites or carriage houses.</p> <p>In select zones, where the purpose of the zone includes a "tourist accommodation" use, short-term rental accommodation is allowed as principal use without being limited to an operator's principal residence.</p> <p>In all cases where short-term rental is permitted there is a limit on the number of adults per sleeping unit, the number of sleeping units rented out per dwelling, a parking requirement of 1 space per 2 sleeping units and a requirement for a business license.</p>
Enforcement Approach	<p>All short-term rentals, including legal non-conforming operations, will require a business license. Staff are proposing a business license fee of \$345 where the short-term rental is in the operator's principal residence, and a fee of \$750 where it is not the operator's principal residence.</p>
Relationship with Host Sites (Airbnb)	<p>No formal relationship with any host sites are in place.</p>
Status or timeline of policy changes	<p>Expected that bylaws will be drafted and ready for adoption by Spring 2019.</p>

¹ Case studies used with permission from the City of Kelowna, Report to Council "Short-Term Rental Accommodation Regulatory Direction, Attachment B: Short-Term Rental Regulations Case Studies," dated 2018-JUL-16: <https://kelownapublishing.escribemeetings.com/filestream.ashx?DocumentId=16689>.

City of Nelson

The City of Nelson has taken the approach of working toward more fairness between short-term rental operators and local B&Bs/hotels. To achieve this, the City of Nelson has focused on having all operators apply for the proper business license. At the same time, this approach has also made it relatively easy for these short-term rentals to legally operate as it is a permitted use in the majority of residential and commercial zones. Also, by focusing on compliance through business licenses the City is also looking to reduce conflicts associated with short-term rentals in residential neighbourhoods. Generally, the City does not appear to distinguish between principal residence and full-time rentals of homes and apartments.

Regulatory Approach	<p>The City of Nelson has taken the approach of allowing short-term rentals as a permitted use in most zones, but in order to be in compliance the operator must have a valid business license that is renewed annually. The business license varies depending on the type of short-term rental operation and the zoning of the property.</p> <p>In cases where it is in a residential property there is one class of business license and a separate, more expensive license in a commercial zone. In residential zones, no more than three short-term rentals are permitted per block.</p>
Enforcement Approach	<p>City of Nelson uses the software Host Compliance to identify illegal short-term rentals. The Zoning Bylaw sets the fines at \$500 per day to the property owner.</p> <p>By identifying rentals and bringing them into compliance, they were able to recoup project costs and make them revenue neutral. The City has seen an increased number of business licenses obtained by local short-term vacation rental providers. The additional revenue from business licensing fees has helped pay for enforcement to make the project revenue neutral.</p>
Relationship with Host Sites (Airbnb)	No formal relationship with any host sites are in place.
Status or timeline of policy changes	City of Nelson adopted the regulations and license system for short-term rentals originally in 2016 and has added further policies in 2017.

City of Vancouver

The City of Vancouver has taken a much more aggressive approach on restricting short-term rentals to principal residences in an effort to reduce the impact of short-term rentals on primary and secondary rental housing markets. This approach is in response to the recent estimates of 6,600 short-term listings in Vancouver. At the same time, the City of Vancouver is not looking to restrict short-term rentals to specific residential zones or geographic areas.

To be in compliance, the City requires all properties to have a valid business license that must be referenced in their listing. By only permitting short-term rentals in properties that are the principal residence of the operator, the activity is limited to the occasional short-term rental when someone is away on holidays or looking to rent a spare room from time to time.

