



MERGED AGENDA REGULAR COUNCIL MEETING

Monday, October 19, 2020

4:30 p.m. to Proceed In Camera, Reconvene Regular Council Meeting 7:00 p.m.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 9:00 P.M.

Pages

1. CALL THE MEETING 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:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(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; and,

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

3. INTRODUCTION OF LATE ITEMS:

4. APPROVAL OF THE AGENDA:

5. ADOPTION OF THE MINUTES:

a. Minutes

10 - 21

Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2020-SEP-17, at 7:00 p.m.

- b. Minutes 22 - 29

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-SEP-28, at 4:29 p.m.

- c. Minutes 30 - 36

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-OCT-05, at 4:30 p.m.

6. MAYOR'S REPORT:

7. RISE AND REPORT

8. PRESENTATIONS:

- a. Rotary Centennial Garden Opening 37 - 43

Richard Harding, General Manager, Parks, Recreation and Culture, to provide Council with a PowerPoint presentation regarding the opening of the Rotary Centennial Garden.

Delegation:

1. Dave Hammond, Rotary Club of Nanaimo.

9. COMMITTEE MINUTES:

- a. Minutes 44 - 49

Minutes of the Environment Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-JUL-15, at 3:00 p.m.

- b. Minutes 50 - 52

Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-JUL-16 at 5:30 p.m.

- c. Minutes 53 - 57

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-AUG-

13, at 5:00 p.m.

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| d. | <u>Minutes</u> | 58 - 60 |
| | Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-AUG-20 at 5:30 p.m. | |
| e. | <u>Minutes</u> | 61 - 64 |
| | Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-SEP-10, at 5:00 p.m. | |
| f. | <u>Minutes</u> | 65 - 70 |
| | Minutes of the Advisory committee on Accessibility and Inclusiveness Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-SEP-30, at 3:00 p.m. | |
| g. | <u>Minutes</u> | 71 - 76 |
| | Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-OCT-01, at 3:02 p.m. | |
| h. | <u>Minutes</u> | 77 - 86 |
| | Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-OCT-05, at 1:00 p.m. | |

10. CONSENT ITEMS:

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| a. | <u>Advisory Committee on Accessibility and Inclusiveness 2020-SEP-30</u> | 87 |
| | [Note: A link to the Agenda for the 2020-SEP-30 Advisory Committee on Accessibility and Inclusiveness is attached for information] | |
| | 1. Madeleine Koch, Active Transportation Project Specialist re: "Intro to the City's Transportation Group" | |
| | 1. That Council direct Staff to make all transit stops within the City of Nanaimo uniform and highly visible so they are accessible for all citizens. | |
| | 2. That Council direct Staff to prepare a bylaw which prevents garbage cans and recycling cans from being placed on sidewalks, in order to improve accessibility in the City of Nanaimo. | |

[Note: A link to the Agenda for the 2020-OCT-05 Governance and Priorities Committee is attached for information.]

1. Program Review of Cultural Grants

That Council to endorse a review of the three grant funding programs administered by Culture & Events (Culture & Heritage Operating Grants, Culture & Heritage Project Grants, and Downtown Event Revitalization Grants), including research on best practices and dialogue with community stakeholders, and return with recommendations to improve and evolve processes to continue to meet the needs of the Nanaimo cultural community.

2. Art in Public Spaces Working Group

That Council to endorse the creation of an Art in Public Spaces Working Group to be facilitated by Culture & Events Staff.

c. Separately Addressed Consent Items

1. Health and Housing Task Force Meeting 2020-OCT-01

89

[Note: A link to the Agenda for the 2020-OCT-01 Health and Housing Task Force Meeting is attached for information.]

1. Emergency Food and Nutrition Security Strategy

90

Delegation:

1. Jen Cody, Executive Director, Nanaimo FoodShare.

That Council:

1. endorse the Emergency Food and Nutrition Strategy as formal stakeholder input into the **REIMAGINE NANAIMO** process; and,
2. support the creation of a Nanaimo Food Policy Council as an independent, arms-length body that would continue collaborative work to strengthen the local food system and request that Staff bring forward a report on how the City can facilitate this work.

11. **DELEGATIONS:**12. **REPORTS:**

a.	<u>Bylaw and Policy Renewal Project Timeline</u>	91 - 97
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To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To provide Council with a timeline of the Bylaw and Policy Renewal Project as identified in Council's 2019 – 2022 Strategic Plan.

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| 1. | Report titled "Bylaw and Policy Renewal Project Timeline" - Replace Pages 90 - 94 | 98 - 103 |
| 2. | Add - PowerPoint Presentation from Karen Robertson, Deputy City Clerk titled: Bylaw & Policy Renewal Project Timeline | 104 - 110 |

b.	<u>Bylaw Notice Enforcement Bylaw Amendment - Fines for Zoning and Tree Protection Regulations</u>	111 - 125
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To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To introduce amendments to "Zoning Bylaw 2011 No. 4500", "Management and Protection of Trees Amendment Bylaw 2020 No. 7126", and "Bylaw Notice Enforcement Amendment Bylaw 2020 No. 7159" so that fines for violations under those bylaws can be administered through the City's Dispute Adjudication Registry System (DARS).

Recommendation:

Zoning Amendment Bylaw:

1. That "Zoning Amendment Bylaw 2020 No. 4500.179" (To replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. That "Zoning Amendment Bylaw 2020 No. 4500.179" pass second reading; and
3. Whereas 464(2) of the *Local Government Act* permits Council to waive the holding of a public hearing where a proposed zoning amendment bylaw is consistent with the Official Community Plan;

And Whereas "Zoning Amendment Bylaw 2020 No. 4500.179" is consistent with Official Community Plan Bylaw 2008 No. 6500;

Be it resolved that Council waives the holding of a public hearing with respect to "Zoning Amendment Bylaw 2020 No. 4500.179".

Management and Protection of Trees Amendment Bylaw:

1. That "Management and Protection of Trees Amendment Bylaw 2020 No. 7126.01" (To replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. That "Management and Protection of Trees Amendment Bylaw 2020 No.

7126.01" pass second reading;

3. That "Management and Protection of Trees Amendment Bylaw 2020 No. 7126.01" pass third reading.

Bylaw Notice Enforcement Amendment Bylaw:

1. That "Bylaw Notice Enforcement Bylaw 2020 No. 7159.08" (To replace the fine schedule for the Zoning Amendment Bylaw, add a fine schedule for the Management of Trees Bylaw, and replace Schedule B - Registry Agreement) pass first reading;
2. That "Bylaw Notice Enforcement Bylaw 2020 No. 7159.08" pass second reading;
3. That "Bylaw Notice Enforcement Bylaw 2020 No. 7159.08" pass third reading.

c. Options for Prohibiting Bottling of Groundwater Within the City of Nanaimo 126 - 128

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To present options and a recommendation regarding the prohibiting of commercial bottling of groundwater within the city of Nanaimo.

Recommendation: That Council deny consideration of adopting a bylaw to prohibit the commercial bottling of groundwater within the City of Nanaimo.

d. Covenant Amendment Application No. CA13 - 1060, 1070, 1074 and 1098 Douglas Avenue and 280 Tenth Street 129 - 137

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To seek direction from Council regarding Covenant Amendment application No. CA13.

Recommendation: That Council direct Staff to proceed with public notification prior to Council's consideration of Covenant Amendment Application No. CA13 at an upcoming Council meeting.

e. Development Permit Application No. DP1138 - 600 Ninth Street 138 - 159

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To present for Council's consideration a development permit application for 47-unit townhouse development at 600 Ninth Street.

Recommendation: That Council issue Development Permit No. DP1138 at 600 Ninth Street with the following variances:

- to increase the maximum permitted building height from 9m to 11.07m; and

- to increase the maximum permitted perimeter wall height from 7.32m to 8.23m.
1. *Add Delegation from Kenneth Brault re: DP1138 - 600 Ninth Street* 160
 2. *Add Delegation from Irene Wennatz re: DP1138 - 600 Ninth Street* 161
- f. Development Permit Application No. DP1160 - 145 Stewart Avenue 162 - 179
- To be introduced by Dale Lindsay, General Manager, Development Services.
- Purpose: To present for Council's consideration, a development permit application for a 15-unit multifamily development at 145 Stewart Avenue.*
- Recommendation: That Council issue Development Permit No. DP1160 at 145 Stewart Avenue with a variance to:
- increase the maximum allowable percentage of small car spaces from 40% to 56%.
- g. Development Variance Permit Application No. DVP407 - 3602 Overlook Drive 180 - 188
- To be introduced by Dale Lindsay, General Manager, Development Services.
- Purpose: To present for Council's consideration, a development variance permit application to allow the construction of a covered patio on an existing single family dwelling at 3602 Overlook Drive.*
- Recommendation: That Council issue Development Variance Permit No. DVP407 at 3602 Overlook Drive with the following variance:
- reduce the minimum required front yard setback for a covered patio from 4.5m to 2.9m.
- h. Property Disposition - 2230 Boxwood Road, 2221 and 2241 Bowen Road Mid-Town Gateway Project 189 - 198
- To be introduced by Dale Lindsay, General Manager, Development Services.
- Purpose: To obtain Council approval to dispose of portions of two City-owned properties at 2230 Boxwood Road and 2241 Bowen Road.*
- Recommendation: That Council:
1. authorize the disposition of a portion of City-owned lands located at 2241 Bowen Road to Christ Community Church in exchange for a portion of the Church's property at 2221 Bowen Road;
 2. authorize the disposition of a portion of City-owned lands located at 2230 Boxwood Road and the portion of property the City will receive from the Church's property at 2221 Bowen Road to Island West Coast Developments; and

3. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transactions.

i. Add Report Titled "Checkout Bag Regulation Bylaw"

199 - 209

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

Purpose: To provide Council with the draft "Checkout Bag Regulation Bylaw 2019 No. 7283" for consideration.

Presentation:

1. Kirsten Gellein, Zero Waste Coordinator
2. Taaj Daliran, Manager, Sanitation, Recycling and Cemeteries

Recommendation:

1. That "Checkout Bag Regulation Bylaw 2020 No. 7283" (To regulate single use checkout bags) pass first reading;
2. That "Checkout Bag Regulation Bylaw 2020 No. 7283" pass second reading;
3. That "Checkout Bag Regulation Bylaw 2020 No. 7283" pass third reading; and;
4. That in accordance with Section 9 of the *Community Charter* direct staff to forward "Checkout Bag Regulation Bylaw 2020 No. 7283" to the Minister of Environment and Climate Change Strategy for approval.

13. BYLAWS:

a. "Zoning Amendment Bylaw 2020 No. 4500.167"

210 - 213

That "Zoning Amendment Bylaw 2020 No. 4500.167" (To rezone 3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway North from Single Dwelling Residential [R1] to Community Corridor [COR3]) be adopted.

b. "Property Tax Exemption Bylaw 2020 No. 7315"

214 - 254

That "Property Tax Exemption Bylaw 2020 No. 7315" (To provide exemption from 2021 property taxes) be adopted.

c. Bylaw Status Sheet (For Information)

255 - 258

14. NOTICE OF MOTION:

a. Councillor Bonner - Notice of Motion re: Free Menstrual Products in City Facilities

Councillor Bonner advised that he would be bringing forward the following notice of motion for consideration at a future Council meeting:

That Council direct Staff to prepare a report within 30 days outlining options to provide free menstrual products in city facilities in the Spring of 2021, including:

- A list of City facilities and the cost and feasibility to provide barrier-free menstrual product distribution at each location; and
- Outline how the lessons learned from the pilot projects undertaken by the cities of Coquitlam, Port Moody and Victoria (in their civic facilities) can benefit a similar program in Nanaimo and evaluate partnership opportunities such as with the United Way's "Period Promise" campaign and provide future recommendations to Council as part of on-going program sustainment.

b. Councillor Armstrong - Notice of Motion re: Residential Street Parking

Councillor Armstrong advised that she would be bringing forward the following notice of motion for consideration at a future Council meeting:

That Council direct Staff to prepare a report outlining options for Council to consider in order to permit residents to park on residential streets for more than twenty-four hours without having to move their vehicles.

c. Add - Councillor Armstrong - Notice of Motion re: City Facilities Room Bookings for Nonprofit Addiction Support Groups

Councillor Armstrong advised she would be bringing forward the following notice of motion for consideration at a future Council meeting:

That Staff prepare a report for options to secure use of rooms at City of Nanaimo facilities to assist nonprofit addiction support group meetings, which are a critical part of their recovery program.

15. CORRESPONDENCE:

a. Add Correspondence dated 2020-OCT-14 re: Vancouver Island and Coastal Community Climate Leadership Plan - Resilience Summit 2020-NOV-06

259

16. OTHER BUSINESS:

17. ADJOURNMENT:

MINUTES
SPECIAL COUNCIL MEETING (PUBLIC HEARING)
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2020-SEP-17, AT 7:00 P.M.

Present: Mayor L. Krog, Chair
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. Holm, Director, Development Approvals
L. Rowett, Manager, Current Planning
J. Rose, Manager, Transportation
L. Brinkman, Planner
C. Horn, Planner
L. Nowak, Planner
S. Robinson, Planning Assistant
D. Blackwood, Client Support Specialist
K. Robertson, Deputy City Clerk
S. Snelgrove, Deputy Corporate Officer
J. Vanderhoef, Recording Secretary

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER:

The Special Meeting was called to order at 7:00 p.m.

2. ADOPTION OF AGENDA:

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

Mayor Krog spoke regarding the purpose of a Public Hearing, advised that Council was meeting on the traditional territory of the Snuneymuxw First Nation and advised of the standard protocols for a Public Hearing.

Mayor Krog outlined the process to accommodate members of the public who were attending in person and for those who wanted to call in to participate by phone.

3. PUBLIC HEARING PROCEDURES:

Lainya Rowett, Manager, Current Planning, explained the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

4. PUBLIC HEARING FOR REZONING APPLICATION NO. RA434 - 3500 ROCK CITY ROAD

(a) Rezoning Application No. RA434 - 3500 Rock City Road

Mayor Krog called the Public Hearing to order at 7:05 p.m.

Councillor Armstrong vacated the Shaw Auditorium at 7:05 p.m. stating a conflict of interest due to a family friendship.

Caleb Horn, Planner, Current Planning, introduced Rezoning Application No. RA434 – 3500 Rock City Road and noted that thirty-five (35) written submissions had been received prior to the start of the Special Council Meeting (Public Hearing), 2020-SEP-17.

Mayor Krog called for submissions from the Applicant:

1. Toby Seward, Seward Developments Inc., Nanaimo, spoke in favour of Rezoning Application No. RA434 – 3500 Rock City Road, on behalf of Hazelwood Holdings Ltd., applicant, and stated:

- Rockwood Heights subdivision development began 20 years ago
- Request is consistent with development permit issued in 2011 with slightly higher density
- Two of ten phases have been completed
- Application is to rezone lots four - seven from Low Density Residential (R6) to Medium Density Residential (R8) to allow up to four story buildings
- Increased building height would allow for smaller building footprints
- Plan to match the R6 floor area ratio (FAR) in the R8 zone with a provision for underground parking
- Discussions with Staff surrounded traffic, sanitary/sewer and the community amenity contribution
- Traffic studies were conducted to examine potential improvements to the neighbourhood
- Proposed community contribution towards Departure Bay Road and Rock City Road intersection
- Building heights along lot four have been lowered to remain the same height as neighbouring houses to address privacy concerns
- Density to be kept the same as R6 zoning
- Requested R8 zoning would provide more opportunity to protect wetlands and trees by building up rather than out and reducing the building footprints
- Anticipate building over the next seven years

Council asked for clarification on the following:

- Differences between R6 and R8 zoning regulations
- Purpose of requesting addition floor area ratio
- Clarification on wetland and set back areas being included in total site area

Mayor Krog called for submissions from the Public:

1. June Ross, Nanaimo, spoke in opposition and stated inconsistent figures presented regarding the number of apartments proposed, lack of capacity in local schools, safety concerns related to increased traffic and harm to wildlife. She noted the proximity to Cottle Creek and Linley Valley Park as well as the tranquility of the neighbourhood being disrupted by blasting.
2. Helena Arnold, Nanaimo, spoke in opposition, via telephone, and stated concerns regarding information not shown on the “What’s building in my Neighbourhood?” website. She stated that the number of parking spaces seems too low and the closest bus stop is located on Uplands Drive with no sidewalks along the route. She also noted her strata did not receive information about this public hearing and asked if the units will be for purchase or rental purposes.
3. Gord Buzzard, Nanaimo, spoke in opposition and stated concerns regarding the traffic report for Ocean Pearl Terrace, the width of the winding road and accidents due to increased traffic. The condition and stability of Smugglers Hill Drive as a primary access street and the unlikely expansion of transit onto this street.
4. Eric McNeely, Nanaimo, spoke in opposition, via telephone, and stated concerns regarding overloaded schools, a lack of sidewalks and inadequate services in the neighbourhood.
5. Colin Quince, Nanaimo, spoke in opposition and stated concerns regarding the timeframe for completing construction, ongoing construction noise/blasting and the inadequate traffic planning for the area.
6. Sean Graham, Nanaimo, spoke in opposition and stated safety concerns regarding children walking to school with no sidewalks, speeding vehicles and increased traffic. He stated concerns regarding the impact of construction noise on the neighbourhood, capacity of schools and the protection of the natural beauty in the area.
7. Katherine Pierce, Nanaimo, spoke in opposition and noted concerns regarding safety, limited sidewalks and a lack of transit services. She stated this development was in conflict with the Official Community Plan (OCP) and Transportation Master Plan, which require developments like this be located along urban corridors and encourages safe transportation. She stated concerns about the development being in conflict with the character of the neighbourhood and environmental impacts.
8. Allister Robertson, Nanaimo, spoke in opposition and stated concerns regarding increased density, environmental impacts, maintaining the objectives outlined in the OCP and the size of the wetland area being larger than stated on the maps presented.

Mayor Krog called for submissions from the Public for a second time:

No one wished to speak regarding Rezoning Application No. RA434 - 3500 Rock City Road.

Mayor Krog called for submissions from the Public for a third and final time:

9. Colin Quince, Nanaimo, spoke for a second time in opposition and requested that Council consider the impact of the development on the surrounding residents.
10. Toby Seward, Seward Developments Inc., spoke on behalf of Hazelwood Holdings Ltd., applicant, for a second time in favour and stated that the OCP supports the density of units per hectare and that the developer plans to build sidewalks up to the community trailhead. He noted that Rock City Road was built in the 1990s and was designed to retain a rock bluff, hence the narrow road width. He clarified that the construction would not be ongoing for seven years.
11. Sean Graham, Nanaimo, spoke for a second time in opposition and stated that sidewalks were needed throughout the neighbourhood as the impacts of the development will affect the neighbourhood as a whole.

Sky Snelgrove, Deputy Corporate Officer, stated that no written submissions were received at the Public Hearing with respect to Rezoning Application RA434 – 3500 Rock City Road.

Hearing no further comments from the public the Mayor declared the Public Hearing for RA434 – 3500 Rock City Road be closed at 7:51 p.m.

Mayor Krog announced that following the close of a Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of City Council.

Council discussion took place regarding the following:

- Number of units permitted under R6 and the number of units proposed under R8 zoning
- Respecting the sensitivity of the wetland area and potential impacts construction might have on the ecosystem
- Possibility of maintaining the R6 zoning with a height variance
- Differences between R6 and R8 zoning requirements with relation to FAR and underground parking
- Clarification that the applicant is permitted to build on this property and the level of disruption to the wetlands and landscape potentially being mitigated by permitting the R8 zoning and reducing the building footprint
- Wetland area and set backs are protected by the City's "Zoning Bylaw No. 4500"
- Site constraints and challenges of developing the property
- Timeframe for replacement of City services/infrastructure in this area
- FAR including covenant areas

- Lack of transit and challenges of small area roads
- Transit services responding to density and demand
- Concerns regarding speed in these areas

It was moved and seconded that "Zoning Amendment Bylaw 2020 No. 4500.169" (To rezone portions of 3500 Rock City Road from Low Density Residential [R6] to Medium Density Residential [R8] with site-specific Floor Area Ratio) pass third reading. The motion carried.

Opposed: Councillors Brown, Geselbracht, and Hemmens

5. PUBLIC HEARING FOR REZONING APPLICATION NO. RA454 - 5485 AND 5495 GODFREY ROAD

(a) Rezoning Application No. RA454 - 5485 and 5495 Godfrey Road

Mayor Krog called the Public Hearing to order at 8:17 p.m.

Councillor Armstrong returned to the Shaw Auditorium at 8:18 p.m.

Lisa Brinkman, Planner, Current Planning, introduced Rezoning Application No. RA454 – 5485 and 5495 Godfrey Road and noted that eighteen (18) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2020-SEP-17.

Mayor Krog called for submissions from the Applicant:

1. Scott Mack, Townsite Planning Inc., Lantzville, spoke in favour of Rezoning Application No. RA454 – 5485 and 5495 Godfrey Road, on behalf of the applicant, and stated:
 - Application is to rezone from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow for development of 10 townhouses on the site
 - Units would be a mix of two - three bedroom units
 - Parking and refuse would be located on the side and rear of the site
 - Pedestrian access along frontage with sidewalks being added
 - Development is intended to fit with neighbouring properties and would not require any zoning variances for height, set backs or parking
 - Surrounding buildings are mainly single family dwellings, duplexes and mobile homes
 - Another R6 zoned site is located approximately two blocks away
 - Development complies with OCP in terms of density for neighbourhood residential development
 - Would increase housing diversity stock and provide affordable options
 - Within walking distance to key amenities
 - Ties in with the Metral Drive Complete Street project located two blocks away

- Heard concerns from neighbours regarding: the addition of townhomes to their neighbourhood, density increasing, disruptions due to construction, and traffic. He noted the following in response to those concerns:
 - Area includes mobile homes, duplexes and single family homes
 - Current R1 zoning would allow for four houses with potential suites in each resulting in only two less units total than what is proposed
 - Property is currently zoned for development so construction is permitted
 - 10 townhouses could reduce traffic/parking in comparison to four houses plus potential suites as the townhouses would require parking spaces and would not accommodate parking items like RV's and boats
- Development concept presented during the neighbourhood information meeting was somewhat modern and did not fit with the character of the neighbourhood so will be reviewed to ensure a better fit with the surrounding community
- The property owner is supportive of the community amenity contribution of \$10,000 being allocated to neighbourhood park improvements or toward a new transit structure on Metral Drive.

Council enquired about the entrance to the facility and proximity to traffic circle as well as the lack of any existing sidewalks.

Mayor Krog called for submissions from the Public:

1. Tony Ryan, Nanaimo, spoke in opposition and stated concerns regarding the proposed entrance, children's safety, increased traffic, parking issues in the neighbourhood and access for emergency vehicles. She noted that during the community information meeting residents supported a second proposal presented for four houses instead of the 10 townhomes.
2. Emma Maccorquodale, Nanaimo, spoke in opposition and stated concerns regarding the development not fitting with the community, a lack of space for gardening, or for pets and children to play, increased traffic and frequent turn over of potential tenants.
3. Jennifer McEachen, Nanaimo, spoke in opposition and stated concerns regarding increased traffic, a second R6 zoned property near by and the development not fitting with the family centred community. She noted that the community had supported the four houses previously proposed during the information session and noted the suites in these houses could provide families with additional income.
4. John Day, Nanaimo, spoke in opposition, via telephone, and stated concerns regarding developers changing the appearance of the neighbourhood for profit, taxpayers having a say in how the City looks, a lack of neighbourhood consultation, smart meter radiation, the need for a traffic study and potential harm/destruction of the environment.

5. Regan Snaith, Nanaimo, spoke in opposition and stated that he supported the development of four houses on the site but not townhouses. He noted concerns about the entrance to the development being located on a roundabout, traffic and density already increasing due to another R6 zoning near by and a lack of parking in the area.
6. Kathleen Evans, Nanaimo, spoke in opposition, via telephone, and stated that she purchased her home understanding that duplexes were possible on this site but nothing larger. She noted concerns related to increased traffic on the street when there are many children in the area.
7. Emma Maccorquodale, Nanaimo, spoke for a second time in opposition and stated that there had not been sufficient communication done with the neighbourhood and that many people would not voice their concerns due to the current COVID-19 pandemic.

Mayor Krog called for submissions from the Public for a second time:

8. Scott Mack, Townsite Planning Inc., Lantzville, spoke for a second time in favour, regarding parking requirements for R6 zoning.

Council asked for clarification about the number of bedrooms proposed for this development.

Mayor Krog called for submissions from the Public for a third and final time:

9. Tony Ryan, Nanaimo, spoke for a second time in opposition and stated that two different plans had been presented to the community during the community information session and the community preferred the option of four houses on the site.
10. John Day, Nanaimo, spoke for a second time in opposition, via telephone, and stated that he provided Staff with a large document regarding the potential dangers of electromagnetic field exposure. He spoke regarding representation through taxation, building a neighbourhood plan and the need to revitalize the downtown area.

Sky Snelgrove, Deputy Corporate Officer, stated that no written submissions were received at the Public Hearing with respect to Rezoning Application RA454 – 5485 and 5495 Godfrey Road.

Mayor Krog announced that following the close of a Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of City Council.

Hearing no further comments from the public the Mayor declared the Public Hearing for RA454 – 5485 and 5495 Godfrey Road be closed at 9:03 p.m.

Council discussion took place regarding the following:

- Daily traffic capacity for a single lane roundabout
- Process for suggesting a change to the community amenity contribution
- Overcrowding on the site
- Concerns regarding parking issues and road safety in the area
- Potential example of infill which is supported by Council's policies and encourages more families to live in the neighbourhood
- Parking issues and access for four houses versus a townhouse complex
- Townhouses providing more opportunities for people to purchase a home
- Housing is desperately needed in the community and comes from either government subsidies or private development
- Provides many families with proximity to amenities

It was moved and seconded that "Zoning Amendment Bylaw 2020 No. 4500.181" (To rezone 5485 and 5495 Godfrey Road from Single Dwelling Residential [R1] to Low Density Residential [R6]) pass third reading. The motion carried.

Opposed: *Councillors Geselbracht and Thorpe*

Council discussion took place regarding the following:

- Typical methods for handling community amenity contributions
- Council setting a precedence by providing input on how to address the community amenity contribution
- Potential community discussions held regarding community amenity contribution and the preferences of the neighbourhood potentially being overlooked
- Need for protection of green/public spaces since townhomes lack yards

It was moved and seconded that Council request that the applicant direct the community contribution towards transit improvements on Metral Drive.

The motion was defeated.

Opposed: *Mayor Krog and Councillors Armstrong, Bonner, Maartman, Thorpe and Turley*

The Special Council Meeting recessed at 9:27 p.m.

The Special Council Meeting reconvened at 9:40 p.m.

6. PUBLIC HEARING FOR COVENANT AMENDMENT APPLICATION NO. CA12 - 497 MENZIES RIDGE DRIVE

(a) Covenant Amendment Application No. CA12 – 497 Menzies Ridge Drive

Mayor Krog called the Public Hearing to order at 9:40 p.m.

Caleb Horn, Planner, Current Planning, introduced Covenant Amendment Application No. CA12 – 497 Menzies Ridge Drive and noted that forty-three (43) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2020-SEP-17.

Mayor Krog called for submissions from the Applicant:

1. Steve Johnston, Nanaimo, Menzies Ridge Estates Ltd., spoke in favour of Covenant Amendment Application No. CA12 – 497 Menzies Ridge Drive and stated:
 - Application is to increase the number of permitted homes from 10 to 22 homes
 - Current zoning is R6
 - Heard concerns from neighbours regarding side and rear yard setbacks, height, density and lot coverage
 - Adjusted the side yard set back from 3m to 10m
 - Adjusted the rear yard set back from 7.5m to 12.57m
 - Proposing a unique higher end development that complements the neighbourhood and aims to maintain resale values in the surrounding area
 - Original proposal included 26 units, but after consultation with the community the number of units was reduced to 22 resulting in more green space
 - Worked with Planners and Public Works Staff to address neighbourhood traffic concerns and proposed traffic calming but was told this was not a requirement due to low traffic in the area
 - Changes to traffic flow and access point on Bird Sanctuary Drive and Poets Trail Drive
 - Access point at Bird Sanctuary Drive and Poets Trail Drive to be developed regardless of the number of units on the site
 - Access for emergency services was reviewed
 - Community concern regarding parking; however, no parking variances requested and anticipate a higher demand for biking in that area so will be promoting more parking stalls for bikes
 - Intention to be respectful of neighbours and complement the area
 - Want to attract more people to the gateway to Vancouver Island University (VIU) and the downtown area

Council enquired about the proposed access point at the intersection of Bird Sanctuary Drive and Poets Trail Drive accommodating two-lane traffic.

Mayor Krog called for submissions from the Public:

1. Jerry Hong, Nanaimo, spoke in opposition and stated that he represented the Western Neighbourhood Association and that a petition with 187 signatures had been submitted to Council with 92% of respondents opposed. He stated concerns regarding road width, density, parking and increased traffic and the development not meeting the Transportation Master Plan.
2. Tiffany Vincent, Nanaimo, and neighbour Annette Cochino, Nanaimo, spoke in opposition, via telephone, and stated that they purchased their residences with the understanding that 10 homes would be built on the site next door and they are overwhelmed by the thought of this increasing to twenty-two. They stated concerns regarding the safety of children riding their bikes/ playing on the street, increased traffic, a lack of parking, and increased density. They

also noted a recent increase in density due to the construction of low-income seniors housing near by and the impact the construction has had on parking in the area.

3. Laura Shanner, Nanaimo, spoke in opposition and stated concerns regarding street access and the safety of cyclists and pedestrians. She spoke regarding the importance of taking promises seriously and the moral implications of breaking a covenant.
4. Cherilyn Rowe, Nanaimo, spoke in opposition, via telephone, and stated concerns regarding the removal of the covenant, increased density, access for emergency vehicles, safety concerns and lack of parking spaces on the street.
5. Al Brunelle, Nanaimo, spoke in opposition and stated that he lives next to the proposed access point on Poets Trail Drive. He stated concerns regarding breaking the covenant, which is already the second rezoning of this property, and parking issues. He stated that he would not have purchased his property if he knew a road would be built in his front yard.
6. Karly McLean, Nanaimo, spoke in opposition, via telephone, and stated concerns regarding density and a low-income senior development being built behind her home, which has demonstrated the impact more vehicles would have on street parking. She noted that Nanaimo is not a bike City at this point, or in the foreseeable near future. She stated concerns for children's safety on the street as it becomes single lane traffic due to cars parking along the street.
7. Elizabeth Gillis, Nanaimo, spoke in opposition and stated concerns regarding access to the site, increasing traffic, and a lack of sidewalks on Bird Sanctuary Drive forcing people to walk in the street due to congestion and parking.
8. Clive Jones, Nanaimo, spoke in opposition and stated Stonegate Road is unlikely to be opened until the next two phases of construction are completed. He stated concerns regarding density increases and noted current increases in parked cars resulting from Air B&B rentals and other entrepreneurs.
9. Megan Bailey, Nanaimo, spoke in opposition and stated concerns regarding breaking the covenant, safety concerns for children riding their bikes and a lack of sidewalks. She stated that townhouses and apartments are better situated along the outskirts of neighbourhoods, and that residents purchased their homes with the understanding, and acceptance, that 10 homes would be built on the site.
10. Emily Work, Nanaimo, spoke in opposition and stated concerns regarding the breaking of the covenant and current congestion of vehicles, garbage bins and parked cars along these streets.
11. Janice Brunelle, Nanaimo, spoke in opposition and stated concerns regarding the proposed access route at the intersection of Bird Sanctuary Drive and Poets Trail Drive drastically reducing the size of her front yard and the expectations people place on the promise implied by a covenant.

12. Jerry Hong, Nanaimo, spoke for a second time in opposition and stated concerns regarding the number of homes and suites currently in the subdivision and ongoing development in the surrounding area.
13. Elizabeth Gillis, Nanaimo, spoke for a second time in opposition and stated concerns regarding the promises implied in the previous rezoning application and how these were intended to protect the neighbourhood. She stated that breaking a covenant should only be considered under extenuating and exceptional circumstances.

Mayor Krog called for submissions from the Public for a second time:

14. Al Brunelle, Nanaimo, spoke for a second time in opposition and stated concerns regarding the proximity of the proposed access route to his property.

Mayor Krog called for submissions from the Public for a third and final time:

15. Ron Neal, Victoria, partner of applicant, spoke in favour and stated that the property had been purchased after consultation with Planning Staff and noted that the access road would be developed regardless of whether 10 homes or twenty-two homes were built on the site. He stated that the design is to build smaller units than permitted and provide 40 additional parking spots. He noted that the Planning and Engineering Staff have not indicated any concerns regarding traffic and that homes are needed in the community.
16. Janice Brunelle, Nanaimo, spoke for a second time in opposition and stated concerns regarding the previous zoning being changed from Single Family Residential (R1) to R6 to allow 10 units.
17. Megan Bailey, Nanaimo, spoke for a second time in opposition and stated concerns regarding some of the statements being made and noted the neighbourhood was not opposed to the development of 10 homes.
18. Laura Shanner, Nanaimo, spoke for a second time in opposition and stated concerns regarding developers/investors frequently requesting reconsiderations.

Sky Snelgrove, Deputy Corporate Officer, stated that one (1) written submission was received at the Public Hearing with respect to Covenant Amendment Application CA12 – 497 Menzies Ridge Drive from Jerry Hong, Nanaimo, opposed.

Hearing no further comments from the public the Mayor declared the Public Hearing for CA12 – 497 Menzies Ridge Drive be closed at 10:55 p.m.

Mayor Krog announced that following the close of a Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of City Council.

Council discussion took place regarding the following:

- Many factors to consider such as children's safety
- Confirmation that the two lane access road on Poets Trail Drive will be constructed whether the site remains R6 or changes to R8 zoning
- A covenant is an agreement between the City of Nanaimo and the owner of the land
- Current housing crisis has caused significant changes in the community
- Issues with cars and how they impact safety concerns
- Road widths on Bird Sanctuary Drive and Menzies Ridge Drive
- Need for increased housing stock and density
- Moral implications of amending a covenant and the need for extenuating circumstances to warrant a change
- Promises implied to neighbours who purchased homes surrounding this development
- Original neighbourhood planning was not for this type of development
- Example of infill that is needed in the community
- Housing and affordability crises dramatically changing the needs of the community as a whole
- Not building developments and parking to suit big trucks
- Best practices and applicants applying for the appropriate zoning at the start of development process
- Application aligning with the Affordable Housing Strategy
- Engagement with neighbourhood during the previous rezoning application and promise implied to residents
- Affordability and the proposed development not being accessible to low income people
- Covenants being subject to change by agreement of the parties

It was moved and seconded that Council direct Staff to amend the covenant on 497 Menzies Ridge Drive to increase the maximum permitted number of residential dwelling units from 10 units to 22 units. The motion carried.

Opposed: Councillors Geselbracht, Maartman and Thorpe

7. ADJOURNMENT:

It was moved and seconded at 11:35 p.m. that the Special Council meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-SEP-28, AT 4:29 P.M.

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

Staff: J. Rudolph, Chief Administrative Officer
S. Legin, General Manager, Corporate Services
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
F. Farrokhi, Manager, Communications
S. Gurrie, Director, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:29 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 2 – Procedural Motion - Add *Community Charter* Section 90(1)(i) – the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

3. PROCEDURAL MOTION TO PROCEED IN CAMERA:

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

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

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;

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

The motion carried unanimously.

Council moved In Camera at 4:30 p.m.
Council moved out of In Camera at 6:46 p.m.

Council recessed the Open Meeting 6:46 p.m.
Council reconvened the Open Meeting at 7:00 p.m. in the Shaw Auditorium.

2. INTRODUCTION OF LATE ITEMS (continued):

- (b) Agenda Item 8(a) – Signy Madden, Executive Director, United Way re: Nanaimo 2020 Point-In-Time Homelessness Count Results - Add Presenters via Zoom:
 - 1. John McCormick, Co-Executive Director (Strategic Initiatives), United Way
 - 2. Andrew Thornton, Research Manager, The Centre for Justice, Education and Research.

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-SEP-14, at 4:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Orange Shirt Day on September 30th recognizes victims and survivors of Canada's residential school history. The initiative started in 2013 by elder Phyliss Webstad, who had her new orange shirt taken away from her at her first day of classes at a Williams Lake residential school in 1973.

Residential schools operated in Canada between the 1880's and mid 1990's as government sponsored religious schools. Indigenous children were stripped of their culture and some faced physical and sexual abuse. Orange shirt day is an opportunity for First Nations, local governments, schools and communities to come together in the spirit of reconciliation and hope.

- GoByBike Week is taking place from September 28th to October 4th, 2020. To participate register at www.gobybikebc.ca/nanaimo and log your kilometers. New this year is the added Pedal to Places challenge where resident can explore the community by pedalling to specified places and collecting code words. The code words can be used to enter to win a \$200 gift certificate at a local bike shop of your choice. The GoByBike grand prize is a trip for two cycling around the Atlantic Coast of Portugal.
- The final day to pay property taxes, without penalty, is this Wednesday, September 30th. The first 5% penalty will be applied on October 1st, 2020, and the second penalty of 5% will be applied on November 12, 2020. Property taxes can be paid at any financial institution, through online banking and at the pop-up tax office located at Beban Park, Frank Crane Arena.
- World Rivers Day was held on September 27, 2020, which is a day to celebrate the world's waterways and their importance to all life on earth.
- The City of Nanaimo is pleased to announce the commission of new artwork by Eliot White-Hill, Kwulasultun, for Beban Park Pool. The project takes the ecosystems of the Nanaimo River Estuary as inspiration and Mr. White-Hill has designed a series of seven distinctive banners and three new murals, which are being installed this month while the facility is closed to the public.
- In these early days of the Provincial election, Council would like to remind everyone to vote. Democracy is a right that not everyone in the world has and should be taken seriously. Local, Provincial and Federal Governments play a large role in our society and contributes to the economy. If you are not comfortable voting in person please use the mail-in ballots option offered to all residents of BC.

7. PRESENTATIONS:

- (a) Signy Madden, Executive Director, United Way, John McCormick, Co-Executive Director (Strategic Initiatives), United Way and Andrew Thornton, Research Manager, The Centre for Justice, Education and Research, re: Nanaimo 2020 Point-In-Time Homelessness Count Results
-

Signy Madden, Executive Director, United Way, John McCormick, Co-Executive Director (Strategic Initiatives) and Andrew Thornton, Research Manager, The Centre for Justice, Education and Research, provided Council with the Nanaimo 2020 Point-In-Time Homelessness Count Results. Highlights included:

- The Point-In-Time Count is funded by the federal government and organized by volunteers, RCMP and other resource providers in Nanaimo
- Homeless numbers have increased since 2016 from 174 to 433 in 2020
- Key findings include:
 - 71.2% have lived in Nanaimo for over 5 years
 - 68.3% identify as male
 - 54% are in the age range from 25 to 44 years old

- 71% said affordable housing is the largest obstacle to permanent housing as well as a increases in rental costs
- The top three reasons for homelessness include insufficient income to support rent or mortgage payment, conflict with landlord or other tenant and conflict with spouse or partner
- Only 10% of homeless people have regular interactions with RCMP
- Key is to develop a response that works for all types of homelessness and for those who need mental health and addiction services
- Small percentage that need more complex solutions and more assistance in acquiring housing and health services

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Special Mayor's Task Force on Recovery and Resilience Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Friday, 2020-JUL-31, at 9:02 a.m.
- Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-SEP-02, at 3:04 p.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-SEP-16, at 9:00 a.m.
- Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-SEP-16, at 3:02 p.m.

9. CONSENT ITEMS:

Mayor Krog requested that Agenda Item 10(a)(2) be removed to be voted on under Separately Addressed Consent Items.

It was moved and seconded that the following items be adopted by consent:

(a) Health and Housing Task Force Meeting 2020-SEP-16

1. Discussion regarding the Extension of the Health and Housing Task Force

That Council extend the mandate of the Health and Housing Task Force to November 30, 2020.

(b) Finance and Audit Committee Meeting 2020-SEP-16

1. Public Works Facility Upgrades

That Council allocate \$200,000 from the existing 2020 - 2024 Financial Plan to further develop an architectural concept and cost estimate for renewal of the Public Works facility.

2. Federation of Canadian Municipalities Asset Management Program

That Council commits to conducting the Level of Service Study: Asphalt as detailed in the grant application to the Federation of Canadian Municipalities, Municipal Asset Management Program, and commits \$100,000 for 2021 in the 2021 – 2025 Financial Plan toward the costs of this initiative if the grant is successful.

3. Consideration of New Permissive Tax Exemption Applications

That Council:

1. Award a permissive tax exemption for the 2021 tax year to the Nanaimo Community Gardens Society for property that is being leased at 2300 Bowen Road (Beban Park);
2. Award a permissive tax exemption for the 2021 tax year to the Island Crisis Care Society for property donated at 3413 Littleford Road;
3. Award a permissive tax exemption for the 2021 tax year to the Society for Equity, Inclusion and Advocacy for space being leased at #403 – 489 Wallace Street;
4. Award a permissive tax exemption for the 2021 tax year to the Nanaimo Brain Injury Society for space being leased at #101 – 235 Bastion Street;
5. Award a permissive tax exemption for the 2021 tax year to the Vancouver Island Mental Health Society for property owned at 285 Rosehill Street; and,
6. Award a permissive tax exemption for the 2021 tax year to the Nanaimo Unique Kids Organization for property purchased at 60 Needham Street.

(c) Governance and Priorities Committee Meeting 2020-SEP-21

1. Council Dashboard (Voting Record)

That Council direct staff to proceed with the Council Voting Dashboard that has been developed by our IT Department to track Council's voting record for Council Meetings retroactive to July 1, 2020.

The motion carried unanimously.

(d) Separately Addressed Consent Items

1. Health and Housing Task Force Meeting 2020-SEP-16

2. Presentation from Dr. Alina Turner, CEO, HelpSeeker - Updates and Transition Planning

It was moved and seconded that the City of Nanaimo collaboratively through the Health and Housing Task Force and Economic Development Task Force explore an arms-length organization that includes economic development and social development planning coordination.

It was moved and seconded that Council defer consideration of the following motion from the 2020-SEP-16 Health and Housing Task Force Meeting to the Economic Development Task Force:

“It was moved and seconded that the City of Nanaimo collaboratively through the Health and Housing Task Force and Economic Development Task Force explore an arms-length organization that includes economic development and social development planning coordination.”

The motion carried unanimously.

10. REPORTS:

(a) Unsafe Condition – 4063 Old Slope Place

Introduced by Dale Lindsay, General Manager, Development Services.

Delegation:

1. Matthew Watters, Chief Executive Officer, BC Craft Supply Co Ltd., Owner, spoke regarding the safety risk at the property, attempts to find an excavation company and requested an extension.

It was moved and seconded that Council:

1. Issue a Remedial Action Order at 4063 Old Slope Place pursuant to Sections 72, 73, 74 of the *Community Charter*;
2. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense, if said remedial action is not undertaken within 30 days of Council's resolution; and
3. Direct the remedial action consist of filling in the excavation or secure the property with fencing and remove the steel rebar.

The motion carried.

Opposed: *Councillor Turley*

(b) Downtown Restaurant Patios

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Dale Lindsay, General Manager, Development Services, provided Council with a presentation regarding Downtown Restaurant Patios. Highlights included:
 - The patio program doubled the amount of patio space in the downtown area and was successful
 - Business owners who originally participated are in support of the extension
 - Challenges include winterizing the patios, impact on snow removal and deterioration of the patios
 - The Province is supportive of the extension and has approved that liquor licensing would be extended

It was moved and seconded that Council:

1. Extend the temporary restaurant patio program until 2021-OCT-31;
2. Direct Staff to notify the Liquor and Cannabis Regulation Branch that the City of Nanaimo has authorized pre-approval for all temporary service area expansions for liquor primary and manufacturing licences until 2021-OCT-31 in response to Liquor Control and Regulation Branch policy directive 20-26; and
3. Continue to suspend the current City approval process for temporary service area expansion of all liquor primary and manufacturing licences until 2021-OCT-31.

The motion carried unanimously.

(c) Development Permit Application No. DP1179 – 227 Prideaux Street

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council issue Development Permit No. 1179 at 227 Prideaux Street with a variance to reduce the minimum required setback for a refuse enclosure from 3m to 0.46m. The motion carried unanimously.

(d) Amendment to the Appointment of Officers and Delegation of Authority and Management Terms and Conditions Bylaws

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07" (To align the bylaw with the revised management organizational structure) pass first reading. The motion carried unanimously.

It was moved and seconded that "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07" pass second reading. The motion carried unanimously.

It was moved and seconded that "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07" pass third reading. The motion carried unanimously.

It was moved and seconded that "Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01" (To reflect changes to align with the "Officers Appointment and Delegation Bylaw 2006 No. 7031") pass first reading. The motion carried unanimously.

It was moved and seconded that "Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01" pass second reading. The motion carried unanimously.

It was moved and seconded that "Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01" pass third reading. The motion carried unanimously.

11. OTHER BUSINESS:

- (a) Recommendation from 2020-JUL-15 Finance and Audit Committee Meeting re: Indigenous Engagement Specialist

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council direct Staff to prepare a business case for an Indigenous Engagement Specialist for the purpose of better incorporating First Nations and urban indigenous perspectives and ways of knowing into our work and decisions. The motion carried.

Opposed: *Councillors Armstrong, Thorpe, and Turley*

- (b) Councillor Bonner Motion re: Pilot Program to Reduce Residential Speed Limits

Introduced by Councillor Bonner.

It was moved and seconded that Council direct Staff to report back to Council on options for Nanaimo to participate in a potential Ministry of Transportation and Infrastructure pilot project limiting residential speed limits. The motion carried unanimously.

12. ADJOURNMENT:

It was moved and seconded at 8:44 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-OCT-05, AT 4:30 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown (joined electronically)
Councillor B. Geselbracht
Councillor E. Hemmens (vacated 8:59 p.m.)
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
S. Legin, General Manager, Corporate Services
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
K. Fry, Fire Chief
B. Corsan, Director, Community Development
A. Groot, Director, Facilities and Parks Operations
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance
L. Bhopalsingh, Manager, Community Planning
F. Farrokhi, Manager, Communications
W. Fulla, Manager, Business, Asset & Financial Planning
S. Pamminger, Manager, Infrastructure Planning and Energy
T. Loewen, Communications & Marketing Specialist
M. Miller, Senior Financial Analyst
S. Gurrie, Director, Legislative Services
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at: 4:30 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 2 Procedural Motion to Proceed In Camera - Add *Community Charter* Sections 90(1)(e) and (i).

3. PROCEDURAL MOTION TO PROCEED IN CAMERA:

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

Section 90(1) 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:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (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.

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;

The motion carried unanimously.

Council moved In Camera at 4:30 p.m.

Council moved out of In Camera at 6:46 p.m.

Council recessed the Open Meeting 6:46 p.m.

Council reconvened the Open Meeting at 7:00 p.m.

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Special Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-SEP-21 at 12:38 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

- On September 30, 1960 the Chinatown Fire started which raged for over 7 hours and despite the efforts from the Nanaimo Fire Department and the volunteer-based Harewood Fire Department, the flames were unable to be controlled and nearly all structures were destroyed. It was Nanaimo's largest fire at the time and left upwards

of 200 people, mostly seniors, without homes. Buildings and shops of cultural and historical significant were lost forever

- The Chinese had a unique impact on the City's history. Like all pioneers, they struggled against many obstacles and ultimately had to fight for recognition as Canadian citizens. After World War II, the removal of discriminatory immigration policy and acceptance of official multiculturalism allowed people of Chinese descent to take their place at all levels of Canadian society
- October 4-10th is Fire Prevention Week, which aims to educate people about the simple but important things they can do to keep themselves and those around them safe from fire in their kitchens and homes
- On October 5, 2020 Fire crews responded to a structure fire with a working smoke alarm at the 300 block of Pine Street. Crews arrived on scene and gained entry to discover unattended cooking that had been left on the stove and no occupants home. A dog locked on the premise was saved
- Mayor Krog reminded everyone to exercise safety as cooking is one of the leading causes of home fires and home fire injuries in British Columbia
- City recreation facilities are following province-wide COVID-19 safety protocols as staff are continuing to adapt, adjust and learn as a result of the ongoing changes to health and safety requirements as a result of the pandemic
- Safety protocols are present to ensure the City is in compliance with provincial health orders
- Procedures have been put in place in facilities to meet the physical distancing requirements and mass gatherings order of a maximum of 50 people in the facility/event as set out by the Province of BC
- Mayor Krog noted it is a difficult and frustrating time for many people and rules are put in place to ensure public health safety
- By kindness, cooperation, good manners, and respect for one another rules can be most effectively utilized to protect the health and safety of all of us
- Mayor Krog encourages everyone to celebrate October as Foster Family month in BC. There is a strong correlation between children in foster care and many homeless in the province. Children are often placed in foster care because they have suffered some form of trauma which make it difficult to care for them. Join the City in celebrating Foster Family month
- Mayor Krog recognized and congratulated Julie Bevan, Manager, Culture and Events, for her award in the category "Above and Beyond" at the Nanaimo Business Award ceremonies. Ms. Bevan was formerly the Executive Director at Nanaimo Art Gallery and left the position to take up a newly created role with the City in March of this year. She joined when organizational restructuring led the City's cultural services section to move and form Parks, Recreation and Culture

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Governance and Priorities Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-MAR-09 at 1:00 p.m.

- Minutes of the Special Mayor's Task Force on Recovery and Resilience Meeting held in the Dodd Narrows Room A/B, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Friday, 2020-SEP-11, at 8:39 a.m.

8. REPORTS:

(a) Investing in Canada Infrastructure Program

Introduced by Shelley Legin, General Manager, Corporate Services.

Presentation:

1. Laura Mercer, Director, Finance, Michelle Miller, Senior Financial Analyst and Scott Pamminger, Manager, Infrastructure Planning & Energy, provided a presentation. Highlights included:
 - The City has an opportunity to apply for grant funding through Investing in Canada Infrastructure Program - CleanBC Communities funding stream
 - Projects must support the management of renewable energy, access to clean energy transportation, improve energy efficiency of buildings and the generation of clean energy
 - Two projects for consideration:
 - Oliver Woods Community Centre Hot Water Boiler Replacement and Mechanical Upgrade
 - Estimated total cost is \$116,000
 - Grant application - \$80,000
 - City share - \$36,000
 - Beban Park Leisure Pool Air Handling Units
 - Estimated total cost is \$945,400
 - Grant application - \$686,840
 - City share - \$258,560

It was moved and seconded that Council direct Staff to submit an application to the Investing in Canada Infrastructure Program – CleanBC Communities Fund Stream for the Beban Park Leisure Pool Air Handling Units and that Council commits to funding \$258,560 of the project. The motion carried unanimously.

(b) Community Economic Recovery Infrastructure Program

Presentation:

1. Laura Mercer, Director, Finance, Michelle Miller, Senior Financial Analyst and Art Groot, Director, Facilities and Parks Operations, provided a presentation. Highlights included:
 - Grant is focused on helping communities in BC recover from economic impacts experienced from COVID-19
 - 5 projects meet the criteria
 - Loudon Boathouse:
 - New facility to replace existing facility

- \$123,750 committed in 2020-2024 financial plan
 - Estimated construction cost is \$1.87 million
 - Grant application - \$1 million
 - City share - \$0.87 million
- Beban Complex Electrical Upgrades:
 - Main electrical substation is nearing end of life
 - Included in 2020-2024 Financial Plan
 - Estimated design and construction cost is \$1.72 million
 - Grant application - \$1 million
 - City share - \$0.72 million
- Rotary Bowl Track Replacement:
 - Track is nearing end of life and experiencing damage from nearby tree roots
 - Currently in draft 2021-2025 financial plan
 - Estimated design and construction cost is \$1.2 million
 - Grant application - \$1 million
 - City share - \$0.2 million
- Maffeo Sutton Playground Phase 2
 - Phase 2 inclusive play features for 2-5 year olds
 - Currently in 2023 of the 2020-2024 Financial Plan
 - Estimated construction cost is \$663,000
 - Grant application - \$663,000
- Maffeo Sutton Washrooms
 - Identified during the Maffeo Sutton Park Masterplan
 - Not included in 2020-2024 financial plan
 - Estimated design and construction cost is \$1 million
 - Grant application is \$1 million

It was moved and seconded that Council direct Staff to submit an application to the Community Economic Recovery Infrastructure Program for the Loudon Boathouse project and that Council commits to funding \$0.87 million of the project. The motion carried.

Opposed: Councillors Brown, Geselbracht, Hemmens

It was moved and seconded that Council direct Staff to submit an application to the Community Economic Recovery Infrastructure Program for the Rotary Bowl Track Replacement and that Council commits to funding \$188,150 of the project. The motion carried.

Opposed: Councillors Brown, Geselbracht

(c) Property Tax Exemption Bylaw for 2021 Property Taxes

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Property Tax Exemption Bylaw 2020 No. 7315” (To provide exemption from 2021 property taxes) pass first reading. The motion carried unanimously.

It was moved and seconded that “Property Tax Exemption Bylaw 2020 No. 7315” pass second reading. The motion carried unanimously.

It was moved and seconded that “Property Tax Exemption Bylaw 2020 No. 7315” pass third reading. The motion carried unanimously.

(d) Property Disposition - 350 and 398 Franklyn Street

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

1. approve the disposition of 350 and 398 Franklyn Street to SoGood Properties Limited for \$1,216,000; and,
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

The motion carried unanimously.

(e) Building Permit Function Review

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Jeremy Holm, Director, Development Approvals, provided a verbal presentation. Highlights included:
 - Undertaking a review of the building permit function
 - Challenging volume of work in the area
 - Constantly evolving processes impacted by external factors such as changes to building code, requirements for qualifications of building officials and legislation
 - Rapidly shifted building permits to online applications – challenging for staff and public to adjust to
 - Efficient and timely permit approval important to customers
 - Taking opportunity to build on other work from Development Process Review Committee, Core Services Review and engage Allan Neilson of Neilson Strategies to help review function
 - Expect to report back to Governance and Priorities Committee in January with report to identify potential changes to permit approval process and recommendations for improvements

9. BYLAWS:

(a) "Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07"

It was moved and seconded that “Officers Appointment and Delegation Bylaw Amendment Bylaw 2020 No. 7031.07” (To align the bylaw with the revised management organizational structure) be adopted. The motion carried unanimously.

- (b) "Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01"
-

It was moved and seconded that "Management Terms and Conditions of Employment Amendment Bylaw 2020 No. 7273.01" (To reflect changes to align with the "Officers Appointment and Delegation Bylaw 2006 No. 7031") be adopted. The motion carried unanimously.

The Council Meeting moved In Camera at 8:41 p.m.
The Council Meeting moved out of In Camera at 9:42 p.m.