Regulatory Approach	<p>The City of Vancouver passed a Zoning and Development Bylaw that amended definitions and allowed for Short-term Rentals to be a permitted use in the majority of residential and mixed-use zones as long as it follows the key direction of the new bylaw, specifically the principal residence unit requirement.</p> <p>The City of Vancouver is focusing on a high level of compliance with City bylaws and ensuring all short-term rental operators have a valid business license. The business license must be referenced as part of the online listing of a short-term rental. In order to be eligible for the business license the rental unit must be the principal residence.</p>
Enforcement Approach	<p>City of Vancouver brought forward a by-law clarifying the fines for operating and advertising without a valid business license. Since September 2018 there has been a fine of \$1,000 per day if an operator is not in compliance with bylaws.</p>
Relationship with Host Sites (Airbnb)	<p>In April of 2018 the City of Vancouver and Airbnb signed an agreement that ensures Airbnb will require hosts in Vancouver to update their listing to display a business license as per the City of Vancouver's new short-term rental regulations. Also, Airbnb has committed to providing a list of all Vancouver addresses operating short-term rentals on a quarterly basis.</p>
Status or timeline of policy changes	<p>City of Vancouver brought forward the majority of its new bylaws in Spring of 2018. Existing hosts had until the end of August 2018 to obtain a business license and to update their listing.</p>

City of Victoria

The proliferation of short-term rentals throughout Victoria was identified as an emerging issue that is impacting the availability and affordability of rental apartments and condo units within the City of Victoria. A report compiled by Host Compliance estimates there are 1,346 unique short-term rental listings in Victoria. Approximately 88 per cent of these units are listings for entire homes / apartments, listing which have the greatest impact on the long-term rental housing supply. Also, a high concentration of these units (35 per cent) are located in the downtown area, further exacerbating an already tight rental housing market.

The City has taken the approach of legalizing the operation of short-term rentals, creating two classes of short-term rentals. The first class allows short-term rentals in most residential areas as long as the apartment or house being rented out is the principal residence of the host and a valid business license (annual cost of \$150) is in place.

The City has also created a second class of short-term rentals where it is not the principal residence of the host, only applicable where the transient accommodation use was previously permitted and operating. In these situations, a more expensive business license (\$1,500) with a higher annual fee is required. This second class of short-term rental units is limited to areas in the downtown where the zoning previously allowed transient accommodation as a permitted use.

Regulatory Approach	The City of Victoria introduced a Short-term Rental Regulation Bylaw to regulate vacation rentals. Historically, the City of Victoria allowed short-term rentals within specific zones in the Downtown under the transient accommodation use and have now removed this as a permitted use, resulting in a large number of non-conforming uses in the downtown area. The by-law has created two different classes of short-term rentals: principal residence short-term rentals and all other types of short-term rentals.
Enforcement Approach	City of Victoria requires all listings to include their valid business license. The City of Victoria is looking at hiring Host Compliance as a cost-effective means of handling compliance and enforcement.
Relationship with Host Sites (Airbnb)	No formal relationship with any host sites, but the City requires that the Business License number be displayed on all short term rental listings.
Status or timeline of policy changes	City of Victoria adopted its Short-term Rental bylaw on 2017-MAR-08 and shortly thereafter introduced the supporting actions and regulations.

Village of Tofino

The Village of Tofino is a small seaside community of roughly 2,000 residents that has become an international tourism destination based on its proximity to the Pacific Rim National Parks and surrounding ecotourism opportunities. Through the City's Official Community Plan review the City identified that the growth of short-term rentals catering to tourists is reducing housing options for seasonal and year round residents.

The City has made an effort to encourage the protection of workforce housing by introducing more regulation of short-term rentals. Generally, Tofino has allowed for short-term rentals in much of the community as long as the operator has a valid business license and conforms to the Zoning Bylaw.