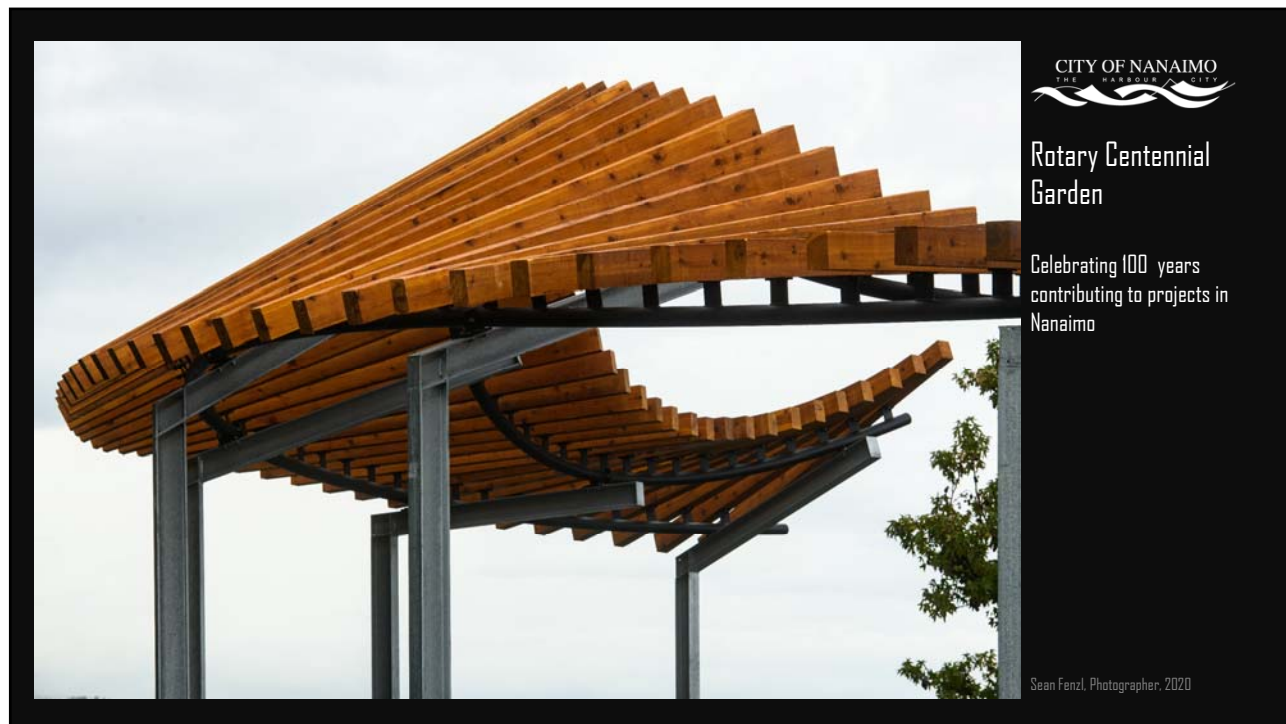
10. ADJOURNMENT:

It was moved and seconded at 9:43 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER







CITY OF NANAIMO
THE HARBOUR CITY

Rotary Centennial Garden

Left
Victoria Drakeford & Kate Stefiuk, Landscape Architects

Sean Fenzl, Photographer, 2020

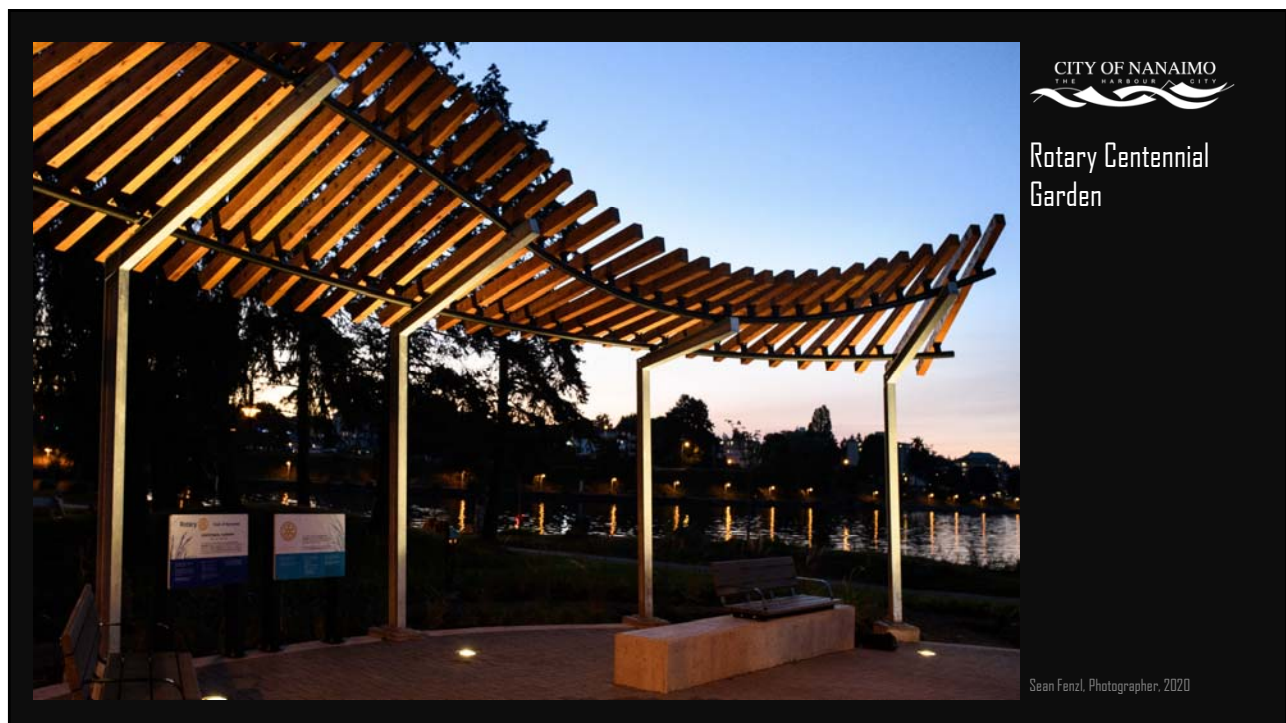
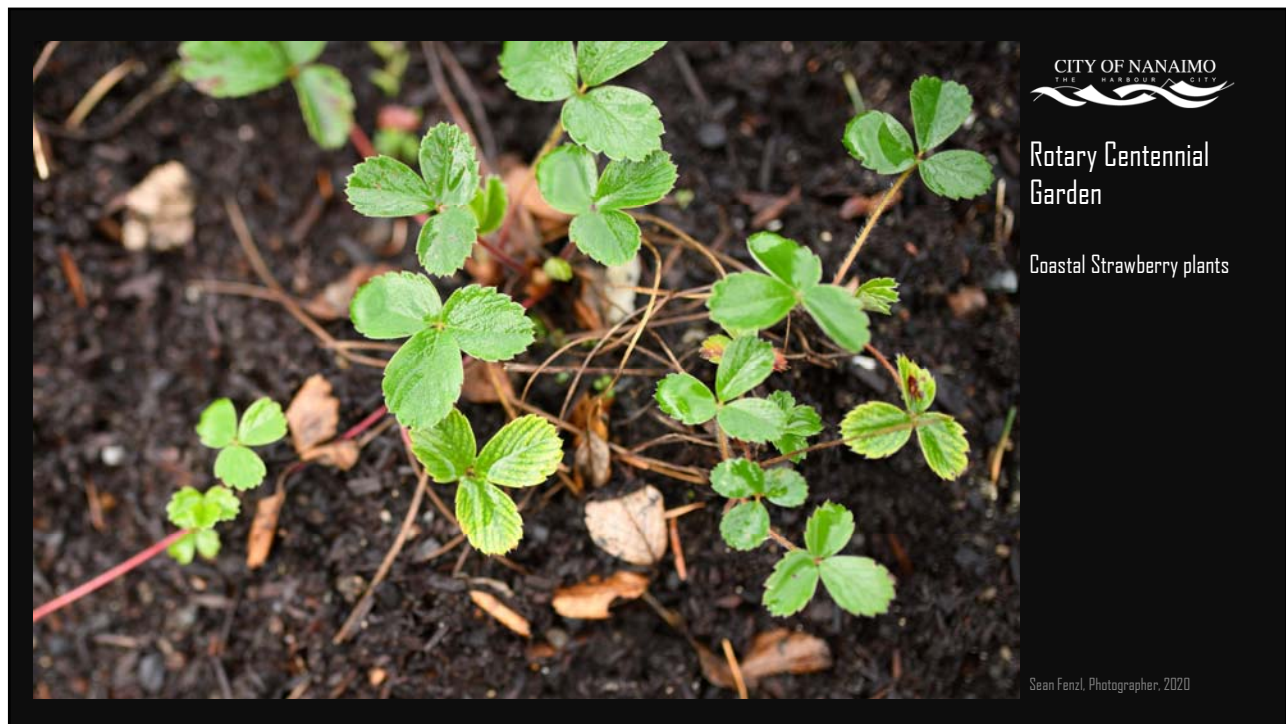


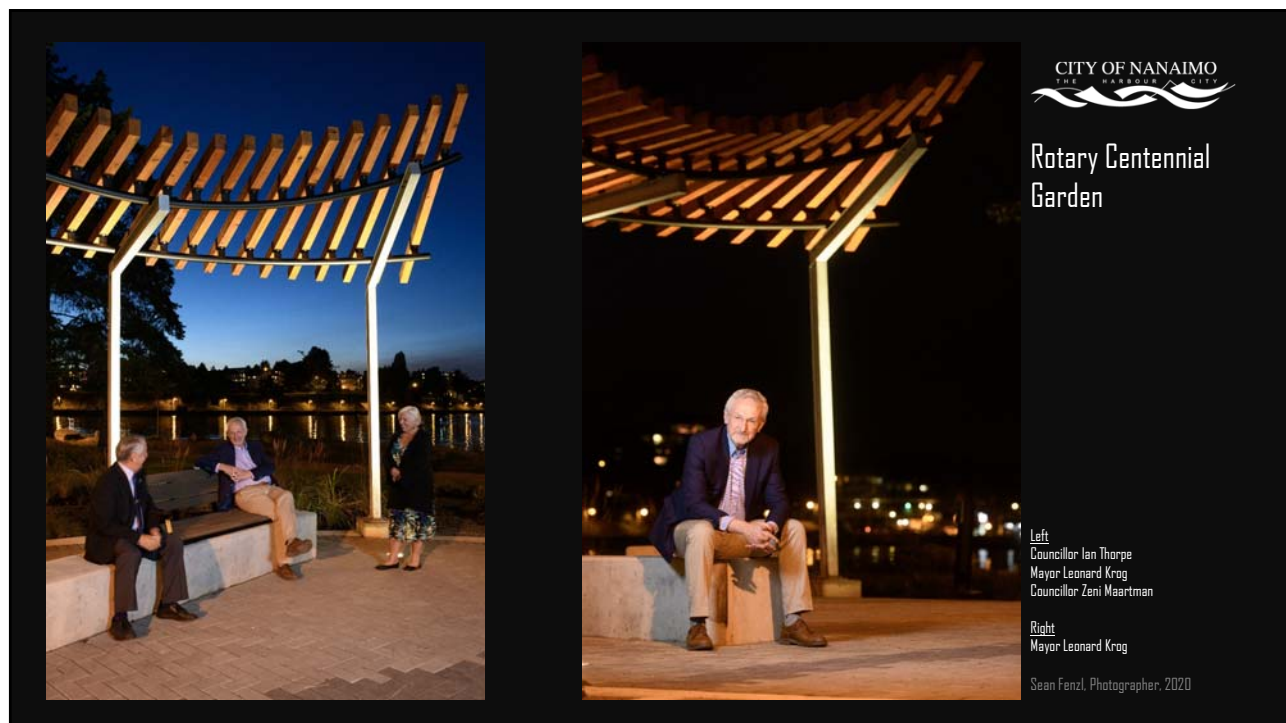
CITY OF NANAIMO
THE HARBOUR CITY

Rotary Centennial Garden

Signage highlighting
Coastal Strawberry
planting

Sean Fenzl, Photographer, 2020







Delegation Request

Delegation's Information:

Dave Hammond has requested an appearance before Council.

City: Nanaimo

Province: BC

Delegation Details:

The requested date is October 19, 2020.

The requested meeting is:
Council

Bringing a presentation: No

Details of the Presentation:

To thank Council and staff for their support of the recently completed Rotary Centennial Garden at Maffeo Sutton Park.

MINUTES
ENVIRONMENT COMMITTEE MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
WEDNESDAY, 2020-JUL-15, AT 3:00 P.M.

Present: Councillor T. Brown, Chair
Councillor B. Geselbracht
E. Boulanger, At Large Member (joined electronically 3:50 p.m.)
D. Chen, At Large Member (joined electronically)
L. Frey, At Large Member (joined electronically)
J. Lesemann, At Large Member (joined electronically)
L. McCunn, At Large Member (joined electronically)
W. Wells, At Large Member (joined electronically)

Absent: H. DesRoches, At Large Member

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
J. Holm, Director, Development Approvals
R. Lawrance, Environmental Planner
C. Sholberg, Community Heritage Planner
S. Snelgrove, Deputy Corporate Officer
J. Vanderhoef, Recording Secretary

1. CALL THE ENVIRONMENT COMMITTEE MEETING TO ORDER:

The Environment Committee Meeting was called to order at 3:00 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Special Environment Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-JUN-03 at 3:00 p.m. be adopted as circulated. The motion carried unanimously.

4. REPORTS:

(a) Climate Change Resilience Strategy

Introduced by Rob Lawrance, Environmental Planner.

Presentation:

1. Rob Lawrance, Environmental Planner, provided a PowerPoint presentation. Highlights included:
 - Raising awareness within the community about environmental issues and improving communication
 - There will be a mitigation aspect and an adaptation and resilience aspect to responding to climate change
 - Most of the funding for Sea Level Rise Study and Resiliency Strategy came from the Federation of Canadian Municipalities – Climate Innovation Program
 - Objectives of the Sea Level Rise Study and Resiliency Strategy is to identify local climate change impacts and specify action to protect residents and assets
 - Provided an overview of the Sea Level Rise Study:
 - Provided diagrams outlining the process for the Sea Level Rise Study and how flood construction levels are determined in order to estimate where to expect flooding over the coast line
 - Conclusion was that overall the City is in a good position but there are areas that could use follow-up in Departure Bay, Downtown and Saysutshun
 - Recommendations from the Sea Level Rise Study: create a coastal hazard development permit area, review zoning and building bylaws to update flood hazard requirements, review coastal erosion monitoring program and create a green shores strategy to identify locations and ways to install features to respond to flooding and erosion
 - Provided an overview of the Resiliency Strategy:
 - Identified four project phases relating to engaging, identifying conditions, assessing and implementing
 - There has been strong engagement from City Staff as well as many external stakeholders
 - Expected Climate Impacts:
 - Reduced water availability
 - Expect more short duration/high intensity rain events creating flash flooding
 - A hotter/drier climate
 - Changes to tree species
 - Increases in stress and anxiety on vulnerable populations, first responders and supporting community members
 - Reviewed the Strategy Development Process: prepare impact statements, prioritize areas identified as vulnerable, take action on quick wins and brainstorm/evaluate actions, plan guiding principles and goals, determine/implement a plan
 - Provided a sample of evaluation criteria and implementation planning

- Recommended actions:
 - Water Supply: prepare for a more limited water supply, and improve resiliency of water infrastructure
 - Flooding and Drainage: minimize overland flooding resulting from heavy rainfall. Prepare for the impacts of sea level rise, including associated erosion and coastal flood risk
 - Environment, Parks and Recreation: quantify and manage Nanaimo's urban forest

Committee discussion took place. Highlights included:

- Rainfall collection not being included in planning
- Regional District of Nanaimo (RDN) providing rebates for rainwater cisterns
- City of Nanaimo citizens are eligible for RDN cistern rebates
- Improving communication regarding storm water capture
- REIMAGINE NANAIMO includes a review of the Water Supply Strategic Plan
- Effects of changing groundwater tables on City infrastructure
- Focus of the Resilience Strategy was on fish bearing streams and maintaining watercourses during extreme water events

Rob Lawrance, Environmental Planner, continued his presentation as follows:

- Recommended actions (continued):
 - Environment, Parks and Recreation: assess and restore Nanaimo's ecological diversity, focusing on the City's urban watercourse and marine foreshore
 - Well Being and Preparedness: work with community partners to minimize health impacts of extreme weather on residents, developing an extreme heat response strategy. Improve knowledge, capacity and response plans to deal with increasing risk of landslides and wildfires. Raising public awareness of expected impacts and how to prepare for them
 - Land Use and Buildings: improve resilience planning for new and existing City facilities and residential development. Ensure development regulations and guidelines incorporate expected climate-related hazards
 - Corporate Governance: improve the City's ability to respond and recover from climate related events. Working with neighbouring jurisdictions to support climate resilience and limit transfer of risk across jurisdictional boundaries

Committee discussion took place. Highlights included:

- Information being shared between the City and the RDN
- RDN's Drinking Water and Watershed Protection Program is taking a broader approach and has a focus on watersheds
- City staff meet regularly with other regional planners to share information and plans
- The Resiliency Strategy was brought forward as a foundational piece when Council was presented with the REIMAGINE NANAIMO project

(b) CleanBC Home Renovation Rebate Program Update

Rob Lawrance, Environmental Planner, spoke regarding the following:

- City participation in Provincial rebate program
- Program began in April 2020
- Due to COVID-19 the current uptake is fairly low
- Programs have the potential to increase energy efficiencies
- Incentive for commercial installers to help promote the program as they receive funding for completing installations
- Improving communications to increase effectiveness

Committee discussion took place. Highlights included:

- Timeframe for the rebate program currently runs until 2022
- Province is currently promoting the program through their media resource; however, the City might be able to promote more locally
- Contacting local installers to advise them of these programs
- Providing more clarity about the program and the application process to improve access
- The Province has a website called “EfficiencyBC” which identifies rebates available in each community
- Targeting existing homes to improve energy efficiencies
- Staff are planning to provide a draft communication plan in the Fall of 2020

(c) Verbal Update Regarding REIMAGINE NANAIMO Process

Chris Sholberg, Community Heritage Planner, provided a verbal update regarding the REIMAGINE NANAIMO process. Highlights included:

- Report going to Council on 2020-JUL-20 to launch the REIMAGINE NANAIMO process
- Starting with the engagement process
- Information will be provided to the public through the “Get Involved Nanaimo” platform with background information on high-level topics such as: how we adapt, how we live and care, how we work, how we move, and how we connect and play
- Starting by involving people who may not have planning backgrounds and then focusing on more specific topics for engagement
- A series of questionnaires will be available on “Get Involved Nanaimo” focusing on the high level overall vision for Nanaimo and then topic specific questionnaires

E. Boulanger joined the meeting electronically at 3:50 p.m.

- Website planned to launch on Tuesday, July 21st
- Engagement planned with City committees and local stakeholders
- Currently working on details of how to hold engagement sessions
- A series of City videos will be launching to coincide with questionnaires and topics

- Ultimate objective of engagement is updating community plans:
 - Official Community Plan
 - Parks, Recreation and Culture Plan
 - Active and Sustainable Transportation plan
 - Economic Development Strategy
 - Water Supply Strategic Plan Update
 - Climate Action Plan
- Goal is to identify issues that are out of date, or have changed, and gain public input into where priorities should be, with Council making a final decision

Committee discussion took place. Highlights included:

- REIMAGINE NANAIMO report going forward to Council on the 2020-JUL-20 Agenda
- How the committee can prepare for this project – register for “Get Involved Nanaimo” to contribute and be advised of engagement initiatives, and review surveys when they are posted

6. OTHER BUSINESS:

(a) Councillor Geselbracht re: Update from Working Group

Councillor Geselbracht provided an update regarding the working group meeting held a week earlier. Highlights included:

- How to communicate to the community about the climate adaptation strategy and receive people’s feedback
- Staff will be working on developing a survey to better understand how the community interprets these issues
- Potentially using video to increase communication to the public
- Creating an environmental webpage to provide information in one location

Committee discussion took place. Highlights included:

- The City potentially purchasing more land around the watershed
- Considering making permeable cement mandatory to help with drainage – a large portion of Nanaimo sits on bedrock so options need to be based on what is appropriate
- Specifying that native plant species are the most endangered due to climate changes
- What is considered a cooling space and ensuring these are equitable and accessible – more than just buildings, this includes shade features as well
- Consider installing living walls Downtown to avoid the heat island effect
- Communications with Snuneymuxw First Nation (SFN) regarding the Resilience Strategy and Staff have shared this information with SFN staff

7. ADJOURNMENT:

It was moved and seconded at 4:09 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
BOARD OF VARIANCE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2020-JUL-16 AT 5:30 P.M.

PRESENT: Members: Jessica Kaman, Chair, At Large Member
 Nelson Allen, At Large Member
 Ron Nadeau, At Large Member
 Kenneth Hample, At Large Member

 Absent: Allan Dick, At Large Member

 Staff: L. Rowett, Current Planning, Manager
 L. Nowak, Planning Assistant
 K. Berke, Recording Secretary

1. CALL THE BOARD OF VARIANCE COMMITTEE MEETING TO ORDER:

The Open Board of Variance Meeting was called to order at 5:31 p.m.

2. INTRODUCTION OF LATE ITEMS:

- a) Agenda Item 5(a) Board of Variance Application No. BOV737 – 140 Canterbury Crescent - Add a letter from adjacent property owners at 141 Canterbury Crescent who are opposed to the variance.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2020-JUN-18, be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

Jessica Kaman, Chair, read a list of guidelines to ensure social distancing in the Board Room. In addition, she let the board room members know that the meeting would be recorded but would not be published.

(a) Board of Variance No. BOV737 – 140 Canterbury Crescent

The Chair read the application requesting to reduce the front yard setback from 4.5m to 3.0m in order to construct an accessory building. This represents a variance of 1.5m. Zoning Bylaw No. 4500 requires a minimum front yard setback from 4.5m in the R1 zone.

The applicant, Lorne Hill, spoke to the rationale and hardship for the application. He stated that the lot is steep which makes building an accessory building to the rear of the principal dwelling cost and functionally prohibitive inside the current zoning.

Ivan Plavetic, owner of 130 Canterbury Crescent, spoke in opposition to the application. He said he does not see a hardship as many of the other buildings in the neighbourhood were built without variances despite the steep slope. He stated concerns that the accessory building will cause excessive noise. He also stated that the design of the building does not fit with the current neighbourhood.

Discussion took place regarding:

- Noise and visual impact of the workshop on the neighbourhood given the proposed proximity to the street.
- Lot coverage.
- The design of the proposed accessory building.
- The potential for a smaller accessory building that could meet the bylaw requirements.
- Fitting the building within the bylaw requirements the building gets too skinny and turning it the other way it starts going down the slope.
- Extending the existing garage, instead of an accessory building.
- Discussion on letter from 141 Canterbury Crescent from neighbours who are opposed to the accessory building.
- The area being beautiful and understanding any neighbours concerns in regards to views.
- Concerns about sight lines and landscaping.

It was moved and seconded that application BOV737 for 140 Canterbury Crescent to vary the provisions of "City of Nanaimo Zoning Bylaw No. 4500" to reduce the front yard setback from 4.5m to 3.0m in order to construct an accessory building be denied. The motion was defeated.

Opposed: *Kenneth Hample, Ron Nadeau*

(b) Board of Variance Application No. BOV738 – 6462 Thornwood Place

The Chair read the application requesting to increase the permitted projection for an open deck within the required rear yard setback from 2m to 3.8m. This represents a variance of 1.8m. Zoning Bylaw No. 4500 permits an open deck to project 2m into the required rear yard setback.

The owner, Sheryl Staite, spoke to the rationale and hardship for the application. The primary reason for the variance request is to have a more usable outdoor space for her family. She brought pictures to show the board members the proposed deck and yard.

Alex Johnstone, from Pheasant Hill Homes, also spoke to the application as the builder for the proposed deck. He stated that when Pheasant Hill Homes approaches a project they take into consideration the customer's needs and wants and also the sight, the environment and the neighbours. They have a structural engineer involved with the overhang, as it is a large projection. He does not believe the proposed variance imposes onto anyone else and it does not overlook anyone's yard.

Discussion took place regarding:

- The small existing deck and the proposed deck location and size.
- Any impact on the public walkway along the north side of the property.

It was moved and seconded that application BOV738 for 6462 Thornwood Place to vary the provisions of "City of Nanaimo Zoning Bylaw No. 4500" to increase the permitted projection for an open deck within the required rear yard setback from 2m to 3.8m be approved. The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 6:01 p.m. that the meeting adjourn. The motion carried unanimously.


CHAIR ACTING

CERTIFIED CORRECT:


RECORDING SECRETARY

MINUTES
DESIGN ADVISORY PANEL MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2020-AUG-13, AT 5:00 P.M.

PRESENT: Members: Charles Kierulf, Chair, AIBC
 Tony James, AIBC (joined electronically)
 Steve Johnston, At Large (joined electronically)
 Kevin Krastel, At Large (joined electronically)
 Marie Leduc, At Large (joined electronically)
 Kate Stefiuk, BCSLA (joined electronically)

 Absent: Councillor Brown
 Gur Minhas, At Large

 Staff: C. Horn, Planner, Current Planning Section
 L. Brinkman, Planner, Current Planning Section
 S. Robinson, Planning Assistant, Current Planning Section
 L. Nielsen, Recording Secretary

1. CALL THE DESIGN ADVISORY PANEL MEETING TO ORDER:

The Design Advisory Panel Meeting was called to order at 5:03 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Meeting of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-JUL-09 at 5:00 p.m. be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

(a) Development Permit Application No. DP1197 – 11 Port Drive

Introduced by Lisa Brinkman, Planner, Current Planning Section. The proposed project is for a new lease (Western Canada Marine Response Corporation) area on Nanaimo Port Authority assembly wharf property. This design review is being conducted as a courtesy. There are no proposed variances.

Presentation:

1. Brian Kapuscinski, Architect of BJK Architecture Ltd., presented the project and spoke regarding the proposed building elevations, floor plans, exterior materials, building siting, site access and architectural features.
 - The building is sited to face Port Drive with the industrial portion located within a fenced in area.
 - The floor plans include a second floor office/administration space with training and meeting rooms. A separate warehouse area is located in the back half of the main level.
 - Exterior materials include insulated metal panel, cement board and wood paneling, heavy timbers and canopy overhangs at each entrance for weather protection.
 - Plantings will be contained in pots as the site is considered contaminated.

Panel discussions took place regarding:

- The location of the building in relation to the proposed waterfront walkway and pedestrian links
- Pedestrian connectivity and site lighting
- Screening materials for possible rooftop equipment
- Corporate branding or graphics for water-side elevation
- Building access and connection to the street
- Innovative landscaping in a contaminated site setting

It was moved and seconded that Development Permit Application No. DP1197 be accepted as presented. The following recommendations were provided:

- Consider providing a pedestrian access link to the building/site, and to the waterfront;
- Consider enhancing the waterfront elevation with colour or graphics; and
- Consider providing screening for rooftop equipment.

The motion carried unanimously

L. Brinkman vacated the Boardroom at 5:27 p.m.

(b) Development Permit Application No. DP1189 – 200 Tenth Street

Introduced by Sadie Robinson, Planning Assistant, Current Planning Section. This project proposes a combined heavy equipment maintenance shop, warehouse and storage yard with an accessory caretaker's suite. A watercourse variance is proposed.

Presentations:

1. Vipul Chauhan, Architect, Senior Project Manager of Aplin Martin Consulting provided an overview of the project and spoke regarding site context,

building siting, form and character, the floor plans and proposed exterior materials.

- The site/building will be used as a 24 hour maintenance and repair facility for Island West Coast Developments Ltd.
 - Exterior materials consist of concrete tilt up panels with exposed steel components.
 - The one bedroom caretaker's suite will be located in the site's northeast corner.
2. Chris Windjack, Landscape Architect of LADR Landscape Architects overviewed the landscape plan and spoke regarding screening along the north property line, the creation of a berm with a high vegetative screen to cut down sightlines, the planting plan and the pedestrian link through the property to a park.
- The landscape area in the panhandle, considered a restoration area, is being planted with small plants and native tree species to bring the forested edge out into the site.
 - Onsite planting will consist of low maintenance native and adaptive plants with perimeter planting along the property line.
 - The loc-block retaining wall along the berm will be well hidden.
 - A chain link fencing will surround the entire property.
 - Landscaped areas will be irrigated.
3. Scott Lewis, Senior Project Manager of Aplin Martin Consulting overviewed the Site Civil Works including storm water management, and the proposed loc-block retaining wall.