Regulatory Approach	Tofino has amended their zoning bylaw to limit the location of where short-term rental operations are permitted. Where short-term rentals are allowed, there must be a resident/operator on the same property (e.g. in the principle dwelling or secondary suite). Only one short-term rental is permitted per property, so a property cannot operate both a Bed and Breakfast and a short-term rental. In addition, Tofino requires a valid business license in areas where it is a permitted use. The District of Tofino bylaws prohibit short-term rentals in most multi-family zones.
Enforcement Approach	District of Tofino is using Host Compliance software to track listings that are in non-compliance. Property owners in non-compliance are contacted before consideration of suspending business licenses or issuance of fines.
Relationship with Host Sites (Airbnb)	No formal relationship with any host sites are in place, Village relies on Host Compliance to monitor listings on major sites (Airbnb, VRBO etc.).
Status or timeline of policy changes	Since 2016 District of Tofino Council has authorized a more proactive approach. The Village updated its business licenses policies in late 2017 and as of July 2018 had issued over 65 tickets for non-compliance with bylaws.

ATTACHMENT B
BED AND BREAKFAST REGULATIONS
(Section 6.16 of Zoning Bylaw 4500)

6.16 BED AND BREAKFAST

6.16.1 Bed and Breakfast facilities may be established in any single residential dwelling where listed as a permitted use provided the operator of the Bed and Breakfast establishment is a resident within the dwelling unit.

6.16.2 The number of guestrooms and guests permitted at one time within a bed and breakfast shall not exceed the following:

Zones	Maximum Number Of Guest Rooms	Maximum Number Of Guests
R1 / R1a / R1b to R5, R7, R10, R13, R14, Corridor One and Rural Resource	2	4
R6, R8, R9, R15, W2, W3, W4, Downtown and Corridor	4	9

(4500.031; 2012-DEC-03)

6.16.3 When a Bed and Breakfast is operating within a single residential dwelling which contains a secondary suite, the number of bedrooms in the secondary suite is included when calculating the maximum number of guestrooms permitted, as outlined in Subsection 6.16.2.

6.16.4 When a Bed and Breakfast is operating within a single residential dwelling which also includes rooms for boarders and lodgers, the number of rooms and boarders and lodgers shall be included when calculating the maximum number of guestrooms and guests permitted, as outlined in Subsection 6.16.2

DATE OF MEETING FEBRUARY 11, 2019

AUTHORED BY DAVID THOMPSON, MANAGER, SANITATION, RECYCLING &
PUBLIC ADMINISTRATION

SUBJECT **CONSULTATION PLAN – SINGLE-USE CHECKOUT BAGS
REGULATION**

OVERVIEW

Purpose of Report

To obtain Council approval to proceed with consultation prior to adoption and implementation of a new bylaw to regulate the use of single-use checkout bags

Recommendation

That the Committee of the Whole recommend that Council approve the consultation plan as attached and add \$15,350 to the 2019 – 2023 Financial Plan, funded from General Taxation.

BACKGROUND

At the Nov-26-2018 Committee of the Whole meeting, Council passed the following motion: “that Council direct staff to prepare a bylaw to regulate the use of single use checkout bags using the City of Victoria’s bylaw as a model and prepare a consultation plan for Council’s review.”

The objective of the consultation plan will be to:

- Inform the public and retailers of the proposed regulatory changes;
- Gather feedback to ensure a smooth implementation of the regulations; and
- Upon approval, educate and inform public and retailers of the specific regulations.

The consultation plan includes communications efforts for both the development of the regulation and the implementation. The target audiences for this consultation plan include local retailers, Nanaimo residents and members of the public who live outside Nanaimo but do significant portions of their shopping within the City.

The consultation plan, as proposed, incorporates feedback from the Nanaimo Chamber of Commerce to meet the concerns of the local business community and lessons learned from other municipalities that have recently developed similar bylaws, including Saanich and Victoria. The proposed consultation plan and draft bylaw are attached for review.

OPTIONS

1. That Council approve the consultation plan as attached and add \$15,350 to the 2019 – 2023 Financial Plan, funded from General Taxation.
 - **Budget Implication:** The final 2019-2023 Financial Plan will be amended to include the \$15,350, funded from general taxation.