Panel discussions took place regarding:

- Wexford Creek riparian concerns and planting palette
- Landscape buffer on north side of property and park side
- Concern regarding the transition between light industrial and residential properties
- Concern regarding the proposed building height
- Sound issues related to the proximity of the maintenance building (heavy equipment) to neighbouring residences, if 24 hour operation
- The finishing of the proposed loc-block retaining wall

It was moved and seconded that Development Permit Application No. DP1189 be accepted as presented. The following recommendations were provided:

- Consider enhancing landscape screening for the north and west property lines; and
- Consider continuing the riparian planting on both sides of the walkway and along the parking landscape bump-out.

The motion carried unanimously.

S. Robinson vacated the boardroom at 6:17 p.m.

(c) Development Permit Application No. DP1191 – 326 Wakesiah Avenue

Introduced by Caleb Horn, Planner, Current Planning Section. This project is a mixed use student housing building which consists of 162 residential units and three commercial rental units. A parking variance is proposed.

Presentations:

1. David Echaiz-McGrath, Architect of WA Architects presented the project and spoke regarding site context including the proximity to schools and recreation centre, the consolidation of three lots, architectural features and the building's form and character while referencing the Design Comments prepared by Staff.
 - The proposed public art consists of a graffiti art wall located on the lower level, substantially on the north side.
 - The under-the-building open breezeway parkade is enclosed with a 6' metal fence for security.
 - No visitor parking is proposed.
 - Bike parking will be located on the south side, under-the-building.
 - A lit pedestrian walkway is proposed for the north face of the building and will showcase the graffiti art wall.
 - Most units are one-bedroom with six two-bedroom units.
 - Exterior materials consist of fluted corrugated metal, acrylic stucco Hardie panel and woodgrain pattern horizontal vinyl siding providing a modern look.
 - Garage doors front and back will include windows.
2. Jim Partlow, Landscape Architect of Lombard North, presented the Landscape Plan and spoke regarding the proposed tree species and restrictions, planting material, fencing considerations and overviewed the design for the outdoor student common area.
 - A hedge is proposed to create lower level unit privacy.
 - The southeast corner will include a saw board/lattice fence, columnar trees and planters will also be located there.
 - No trees or garden areas are proposed to be installed in front of the commercial retail units on the ground level.
 - The student common area could include a garden plot area.

Panel discussions took place regarding:

- The overall visual of the exterior building elements, proposed colour scheme, and interaction with the proposed public art graffiti wall
- How the walkway is to be shielded from the neighbourhood so the graffiti art wall does not become part of the neighbouring yards.
- Building siting and its close proximity to the south and east property lines
- As the building creates a courtyard feel, would like to see that incorporated into the design
- The under-the-building parking area and vehicle movement concerns within

- The visual strength of the columns under-the-building's Wakesiah Avenue side
- The possibility of a pedestrian path being created to access the student housing project that is currently underway on Third Street just east of this location
- The landscape plan and possible expansion and furnishing of the proposed amenity/common space(s)
- The possibility of adding a communal food garden area in raised beds
- The fence design being in contrast with the building's modern design
- The COVID-19 factor and providing for social distancing within common spaces
- Possible lighting pollution and how it may impact neighbouring properties.

It was moved and seconded that Development Permit Application No. DP1197 be accepted as presented with support for the proposed parking variance. The following recommendations were provided:

- Consider the overall balance of materials and colour on the elevations;
- Give consideration to adding gathering spaces to the common area landscaping; and
- Give further consideration to the north walkway regarding screening, lighting, and fence design with respect to the neighbouring properties.

The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 7:37 p.m. that the meeting terminate. The motion carried unanimously.



CHAIR

CERTIFIED CORRECT:



RECORDING SECRETARY

MINUTES
BOARD OF VARIANCE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2020-AUG-20 AT 5:30 P.M.

PRESENT: Members: Jessica Kaman, Chair, At Large Member
 Nelson Allen, At Large Member
 Ron Nadeau, At Large Member
 Kenneth Hample, At Large Member

Absent: Allan Dick, At Large Member

Staff: L. Nowak, Planner
 K. Berke, Recording Secretary

1. CALL THE BOARD OF VARIANCE COMMITTEE MEETING TO ORDER:

The Open Board of Variance Meeting was called to order at 5:33 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2020-JUL-16, be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

(a) Board of Variance No. BOV739 – 93 Ashlar Avenue

The Chair read the application requesting a variance to allow a side yard setback of 1.2m along the northern property line in order to permit the addition of a second storey on an existing non-conforming single family dwelling. This represents a side yard setback variance of 0.3m. Zoning Bylaw No. 4500 requires a minimum side yard setback of 1.5m in the R1 zone.

The applicant, Colleen Price, spoke to the rationale. She stated that they would like to increase the square footage of their home by building upwards. The current square footage of their home is quite small, only about 22 x 26 feet. This addition would allow them to have a media room and office which would be more

spacious for her while she is working from home. She also added that she checked with surrounding neighbours and they did not have any objection.

Discussion took place regarding:

- The meaning of “legal non-conforming” and the relation to the subject property.

It was moved and seconded that application BOV739 for 93 Ashlar Avenue to vary the provisions of “City of Nanaimo Zoning Bylaw No. 4500” to reduce the minimum required side yard setback from 1.5m to 1.2m along the northern property line in order to permit the addition of a second storey on an existing non-conforming single family dwelling be approved. The motion carried unanimously.

(b) Board of Variance Application No. BOV740 – 458 Park Avenue

The Chair read the application requesting a front yard setback of 4.0m and a rear yard setback of 1.5m in order to construct a single family dwelling. This represents setback variances of 3.0m and 6.0m, respectively. Zoning Bylaw No. 4500 requires a minimum front yard setback of 7.0m where a property abuts a major road and minimum rear yard setback of 7.5m in the R1 zone.

The applicant, Douglas Riddell, Sun Porch Homes Ltd., spoke to the rationale and hardship of the application. He stated that 454 and 458 Park Avenue are four legal lots and there is one existing house encroaching on all four lots. He claimed the house is in disrepair and adds no positive street presence. His plan is to demolish the house and build four residential houses on the four separate lots. His main reason for the variance is because the required setbacks for Lot C make a very small building parcel that would not be feasible.

Discussion took place regarding:

- The existing four parcels and house.
- The setbacks required for Lot C.
- Rationale for mimicking the required setbacks for Lot A on Lot C.
- The civic address and building potential of Lot D as the only frontage is on a lane.
- Floor plans and designs of the proposed new houses.
- Figure 1. SRW CA6358857 being a right-of-way for a BC residential gas line and it being removed from title once the current house is demolished.
- Whether the shed will also be demolished.

It was moved and seconded that application BOV740 458 Park Avenue to vary the provisions of “City of Nanaimo Zoning Bylaw No. 4500” to reduce the front yard setback from 7.0m to 4.0m and the rear yard setback from 7.5m to 1.5m in order to construct a single family dwelling be approved. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 5:54 p.m. that the meeting adjourn. The motion carried unanimously.


CHAIR *ACTING*

CERTIFIED CORRECT:


RECORDING SECRETARY

MINUTES
DESIGN ADVISORY PANEL MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2020-SEP-10, AT 5:00 P.M.

PRESENT: **Members:** Charles Kierulf, Chair, AIBC
 Councillor Brown (joined electronically)
 Tony James, AIBC (joined electronically)
 Steve Johnston, At Large (joined electronically at 5:40 p.m.)
 Kevin Krastel, At Large (joined electronically)
 Kate Stefiuk, BCSLA (joined electronically)

Absent: Marie Leduc, At Large
 Gur Minhas, At Large

Staff: L. Brinkman, Planner, Current Planning Section
 L. Nowak, Planner, Current Planning Section
 K. Berke, Recording Secretary

1. CALL THE DESIGN ADVISORY PANEL MEETING TO ORDER:

The Design Advisory Panel Meeting was called to order at 5:03 p.m.

2. ADOPTION OF AGENDA:

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

3. PRESENTATIONS:

(a) Development Permit Application No. DP1198 – 361 Albert Street

Introduced by Lisa Brinkman, Planner, Current Planning Section. The proposed four-storey residential building is comprised of 23 residential units with underground parking. A building height variance is proposed.

Presentations:

1. Douglas Johnson, Architect of Douglas Johnson Architects presented the project and spoke regarding site context, zoning, building siting, site grade changes, architectural features and floor plans.
 - Retaining walls are to be located on the south and east property lines as grades are significant from north to south
 - A ramp from Albert Street provides access to underground parking
 - The refuse receptacle enclosure and bike parking will be located within the parkade

- The landscaped courtyard area is located above the underground parkade
 - The exterior materials include Hardie panel and siding, an aluminum canopy, vinyl windows, and glass balcony fronts
 - The flat roof slopes from west to east and has a significant overhang on Albert Street side
 - The main entrance is accented by an architecture feature that supports a glass canopy
 - Privacy screens run vertically alongside all balconies
2. Denitsa Dimitrova, Landscape Architect of PMG Landscape Architects provided an overview of the landscape plan. Ms. Dimitrova spoke regarding the proposed street trees and boulevard, landscape buffer, planting palette and proposed trees, amenity spaces, and site lighting.
- A landscape buffer for the live/work unit will include shrubs, grasses, perennial plants and trees
 - The outdoor amenity space will include benches, picnic tables and a play area
 - Cedar trees will be planted along the north property line
 - Bollard lights will be installed for site lighting

S. Johnston joined the meeting electronically at 5:40 p.m.

Panel discussions took place regarding:

- The roof overview from surrounding properties
- The possible enhancement of the side elevations
- The possible scaling back of parking stalls to allow for a stepped retaining wall
- The front planting palette possibly extending into the boulevard
- The requested building height variance and possible scaling down of top floor ceiling height
- The possible exclusion of the proposed children's play area due to unit composition
- Green roof consideration and the possible need for structural improvements.

It was moved and seconded that Development Permit Application No. DP1198 be accepted as presented. The following recommendations were provided:

- Consider the incorporation of Staff comments, particularly with respect to the side elevations;
- Consider the roof material and colour selection to respect the significant overlook by neighbouring properties; and
- Consider reducing the parkade length and number of parking stalls to allow for a stepped retaining wall at the rear of the property.

The Panel provided support for the proposed building height variance. The motion carried unanimously.

(b) Development Permit Application No. DP1199 – 140 Tenth Street

Introduced by Lainy Nowak, Planner, Current Planning Section. The proposed project is a mini-storage/warehouse facility with a separate office building. A landscape buffer width variance is proposed along the west property line. Ms. Nowak also introduced Norman Blattgerste, Project Manager of Mount Benson Enterprises who was accompanied by Annemarie Blattgerste.

Presentations:

1. Derek Matthews, Project Technologist of Herold Engineering presented the project and spoke regarding site context, site layout, building materials, aquatic setback and storm water management, planting plan and tree management.
 - A greenspace is incorporated along Tenth Street.
 - Storm water will be routed through to the aquatic setback.
 - The warehouse units have some street presence.
 - Exterior materials include steel frame with metal cladding (storage building) and the office building and warehouse units are wood framed with Hardie cladding.

L. Brinkman vacated the boardroom at 6:05 p.m.

2. Pat Harrison, Landscape Architect of JPH Landscape Architect provided an overview for the proposed landscape plan, and spoke regarding existing site conditions, existing trees, pruning of several cedar trees, the aquatic setback used for storm water management, and the planting plan.
 - The south property line has been allocated for storm water management.
 - There is a railway corridor at the back of the site (west side).

L. Brinkman returned to the boardroom at 6:07 p.m.

3. Drew Biederwieden, Civil Engineer of Newcastle Engineering Ltd., provided an overview of the storm water management plan.

Panel discussions took place regarding:

- The aquatic setback and how it was established
- The slope within the site, and its affect on building siting and parking
- Unique exterior identities versus unification for the different building uses
- The necessity of the ½ circular driveway located by the warehouse by the north side of the warehouse building
- The refuse receptacle enclosure design and its fit with the buildings
- The future importance of the Tenth Street corridor and landscape treatments as Nanaimo grows south (ie. boulevards, streetscape etc.)
- The possible reduction of lawn area and the addition of planting materials

It was moved and seconded that Development Permit Application No. DP1199 be accepted as presented with support for the proposed landscape buffer variance. The following recommendations were provided:

- Give further consideration to the Staff comments provided, particularly regarding the amenity space, pedestrian wayfinding, articulation, refuse receptacle, and paving areas; and,
- Look at ways to reduce the lawn area by adding additional planting materials.

The motion carried.

Opposed: Councillor Brown

4. OTHER BUSINESS:

Councillor Brown led a Panel discussion regarding the Official Community Plan (OCP) review.

- A suggestion was made to increase the number of Design Advisory Panel members and encourage further diversity on the Panel.

5. ADJOURNMENT:

It was moved and seconded at 6:52 p.m. that the meeting adjourn. The motion carried unanimously.



CHAIR

CERTIFIED CORRECT:


RECORDING SECRETARY

MINUTES
ADVISORY COMMITTEE ON ACCESSIBILITY AND INCLUSIVENESS MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
WEDNESDAY, 2020-SEP-30, AT 3:00 P.M.

Present: Councillor S. Armstrong, Chair
Councillor Z. Maartman
A. Breen, At Large Member (joined electronically)
S. Cameron, At Large Member (joined electronically)
L. Derksen, At Large Member (joined electronically)
R. Harlow, At Large Member (joined electronically)
D. Hollins, At Large Member (joined electronically)
J. Maffin, At Large Member (joined electronically)
E. Williamson, At Large Member

Absent: S. Hamel, At Large Member
L. Malbon, At Large Member
R. Pike, At Large Member

Staff: R. Harding, General Manager, Parks, Recreation and Culture
L. Wark, Director, Recreation and Culture
J. Rose, Manager, Transportation
L. Bhopalsingh, Manager, Community Planning
L. Clarkson, Manager, Recreation Services
B. Thomas, Assistant Manager, Transportation
M. Koch, Active Transportation Project Specialist
K. Kronstal, Social Planner
C. Barr, Communications and Marketing Specialist (joined electronically)
S. Snelgrove, Deputy Corporate Officer
K. Gerard, Recording Secretary

1. CALL THE ADVISORY COMMITTEE ON ACCESSIBILITY AND INCLUSIVENESS MEETING TO ORDER:

The Advisory Committee on Accessibility and Inclusiveness Meeting was called to order at 3:00 p.m.

2. APPROVAL OF THE AGENDA:

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

3. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Advisory Committee on Accessibility and Inclusiveness Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-JUL-29, at 3:00 p.m. be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

a. REIMAGINE NANAIMO - Introduction for the Advisory Committee on Accessibility and Inclusiveness

Introduced by Lisa Bhopalsingh, Manager, Community Planning.

Karin Kronstal, Social Planner, provided the Advisory Committee on Accessibility and Inclusiveness with a PowerPoint presentation regarding ReImagine Nanaimo. Highlights included:

- The goal of REIMAGINE NANAIMO is to update many City plans based on community feedback and engagement
- Staff had to adapt to COVID-19 regulations by using interactive tools, online idea boards and online surveys
- Phase 1 is in progress, which includes COVID-19 friendly engagement activities, marketing tools to get the community involved and pop-up kiosks around parks and trails
- Community members can sign up for project updates and can receive up-to-date emails by subscribing to REIMAGINE NANAIMO through www.getinvolvednanamo.ca
- Online community mapping includes building a collective picture of what the community enjoys about Nanaimo and ideas for the future
- Social media platform allows residents to view posts and responses from other community members and share their own ideas
- Online input questionnaires are open to all residents and include one main questionnaire and/or six specific topic questionnaires
- Static stations and pop-up tents were set up outdoors from August 4th to September 4th and are ongoing with times and locations posted on the City of Nanaimo Facebook page
- Further outreach includes working with Literacy Nanaimo and mail outs, for those who are unable to take the survey online or have difficulties with the surveys

Committee discussion took place regarding ReImagine Nanaimo. Highlights included:

- Direct mail out will include all areas of Nanaimo
- Ensuring that the surveys are fully accessible to all residents and using simple language

Karin Kronstal, Social Planner, continued her presentation:

- Literacy Nanaimo is working to make a scaled down version of the survey based on different reading levels
- All surveys are online now with backgrounders which are a summary to introduce key topics
- The survey results will be the starting points for discussions and more community engagement
- The Nanaimo Chamber of Commerce and other businesses are helping market the REIMAGINE NANAIMO surveys and engagement

- Staff are reaching out to local groups and organizations to discuss how to better connect with their clientele
- A kids activity book is being distributed by School District #68
- City Staff have presented to the Vancouver Island University (VIU) Masters of Planning class and would like to present to school age children, seven to fourteen
- Requesting that Committee members provide Staff with feedback on two key elements:
 - What do you think is Nanaimo's one biggest opportunity to embrace in the coming years?
 - What do you think is Nanaimo's one biggest challenge to tackle in the coming years?

Committee discussion took place. Highlights include:

- Nanaimo Family Life has reached out to the City of Nanaimo (the City) and asked to assist in connecting with the elderly population
- Connecting with the Vice President of Community Relations at VIU
- Ensuring that all demographic groups including homeless community, Indigenous, the Pride Society and LGBTQIA2S+ have representation in the survey and engagement
- Requested that the two key questions from the presentation be placed on the 2020-NOV-25 Agenda for discussion

b. Madeleine Koch, Active Transportation Project Specialist, re: "Intro to the City's Transportation Group"

Madeleine Koch, Active Transportation Project Specialist, provided the Advisory Committee on Accessibility and Inclusiveness with a PowerPoint presentation titled "Intro to the City's Transportation Group". Highlights included:

- Reviewed the role of the Transportation department including maintenance and development of sidewalks, roads and bike lanes
- The work the Transportation department does is guided by City plans, design standards and availability of resources
- The Nanaimo Transportation Master Plan (the Plan) includes safety, mobility, accessibility, connectivity, sustainability and affordability
- The priorities of the Plan includes pedestrians, bicycles, transit, commercial vehicles and cars
- The Plan focuses development around major transportation hubs in the City
- Recently adopted the Complete Streets standards which supports a high standard of accessibility
- Limited resources such as budget means that Staff must prioritize projects that will have the greatest positive impact
- Accessibility and inclusion in transportation include a heightened awareness of the critical importance of accessibility and inclusiveness in city services
- Future transportation planning will include the suggestions and feedback from the REIMAGINE NANAIMO initiative and public engagement

1. Questions for Discussion re: Transportation

1. What are the biggest challenges with accessibility and inclusion in Nanaimo's transportation system?
2. What are the biggest opportunities to improve accessibility and inclusion in Nanaimo's transportation system?

Committee discussion took place regarding challenges with accessibility and inclusion in Nanaimo's transportation system. Highlights included:

- Trailheads are inaccessible for people with wheelchairs because of bollards which are meant to keep out dirt bikes
- Ensuring sidewalks are cleared during snow falls as it causes people using scooters or wheelchairs to be housebound
- Finding ways to encourage more people to walk or cycle instead of being so reliant on vehicles
- Transit system lacks flexibility and access to certain areas which decreases the options for people looking for affordable housing who do not own vehicles
- The City works closely with the Regional District of Nanaimo (RDN) to move, add or remove transit stops in and around Nanaimo
- Bus stops are not visible or clearly marked, no room for ramps and are poorly designed in some areas in regards to safety
- Concerns regarding crosswalk indicator buttons include:
 - Placement is set back from the road and not easily accessible for people in wheelchairs and those who use walkers
 - Branches and shrubs are overgrown hiding the indicator button
 - Steep crosswalk islands close to the road

Madeleine Koch, Active Transportation Project Specialist, advised the Committee that, the City has applied for a grant that, if awarded, will provide money for accessibility improvements to bus stops. Ms. Koch stated that the funding provided could improve eight to ten bus stops in Nanaimo and research is currently taking place to see which bus stops this funding would be applied to if awarded to the City.

Committee discussion continued. Highlights included:

- Scent sensitivity on busses
- Designing bus stops for safety and accessibility
- Input in curb cuts and ensuring curb cuts are accessible

Jamie Rose, Manager, Transportation, advised the Committee that currently, there is no remediation plan for curb cuts in Nanaimo and curbs are removed or reset based on complaints from the public. The Transportation department could create a list or program to address these types of accessibility issues.

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that Council direct Staff to make all transit stops within the City of Nanaimo uniform and highly visible so they are accessible for all citizens. The motion carried unanimously.

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that Council direct Staff to prepare a bylaw which prevents garbage cans and recycling cans from being placed on sidewalks, in order to improve accessibility in the City of Nanaimo. The motion carried unanimously.

5. REPORTS:

(a) Leisure Economic Access Pass (LEAP)

Richard Harding, General Manager, Parks, Recreation and Culture, advised Committee members that the deadline for suggestions and feedback from members has been extended to October 31, 2020, and encouraged all members to provide feedback.

6. OTHER BUSINESS:

(a) Treat Accessibly Program

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

Committee discussion took place. Highlights included:

- Video states that the Federal and Provincial Governments are on board with the proposal
- The City's role in the initiative is marketing and communications to the public
- Signs can be picked up Remax offices and Home Depot
- The program promotes accessibility and is safer for kids to stay at the curb with their parents to collect candy

Richard Harding, General Manager, Parks, Recreation and Culture, advised that the Parks and Recreation Staff would look at ways to promote the Treat Accessibly program throughout Nanaimo.

(b) Committee Roundtable

Committee discussion took place regarding:

- Focus on diversity and inclusion at the next meeting, as accessibility has been the focus of the past couple of meetings
- Process for taking action and making motions, best use of time and best way to help the community
- Requesting members of different community groups such as the Pride Society, LGTBQIA2S+ and service providers speak at Committee meetings
- Forward ideas, suggestions or recommendations regarding accessibility or inclusion to the Legislative Services department and they will forward to the correct Staff member for response

Future meeting topics:

- Check in with all Committee members
- Diversity and inclusion

Sky Snelgrove, Deputy Corporate Officer, advised the Committee that the Legislative Services department would follow up with members who have not been attending meetings to inquire if they are still interested in being members of the Advisory Committee on Accessibility and Inclusiveness.

7. ADJOURNMENT:

It was moved and seconded at 4:40 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
HEALTH AND HOUSING TASK FORCE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2020-OCT-01, AT 3:02 P.M.

Present: Councillor Bonner, Chair
Councillor Hemmens (joined electronically)
Jan Fix, Director Program Delivery, Service Canada (joined electronically 3:35 p.m.)
Jason Harrison, Executive Director, Canadian Mental Health Association (joined electronically)
John McCormick, Executive Director, Nanaimo Region John Howard Society (joined electronically)
Kim Smythe, CEO, Chamber of Commerce (joined electronically)
Lisa McHaffie, Service Manager, Service Canada (joined electronically)
Lisa Murphy, Director, Medical Health Services Unit, Island Health (joined electronically)
Marina White, Health Director, Snuneymuxw First Nation (joined electronically 3:25 p.m.)
Terra Kaethler, Impact Officer, United Way (joined electronically 3:07 p.m.)

Absent: Anita LaHue, A/Director Partnerships and Strategic Initiatives Strategic Services Branch, Service Delivery Division, Ministry of Social Dev and Poverty Reduction
Malcolm McNaughton, BC Housing
Signy Madden, Executive Director, United Way

Staff: D. Lindsay, General Manager, Development Services
Insp. L. Fletcher, Nanaimo Detachment RCMP (joined electronically)
B. Corsan, Director, Community Development
F. Farrokhi, Manager, Communications (joined electronically)
L. Bhopalsingh, Manager, Community Planning
D. Stewart, Social Planner
K. Kronstal, Social Planner
S. Snelgrove, Deputy Corporate Officer
J. Vanderhoef, Recording Secretary

1. CALL THE HEALTH AND HOUSING TASK FORCE MEETING TO ORDER:

The Health and Housing Task Force Meeting was called to order at 3:02 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Remove Agenda Items:

- 5(a) Heidi Hartman, Regional Director, Vancouver Island, BC Housing, re: Coordinated Access and Assessment Nanaimo Community Priorities
- 5(c) Signy Madden, Executive Director, United Way, Verbal Update re: Additional Reaching Home COVID Funding

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 Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-SEP-16, at 3:02 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

(a) Dr. Alina Turner, CEO HelpSeeker, Verbal Update re: Update on Process

Dr. Alina Turner, CEO HelpSeeker, provided a verbal presentation. Highlights included:

- Proposed next two Task Force meetings be used for governance workshop discussions
- Plan for first workshop would be to discuss the pros and cons of each governance option and then at the second workshop decide on perspectives and review feedback
- Dr. Turner would prepare a draft plan to present to the Task Force for the action plan moving forward

T. Kaethler joined at the meeting electronically at 3:07 p.m.

- Provincial election is hindering this process as some of the organizations involved are not able to participate during the election period

Lisa Bhopalsingh, Manager, Community Planning, noted that the next two scheduled Health and Housing Task Force Meetings are 2020-OCT-14 and 2020-OCT-27.

Task Force discussion took place regarding the following:

- Clarification on what kind of homework the members will be asked to do before and during the workshops – Members will be asked to consider identified roles and then assess those roles as a self assessment of whether they can, want to, or cannot, act in that role
- Players involved in the governance discussion may not be involved in the funding of services and need to identify what organization would be the best backbone entity to lead the operation
- Funding table would be for different investors in the community to become integrated and more effective
- There is a longer path to get to an integrated funding model in this community than in other communities

- Options proposed during previous Health and Housing Task Force Meeting and potential to send an updated copy of that list to members to aid in homework assignment
- Not all members of the Task Force will necessarily be part of the each workshop/design lab
- Identifying members of each organization that are the best people to help work through the workshops/design labs
- Will request feedback on draft action plan in the future; however, Indigenous consultations are still ongoing at this point
- Next Health and Housing Task Force meeting would be scheduled for 2020-NOV-12 to present the Task Force with the draft document with one more meeting scheduled after that to finalize the document
- Potential to proceed with the workshops/design labs without some of the Task Force members due to the provincial election

M. White joined the meeting electronically at 3:25 p.m.

- Need to keep members who cannot currently participate (due to election period) informed and up-to-date so they can join in as soon as they are able

It was moved and seconded that the Health and Housing Task Force amend the agenda to include a verbal update re: Additional Reaching Home COVID Funding. The motion carried unanimously.

(b) Verbal Update re: Additional Reaching Home COVID Funding

Lisa McHaffie, Service Manager, Service Canada, provided a verbal update regarding additional Reaching Home COVID funding. Highlights included:

- 2020-SEP-21 the Federal Government announced an additional \$236.7 million for Reaching Home investments until 2021-MAR-31
- Recognizes that as winter approaches and the pandemic continues it puts increasing pressures on communities to effectively meet the need of their homeless population
- Communities are being encouraged to use the additional funds to extend their emergency COVID-19 measures, reduce shelter overcrowding, secure isolation facilities, invest in activities that promote housing stability, and to undertake activities that prevent future influx into homelessness
- Funding allocations should be known within the next few days and entities will be advised of their funding allocations
- Money expected to flow similar to the previous COVID-19 funding, directly to entities to mobilize quickly
- Communities will be asked to provide an investment plan to outline what they intend to do with the funding
- Not clear yet if there is potential for long term planning into the next fiscal year
- Some communities have spent their COVID-19 funding already and urgently await this additional funding while others have taken long term planning approaches
- Parameters for spending the additional Reaching Home COVID-19 funds

J. Fix joined the meeting electronically at 3:35 p.m.

- Breakdown and distribution of funding to different entities
- Nanaimo previously received just over \$400,000 with about \$200,000 of that allocated towards Indigenous homelessness
- Previous funding was allocated by the end of July 2020
- Breakdown of how previous funding was allocated to various entities, emergency funding and/or grants

6. REPORTS:

(a) Emergency Food and Nutrition Security Strategy

Introduced by Karin Kronstal, Social Planner.