- **Policy Implication:** The end result of this process is the creation of a new bylaw that will impose new regulations on business in Nanaimo.
 - **Engagement Implication:** The consultation process may mobilize a portion of the community who are resistant to new regulations
 - **Strategic Priorities Implication:** provides a framework through which to reduce pollution
2. That Council provide additional input on the consultation plan, as attached
- **Budget Implication:** The final 2019-2023 Financial Plan will be amended to include the \$15,350, funded from general taxation. Additional input received from Council may have associated costs.
 - **Policy Implication:** The end result of this process is the creation of a new bylaw that will impose new regulations on business in Nanaimo.
 - **Engagement Implication:** The consultation process may mobilize a portion of the community who are resistant to new regulations
 - **Strategic Priorities Implication:** provides a framework through which to reduce pollution
3. That Council provide staff with alternate direction |

SUMMARY POINTS

- Consultation prior to the implementation of a new bylaw to regulate single-use checkout bags is an important factor in implementation success
- The City of Victoria has a court-tested bylaw and has offered it as a template for other jurisdictions to use
- The consultation plan will seek input from retailers and members of the public who do business in the City |

ATTACHMENTS

ATTACHMENT A - Single-Use Checkout Bags Regulation Consultation Plan

ATTACHMENT B - DRAFT Bylaw for the Regulation of Single-Use Checkout Bags |

Submitted by:

David Thompson
Manager of Sanitation, Recycling and Public
Works Administration |

Concurrence by:

Bill Sims
Director of Engineering and Public Works

Introduction

The City of Nanaimo wishes to ban the use of single-use plastic carry out bags. At the Nov. 26, 2018 Committee of the Whole meeting, Council passed the following motion:

“that Council direct Staff to prepare a bylaw to regulate the use of single use checkout bags using the City of Victoria’s bylaw as a model and prepare a consultation plan for Council’s review.”

Background

Single-use plastic bags create a public nuisance and incur public costs to manage and dispose of. It is estimated that approximately 3 billion plastic bags are used each year in Canada. Less than 75% of the single-use plastic bags that are used in British Columbia are captured in the recycling stream.

Currently, film plastics are collected at depot locations and handled in their own stream, so as not to contaminate other recyclables and to ensure that film plastics do not damage recycling equipment.

The portion of plastic bags that are not recycled are generally understood to be either: re-used as a garbage container, stored indefinitely in the household. These ultimately find their way to the landfill for disposal. Another portion of plastic bags that are not recycled are lost into the environment where they can cause costly damage to public infrastructure: trapped in landscaping, wrapping around pumping equipment, and blocking storm drains.

The City of Victoria recently implemented a bylaw regulating the use of single-use bags (including paper and plastic) which successfully survived a court challenge.

Under the Community Charter, municipalities have the right to regulate business, and the City of Victoria case confirms that right with respect to regulating the use of single-use carry out bags.

Objectives

The objective of this stakeholder engagement will be to:

- Inform the public and retailers of the proposed regulatory changes;
- Gather feedback to ensure a smooth implementation of the regulations; and
- Upon approval, educate and inform public and retailers of the specific regulations.

Audiences

- Nanaimo residents
- Residents outside the City of Nanaimo who shop in the City
- Retailers within the City
- Media


Communications and Engagement Strategy – Regulation Development

- Consult - Listen and Learn

This strategy is appropriate as Council has taken a decision on overall policy direction. However, the implementation needs to be localized. Specific feedback on the proposed Bylaw

City of Nanaimo - Single-Use Carry-out Bag Regulation
Communications Plan for Consultation and Implementation

and implementation details will be requested from the community and stakeholders regarding: educational support, timing and transition, enforcement.