Presentation:

1. Karin Kronstal, Social Planner, provided a PowerPoint presentation. Highlights included:
 - Proposal put forward to create an emergency food group strategy with guidelines and goals
 - Two goals of this project would be to develop a nutritional food security strategy and to look at longer term issues
 - Ongoing involvement of the Parks and Recreation Department
 - Held 14 virtual meetings between April and August 2020 with attendance fluctuating between 8 – 20 attendees
 - Purpose of these meetings was to explore the emerging issues around providing food to vulnerable populations and to share ideas and information about how to strengthen food security in the longer term
 - Work being done by the Food Bank during the pandemic:
 - Distributing more food to agencies
 - Received more donations of food
 - Capacity of food bank has been critical to success of response
 - Distribution of the Good Food Box increased 400% including a new partnership with Nanaimo Aboriginal Centre
 - Good Food Box cost has gone from \$10 pre box to 50% free
 - Meal service at Salvation Army is up approximately 50% and they have stopped charging \$2 per meal
 - Nanaimo Ladysmith School District saw 50% increase in number of students receiving food hampers during COVID-19 school closure
 - Unique factors:
 - Unprecedented financial support from government entities
 - Infectious disease, crisis has longer term time horizon
 - Typical factors:
 - The importance of local food and impact of the global supply chain
 - Emergency has shown the ability of providers to collaborate and share resources

- Food is abundant but storage and dining spaces are limited
- The purchase of food does not fall within the City's mandate but the City can play a role in strengthening capacity and help people prepare, plan and support urban agriculture
- Five goals of the food strategy:
 - Meet basic food needs of vulnerable populations during emergencies
 - Education, support, and promotion in support of food literacy and empowerment
 - Growing, raising and harvesting more food in Nanaimo
 - Expanding local food infrastructure
 - Recognize and support Indigenous food sovereignty
- Nanaimo Food Policy Council would not be only about policy
- Aspects of this strategy would go into the REIMAGINE NANAIMO strategy
- Provided an overview of REIMAGINE NANAIMO
- Recommend moving forward on a Food Security Coalition or Food Policy Council to attempt to improve coordination and identify gaps

Task Force discussion took place regarding the following:

- If any gaps have been identified and if there is a sufficient amount of food to meet the need at this time
- Accessibility of meals is a larger issue than availability as food is being provided, but may not be in a location where people can readily access, or may not be in a state that is ready to consume
- Salvation Army, 7/10 Club and the Food Bank have noted that people receiving Canadian Emergency Response Benefit were not accessing services as often
- Mandate of the proposed Food Policy Council including emergency measures for people who are currently hungry and nutrition security
- Food Bank is like the shelter of the food world and in the long term the goal is for no one to need the Food Bank
- Size and contents of the Good Food Box
- Potential for the Food Policy Council to provide input on contents of the food provided and how it can be used more effectively
- Supportive Recovery Housing has found it is challenging to get people to eat nutritious food as they are used to fast food/processed food
- Including support for people to shop for their food
- Noting the growing number of people being housed who are gaining access to secure food in the overall review
- Support being provided for seniors in the community
- Food security is not just about emergency food, but stability of main stream systems for accessing nutritious food
- Opportunity to review food systems and how to store and use food
- Licenced facilities are required to provide meal standards to participants
- Rehabilitation program for mental health and substance use patients where they can learn cooking skills and prepare meals for sale

Karin Kronstal, Social Planner, continued her presentation. Highlights included:

- Next step would be for the proposed recommendation to go to Council potentially 2020-OCT-19
- Food Strategy/Policy would be included in the REIMAGINE NANAIMO review
- There would be a report prepared for Council regarding the steps and potential partnerships to move forward with the Food and Nutrition Strategy and Food Policy Council

It was moved and seconded that the Health and Housing Task Force recommend that Council:

1. endorse the Emergency Food and Nutrition Strategy as formal stakeholder input into the **REIMAGINE** NANAIMO process; and,
2. support the creation of a Nanaimo Food Policy Council as an independent, arms-length body that would continue collaborative work to strengthen the local food system and request that Staff bring forward a report on how the City can facilitate this work.

The motion carried unanimously.

7. ADJOURNMENT:

It was moved and seconded at 4:10 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-OCT-05, AT 1:00 P.M. – 4:00 P.M.

Present: Councillor D. Bonner, Chair
Mayor L. Krog
Councillor S. D. Armstrong
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe (arrived 1:02 p.m.)
Councillor J. Turley

Absent: Councillor T. Brown

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
S. Legin, General Manager, Corporate Services
B. Corsan, Director, Community Development
L. Wark, Director, Recreation & Culture
F. Farrokhi, Manager, Communications
J. Bevan, Manager, Culture and Events
C. Sholberg, Community Heritage Planner
A. Collins, Recreation Coordinator, Cultural Services
M. Duerksen, Recreation Coordinator, Special Events
R. Buckler, Culture and Heritage Clerk
S. Gurrie, Director, Legislative Services
J. Vanderhoef, Recording Secretary

1. CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Governance and Priorities Committee Meeting was called to order at 1:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 5(f)(1) Governance and Priorities Committee Agenda Planning - Replace Governance and Priorities Committee Agenda Planning Documents.
- (b) Add new Agenda Item 6 Correspondence, and add Correspondence from Dennis McMahon, dated 2020-SEP-30, re: Arts and Culture, reorder Agenda Items accordingly.

3. APPROVAL OF THE AGENDA:

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

Councillor Thorpe entered the Shaw Auditorium at 1:02 p.m.

4. REPORTS:

a. COMMUNITY WELLNESS/LIVABILITY:

(1) Building Community through Arts and Culture

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

- (1) Poetry reading "The Change I Want to See" by Valina Zanetti, Nanaimo Youth Poet Laureate

Introduced by Julie Bevan, Manager, Culture and Events.

Valina Zanetti, Nanaimo Youth Poet Laureate, provided a poetry reading.

- (2) Nanaimo's Cultural Cornerstones: Collaboration, Leadership and Community Resilience

Introduced by Julie Bevan, Manager, Culture and Events.

Presentation:

1. Bruce Halliday, General Manager, The Port Theatre, Carolyn Holmes, Executive Director, Nanaimo Art Gallery, and Sophia Maher, General Manager, Nanaimo Museum, provided a presentation. Highlights included:

- Introduction of each organization: Nanaimo Museum, Nanaimo Art Gallery and The Port Theatre
- The community is enhanced by deeper collaboration and the nurturing of creative endeavors
- Commitment to working with the City to ensure City owned cultural facilities are well cared for, cost effective, and artistically and culturally relevant
- Importance of providing supportive, safe and equitable work places for employees and programing that engages Nanaimo citizens
- All three organizations have secured funding from Provincial and Federal government to support their on-going stability

- During COVID-19 the three organizations have supported each other by sharing critical safety policies, sharing communications, developing some shared membership benefits and providing moral support
- Planning ways to adapt to COVID-19 in 2021
- The Port Theatre, Nanaimo Art Gallery and Nanaimo Museum aim to show best practices across their industries and provide leadership roles
- Provide accessible opportunities to connect with cultural heritage, live performances and contemporary art
- Reducing barriers to participation:
 - At The Port Theatre approximately 2,000 free tickets were distributed to local service agencies, and offered \$5 tickets to high school students
 - Admission to the Nanaimo Art Gallery is by donation and they offer bursaries for teen programs
 - The Nanaimo Museum keep their entrance fees very low and access to the Bastion is by donation
- Committed to excellence in school and youth programming to expose young people to arts and culture
- The services provided by these organizations are the cornerstones of a healthy community
- The three organizations employ 28 full-time employees, 28 part-time employees, and between 40-60 casual staff with a combined payroll of over \$2 million annually
- These organizations attract young professionals to the City
- Estimate they attract approximately 200,000 patrons annually to the downtown core which supports the surrounding businesses
- Well positioned to thrive into the future and help grow a healthy community
- Acknowledged the importance of reconciliation and decolonization and are taking action through learning opportunities, professional development, and working to become aware of biases to eliminate racism
- The Port Theatre hosts artists from across the country to share insight into different cultures and the diversity of Canada
- The Nanaimo Art Gallery continues to work with Snuneymuxw First Nation to bring people together to learn through art, current exhibit features 11 Indigenous artists
- The Nanaimo Museum works with Snuneymuxw First Nation and Metis elders/knowledge keepers to develop new programs and update exhibitions, they have a number of school programs and promote local

- Indigenous artist through promotion and sales of their artwork in the gift shop
- Recently the Nanaimo Museum has been working on the introduction of a repatriation policy to revitalize Coast Salish art on Vancouver Island

Committee discussion took place with the presenters. Highlights included:

- Plans for COVID-19 recovery programing:
 - The Port Theatre:
 - Has reopened with a maximum capacity of 50 audience members
 - COVID-19 devastated their revenue but they have taken advantage of the Federal Wage Subsidy Program and cultural spaces money to install video streaming
 - Determined to continue operating as much as possible
 - Hosting the Spotlight Series which has separate Federal and Provincial funding
 - Prepared to continue at this level through 2021 with hopes of larger audiences after 2021
 - The Nanaimo Museum:
 - Revenues have also been reduced to almost nothing but they have stable funding
 - Have shifted their focus to provide impactful programing remotely
 - Currently focused on school programing
 - Have implemented timed entry to the facility
 - Reviewing operation and focusing on opportunities and training
 - The Nanaimo Art Gallery:
 - Closed for a number of months but has reopened with reduced hours
 - Struggling with programing due to limited space
 - Looking to expand the space
 - Current physical distancing requirements limit participants to six in a program which does not break even
 - Implemented mask policies in the galleries
 - Trying to accommodate people working without sharing spaces
- Status of the Sports Hall of Fame:
 - The Nanaimo Museum manages the Nanaimo Sports Hall of Fame and they are discussing options to adjust timeframes with the Canadian Sports Heritage Association. They anticipate putting forward calls for nominations soon
- Potential for these organizations to survive 2020 being reliant on the Canadian Emergency Response Benefit (CERB):
 - The Nanaimo Museum has reduced spending and will be able to cover wages if CERB runs out with possible exception of part-time staff
 - The Nanaimo Art Gallery is no longer taking advantage of CERB, but have some emergency funding from Canadian Heritage
 - The Port Theatre has not laid off any full-time staff and plan to use the Federal Wage Subsidy through to June 2021, may need to use some of their surpluses but are trying to minimize that to save money for future stimulating work

- Noted some of the current programs/services available: Symphony from your Sofa, Boarder X exhibit, and the Nanaimo Museum gift shop
- Working with partners to apply for grants available through the federal government, related to urban Indigenous organizations and on reserve organizations
- Funding Applications:
 - The Nanaimo Museum is working with partners to apply for grants and have access to funds from the Canadian Heritage Association
 - The Nanaimo Art Gallery is applying for some Vancouver Foundation funding
 - The Port Theatre receives funding through the Department of Canadian Heritage to present the Spotlight Series, will not break even with 50 seat capacity, would not be managing without the City's funding or federal funding
- Process for artists to host exhibitions at the Nanaimo Art Gallery – exhibitions are curated three years in advance
- Potential need for increased digital infrastructure to reliably connect with schools and the community
- Amount of programming available online, challenges of monetizing online services, and managing resources efficiently
- Restrictions/limitations of infrastructure that is currently available

(3) Evolving our Programs to Create Impact

(a) Program Review of Cultural Grants

Julie Bevan, Manager, Culture and Events, provided a PowerPoint presentation. Highlights included:

- Noted the “Hub City Walls” mural program is open for submissions for 2021
- City investment in culture is provided through three funding streams:
 - Culture and Heritage Operating Grants - \$312,318 for 2021, available for those who provide ongoing services in the community and funds their core expenses, funded 23 applications for this grant in 2019, currently five groups that receive three year funding from this grant
 - Culture and Heritage Project Grants - \$44,407 for 2021, available for one time or reoccurring cultural initiatives, when the Culture Plan was approved in 2014 Council increased this fund by 10% for five years, last increase was 2019, 20 applications received in 2019 and 17 were funded, demand has increased for this grant
 - Downtown Event Revitalization Fund - \$150,000 for 2021, established to encourage events that enhance downtown, 25 applications in 2019 and 24 projects were funded

- Issues that warrant research are adjusting to reflect equity and accessibility
- Staff want to review eligibility requirements, assessment criteria, reporting, and budget requirements for applicants

Committee discussion took place. Highlights included:

- Community engagement regarding the selection of community artwork
- Opportunities during COVID-19 to review practices
- Feedback from the community regarding the current process
- Clarification that Staff are asking to conduct a review of the previous 2014 process/model to assess if it is still applicable and will include community input within the review
- Concept of allowing the community to vote on community art pieces
- Previous public engagement regarding public art was done through the Culture, Heritage and Social Planning Committee and submissions are currently reviewed by Staff
- Staff want to review best processes and practices of other municipalities
- Feedback received regarding the recent mural artwork downtown
- Including the permissive tax exemptions in the per capita calculations for grants
- Relationship between Arts and Culture and the REIMAGINE NANAIMO review
- Staff plan to review how grants are allocated rather than a complete financial review
- Ensuring the list of values articulated in Council's Strategic Plan align with the grant process
- Clarification that the proposed review is on the three funding streams provided through the Culture Department

It was moved and seconded that the Governance and Priorities Committee recommend that Council endorse a review of the three grant funding programs administered by Culture & Events (Culture & Heritage Operating Grants, Culture & Heritage Project Grants, and Downtown Event Revitalization Grants), including research on best practices and dialogue with community stakeholders, and return with recommendations to improve and evolve processes to continue to meet the needs of the Nanaimo cultural community. The motion carried unanimously.

(4) Art in Public Spaces

- (a) Update on RFP No. 2489 Call for Artists for Permanent Art at Maffeo Sutton Park

Julie Bevan, Manager, Culture and Events, provided a PowerPoint presentation. Highlights included:

- Current Poet Laureate position is vacant

- Staff have received feedback from the literary community that the honorarium for the Poet Laureate position is not reflective of the work involved
- Staff are reassessing the Poet Laureate program to make it more flexible and inclusive

Provided a video titled “Concerts in the Parking-lot 2020”, regarding five concerts held at local Nanaimo senior facilities in lieu of the Concert in the Park events during COVID-19.

(b) Art in Public Spaces Working Group

Julie Bevan, Manager, Culture and Events, provided images of some of the public art currently on display throughout the community in 2020.

Committee discussion took place. Highlights included:

- Potential for increasing the honorarium for the Poet Laureate program
- Ownership of the Poet Laureate’s material – artists retain the rights to their work and the City has an agreement to use the material
- Expanding support for music and art in the community
- Clarification regarding intended mandate of the proposed working group
- Creation of a task force and the need to review committee structures
- Clarification that recommendation would allow Staff to create the framework to create this working group and return to Council for a decision
- Subject of committees potentially coming before Council in January
- Public participation in the proposed working group

It was moved and seconded that the Governance Priority Committee recommend that Council endorse the creation of an Art in Public Spaces Working Group to be facilitated by Culture & Events Staff. The motion carried unanimously.

Committee discussion took place regarding \$50,000 not previously allocated to a public art piece that may potentially be available and the City collaborating on a totem pole project with the Nanaimo Aboriginal Centre.

(5) Building Capacity and Engaging with Art and Culture Communities in Nanaimo

Introduced by Julie Bevan, Manager, Culture and Events.

Presentation:

1. "Song for Nanaimo" by Sonnet L'Abbe, songwriter.

The Governance and Priorities Committee Meeting recessed at 3:06 p.m.
The Governance and Priorities Committee Meeting reconvened at 3:19 p.m.

b. REIMAGINE NANAIMO:

(1) REIMAGINE NANAIMO Strategic Conversation - Arts and Culture Communities

Julie Bevan, Manager, Culture and Events, provided a PowerPoint presentation. Highlights included:

- Planning strategic conversations regarding five identified themes
- Ten focus group sessions are planned to explore the five identified themes in depth
- Five identified themes:
 - Sustainability: funding, skill and resource sharing
 - Reconciliation and decolonization: advancing ethical changes
 - Our people: growing and retaining talent
 - Spaces for culture: needs for the future
 - Collaboration, partnerships and building community
- Themes were generated from a cultural plan for Nanaimo, research, and dialogue with local leaders/organizations
- Looking for actions the City can take to help the community flourish

Committee discussion took place regarding the meaning of the term decolonization.

(2) REIMAGINE NANAIMO Phase 1 Update

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Lisa Bhopalsingh, Manager, Community Planning, provided a PowerPoint presentation. Highlights included:
 - Overview of the REIMAGINE NANAIMO project as a review of six strategic plans:
 - Official Community Plan
 - Parks, Recreation and Culture Master Plan
 - Active and Sustainable Transportation Plan
 - Climate Action Plan
 - Economic Development Strategy
 - Water Supply Strategic Plan
 - Currently in the middle of phase one and gathering ideas
 - Had to adapt engagement approach due to COVID-19 and focus more on online engagement
 - Main platform being used is “Get Involved Nanaimo”
 - Analytics for “getinvolvednanaimo.ca” as at 2020-SEP-18:
 - Total visits 5,200
 - Total registered 671
 - Participated in survey 700
 - Stories submissions 7
 - Ideas submissions 44

- Community map posts 167
- People are now becoming more aware of the program through various marketing efforts
- Parks Recreation and Culture Department hosted 31 pop-up stations in local parks for in person public engagement

Committee discussion took place regarding the potential for further pop-up stations during the fall and winter. Staff are looking into the possibility of holding pop-up stations in malls.

- Challenged Council and Staff to talk to at least ten people about REIMAGINE NANAIMO to spread awareness
- Community welcome meetings held August 18th and 25th engaged community representatives
- Encouraging community/stakeholder groups to engage with their contacts and provide feedback on REIMAGINE NANAIMO
- Using the engagement done by the Health and Housing Task Force
- Currently in the process of doing a statistically valid survey by mail with a return deadline of October 30th
- Provincial Election may impact the survey responses
- Survey return target is 500 and to ensure the most accurate representation Staff have set aside 100 surveys to send to areas that do not provide an adequate number of responses to the initial survey
- Creative Community contest is intended to create initiative for people to share their inspiration for a future Nanaimo in their own way
- Staff have also used traditional advertising through newspaper and radio advertisement
- Media coverage is encouraged wherever possible to boost awareness and participation
- Staff are hoping to increase engagement numbers in the coming months

Committee discussion took place. Highlights included:

- Commended Staff for undertaking this large project
- Using social capital to support the REIMAGINE NANAIMO project
- Feedback/input from local teachers
- Councillors engaging on “Get Involved Nanaimo”
- Criticism heard on social media about the survey and that the survey is only one method of engagement
- Committees helping to engage and guide the REIMAGINE NANAIMO process
- Considering the soul of Nanaimo

c. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

Introduced by Sheila Gurrie, Director, Legislative Services.

Committee discussion took place. Highlights included:

- Status of “Phase Two Neighbourhood Engagement” topic
- Reviewing election signage
- Providing results of task forces such as the Health and Housing Task Force
- Budget discussions and potentially adding extra finance meetings
- Concerns regarding sufficient time to review the large topics scheduled for 2020-OCT-26
- Sanitation issues being reviewed before budget sessions
- Having a discussion regarding committee structure

It was moved and seconded that the topic “Committee Structure Review” be added as a future Governance and Priorities Committee Agenda topic. The motion carried unanimously.

5. CORRESPONDENCE:

- (a) Correspondence from Dennis McMahon, dated 2020-SEP-30, re: Arts and Culture

6. ADJOURNMENT:

It was moved and seconded at 4:04 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

Please click on the link below to access the Agenda from the 2020-SEP-30 Advisory Committee on Accessibility and Inclusiveness Meeting

<https://pub-nanaimo.escribemeetings.com/FileStream.ashx?DocumentId=31641>

Please click on the link below to access the 2020-OCT-05 Governance and Priorities Committee Agenda:

<https://pub-nanaimo.escribemeetings.com/FileStream.ashx?DocumentId=31711>

Please click on the link below to access the Agenda from the 2020-OCT-01 Health and Housing Task Force Meeting.

<https://pub-nanaimo.escribemeetings.com/FileStream.ashx?DocumentId=31685>

Delegation Request

Delegation's Information:

Jen Cody has requested an appearance before Council.

City: Nanaimo

Province: BC

Delegation Details:

The requested date is October 19, 2020.

The requested meeting is:
Council

Bringing a presentation: Yes

Details of the Presentation:

A focus on Food Policy Councils and their role in supporting food and nutrition security for a community, including the importance of a Food Policy Council in bringing community partners together to respond to community food and nutrition security needs, including as a part of a community emergency or pandemic.

DATE OF MEETING OCTOBER 19, 2020

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

SUBJECT BYLAW AND POLICY RENEWAL PROJECT TIMELINE

OVERVIEW

Purpose of Report:

To provide Council with a timeline of the Bylaw and Policy Renewal Project as identified in Council's 2019 – 2022 Strategic Plan.

BACKGROUND

In 2019, Council underwent a planning process to define its vision and values for the 2019 – 2022 Council term. Within the Governance Excellence section of the Strategic Plan, one of the action items identified was to have a comprehensive review undertaken on Council's bylaws and policies as well as updates done on ones that were outdated, ineffective or inconsistent with current objectives. The Deputy City Clerk was assigned the responsibility to oversee and support this project and to develop a timeline for moving the project forward.

DISCUSSION

Prior to developing the timeline and assigning deliverables for the project, an audit of the City's Bylaws and Council policies was undertaken to identify gaps and determine priorities. The following project scope, work breakdown structure, and deliverables were developed based on that audit:

Project Scope:

The "bylaw project" is proposed to be conducted in two phases:

The first phase will consist of manually inputting all of the City's bylaws into a Master Bylaw Registry. This is a critical first step as the audit identified historical gaps in how the bylaws were recorded making it challenging to determine what bylaws are current, what they repealed, which are amendments, missing, etc. Staff has developed a framework for the Registry where critical information will be recorded in one easily searchable Excel spreadsheet (see Attachment "A").

The audit also revealed that the City does not have scanned PDF versions of all signed bylaws. All bylaws are considered permanent records and the Corporate Officer (under Section 148 of the *Community Charter*) is legally responsible for the safekeeping of the bylaws. Therefore, it is crucial for business continuity purposes to have PDF copies of the original bylaws in the event of a flood, earthquake, or fire. As each bylaw is entered into the Registry and the information recorded, staff will make PDF copies of the bylaws.

After the bylaws have been recorded, an analysis of the active bylaws will be done to determine their status (fine as is, to be repealed, or needs updating).

During the second phase of the project, staff will develop a bylaw guide document and work with staff to modernize the bylaws that were identified in phase one for updating. Determining which bylaws will be addressed first will be based on risk, liability, applicability, revenue generation, etc. and drafted based on best practices, using plain language, to provide better enforceability. It is recognized that throughout the process bylaws based on Council priorities and operational needs will need to be updated or modernized sooner rather than later. Therefore, Council can expect to see amendments, rewrites, or development of bylaws on an on-going basis.

The “policy project” will also be conducted in phases. The first phase will consist of bringing forward a list of policies identified by staff as outdated for Council to repeal. As with the Bylaw Renewal Project, the next step will be to develop a Master Council Policy Registry and move forward with modernizing policies in the same manner as the bylaw project. Given the scope of the Bylaw project, the Policy Registry will commence after the Bylaw Registry is well underway. As with the priority bylaws mentioned above, there will be policies that need to be addressed on an on-going basis.

Work Breakdown Structure (Bylaw Renewal Project)

PHASE ONE – 2020-2021

Deliverable: Develop a Master Bylaw Registry

Tasks	Timeline for Completion
Develop a Master Bylaw Registry of the City's approximately 6,500 bylaws (in Excel) that includes the following information for each bylaw: <ul style="list-style-type: none"> - Bylaw No. - Name of Bylaw - Readings - Assent of Electors (if applicable) - Date of Adoption - Amends Bylaw - Repeals Bylaw - Amended By - Repeal Date - Repealed By - Comments 	2021-Q4
Attach hyperlinks within the Master Bylaw Registry to PDF versions of each bylaw	2021-Q4

Deliverable: To repeal bylaws that are no longer relevant

During the development of the Master Bylaw Registry, bylaws that are active would be analyzed to ensure they are relevant and aligned with Council's stated strategic goals, priorities, and policy objectives. Where bylaws or regulations are seen to be irrelevant, outdated, ineffective, obsolete or inconsistent with current objectives, those bylaws would be identified for updating or earmarked for repeal.

Tasks	Timeline for Completion
While inputting bylaws into the Master Bylaw Registry, identify bylaws that are no longer relevant, and note the rationale for updating or repealing the bylaw.	2021-Q4
Quarterly – draft a “Bylaw Repeal Bylaw” to remove obsolete bylaws off the books	2021-Q4

Deliverable: To streamline the City’s ticketing system and do housekeeping amendments to include consistent violation and penalty language within each regulatory bylaw so that Bylaw Enforcement Officers are able to issue the appropriate ticket for an offence.

Currently the City has the following four ticketing options:

1. The Bylaw Offence Notice (BON) ticketing system. This system operates under the authority of the Bylaw Notice Enforcement Bylaw (implemented in 2012) and used for fines under \$500. The fines are administered through an Adjudication process vs. the Courts. It is a cost effective system administered by the City (with other local government participation) and used for the majority of offences. Regulatory bylaws that are not included in the BON system need to be added.
2. The Municipal Ticketing Information System (MTI) operates under the authority of the Municipal Ticketing System Bylaw and can be used for fines up to \$1,000. This system is administered through the Provincial Courts, which can be costly. The City has not used this system since the implementation of the BON system in 2012 as most of the City’s fines are under \$500. It is anticipated that in the near future the legislation will be amended to increase the fine limit to \$1,000 for the BON system and the MTI system phased out. For these reasons, it is recommended that the MTI Bylaw be repealed.
3. The Long Form ticketing process (via the *Offence Act*) is for processing the most egregious infractions (i.e. cutting down multiple trees). It is administered through the Provincial Courts with the assistance of a Municipal Prosecutor. This system is used for fines over \$500 and up to \$50,000 (depending on the seriousness of the Offence).
4. The Super Ticket process, (under the authority of Section 263.1 of the *Community Charter*) is a Long Form process that the City enacted in 2005. It is administered through the Provincial Courts and was used for all tickets (prior to implementation of the BON system in 2012). This system is no longer relevant and should be abolished.

Tasks	Timeline for Completion
Draft a housekeeping amendment to the BON bylaw to update the Agreement (Schedule A) and update the Zoning Fine Schedule and include fines for the Management and Protection of Trees Bylaw. A bylaw amendment to remove reference to fines from the Zoning Bylaw (B4500) and Management and Protection of Trees Bylaw (B7126) would be done concurrently.	October 19, 2020 Council meeting
Repeal the MTI Bylaw as part of the first Bylaw Repeal project	2021 – Q1
Remove reference to the fines in the regulatory bylaws as they come up for renewal or amendment and ensure consistent offence clauses are included in all bylaws.	On-going

Deliverable: To develop a new Animal Responsibility Bylaw

On July 6, 2020, Council endorsed, in principle, the recommendations of the Animal Control Services review and directed staff to modernize the Licensing and Control of Animals Bylaw and to incorporate the recommendations of the service review.