<u>IAP2 Spectrum of Public Participation</u>				
Inform	Consult	Involve	Collaborate	Empower
				
March – June 2019				
Receive written feedback from retailers				
Host a business roundtable with the assistance of the Nanaimo Chamber of Commerce				
Receive written feedback from the public				
Receive input from the public on the Bylaw at an open Council meeting				

Communications Anchors

Action Item	Responsibility	Cost Estimate	Lead Time	Launch	Details
Graphic Design	Contractor	\$2,000	2 wks	March	
Key Messages	Staff	In-house	1 wk	March	
Webpage	Staff	In-house	2 wks	March	
Video	Staff	In-house	2 wks	March	
Story Map	Staff	In-house	1 wk	March	

Communications Tactics - Retailers

Action Item	Responsibility	Cost Estimate	Lead Time	Launch	Details
Outreach through NCoC	Staff / Chamber of Commerce	n/c	1 wk	March	
Roundtable	Facilitator	\$2,000	1 mo	April	

Communications Tactics - Residents

Action Item	Responsibility	Cost Estimate	Lead Time	Launch	Details
Web page	Staff	In-house	3 wks	March	
Print Advertising		\$2,000	3 wks	March	Local papers, leaflets
Media Relations	Staff	In-house	3 wks	ongoing	
Social Media	Staff	\$250	1 wk	March	
Radio		\$2,000	3 wks	March	30 x 30 sec spot

Communications and Engagement Strategy – Regulatory Implementation

- Inform

This strategy is appropriate for the implementation, as the goal is to provide transition support to both residents and retailers as the new regulations move through the implementation phase.

Communications Tactics - Retailers

Action Item	Responsibility	Cost Estimate	Lead Time	Launch	Details
Print Material	Staff	In-house	1 mo	September	
Video	Staff	In-house	1 mo	September	

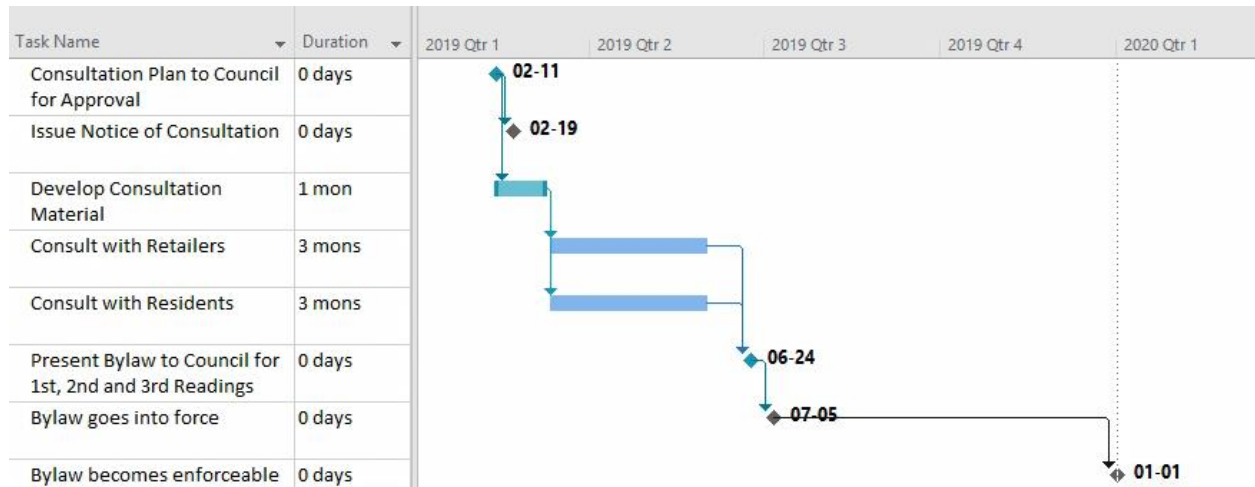
Communications Tactics - Residents

Action Item	Responsibility	Cost Estimate	Lead Time	Launch	Details
Promotional bags	Staff	\$5,000	2 mo	September	Sample bags
Print Advertising		\$1,000	1 mo	September	Local papers, leaflets
Media Relations	Staff	In-house	1 wk	September	
Social Media	Staff	\$100	1 wk	September	

City of Nanaimo - Single-Use Carry-out Bag Regulation
Communications Plan for Consultation and Implementation

Radio		\$1,000	2 wks	September	30 x 30 sec spot
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Timeline



CITY OF NANAIMO

BYLAW NO. 7283

A BYLAW TO REGULATE THE USE OF CHECKOUT BAGS

WHEREAS the Council of the City of Nanaimo may by bylaw, pursuant to its statutory powers, including Section 8(6) of the *Community Charter*, regulate businesses; and

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as “Checkout Bag Regulation Bylaw 2019 No. 7283”.