Tasks	Timeline for Completion
Identify stakeholders and have preliminary discussions on desired outcomes for a new Bylaw.	Completed
Draft bylaw using the SPCA's Model Bylaw and bylaws from those jurisdictions who participate in Nanaimo's Bylaw Dispute Adjudication System as a framework. Include recommendations from stakeholders and those outlined in the service review.	Completed
Forward finalized draft bylaw to stakeholders for feedback: Note: concerns raised by Council and members of the public regarding mandatory sterilization of outdoor cats, identification for cats, removing breed specific legislation, dogs in heat, and tethering were considered and incorporated into the draft.	Completed
Feedback from stakeholders incorporated in the bylaw and send to lawyer for review.	First part of October
Present draft bylaw to Council.	October 26, 2020 GPC
Incorporate any Council feedback from the October 26, 2020 GPC meeting and forward to the December 7, 2020 meeting for consideration of first three readings. A new fees and charges bylaw (that incorporates the licensing and boarding fees will be introduced at the same meeting)	November 16, 2020
Bylaw Adoption	December 7, 2020
Once adopted, amendments will be required to the Parks and Regulation Bylaw and the Bylaw Notice Enforcement Bylaw.	November 16, 2020 or December 7, 2020

Deliverable: To develop a comprehensive Fees and Charges Bylaw

Currently, fees and charges are outlined within various bylaws. Having a “one stop” comprehensive bylaw that lists all fees and charges would make it much easier for the public and staff to find the applicable fees that will reduce the number of enquires to the City.

Tasks	Timeline for Completion
To establish a Fees and Charges Bylaw that would be introduced in conjunction with the Animal Responsibility Bylaw. This bylaw would be the starting point and as various bylaws are amended, staff would take the opportunity to update the fees and charges bylaw at the same time.	November 16, 2020 Council Meeting for introduction. Project will be on going.

Deliverable: To scan all “signed” bylaws

As bylaws are permanent records and the Corporate Officer is assigned the responsibility of ensuring bylaws are maintained and kept safe as outlined in Section 148 of the *Community Charter*, it is important that for business continuity purposes in the event of a flood, fire, or earthquake that the City has scanned copies of all signed bylaws.

Tasks	Timeline for Completion
This project got underway in the spring of 2020 and many bylaws have been scanned. Those remaining will be scanned while the bylaws are being added to the Master Bylaw Registry.	2021-Q4

PHASE TWO – 2021/2022

Deliverable: To work with staff on modernizing the City’s regulatory bylaws (on a priority basis) based on risk, liability, applicability, revenue generation, etc. in order to improve service to the public and provide for efficiencies across the organization. Bylaws would be drafted based on best practices using plain language to provide for better enforceability.

Some of this work has already commenced with work being done on the Animal Responsibility Bylaw and Ticketing Bylaws. Other bylaws that need addressing will be part of the 2021 work plan. The focus for 2022 would be to do a review of the bylaws that are identified through the Master Bylaw Registry project with more specific deliverables and tasks identified in the later part of 2021.

Deliverable: To develop a bylaw guideline document for staff

To assist subject matter experts on drafting bylaws, a bylaw guideline document would be developed for staff to use as a tool when developing their bylaws.

Work Breakdown Structure (Policy Renewal Project)

Phase One – 2021

Deliverable: Develop a Master Policy Registry

The City has a hard copy of a Council policy manual that contains several policies, which are divided into sections, by department. Some of the policies are in effect and posted on the internet (currently 46 posted in the internet). Others are still valid but outdated; others are historical.

In 2010 and subsequently 2016, Legislative Services developed a policy status sheet. This status sheet, along with copies of the policies, were sent to the applicable departments for review. Managers were asked to determine whether the policy was relevant and should remain as is, whether it needed amending, whether it was obsolete and should be repealed or unsure. At the time, it was also noted that some policies were administrative in nature and would be more applicable as a staff policy or appeared to be a procedure or guideline. To assist, staff was provided with definitions as to how to view the policy (i.e. is it a rule, guiding principle or statement vs. a process, method, practice). Feedback from the various departments was provided; however, the work was not concluded.

Tasks	Timeline for Completion
Present a report to Council with a list of policies that need to be repealed	November, 2020
Bring forward a revised Public Hearing process policy	November/December, 2020
Start Development of a Master Bylaw Registry	2021
To build on the work that was done in 2010 and 2016	*TBD

*Further work on the policies will be identified in 2021 in conjunction with the updates provided to Council on the bylaw project.

SUMMARY POINTS

- As part of Council's 2019 – 2022 Strategic Plan, one of the Governance action items identified was to have a comprehensive review undertaken on Council's bylaws and policies and then proceed with updating those that were outdated, ineffective or inconsistent with current objectives.
- An audit was conducted on the City's bylaws and Council policies and a project timeline, with work breakdown structures and deliverables was developed for moving the project forward.

ATTACHMENTS

Attachment "A" - Master Bylaw Registry (sample)

Submitted by:

Karen Robertson
Deputy City Clerk

Concurrence by:

Sheila Gurrie
Director of Legislative Services

YEAR	Bylaw No.	Name of Bylaw	1st Reading	2nd Reading	3rd Reading	Assent of Electors	Date Adopted	Amends Bylaws	Repeals Bylaw	Amended By	Repeal Date	Repealed By	Comments
1875	1875-1	The Rules of Order Bylaw, 1875					1875-FEB-08				1891-JUN-22	1891-1	
	1875-2	Nanaimo Streets Bylaw					1875-MAR-05				1894-APR-09	1894-1	
	1875-3	Nanaimo Footpath and Awning By-Law, 1875 (No.5)					1875-MAR-19			1883	1894-APR-09	1894-1	
1876	1876-1	Nanaimo Sunday Observance, Regulation of Sale of Liquors and Suppression of Gambling By-law 1876								1880-1	1988-JUL-09	1888-1	BYLAW IS MISSING (Section 2 & 3 Repealed and Replaced By Bylaw 1880-1)
	1876-2	Swine and Goat Bylaw, 1876					1876-NOV-13						Superceded by Public Health Bylaw 1890 Section 37 (****note: need to find verifying bylaw)
	1876-3	Municipal Election Regulation By-Law 1876					1876-DEC-18						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1878	1878-1	Municipal Election Regulation By-Law for the year 1879					1878-DEC-13						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
	1878-2	Nanimo City Wards By-Law, 1878					1878-DEC-16						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1879	1879-1	Nanaimo Streets Amendment Bylaw 1879	?	?	?		?	1875-2			1894-APR-09	1894-1	Amends Section 8 of Bylaw 1875-2. Note: PDF of Bylaw was cut off
	1879-2	Municipal Election Regulations By-law for the year 1880					1879-DEC-29						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1880	1880-1	City of Nanaimo By-law for Regulation of the sale of Intoxicating Liquors by retail of 1880					1880-MAR-21				1988-JUL-09	1888-1	Repeals Sections 2 & 3 of the "Nanaimo Sunday Observance, Regulaion of Sale of Liquors and Suppression of Gambling By-Law 1876"
	1880-2	Municipal Election Regulations By-law for the year 1881					?						The date that the bylaw was adopted is not legible. However, Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1881	1881-1	Nanaimo Public Cemetery By-Law, 1881	1881-AUG-22	1881-AUG-22	1881-AUG-22		1881-AUG-29						
	1881-2 (Ad)	By-Law to Regulate the Municipal Election for the year 1882	1881-DEC-26	1881-DEC-26	1881-DEC-26		1992-JAN-02						Missing the Bylaw (only a copy of the ad). Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1882	1882-1	By-law to Regulate the Municipal Election for the year 1883 in the City of Nanaimo	1882-DEC-18	1882-DEC-18	1882-DEC-18		1882-DEC-26						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1883	1883-1	Nanaimo Footpath and Awning Amendment Bylaw 1883	1883-MAR-05	1883-MAR-05	1883-MAR-05		1883-MAR-12	1875-2			1894-APR-09	1894-1	
	1883-2	By-Law to Regulate the Municipal Election for the year 1884 in the City of Nanaimo					1883-DEC-31						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
	1883-3	Thisle By-Law 1883	1883-SEP-17	1883-SEP-17	1883-SEP-17		1883-SEP-24						
1884	1884-1	Bank Credit By-law, 1884	1884-APR-11	1884-APR-11	1884-APR-11		1884-APR-25						
	1884-2	By-Law to Regulate the Municipal Election for the year 1885 in the City of Nanaimo	1884-DEC-15	1884-DEC-15	1884-DEC-15		1884-DEC-19						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
	1884-3	Nanaimo Railway By-Law 1884	1884-OC-20	1884-OCT-20	1884-OCT-20		1884-OCT-20						
	1884-4	By-Law for Altering the Esplanade	1884-JUL-07	1884-JUL-07	1884-JUL-07		1884-JUL-08						
	1884-5	By-Law to authorize the raising of \$2500.00, 1884	1884-FEB-04	1884-FEB-04	1884-FEB-04	1884-FEB-21	1884-FEB-21						
1886	1886-1	Gas Works Bylaw, 1886	1886-FEB-15	1886-FEB-15	1886-FEB-15		1886-MAR-01				1886-OCT-04	1886-2	
	1886-2	Gas Works By-law, 1886	1886-OCT-04	1886-OCT-04	1886-OCT-04		1886-OCT-18		1886-1				
	1886-3	Bylaw to Regulate the Municipal Election for the year 1886 in the City of Nanimo	1886-DEC-20	1886-DEC-20	1886-DEC-20		1886-DEC-28						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
	1886-4	By-Law to authorize the raising Two Thousand Two Hundred Dollars, 1886	1886-APR-29	1886-APR-29	1886-APR-29		1886-MAY-17						
1887	1887-1	By-law to Regulate the Municipal Election for the year 1988	1887-DEC-12	1887-DEC-12	1887-DEC-12		1887-DEC-19						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1888	1888-1	Sunday Observance and Regulation of the Sale of Intoxicating Liquors By-Law 1888	1888-JUN-25	1888-JUN-25	1888-JUN-25		1888-JUL-09		1876-1 & 1880-1		1895-DEC-23	1895-2	This bylaw Repeals: "Nanaimo Sunday Observance Regulation of Sale of Liquors, and Suppression of Gambling Bylaw 1876" and the "City of Nanaimo By-law for Regulatoion of the Sale of Intoxicating Liquor by Retail of 1880"
	1888-2	Nanaimo Street By-Law 1888	1888-DEC-17	1888-DEC-17	1888-DEC-07		1888-DEC-26				1894-APR-09	1894-1	
	1888-3	By-Law to Regulate the Municipal Election for the year 1989 in he City of Nanaimo	1888-DEC-17	1888-DEC-17	1888-DEC-17		1888-DEC-26						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1889	1889-1	By-Law to Regulate the Municipal Election or the year 1890 in the City of Nanaimo	1889-DEC-23	1889-DEC-23	1889-DEC023		1889-DEC-30						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1890	1890-1	By-law to Regulate the Municipal Election for the year 1891 in the City of Nanaimo	N/A	N/A	N/A		1890-DEC-15						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1891	1891-1	By-law for the Regulation and General Conduct of Business of the Municipal Council 1891	1891-JUN-18	1891-JUN-18	1891-JUN-18		1891-JUN-22		1875-1				Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
	1892-1	A By-law to Regulate the Municipal Election for the year 1892 in the City of Nanaimo	1891-DEC-07	1891-DEC-07	1891-DEC-07		1891-DEC-14						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
1893	1893-1	Annual Loan By-Law, 1893	1893-JUL-03	1893-JUL-03	1893-JUL-03		1893-AUG-04						
	1893-2	A By-law to Regulate the Municipal Election for the year 1894	1893-DEC-18	1893-DEC-18	1893-DEC-18		1893-DEC-26						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.
	1893-3	Street Conveyance and Exchange By-Law No. 1 of 1893	1893-MAY-22	1893-MAY-22	1893-MAY-22		1893-JUL-05						
1894	1894-1	Streets By-Law 1894	1894-MAR-26	1894-MAR-26	1894-MAR-26		1894-APR-09		1875-2, 1879-1, 1875-3 & 1888-2				
	1894-2	Nanaimo Fire Limit By-Law, 1894	1894-OCT-15	1894-OCT-15	1894-OCT-15		1894-OCT-22			1895-3			
1895	1895-1	Milk Inspection By-Law, 1895	1895-NOV-25	1895-NOV-25	1895-NOV-25		1895-DEC-02						
	1895-2	Sunday Observance Bylaw 1895	1895-DEC-23	1895-DEC-23	1895-DEC-23		1895-DEC-30		1888-1				
	1895-3	Fire Limit Amendment Bylaw 1895	1895-DEC-23	1895-DEC-23	1895-DEC-23		1895-DEC-30	1894-2					
	1895-4	Annual Loan By-Law, 1895	1895-APR-15	1895-APR-15	1895-APR-15		1895-APR-22						
	1895-5	A By-Law to Regulate the Municipal Election for the year 1895 in the City of Nanimo	1895-JAN-04	1895-JAN-04	1895-JAN_04		1895-JAN-07						Bylaw has been "spent" so no longer has legal effect. Repealing the bylaw in the future is optional.

DATE OF MEETING OCTOBER 19, 2020

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

SUBJECT BYLAW AND POLICY RENEWAL PROJECT TIMELINE

OVERVIEW

Purpose of Report:

To provide Council with a timeline of the Bylaw and Policy Renewal Project as identified in Council's 2019 – 2022 Strategic Plan.

BACKGROUND

In 2019, Council underwent a planning process to define its vision and values for the 2019 – 2022 Council term. Within the Governance Excellence section of the Strategic Plan, one of the action items identified was to have a comprehensive review undertaken on Council's bylaws and policies as well as updates done on ones that were outdated, ineffective or inconsistent with current objectives. The Deputy City Clerk was assigned the responsibility to oversee and support this project and to develop a timeline for moving the project forward.

DISCUSSION

Prior to developing the timeline and assigning deliverables for the project, an audit of the City's Bylaws and Council policies was undertaken to identify gaps and determine priorities. The following project scope, work breakdown structure, and deliverables were developed based on that audit:

Project Scope:

The "bylaw project" is proposed to be conducted in two phases:

The first phase will consist of manually inputting all of the City's bylaws into a Master Bylaw Registry. This is a critical first step as the audit identified historical gaps in how the bylaws were recorded making it challenging to determine what bylaws are current, what they repealed, which are amendments, missing, etc. Staff has developed a framework for the Registry where critical information will be recorded in one easily searchable Excel spreadsheet (see Attachment "A").

The audit also revealed that the City does not have scanned PDF versions of all signed bylaws. All bylaws are considered permanent records and the Corporate Officer (under Section 148 of the *Community Charter*) is legally responsible for the safekeeping of the bylaws. Therefore, it is crucial for business continuity purposes to have PDF copies of the original bylaws in the event of a flood, earthquake, or fire. As each bylaw is entered into the Registry and the information recorded, staff will make PDF copies of the bylaws.

After the bylaws have been recorded, an analysis of the active bylaws will be done to determine their status (fine as is, to be repealed, or needs updating).

During the second phase of the project, staff will develop a bylaw guide document and work with staff to modernize the bylaws that were identified in phase one for updating. Determining which bylaws will be addressed first will be based on risk, liability, applicability, revenue generation, etc. and drafted based on best practices, using plain language, to provide better enforceability. It is recognized that throughout the process bylaws based on Council priorities and operational needs will need to be updated or modernized sooner rather than later. Therefore, Council can expect to see amendments, rewrites, or development of bylaws on an on-going basis.

The “policy project” will also be conducted in phases. The first phase will consist of bringing forward a list of policies identified by staff as outdated for Council to repeal. As with the Bylaw Renewal Project, the next step will be to develop a Master Council Policy Registry and move forward with modernizing policies in the same manner as the bylaw project. Given the scope of the Bylaw project, the Policy Registry will commence after the Bylaw Registry is well underway. As with the priority bylaws mentioned above, there will be policies that need to be addressed on an on-going basis.

Work Breakdown Structure (Bylaw Renewal Project)

PHASE ONE – 2020-2021

Deliverable: Develop a Master Bylaw Registry

Tasks	Timeline for Completion
Develop a Master Bylaw Registry of the City's approximately 6,500 bylaws (in Excel) that includes the following information for each bylaw: <ul style="list-style-type: none"> - Bylaw No. - Name of Bylaw - Readings - Assent of Electors (if applicable) - Date of Adoption - Amends Bylaw - Repeals Bylaw - Amended By - Repeal Date - Repealed By - Comments 	2021-Q4
Attach hyperlinks within the Master Bylaw Registry to PDF versions of each bylaw	2021-Q4

Deliverable: To repeal bylaws that are no longer relevant

During the development of the Master Bylaw Registry, bylaws that are active would be analyzed to ensure they are relevant and aligned with Council's stated strategic goals, priorities, and policy objectives. Where bylaws or regulations are seen to be irrelevant, outdated, ineffective, obsolete or inconsistent with current objectives, those bylaws would be identified for updating or earmarked for repeal.

Tasks	Timeline for Completion
While inputting bylaws into the Master Bylaw Registry, identify bylaws that are no longer relevant, and note the rationale for updating or repealing the bylaw.	2021-Q4
Quarterly – draft a “Bylaw Repeal Bylaw” to remove obsolete bylaws off the books	2021-Q4

Deliverable: To streamline the City’s ticketing system and do housekeeping amendments to include consistent violation and penalty language within each regulatory bylaw so that Bylaw Enforcement Officers are able to issue the appropriate ticket for an offence.

Currently the City has the following four ticketing options:

1. The Bylaw Offence Notice (BON) ticketing system. This system operates under the authority of the Bylaw Notice Enforcement Bylaw (implemented in 2012) and used for fines under \$500. The fines are administered through an Adjudication process vs. the Courts. It is a cost effective system administered by the City (with other local government participation) and used for the majority of offences. Regulatory bylaws that are not included in the BON system need to be added.
2. The Municipal Ticketing Information System (MTI) operates under the authority of the Municipal Ticketing System Bylaw and can be used for fines up to \$1,000. This system is administered through the Provincial Courts, which can be costly. The City has not used this system since the implementation of the BON system in 2012 as most of the City’s fines are under \$500. It is anticipated that in the near future the legislation will be amended to increase the fine limit to \$1,000 for the BON system and the MTI system phased out. For these reasons, it is recommended that the MTI Bylaw be repealed.
3. The Long Form ticketing process (via the *Offence Act*) is for processing the most egregious infractions (i.e. cutting down multiple trees). It is administered through the Provincial Courts with the assistance of a Municipal Prosecutor. This system is used for fines over \$500 and up to \$50,000 (depending on the seriousness of the Offence).
4. The Super Ticket process, (under the authority of Section 263.1 of the *Community Charter*) is a Long Form process that the City enacted in 2005. It is administered through the Provincial Courts and was used for all tickets (prior to implementation of the BON system in 2012). This system is no longer relevant and should be abolished.

Tasks	Timeline for Completion
Draft a housekeeping amendment to the BON bylaw to update the Agreement (Schedule A) and update the Zoning Fine Schedule and include fines for the Management and Protection of Trees Bylaw. A bylaw amendment to remove reference to fines from the Zoning Bylaw (B4500) and Management and Protection of Trees Bylaw (B7126) would be done concurrently.	October 19, 2020 Council meeting
Repeal the MTI Bylaw as part of the first Bylaw Repeal project	2021 – Q1
Remove reference to the fines in the regulatory bylaws as they come up for renewal or amendment and ensure consistent offence clauses are included in all bylaws.	On-going

Deliverable: To develop a new Animal Responsibility Bylaw

On July 6, 2020, Council endorsed, in principle, the recommendations of the Animal Control Services review and directed staff to modernize the Licensing and Control of Animals Bylaw and to incorporate the recommendations of the service review.

Tasks	Timeline for Completion
Identify stakeholders and have preliminary discussions on desired outcomes for a new Bylaw.	Completed
Draft bylaw using the SPCA's Model Bylaw and bylaws from those jurisdictions who participate in Nanaimo's Bylaw Dispute Adjudication System as a framework. Include recommendations from stakeholders and those outlined in the service review.	Completed
Forward finalized draft bylaw to stakeholders for feedback: Note: concerns raised by Council and members of the public regarding mandatory sterilization of outdoor cats, identification for cats, removing breed specific legislation, dogs in heat, and tethering were considered and incorporated into the draft.	Completed
Feedback from stakeholders incorporated in the bylaw and circulate 2 nd draft	First part of October
Send finalized bylaw for legal review	3 rd Week of October
Present draft bylaw to Council.	November 9, 2020 GPC
Incorporate any Council feedback from the November 9, 2020 GPC meeting and forward to the December 7, 2020 meeting for consideration of first three readings. A new fees and charges bylaw (that incorporates the licensing and boarding fees will be introduced at the same meeting)	December 7, 2020
Bylaw Adoption	December 21, 2020
Once adopted, amendments will be required to the Parks and Regulation Bylaw and the Bylaw Notice Enforcement Bylaw.	December 21, 2020

Deliverable: To develop a comprehensive Fees and Charges Bylaw

Currently, fees and charges are outlined within various bylaws. Having a “one stop” comprehensive bylaw that lists all fees and charges would make it much easier for the public and staff to find the applicable fees that will reduce the number of enquires to the City.

Tasks	Timeline for Completion
To establish a Fees and Charges Bylaw that would be introduced in conjunction with the Animal Responsibility Bylaw. This bylaw would be the starting point and as various bylaws are amended, staff would take the opportunity to update the fees and charges bylaw at the same time.	December 7, 2020 Council Meeting for introduction. Project will be on going.

Deliverable: To scan all “signed” bylaws

As bylaws are permanent records and the Corporate Officer is assigned the responsibility of ensuring bylaws are maintained and kept safe as outlined in Section 148 of the *Community Charter*, it is important that for business continuity purposes in the event of a flood, fire, or earthquake that the City has scanned copies of all signed bylaws.

Tasks	Timeline for Completion
This project got underway in the spring of 2020 and many bylaws have been scanned. Those remaining will be scanned while the bylaws are being added to the Master Bylaw Registry.	2021-Q4

PHASE TWO – 2021/2022

Deliverable: To work with staff on modernizing the City’s regulatory bylaws (on a priority basis) based on risk, liability, applicability, revenue generation, etc. in order to improve service to the public and provide for efficiencies across the organization. Bylaws would be drafted based on best practices using plain language to provide for better enforceability.

Some of this work has already commenced with work being done on the Animal Responsibility Bylaw and Ticketing Bylaws. Other bylaws that need addressing will be part of the 2021 work plan. The focus for 2022 would be to do a review of the bylaws that are identified through the Master Bylaw Registry project with more specific deliverables and tasks identified in the later part of 2021.

Deliverable: To develop a bylaw guideline document for staff

To assist subject matter experts on drafting bylaws, a bylaw guideline document would be developed for staff to use as a tool when developing their bylaws.

Work Breakdown Structure (Policy Renewal Project)

Phase One – 2021

Deliverable: Develop a Master Policy Registry

The City has a hard copy of a Council policy manual that contains several policies, which are divided into sections, by department. Some of the policies are in effect and posted on the internet (currently 46 posted in the internet). Others are still valid but outdated; others are historical.

In 2010 and subsequently 2016, Legislative Services developed a policy status sheet. This status sheet, along with copies of the policies, were sent to the applicable departments for review. Managers were asked to determine whether the policy was relevant and should remain as is, whether it needed amending, whether it was obsolete and should be repealed or unsure. At the time, it was also noted that some policies were administrative in nature and would be more applicable as a staff policy or appeared to be a procedure or guideline. To assist, staff was provided with definitions as to how to view the policy (i.e. is it a rule, guiding principle or statement vs. a process, method, practice). Feedback from the various departments was provided; however, the work was not concluded.

Tasks	Timeline for Completion
Present a report to Council with a list of policies that need to be repealed	November 23 rd GPC
Bring forward a revised Public Hearing process policy	November/December, 2020
Start Development of a Master Bylaw Registry	2021
To build on the work that was done in 2010 and 2016	*TBD

*Further work on the policies will be identified in 2021 in conjunction with the updates provided to Council on the bylaw project.

SUMMARY POINTS

- As part of Council's 2019 – 2022 Strategic Plan, one of the Governance action items identified was to have a comprehensive review undertaken on Council's bylaws and policies and then proceed with updating those that were outdated, ineffective or inconsistent with current objectives.
- An audit was conducted on the City's bylaws and Council policies and a project timeline, with work breakdown structures and deliverables was developed for moving the project forward.

ATTACHMENTS

Attachment "A" - Master Bylaw Registry (sample)

Submitted by:

Karen Robertson
Deputy City Clerk

Concurrence by:

Sheila Gurrie
Director of Legislative Services

Bylaw & Policy Renewal Project Timeline

Presented by:

Karen Robertson, Deputy City Clerk

- In 2019, Council defined its vision and values for the 2019-2022 Council term
- Strategic Plan Action Item – to have a comprehensive review undertaken on Council's bylaws and policies
- Deputy Clerk assigned responsibility to oversee and support the project and develop a timeline for moving the project forward



- First step – an audit was conducted on the City’s bylaws and policies to identify gaps and determine priorities.
- A project scope, work breakdown structure, and deliverables were developed based on the audit.
- Work on bylaw and policy projects to be done in two phases.



Bylaw Project (Phase One)

Deliverable:

Develop a Master Bylaw Registry framework and manually input all of the City’s bylaws into the Registry.

- Include Hyperlinks within the Registry to PDF versions of each bylaw.
- Approximately 6,500 bylaws

Proposed Target for Completion – 2021-Q4

Attachment A - Master Registry (complete) - Public Consultation 2020

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Export PDF

Adobe Export PDF

Convert PDF Files to Word or Excel Online

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Create PDF

Comment

Combine Files

Organize Pages

Redact

Protect

E-Sign Anywhere

Create, edit and sign PDF forms & agreements

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Bylaw No.	Name of Bylaw	1st Reading	2nd Reading	3rd Reading	Repeal of Bylaw	Repeal Reason	Repeal Date	Repeal By	Repeal Title	Repeal Description
1544	Bylaw No. 1544 - Repeal of Bylaw No. 1544									
1545	Bylaw No. 1545 - Repeal of Bylaw No. 1545									
1546	Bylaw No. 1546 - Repeal of Bylaw No. 1546									
1547	Bylaw No. 1547 - Repeal of Bylaw No. 1547									
1548	Bylaw No. 1548 - Repeal of Bylaw No. 1548									
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1597	Bylaw No. 1597 - Repeal of Bylaw No. 1597									
1598	Bylaw No. 1598 - Repeal of Bylaw No. 1598									
1599	Bylaw No. 1599 - Repeal of Bylaw No. 1599									
1600	Bylaw No. 1600 - Repeal of Bylaw No. 1600									

Bylaw Project (Phase One)

Deliverable:

Repeal Outdated Bylaws

- While inputting bylaws in the Master Registry, bylaws will be analyzed for relevance.
- Outdated, ineffective, obsolete, or inconsistent bylaws will be earmarked for repeal.
- Quarterly, or twice a year, a list of obsolete bylaws will be brought to Council through a comprehensive Bylaw Repeal Bylaw.

Proposed Target for Completion – 2021-Q4



Bylaw Project (Phase One)

Deliverable: Scan all Signed Bylaws

- PDF copies will be made of all signed bylaws for business continuity purposes.
- This scanning project got underway in the spring. Remaining bylaws will be scanned when the bylaws are being added to the Registry.

Target for Completion – 2021-Q4



Bylaw Project (Phase One)

Deliverable: Rectify or Modernize Emergent Regulatory Bylaws (for 2020):

- Appointment of Officers and Delegation of Authority Bylaw (resulting from the organizational restructure that took place on June 24, 2019).
- Streamline the City's ticketing system bylaws
- Housekeeping amendments to include consistent violation and penalty language within each regulatory bylaws to assist Bylaw Enforcement Officers (first in a series of bylaws to be considered 2020-OCT-19 – Council Meeting)
- Animal Responsibility Bylaw (2020-NOV-09 Governance and Priorities Committee)
- Fees and Charges Bylaw (2020-DEC-07 – Council Meeting)
- Amendments to the Parks, Recreation & Culture Bylaw and Bylaw Adjudication Bylaw (resulting from the new Animal Responsibility Bylaw)

Target for Completion – 2020- Q4



Bylaw Project (Phase One)

Deliverable: to work with staff on fixing and modernizing regulatory bylaws (on a priority basis) based on risk, liability, applicability, revenue generation, good governance, Council direction, etc.