PART I – GENERAL

2. Definitions

“Checkout Bag”	means (a) any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the business providing the bag; or (b) bags used to package take-out or delivery of food; and (c) includes Paper Bags, Plastic Bags, or Reusable Bags
“Business”	means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the Business Licence Bylaw and, for the purposes of section 3, includes a person employed by, or operating on behalf of, a Business;
“Paper Bag”	means a bag made out of paper and containing at least 40% of post-consumer recycled paper content, and displays the words “Recyclable” and “made from 40% post-consumer recycled content” or other applicable amount on the outside of the bag, but does not include a Small Paper Bag;
“Plastic Bag”	means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a Reusable Bag;
“Reusable Bag”	means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is (a) designed and manufactured to be capable of at least 100 uses; and (b) primarily made of cloth or other washable fabric;
“Small Paper Bag”	means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat.

3. Checkout Bag Regulation

- (1) Except as provided in this Bylaw, no Business shall provide a Checkout Bag to a customer.
- (2) A Business may provide a Checkout Bag to a customer only if:
 - (a) the customer is first asked whether he or she needs a bag;
 - (b) the bag provided is a Paper Bag or a Reusable Bag; and
 - (c) the customer is charged as set out in Schedule 'A', attached to and forming part of this bylaw.
- (3) For certainty, no Business may:
 - (a) sell or provide to a customer a Plastic Bag; or
 - (b) provide a Checkout Bag to a customer free of charge.
- (4) No Business shall deny or discourage the use by a customer of his or her own Reusable Bag for the purpose of transporting items purchased or received by the customer from the Business.

4. Exemptions

- (1) Section 3 does not apply to Small Paper Bags or bags used to:
 - (a) package loose bulk items such as fruit, vegetables, nuts, grains, or candy;
 - (b) package loose small hardware items such as nails and bolts;
 - (c) contain or wrap frozen foods, meat, poultry, or fish, whether pre packaged or not;
 - (d) wrap flowers or potted plants;
 - (e) protect prepared foods or bakery goods that are not pre-packaged;
 - (f) contain prescription drugs received from a pharmacy;
 - (g) transport live fish;
 - (h) protect linens, bedding, or other similar large items that cannot easily fit in a Reusable Bag;
 - (i) protect newspapers or other printed material intended to be left at the customer's residence or place of business; or
 - (j) protect clothes after professional laundering or dry cleaning.
- (2) Section 3 does not limit or restrict the sale of bags, including Plastic Bags, intended for use at the customer's home or business, provided that they are sold in packages of multiple bags.
- (3) Notwithstanding section 3(2)(c) and 3(3)(b), a Business may provide a Checkout Bag free of charge if:
 - (a) the Business meets the other requirements of section 3(2);
 - (b) the bag has already been used by a customer; and
 - (c) the bag has been returned to the Business for the purpose of being re used by other customers.
- (4) Section 3 does not apply to a Checkout Bag that was purchased by a Business prior to the first reading of this Bylaw.

5. Offence

- (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Bylaw Notice Enforcement Bylaw and the *Offence Act* if that person:
 - (a) contravenes a provision of this Bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
 - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

6. Penalties

A person found guilty of an offence under this Bylaw is subject to a fine:

- (a) if a corporation, of not less than \$100.00 and not more than \$10,000.00; or
- (b) if an individual, of not less than \$50.00 and not more than \$500.00 for every instance that an offence occurs or each day that it continues.