Example – Election Signage

Rules governing election signage as outlined in the following bylaws and policies:

- Traffic and Highways Bylaw
- City of Nanaimo Sign Bylaw
- Parks, Recreation and Culture Regulation Bylaw
- Ministry of Highways Circular T-03/18
- Election Signage Along Parkway Policy

Work on several bylaws will be conducted throughout 2021 and 2022



Bylaw Project – Phase Two

Deliverable: to develop a bylaw guideline document as a tool to assist subject matter experts on developing their bylaws.

Deliverable: to modernize bylaws identified through the Master Bylaw Registry project.

More specific deliverables and tasks will be identified
in the later part of 2021.

Policy Project

- The City currently has a hard copy of a Council policy manual which houses current policies (which are posted on the website), current but outdated policies, and historical policies that need to be formally repealed.
- In 2010 and subsequently in 2016 a status sheet on all policies was developed and circulated to managers to seek feedback on the following:
 - is the policy relevant
 - should the policy remain as is
 - does the policy need amending; or
 - should it be repealed
- Feedback received but work not concluded.

Policy Project – Phase One

Deliverable:

Present a list of policies that need to be repealed by Council

Target for Completion: 2020-Q4

Deliverable:

Bring forward a revised Public Hearing policy

Target for Completion: 2020-Q4

Deliverable:

Bring forward other priority policies for Council's consideration

Target for Completion: 2021

Policy Project – Phase Two

Deliverable:

Development of Master Council Policy Registry

Target for Completion – 2021/2022

Deliverable:

Build on the work that was done in 2010 and 2016 to modernize Council policies

(more specific deliverables identified in the later part of 2021)

QUESTIONS:

DATE OF MEETING OCTOBER 19, 2020

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

**SUBJECT BYLAW NOTICE ENFORCEMENT BYLAW AMENDMENT – FINES
FOR ZONING AND TREE PROTECTION REGULATIONS**

OVERVIEW

Purpose of Report

To introduce amendments to “Zoning Bylaw 2011 No. 4500”, “Management and Protection of Trees Amendment Bylaw 2020 No. 7126”, and “Bylaw Notice Enforcement Amendment Bylaw 2020 No. 7159” so that fines for violations under those bylaws can be administered through the City’s Dispute Adjudication Registry System (DARS).

Recommendations

Zoning Amendment Bylaw:

1. That “ZONING AMENDMENT BYLAW 2020 NO. 4500.179” (to replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. That “ZONING AMENDMENT BYLAW 2020 NO. 4500.179” pass second reading; and
3. Whereas s. 464(2) of the *Local Government Act* permits Council to waive the holding of a public hearing where a proposed zoning amendment bylaw is consistent with the Official Community Plan;
And Whereas Zoning Amendment Bylaw 2020 No. 4500.179 is consistent with Official Community Plan Bylaw 2008 No. 6500;
Be it resolved that Council waives the holding of a public hearing with respect to Zoning Amendment Bylaw 2020 No. 4500.179.

Management and Protection of Trees Amendment Bylaw:

1. That “MANAGEMENT AND PROTECTION OF TREES AMENDMENT BYLAW 2020 NO. 7126.01” (to replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. That “MANAGEMENT AND PROTECTION OF TREES AMENDMENT BYLAW 2020 NO. 7126.01” pass second reading;
3. That “MANAGEMENT AND PROTECTION OF TREES AMENDMENT BYLAW 2020 NO. 7126.01” pass third reading.

Bylaw Notice Enforcement Amendment Bylaw:

1. That “BYLAW NOTICE ENFORCEMENT BYLAW 2020 NO. 7159.08” (to replace the fine schedule for the Zoning Amendment Bylaw, add a fine schedule for the Management of Trees Bylaw, and replace Schedule B - Registry Agreement) pass first reading;
2. That “BYLAW NOTICE ENFORCEMENT BYLAW 2020 NO. 7159.08” pass second reading;
3. That “BYLAW NOTICE ENFORCEMENT BYLAW 2020 NO. 7159.08” pass third reading.

BACKGROUND

As outlined in the Deputy City Clerk's October 19, 2020 Bylaw and Policy Renewal Information Report, one of the deliverables identified is to streamline the City's ticketing system and do housekeeping amendments to include consistent violation and penalty language within the regulatory bylaws so that Bylaw Enforcement Officers (BEO's) are able to issue tickets through the City's Bylaw Dispute Adjudication Registry System.

The bylaws referenced below, and attached to this report, are the first in a series of bylaws to contain the consistent violation and penalty language for Council's consideration.

DISCUSSION

Zoning Bylaw Amendment No. 4500.179 (Attachment 1)

There are two changes proposed through this amendment:

1. The fines for the Zoning Bylaw under the Bylaw Notice Enforcement Bylaw point to outdated sections of the Zoning Bylaw and many sections are missing. This has presented challenges for the Bylaw Enforcement Department, as BEO's are currently unable to issue fines for bylaw violations through the DARS.
2. The violation and penalty language in the Zoning Bylaw also needs to be amended to include language that authorizes the issuance of tickets under the DARS program. Currently, ticket provisions only reference the *Offence Act*.

The proposed bylaw does not contain any other substantive changes and is consistent with the Official Community Plan; therefore, staff recommend that Council waive the public hearing requirements pursuant to *Local Government Act* section 464(2). Ministry of Transportation approval is also not required as the proposed amendment does not impact any controlled areas.

Management and Protection of Trees Amendment Bylaw No. 7126.01 (Attachment 2)

The amendment proposed for the Management and Protection of Trees bylaw is similar to the proposed Zoning Amendment in that the violation and penalty language needs to be amended to include provisions for issuance of tickets under the DARS.

Bylaw Notice Enforcement Amendment Bylaw 7159.08 (Attachment 3)

Should Council support the proposed amendments to the Zoning Bylaw and Management and Protection of Trees Bylaw noted above, the fine schedules for both bylaws would be added to the Bylaw Notice Enforcement Bylaw.

The other change proposed under this amendment is housekeeping in nature. Schedule "B" (The Registry) needs to be amended to formally authorize the City of Port Alberni, the Regional District of Nanaimo, the Regional District of Alberni Clayoquot, and the Village of Port Clements to participate in the DARS. Their participation, along with the City of Duncan, District of Tofino,

and City of Parksville (who joined in 2014) collectively share in the costs to run the program. Although the new members formally received approval by their respective Councils in 2019, the agreement (noted as Schedule “B”) to the bylaw also needs to be formally adopted by City of Nanaimo Council.

OPTIONS

As the City has been operating the Dispute Adjudication Registry Ticketing System since 2012, under the authority of the Bylaw Notice Enforcement Bylaw, it is important that the regulatory bylaws that are administered through the bylaw have consistent violation and penalty language so that Bylaw Enforcement Officers (BEO) are able to issue the appropriate ticket for an offence. These amendments are primarily housekeeping in nature; therefore, no alternate recommendations are being put forward.

SUMMARY POINTS

As part of the Bylaw Renewal Project, one of the deliverables is to streamline the City’s ticketing system and do housekeeping amendments to include consistent violation and penalty language within each regulatory bylaw.

ATTACHMENTS:

Attachment 1 – BL4500.179 – Zoning Amendment

Attachment 2 – BL7126.01 – Management and Protection of Trees Amendment Bylaw

Attachment 3 – BL7159.08 – Bylaw Notice Enforcement Bylaw Amendment

Submitted by:

Karen Robertson
Deputy City Clerk

Concurrence by:

Sheila Gurrie
Director of Legislative Services

Dave Laberge
Manager of Bylaw Services

Dale Lindsay
General Manager, Development Services

CITY OF NANAIMO

BYLAW NO. 4500.179

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

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

1. This Bylaw may be cited as "ZONING AMENDMENT BYLAW 2020 NO. 4500.179".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:
 - (A) By deleting section 2.3 in its entirety and replacing it with the following:

2.3 VIOLATION AND PENALTY

2.3.1 *Any person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the Community Charter and Offence Act.*

2.3.2 *This Bylaw may be enforced by bylaw notice pursuant to the Bylaw Notice Enforcement Bylaw 2012 No. 7159, as amended or replaced.*

- (B) By deleting section 2.4 in its entirety and replacing it with the following:

"2.4 CONTINUING OFFENCE

Each day that an offence continues or exists shall constitute a separate offence.

- (C) By deleting "Schedule B – Fine Schedule" in its entirety.

PASSED FIRST READING: _____
PASSED SECOND READING: _____
COUNCIL WAIVED THE REQUIREMENT FOR PUBLIC HEARING: _____
PASSED THIRD READING _____
ADOPTED _____

MAYOR

CORPORATE OFFICER

CITY OF NANAIMO

BYLAW NO. 7126.01

A BYLAW TO AMEND THE "MANAGEMENT AND PROTECTION OF TREES BYLAW"

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

1. Title

This Bylaw shall be cited for all purposes as "MANAGEMENT AND PROTECTION OF TREES AMENDMENT BYLAW 2020 NO. 7126.01".

2. Amendments

"MANAGEMENT AND PROTECTION OF TREES BYLAW 2020 NO. 7126" is hereby amended as follows:

(A) By deleting section 18 in its entirety and replacing it with the following:

18. Violation and Penalty

"18.1 Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the Community Charter and Offence Act."

18.2 This Bylaw may be enforced by bylaw notice pursuant to the Bylaw Notice Enforcement Bylaw 2012 No. 7159, as amended or replaced.

18.3 Each day than an offence continues or exists shall constitute a separate offence.

(B) By deleting section 20(1)(f).

(C) By deleting Schedule "F" in its entirety.

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

MAYOR

CORPORATE OFFICER

CITY OF NANAIMO

BYLAW NO. 7159.08

A BYLAW TO AMEND “BYLAW NOTICE ENFORCEMENT BYLAW 2012 NO. 7159”

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

1. Title

This Bylaw shall be cited as “BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW 2020 NO. 7159.08”.

2. Amendments

“BYLAW NOTICE ENFORCEMENT BYLAW 2012 NO. 7159” is hereby amended as follows:

- (A) By deleting the fine schedule for “Zoning Bylaw 2011 No. 4500” in Schedule “A” in its entirety and replacing it with the following fine schedule for “Zoning Bylaw 2011 No. 4500”.

Zoning Bylaw 2011 No. 4500

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
6.1.2	Exceed Allowable Storage of Combustibles	200.00	150.00	250.00
6.1.3	Not in Compliance with Urban Food Garden Use	200.00	150.00	250.00
6.2.1.2	Unlawful Shipping Container	200.00	150.00	250.00
6.2.1.4	Container in Setback	200.00	150.00	250.00
6.2.1.5	Fail to Remove Container within 14 days	200.00	150.00	250.00
6.2.1.6	Exceed Permitted Number of Containers	200.00	150.00	250.00
6.3.2	Impermeable Surface Within a Leave Strip	500.00	375.00	625.00
6.3.5	Unlawful Watercourse Leave Strip Use	500.00	375.00	625.00
6.5.1	Unlawful Projection Into Yard	200.00	150.00	250.00
6.5.2	Unlawful Location of Heat Pump or Central Air Conditioning Unit	200.00	150.00	250.00
6.5.3	Unlawful Projection from Accessory Building	200.00	150.00	250.00
6.6.1	Use, Building, or Structure Not Permitted	200.00	150.00	250.00
6.6.2	Accessory Building too close to Residential or Principal Building	200.00	150.00	250.00
6.6.3	Accessory Building in Rear Yard Setback	200.00	150.00	250.00

6.6.4	Accessory Building in Setback Area	200.00	150.00	250.00
6.6.5	Accessory Building Exceeds Maximum Height	200.00	150.00	250.00
6.6.6	Accessory Building Exceeds Maximum Floor Area	200.00	150.00	250.00
6.7.1	Unlawful Temporary Use, Building or Structure	200.00	150.00	250.00
6.7.6	Fabric Covered Structure Exceeding 120 Days	200.00	150.00	250.00
6.7.7	Unlawful Occupation of Recreational Vehicle	200.00	150.00	250.00
6.7.8	Occupy Recreational Vehicle Exceeding 42 Days	200.00	150.00	250.00
6.8.2	Exceed Two Times Allowable Height	200.00	150.00	250.00
6.9.1	Obstruct Line of Vision	200.00	150.00	250.00
6.10.2	Exceed Maximum Fence Height	200.00	150.00	250.00
6.10.5	Exceed Fence Height Outside of Setback	200.00	150.00	250.00
6.11.1	Location of Pool or Hot Tub Not Permitted	200.00	150.00	250.00
6.11.2	Swimming Pool Not Enclosed	200.00	150.00	250.00
6.12.1	Derelict Vehicles on Property	200.00	150.00	250.00
6.12.1	Exceed Two Unlicensed Vehicles	200.00	150.00	250.00
6.12.2	Prohibited Vehicle on Residential Lot	200.00	150.00	250.00
6.12.3	Exceed Number of Vehicles Permitted on Lot	200.00	150.00	250.00
6.12.4	Commercial Boat Not Permitted	200.00	150.00	250.00
6.12.5	Commercial Vehicle Not Permitted	200.00	150.00	250.00
6.12.5.1	Exceed Identifiable Vehicles	200.00	150.00	250.00
6.12.5.1	Marshalling or Staging of Vehicles	200.00	150.00	250.00
6.12.6	Storage of Vehicle Over 8,600kg	200.00	150.00	250.00
6.12.6	Repair of Vehicle Over 8,600kg	200.00	150.00	250.00
6.19.1.7	Daycare Storage Not Contained Within Building	200.00	150.00	250.00
6.20.1	Home Based Business Does Not Meet Requirements	200.00	150.00	250.00
6.20.2	Resident Failed to Have Business Licence	200.00	150.00	250.00
6.20.3	Home Based Business Exceeds Maximum Floor Area	200.00	150.00	250.00
6.20.3	Home Based Business Exceeds Number of Vehicle Trips	200.00	150.00	250.00
6.20.3	Home Based Business Exceeds Maximum Number of Non-Resident Employees	200.00	150.00	250.00

6.20.3	Use Not Permitted	200.00	150.00	250.00
6.20.5	Prohibited Home Based Business	200.00	150.00	250.00
6.20.6	Unlawful Vehicle Trip Hours	200.00	150.00	250.00
6.20.7	Vehicle and Equipment Not Contained In Building	200.00	150.00	250.00
6.20.8	Discharge or Emission Not Permitted	200.00	150.00	250.00
6.20.9	Fail To Meet Requirements in Accessory Building	200.00	150.00	250.00
6.20.10	Home Based Business Storage Not Contained	200.00	150.00	250.00
7.2.1	Use Not Permitted in Residential Zone	300.00	225.00	375.00
8.2.1	Use Not Permitted in Agriculture Rural Residential Zone	300.00	225.00	375.00
9.2.1	Use Not Permitted in Corridor Zone	300.00	225.00	375.00
10.2.1	Use Not Permitted in Commercial Centre Zone	300.00	225.00	375.00
11.2.1	Use Not Permitted in Downtown Zone	300.00	225.00	375.00
12.2.1	Use Not Permitted in Parks, Recreation and Culture Zone	300.00	225.00	375.00
13.2.1	Use Not Permitted in Industrial Zone	300.00	225.00	375.00
14.2.1	Use Not Permitted in Community Service Zone	300.00	225.00	375.00
15.2.1	Use Not Permitted in Waterfront Zone	300.00	225.00	375.00
16.1.2	Use Not Permitted in CD1 Zone	300.00	225.00	375.00
16.2.1	Use Not Permitted in CD2 Zone	300.00	225.00	375.00
16.4.1	Use Not Permitted in CD4 Zone	300.00	225.00	375.00
16.5.1	Use Not Permitted in CD5 Zone	300.00	225.00	375.00
16.6.1	Use Not Permitted in CD6 Zone	300.00	225.00	375.00
16.7.1	Use Not Permitted in CD7 Zone	300.00	225.00	375.00
16.8.1	Use Not Permitted in CD8 Zone	300.00	225.00	375.00
16.9.1	Use Not Permitted in CD9 Zone	300.00	225.00	375.00
16.10.1	Use Not Permitted in CD10 Zone	300.00	225.00	375.00

- 2.2 By adding the following fine schedule for “Management and Protection of Trees Bylaw 2013 No. 7126” to Schedule “A”

MANAGEMENT AND PROTECTION OF TREES BYLAW 2013 NO. 7126

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
5(1)(a)	Cut any tree	500.00	-	625.00
5(1)(b)	Work contrary to tree removal permit conditions	250.00	-	312.50
5(1)(c)	Cut or damage roots	500.00	-	625.00

5(1)(d)	Place prohibited material inside the drip line	150.00	-	187.50
5(1)(e)	Operate equipment inside drip line	250.00	-	312.50
5(1)(f)	Damage trunk or branches	250.00	-	312.50
5(1)(g)	Remove bark	500.00	-	625.00
5(1)(h)	Place structure inside drip line	150.00	-	187.50
5(1)(i)	Remove soil from inside drip line	150.00	-	187.50
5(1)(j)	Blast inside drip line	500.00	-	625.00
5(1)(k)	Undermine roots inside drip line	500.00	-	625.00
5(1)(l)	Improper cable or brace	250.00	-	312.50
5(1)(m)	Improper pruning or topping	500.00	-	625.00
5(1)(n)	Attach sign to tree	150.00	-	187.50
7(1)(a)	Fail to notify within 48 hours	150.00	-	187.50
7(1)(b)	Fail to replace tree	150.00	-	187.50
10(1)	Illegal transfer of permit	150.00	-	187.50
10(2)	Failure to notify the Director	150.00	-	187.50
10(3)	Failure to notify the Director for work not carried out	150.00	-	187.50
10(4)	Failure to mark trees	150.00	-	187.50
10(5)	Failure to prune with proper practices	150.00	-	187.50
10(6)	Failure to clean up site	300.00	-	375.00
10(7)	Work after expiry of permit	500.00	-	625.00
13(1)	Fail to replace tree	150.00	-	187.50

2.3 By deleting Schedule “B” in its entirety and replacing it with the “Schedule “B” attached to and forming part of this Bylaw.

PASSED FIRST READING:
PASSED SECOND READING:
PASSED THIRD READING:
ADOPTED:

MAYOR

CORPORATE OFFICER

SCHEDULE “B”

NANAIMO BYLAW NOTICE DISPUTE ADJUDICATION

REGISTRY AGREEMENT

This Agreement dated _____ day of _____, 2020 (the “Agreement”).

BETWEEN:

CITY OF NANAIMO, 455 Wallace Street, Nanaimo, BC V9R 5J6

(“Nanaimo”)

AND:

CITY OF DUNCAN, 200 Craig Street, Duncan, BC V9L 1W3

(“Duncan”)

AND:

CITY OF PARKSVILLE, Box 1390, 100 Jensen Avenue East, Parksville, BC V9P 2H3

(“Parksville”)

AND:

DISTRICT OF TOFINO, PO Box 9, 121 – 3rd Street, Tofino, BC V0R 2Z0

(“Tofino”)

AND:

THE VILLAGE OF PORT CLEMENTS, PO Box 198, 36 Cedar Avenue West, Port
Clements, BC V0T 1R0

(“Port Clements”)

AND:

THE REGIONAL DISTRICT OF NANAIMO, 6300 Hammond Bay Road, Nanaimo, BC
V9T 6N2

(Regional District of Nanaimo)

AND:

THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT, 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

THE CITY OF PORT ALBERNI, 4850 Argyle Street, Port Alberni, BC V9Y 1V8

ADDITIONAL LOCAL GOVERNMENTS (to be included in Schedule A, without further modification of this Agreement)

(the “Parties”)

WHEREAS:

1. The *Local Government Bylaw Notice Enforcement Act* (the “Act”) provides that a local government may, by bylaw, deal with a bylaw contravention by Bylaw Notice in accordance with the Act;
2. The Act also provides that two or more local governments may enter into an agreement adopted, by bylaw, by each local government that is party to it;
3. The Parties wish to:
 - (a) Share the costs of a bylaw notice Dispute Adjudication Registry System (“DARS”); and
 - (b) Enter an agreement to establish DARS, and to provide for the sharing of costs.

NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:

INTRODUCTORY PROVISIONS

1. Definitions

1.1 In this Agreement, the following definitions apply:

“Act”	Means the <i>Local Government Bylaw Enforcement Act</i> .
“Adjudication Fee”	Means the sum of \$25.00 payable to the applicable Party should the disputant be unsuccessful in the dispute adjudication.
“Agreement”	Means this Agreement.
“Authorizing Bylaw”	Means a bylaw adopted by each Party for the purposes of section 2 of the Act (application of the Act).
“Bylaw Adjudication Clerk”	Means a person who facilitates a hearing and assists the adjudicator.
“Bylaw Notice”	Has the same meaning as in the Act.
“Consult”	Means to contact the Screening Officer via telephone, email, regular mail, or in-person for the purpose of obtaining information.
“Disputant”	Has the same meaning as in the Regulation.
“Dispute Adjudication Registry System”	Means a system established in accordance with the Act that provides for the hearing and determination of disputes in respect of whether: <ol style="list-style-type: none">a) a contravention in a Bylaw Notice occurred as alleged; or

or “DARS”	b) the terms and conditions of a compliance agreement were observed or performed.
“Host Municipality”	Means the City of Nanaimo.
“Parties”	Means all of Nanaimo, Duncan, Parksville, Tofino, Port Clements or any additional local governments that may be added later in Schedule A
“Party”	Means any one of Nanaimo, Duncan, Parksville, Tofino, , Port Clements or any additional local governments that may be added later in Schedule A
“Regulation”	Means the Bylaw Notice Enforcement Regulation.
“Roster Organization”	Has the same meaning as the Regulation.
“Screening Officer”	Has the same meaning as in the <i>Act</i> .
“Terms”	Means the terms of this Agreement as set out herein.

2. Establishment of DARS

- 2.1 Subject to the *Act* and to the adoption of the Authorizing Bylaws, the Parties agree that DARS is hereby established.

ADJUDICATION

3. Screening Officer

- 3.1 The Parties agree that where a Screening Officer position has been established by a Party in accordance with the *Act*, a Bylaw Notice must be reviewed by that Screening Officer in that local government before a dispute adjudication may be scheduled. If a Disputant Consults a Screening Officer of the Host Municipality, a fee will be assessed under Schedule B.

4. Dispute Adjudication Registry System

- 4.1 The Parties agree that a DARS will be established as a function to manage disputes heard by an adjudicator who is selected by a Roster Organization in accordance with the Regulation.
- 4.2 The Parties agree that Nanaimo will enter into a contract with a designated Roster Organization for the purpose of providing dispute adjudication services to DARS.

DARS OPERATIONS

5. Location

- 5.1 DARS will be located in the Service and Resource Center, City of Nanaimo, 411 Dunsmuir Street, Nanaimo, BC V9R 5J6

6. Services Provided

- 6.1 Nanaimo will provide all administrative services required by DARS, including:
- (a) providing the venue and facilities to hear dispute adjudications in accordance with the *Act*;
 - (b) submitting requests to the Roster Organization for the assignment of an adjudicator;
 - (c) providing a Bylaw Adjudication Clerk on each hearing date to facilitate and support the hearing and the adjudicator;
 - (d) providing venue security;
 - (e) providing for the collection of Adjudication Fees and any penalties payable to a Party for a bylaw contravention;
 - (f) obtaining legal advice and services to ensure this DARS is operating pursuant to the *Act*;
 - (g) Issuing cheques to the applicable Party for penalty amounts collected with the Bylaw Notice number(s); and
 - (h) Issuing invoices to the applicable Party in accordance with Schedule B.
- 6.2 Despite section 6.1 (e), the collection of penalties will be the responsibility of the applicable Party if not collected by DARS immediately following the adjudication.

7. Payments and Disbursements

- 7.1 The Parties agree to pay the City of Nanaimo proportionate costs of the fees charged by the Roster Organization. Amounts owing are to be calculated based on the Fee Schedule at Schedule B and in accordance with the Municipality Rate Schedule at Schedule C.
- 7.2 Nanaimo will issue an invoice to the applicable Party within 30 days of the service being rendered. Amounts owing are due and payable within 30 days of receipt of the invoice.
- 7.3 For certainty, the Parties agree that hearing costs relating to witnesses, screening officers, bylaw enforcement officers or prosecuting lawyers will be borne by the Party that issued the Bylaw Notice and not by DARS.

GENERAL PROVISIONS

8. Amendments

- 8.1 The Parties may, in good faith, negotiate amendments to this Agreement upon request of any Party. All amendments will be in writing, approved by a two-thirds majority of the Parties by response letter only and listed as an itemized Amendment at Schedule D.

9. Dispute Resolution

- 9.1 If a dispute arises under this Agreement and is not resolved by the Parties within 60 days, it will be settled by final and binding arbitration conducted under the *Commercial Arbitration Act of British Columbia*.

10. Term

- 10.1 This Agreement comes into effect upon adoption of the authorizing bylaws and continues in effect until December 31, 2025. With the consent of a two-thirds majority of the Parties, the effect of this agreement can be extended until a new agreement is in place or until December 31st, 2026, whichever comes first. Any Party may withdraw from this Agreement upon 30 days' written notice to the other Parties.

11. Execution of Agreement

- 11.1 This Agreement may be executed in counterparts through original copies, facsimile copies, or by email PDF copies. Each counterpart will be deemed to be an original that, together with the other counterparts, constitutes one agreement having the same effect as if the Parties had signed the same document.

IN WITNESS WHEREOF all Parties have executed this Agreement on the date first above written.

THE CITY OF Nanaimo

Mayor

Corporate Officer

THE CITY OF Parksville

Mayor

Corporate Officer

THE REGIONAL DISTRICT OF Nanaimo

Chair

Corporate Officer

THE City of Duncan

Mayor

Corporate Officer

THE DISTRICT OF Tofino

Mayor

Corporate Officer

THE VILLAGE OF Port Clements

Mayor

Corporate Officer

THE CITY OF Port Alberni**THE REGIONAL DISTRICT OF ALBERNI
CLAYOQUOT**_____
Chair_____
Chair_____
Corporate Officer_____
Corporate Officer**(FEES)**

DARS will operate under the following cost recovery fees:

SUBJECT**FEE**

Hearing	\$25.00 per bylaw notice dispute resulting in a hearing
Screening Officer from Host Municipality	\$25.00 per bylaw notice Consult if Disputant contacts Screening Officer from Host Municipality
Adjudicator Cost	Apportioned amongst attending Parties at scheduled hearing proportionate to use as determined by the Screening Officer
Security	\$25.00 per bylaw notice hearing per attending Party
Maintenance and Hospitality	\$15.00 per bylaw notice hearing per attending Party
½ Day Hearings	\$400.00 charged in addition to Adjudicator Cost where a single dispute on a bylaw notice hearing ranges between 1-3 hours
Full Day Hearings	\$800.00 charged in addition to Adjudicator Cost where a single dispute on a bylaw notice hearing exceeds 3 hours
Annual Membership Fee—Fee Level 1	\$100.00
Annual Membership Fee—Fee Level 2	\$200.00
Annual Membership Fee—Fee Level 3	\$300.00

(ADDITIONAL LOCAL GOVERNMENTS)

The following local governments have been added as parties to this Agreement as additional local governments:

Local Government	Date Joined	Fee Level

DATE OF MEETING October 19, 2020

AUTHORED BY JEREMY HOLM, DIRECTOR, DEVELOPMENT APPROVALS

**SUBJECT OPTIONS FOR PROHIBITING BOTTLING OF GROUNDWATER
 WITHIN THE CITY OF NANAIMO**

OVERVIEW

Purpose of Report

To present options and a recommendation regarding the prohibiting of commercial bottling of groundwater within the city of Nanaimo.