7. Severability

If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

8. Transition Provisions

- (1) Section 4(4) is repealed, effective January 1, 2020

9. Effective Date

This Bylaw comes into force on August 1, 2019.

PASSED FIRST READING _____
PASSED SECOND READING _____
PASSED THIRD READING _____
ADOPTED _____

MAYOR

CORPORATE OFFICER

SCHEDULE 'A'

CITY OF NANAIMO BLYAW TO REGULATE THE USE OF CHECK OUT BAGS

1. Check out bags fees, pursuant to Section 3(2)(c), shall be:
 - (a) effective August 1, 2019 through December 31, 2019:
 - (1) 15 cents per Paper Bag; and
 - (2) \$1 dollar per Reusable Bag.
 - (b) Effective January 1, 2020
 - (1) 25 cents per Paper Bag; and
 - (2) \$2 dollars per Reusable Bag.

DATE OF MEETING FEBRUARY 11, 2019

AUTHORED BY JAMIE ROSE, MANAGER, TRANSPORTATION

SUBJECT **TRANSPORTATION UPDATE 2019**

OVERVIEW

Purpose of Report

To provide Council with an update on Transportation and Mobility projects that are taking place in 2019.

Recommendation

That the Transportation Update 2019 report, dated 2019-FEB-11 be received for information.

DISCUSSION

Planning Context

The Transportation Engineering Department oversees all aspects of mobility within the City. This ranges from long range planning studies, to conceptual corridor plans, to localized intersection improvements, to small scale parking or crosswalk issues. In 2018, Staff received over 200 calls/emails from the public regarding Transportation issues. Staff log each of these enquires in a database, and review and respond as needed. If necessary, staff will prioritize remedial action and create a new project through the annual financial planning process. The majority of calls received by staff are related to speeding (56), pedestrian mobility (45), and parking (42). A major influence on the number of calls received regarding speeding or pedestrian mobility is the standards to which roads have been built and how we plan our communities. Historically, our standards have been very car-centric and have placed active transportation and land use planning as a low priority. In the last several years, the Official Community Plan and Transportation Master Plan have guided the evolution of our standards and thought processes and we receive fewer calls of concern on newer roads.

Between 2012 and 2014, Transportation Engineering Staff worked with internal and external stakeholders to create the Nanaimo Transportation Master Plan (NTMP). The NTMP predicted that by 2041, daily trips in Nanaimo would increase from 250,000 to 365,000. Through the planning process, the best approach to managing this growth was to continue to encourage land development that supports a live, work, play culture, which reduces the number of trips and the distance traveled, and by promoting and supporting active transportation.

Previous Active Transportation Projects

Since 2014, Parks and Recreation, Engineering, and Planning Staff have taken steps to support active transportation through the construction of sidewalks, bikeways, trailways, and transit facilities. This has included notable projects such as:

- 2014: Bowen Road Sidewalk and Bike Lanes - Buttertubs Drive to Pine Street
- Harewood Bikeway
 - 2014: Phase 1 Bruce, Fifth to Seventh

- 2015: Phase 2 Bruce, Fourth to Fifth
- 2017: Phase 3 Pine, Comox to Bruce
- 2016: Dover Road - Turner Road Bikeway
- 2015: Boundary Avenue Cycle Track
- 2016: Old Victoria Road Sidewalk and Bike Lane
- Six New Transit Shelters

The City has also worked with partners in the community to promote active and sustainable transportation through the development of Active Route to School Plans, Annual Bike to Work and Commuter Challenge Events, and Pedestrian Safety Days.

Future Transportation Projects

In an effort to continue to enhance the City's Transportation Network, the following projects are either underway or are entering the construction phase in 2019.

- Phase 1 of the Georgia Greenway – Sixth Street to Seventh Street
- Phase 4 of the Harewood Bikeway – Pine Street to Fourth Street
- Jingle Pot Road at Westwood Road Intersection Rebuild (signalization, bike lanes, and smart right turn channels)
- Phase 2 of the LED Street Light Conversion
- Wellcox Interim Access and Port Drive Upgrade
- Bastion Bridge Seismic Upgrade and Deck Renewal

Engineering Staff are also undertaking several planning tasks in 2019. The two largest initiatives being the creation of Complete Streets Standards with Complete Streets Design Guidelines and the Downtown Mobility Project. Staff have been advocating and applying Complete Street principles where possible, however, this project will include a formal adoption into the Manual of Engineering Standards and Specifications.

Complete Streets Standards

The Complete Street design approach is one that considers the surrounding context, land use and all street users within the street design process. In a complete street, the design and operation of the entire road right-of-way is considered to support all road users, including pedestrians, bicyclists, motorists, commercial vehicles and transit riders. This balanced approach results in streets that function better for more street users in comparison to historic designs that emphasized motor vehicle operations. Complete streets can reduce collision rates (particularly for vulnerable road users such as pedestrians and cyclists), better support adjacent land uses (both businesses and residents), support shifts to sustainable transportation travel modes (walking, cycling and transit) and improve the quality of streets as positive public spaces within communities. Staff have engaged a consultant to develop Complete Street Standards and will be conducting stakeholder engagement sessions over the next 4-6 months.

Downtown Mobility

The Downtown Mobility Project is a collection of projects planned within the Downtown Mobility Hub. To ensure these projects are designed and constructed with a holistic vision of mobility and land use and to ensure that no opportunities are overlooked, staff are engaging a consulting team to review, design, and prepare an implementation strategy. The design work will proceed through 2019 with several opportunities for stakeholder engagement.

Projects in the downtown include:

- 2022: Terminal Avenue Corridor Preliminary Design
- Various: Transit Integration (various)
- 2022: Bastion Street at Commercial Street Intersection Rebuild
- 2022: Fitzwilliam Street at Wallace Street Intersection Rebuild
- 2020: Downtown Parking Study
- 2021: Downtown Cycling Loop Design
- 2021: Albert Street – Dunsmuir Street to Cat Stream Bike Route

Corridor Plans

Other projects that Staff are working through in 2019 are Conceptual Corridor Plans and implementation strategies for Wakesiah Avenue, Metral Drive, Terminal Avenue (north of St George Street), and Stewart Avenue (in collaboration with the MOTI and BC Ferries). The plans for each of these locations are being approached with a complete street vision and with the expectation that the walking and cycling facilities will be designed for all ages and abilities. Each project will follow a developed stakeholder engagement plan and will include multiple opportunities for input from the community.

Street Lighting

Following the discussions and public engagement for the LED Street Light Conversion Project, it became evident that residents feel some roads in Nanaimo are not sufficiently lit. This is not surprising as many of our major roads were built pre-amalgamation, and were built to a rural local standard. Staff will be engaging a consultant to undertake a Street Lighting Level Assessment review, focusing primarily on this type of road. Stakeholder engagement is anticipated for this, however, it will be guided by the preliminary findings.

The creation of plans, studies, or projects will continue to guide the evolution of our transportation system to provide safe, accessible, sustainable, and affordable mobility. The creation of these documents does not always equate to immediate changes in the network, so staff will continue to receive calls from the public and will need to prioritize work through the balance of resources.

SUMMARY POINTS

- Daily trips in Nanaimo are expected to increase 50% by 2041.
- The Transportation Master Plan identified Land Use Planning and Active Transportation as the primary strategies for managing growth.
- Creating an Active Transportation network that supports all ages and abilities will encourage more people to remain active longer and will reduce dependency on personal vehicles.
- Staff are currently underway with several initiatives: Complete Streets Standards with Complete Streets Design Guidelines; Downtown Mobility Plan; Corridor Plans incorporating Complete Street concepts; and a Street Lighting Level Assessment.

Submitted by:

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Concurrence by:

Poul Rosen
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