Recommendation

That Council deny consideration of adopting a bylaw to prohibit the commercial bottling of groundwater within the City of Nanaimo.

BACKGROUND

On 2019-MAR-25, the Committee of the Whole received a delegation from Mr. Bruce Gibbons from Merville, BC, requesting consideration to implement a bylaw to prohibit the bottling of groundwater for commercial sale or bulk export. The request related to the Provincial Government's issuance of a licence in Merville to extract groundwater for commercial bottling.

At its meeting of 2019-MAY-06, Council directed Staff to prepare a report regarding options for consideration of a bylaw that prohibits the bottling of groundwater within the city of Nanaimo to help protect groundwater today and for the future.

Although surface water is the main source of supply for the city, groundwater plays an important role in the overall watershed health and balance of water resources for the region. To date, there are no known commercial bottling companies located in the city of Nanaimo using groundwater for commercial distribution.

DISCUSSION

Aquifers within the city of Nanaimo are typically of low to moderate productivity, and groundwater is not a significant source of domestic or commercial water supply within the city. However, higher productivity aquifers reside outside the city boundaries, such as the Cassidy Aquifer. The City of Nanaimo drinking water supply relies on surface water as its main source of supply to the community. The City also supplies bulk water to commercial entities that primarily distribute water for domestic use to users with insufficient potable water yield.

In British Columbia, the Province manages the diversion and use of surface and groundwater through a system of licences and permits under the *Water Sustainability Act (WSA)*. The *WSA* requires that any person who withdraws and uses groundwater for anything other than household use is required to obtain a license and pay water fees and rentals. The process for granting water

licences includes referral by the Province to interested parties, including local governments. The Groundwater Protection Regulation, adopted under the WSA, regulates well construction and groundwater extraction and requires that these activities be performed in an environmentally-safe manner.

The City of Nanaimo participates in the Regional District of Nanaimo Drinking Water and Watershed Protection (DWWP) Program. The DWWP Program supports decision-making through developing information and understanding of how best to conserve and protect water resources in the region. The DWWP Program is also involved in responding to referrals from the Province for commercial water licence applications and is well informed and positioned to raise concern if commercial water licence applications pose a threat to vulnerable aquifers.

The City of Nanaimo has authority with respect to land use regulation under the *Local Government Act*. However, the *Community Charter* establishes that, where spheres of concurrent authority exist, municipal bylaws, serving the purpose and effect of the protection of the natural environment, must receive approval from the Minister of Environment. Mr. Gibbons' presentation to the Committee of the Whole, as well as the discussion at Council, referenced protection of groundwater and the natural environment as purposes for consideration of a groundwater bottling prohibition bylaw. While a groundwater bottling prohibition bylaw is not recommended, should Council chose to consider such a bylaw, it would require the approval of the Minister of Environment to be lawfully adopted.

A groundwater bottling prohibition bylaw could be established on the basis of land use impacts of the use within the city of Nanaimo. However, it would be difficult to establish a groundwater bottling prohibition bylaw on the basis of land use impacts given the comparable impacts of other similar permitted uses.

Given the direction provided for consideration of a groundwater bottling prohibition bylaw appears to be intended for the protection of the natural environment, and a bylaw based on the land use impacts of the use within the Nanaimo would be difficult to establish, Staff would not recommend adoption of a groundwater bottling prohibition bylaw and have not prepared such a bylaw for Council's consideration.

OPTIONS

1. That Council not consider adopting a bylaw to prohibit the commercial bottling of groundwater within the city of Nanaimo.
 - Advantages: Avoids potential challenges to a bylaw either established for a purpose of protection of the environment in relation to a matter managed by the Province, or for a poorly established land use purpose.
 - Disadvantages: Does not address the delegate's request.
 - Financial Implications: None identified.

2. That Council consider adopting a bylaw to prohibit the commercial bottling of groundwater within the city of Nanaimo.

- Advantages: Addresses the delegate's request.
- Disadvantages: Invites potential challenges to a bylaw either established for a purpose of protection of the environment in relation to a matter managed by the Province, or for a poorly established land use purpose.
- Financial Implications: Staff time and approximately \$1000 for public hearing advertising.

SUMMARY POINTS

- Surface water is the main source of supply for the city and groundwater plays an important role in the overall watershed health and balance of water resources for the region.
- The Province manages the diversion and use of surface and groundwater through a system of licences and permits under the *Water Sustainability Act*. The Groundwater Protection Regulation, adopted under the *WSA*, regulates well construction and groundwater extraction and requires that these activities be performed in an environmentally-safe manner.
- Municipal bylaws, serving the purpose and effect of the protection of the natural environment, must receive approval from the Minister of Environment. It would be difficult to establish a groundwater bottling prohibition bylaw on the basis of land use impacts given the comparable impacts of other similar permitted uses.

Submitted by:

Jeremy Holm
Director, Development Approvals

Concurrence by:

Dale Lindsay
General Manager, Development Services

Bill Sims
General Manager, Engineering & Public Works

DATE OF MEETING | October 19, 2020 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | **COVENANT AMENDMENT APPLICATION NO. CA13 – 1060, 1070, 1074, & 1098 DOUGLAS AVENUE, AND 280 TENTH STREET** |

OVERVIEW

Purpose of Report

To seek direction from Council regarding Covenant Amendment application No. CA13. |

Recommendation

That Council direct Staff to proceed with public notification prior to Council's consideration of Covenant Amendment Application No. CA13 at an upcoming Council meeting.

BACKGROUND

A covenant amendment application, CA13, was received from Williamson & Associates Professional Surveyors, on behalf of 533 Alpine Investments Ltd., to discharge and replace an existing Section 219 covenant on the property titles of 1060, 1070, 1074, 1098 Douglas Avenue and 280 Tenth Street in order to facilitate a proposed subdivision. The existing covenant (CA2476751) was registered on the properties in 2012 and dictates an 11-lot subdivision plan for site. The applicant is proposing to discharge and replace the covenant with a new covenant, including revised terms and a new 4-lot subdivision plan.

The subject properties were rezoned in 1997 and a covenant (EL072149) was registered on the properties as a condition of rezoning. Through a previous subdivision application (SUB921), covenant EL072149 was replaced in 2012 by covenant CA247751, which included the covenanted conditions of the 1997 rezoning. A new subdivision application (SUB1343) was received in 2019 that requires a covenant amendment in order to proceed, as the conditions secured through the 1997 rezoning are proposed to be modified.

The City of Nanaimo's Covenant Amendment Process Policy (No. 8-3360-02) recommends that where a covenant amendment pertains to land use, density, or community contributions, Council may choose to direct the application to a Public Hearing. Covenant amendment application No. CA13 does not pertain to land use, density, or community contributions; therefore, Council consideration of approval may occur at an upcoming regular Council meeting. Prior to Council's consideration for approval, Staff require direction to proceed with public notification.

Subject Property and Site Context

<i>Location</i>	The subject properties are located to the northeast of the intersection of Douglas Avenue and Tenth Street.
<i>Total Lot Area</i>	4.65ha
<i>Current Zoning</i>	R6 – Low Density Residential; R8 – Medium Density Residential; and CC3 – City Centre Commercial
<i>Official Community Plan (OCP) Future Land Use Designation</i>	Neighbourhood
<i>Neighbourhood Plan Land Use Designation</i>	Harewood Neighbourhood Plan: Neighbourhood

The subject properties are large wooded lots in the south end of the Harewood Neighbourhood. The site abuts Douglas Avenue to the west, large residential lots to the north, Wexford Creek to the northeast, a City-owned property at 250 Tenth Street to the east, and Tenth Street to the south. Surrounding land uses include residential lots to the west and north, Applegreen Park across Wexford Creek to the northeast, and industrial uses to the east and south. The subject properties were rezoned from single dwelling residential in 1997 and park dedication occurred in 2011, expanding Applegreen Park.

DISCUSSION

Proposed Development

The applicant anticipates the new lots created through subdivision application SUB1343 will develop under their existing multi-family and commercial zoning. No conceptual development plans are required as part of this covenant amendment application given that no changes to land use or density are proposed.

Proposed Amendments

The proposed covenant amendment will replace an existing subdivision plan with a new subdivision plan that is more reflective of current market conditions. The previous plan included nine smaller multi-family lots facing a public roadway, and the new plan is for four larger multi-family lots without a new roadway. The proposed changes will provide more flexibility in siting for the future multi-family development parcels. Through the discharge and replacement of Covenant CA247675, the applicant is proposing changes as noted on the table following:

<i>Proposed Change</i>	<i>Rationale</i>
<p>Replace the existing subdivision plan (Attachment C) with a new subdivision plan (Attachment D).</p> <p>The new covenant will require development of the site to be generally in accordance with the proposed subdivision plan. This is intended to provide flexibility for further future subdivision</p> <p>The new subdivision plan will create fewer new lots and the plan will no longer include a public road through the site. Instead, the proposed lots will be accessed via private drive aisles from Douglas Avenue and Tenth Street.</p>	<p>The deletion of the proposed public road through the site has been reviewed and accepted by City Staff from a transportation network perspective. To ensure connectivity through the site, the covenant will instead secure two public multi-use trails within 6m-wide statutory rights-of-way as described:</p> <ol style="list-style-type: none"> 1. From Douglas Avenue in the northwest corner of the site to the City-owned property at 250 Tenth Street in the east. This trail will run parallel to Wexford Creek and will be entirely outside of the 15m riparian setback. 2. From Douglas Avenue in the southwest portion of the site to Applegreen Park in the northeast. This trail will include a bridge crossing of Wexford Creek and will connect to a future trail in Applegreen Park. <p>The two trails will meet the intent of the Harewood Neighbourhood Plan by completing the public pedestrian network in this area and improve connectivity to multi-use mobility trails including the Parkway Trail.</p>
<p>Include a requirement to complete construction of the multi-use trail to the urban hard surface walkway standard across 250 Tenth Street, and include a requirement to complete construction of a pedestrian crossing on Tenth Street at the intersection of Douglas Avenue</p>	<p>This will ensure a trail connection from the subject properties to Tenth Street through the City-owned property and to the existing Parkway Trail, approximately 40m south of Tenth Street. There is an existing pedestrian crosswalk across Douglas Avenue at this intersection</p>
<p>Remove the requirement for a common building for residents on proposed Lot 2.</p>	<p>The provision of a private common building with amenities for residents is no longer a preferred development option. Instead, common areas are anticipated on the larger lots in individual multi-family buildings.</p>
<p>Include a no-build condition on proposed Lot 4 until either:</p> <ol style="list-style-type: none"> a) further subdivision occurs coincidentally to the zone boundary, or b) the proposed lot is rezoned to a single zone. 	<p>This is to ensure that Lot 4 will not develop under split-zoning, as this will need to be addressed in the future when development plans have been prepared.</p>

Staff support the proposed changes and the proposed Covenant Amendment.

SUMMARY POINTS

- Covenant Amendment Application No. CA13 proposes to discharge and replace an existing Section 219 Covenant on the property titles of 1060, 1070, 1074, 1098 Douglas Avenue and 280 Tenth Street, in order to facilitate a proposed subdivision.
- The application will replace an existing subdivision plan with a new subdivision plan that is more reflective of current market conditions and will allow more flexibility in siting for the future multi-family development parcels.
- Staff support the proposed changes and the proposed covenant amendment.

ATTACHMENTS

ATTACHMENT A: Context Map

ATTACHMENT B: Location Plan

ATTACHMENT C: Covenant CA2476751 "Schedule A" (Existing Subdivision Plan)

ATTACHMENT D: Proposed Subdivision Plan

ATTACHMENT E: Aerial Photo

Submitted by:

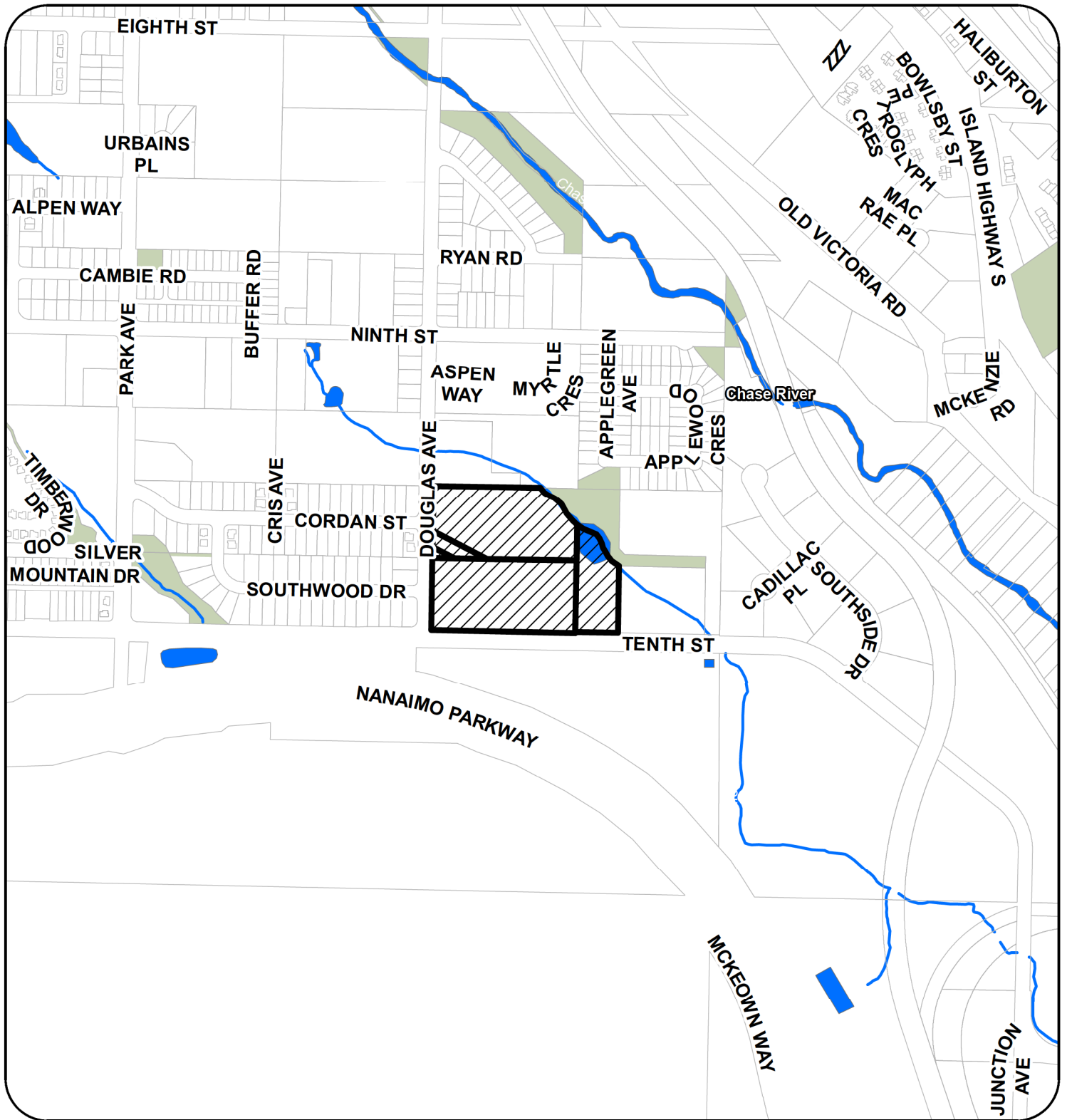
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

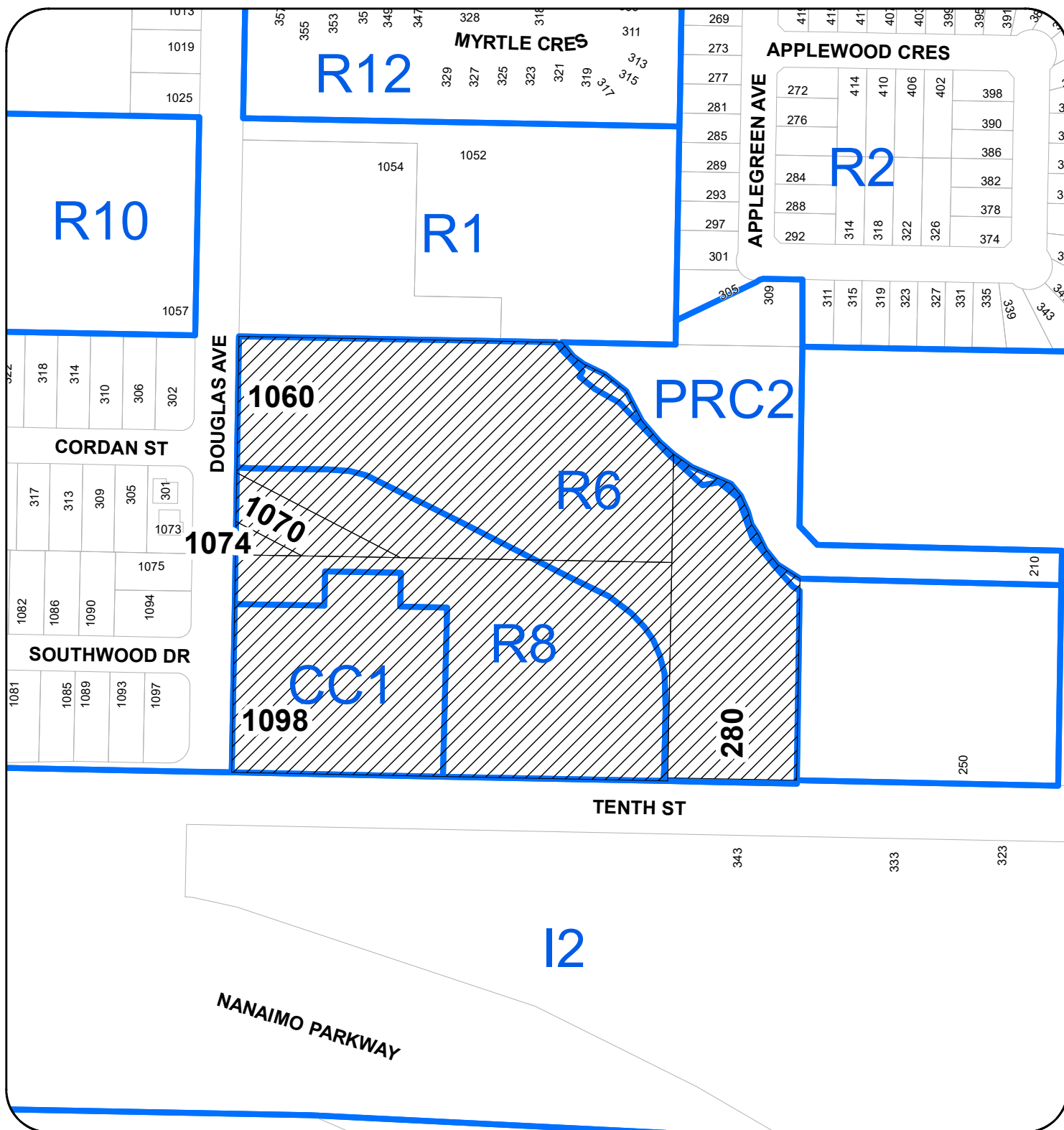
Dale Lindsay
General Manager, Development Services

ATTACHMENT A CONTEXT MAP



1060, 1070, 1074, 1098 DOUGLAS AVENUE AND 280 TENTH STREET

ATTACHMENT B LOCATION PLAN



COVENANT AMENDMENT NO. CA000013

LOCATION PLAN



**SUBJECT
PROPERTIES**

CIVIC: 1060, 1070, 1074, 1098 DOUGLAS AVENUE, & 280 TENTH STREET
 LEGAL: LOTS 1, 2 & 3, SECTION 1,
 NANAIMO DISTRICT, PLAN 2903 & EPP20125
 EXCEPT PART IN PLAN EPP17767 THAT IS PARK
 AND SECTION 5, RANGE 13, SECTION 1, NANAIMO DISTRICT, PLAN 630

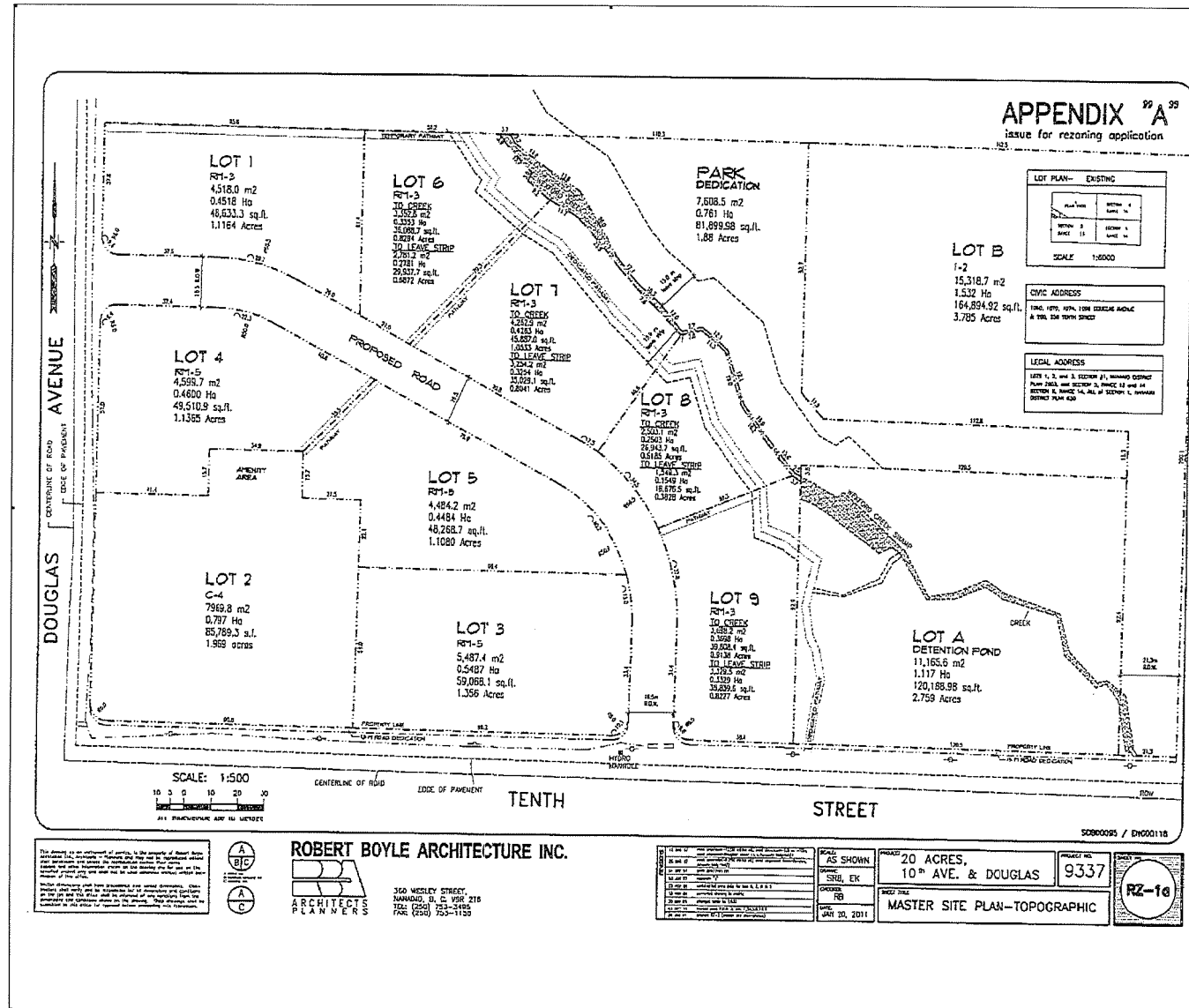
SCHEDULE "A"

Site Plan

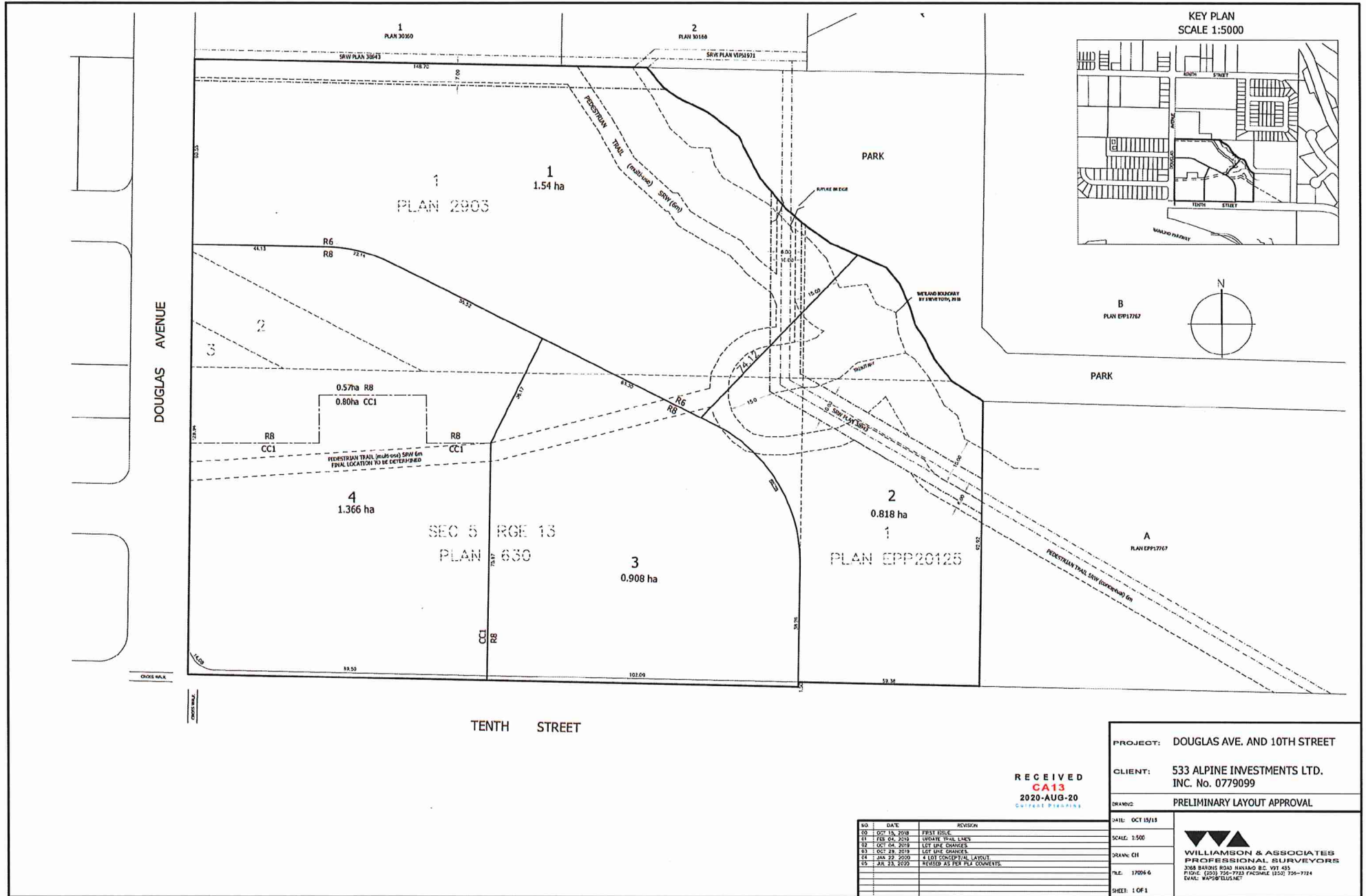
ATTACHMENT C

COVENANT CA2476751 "SCHEDULE A"

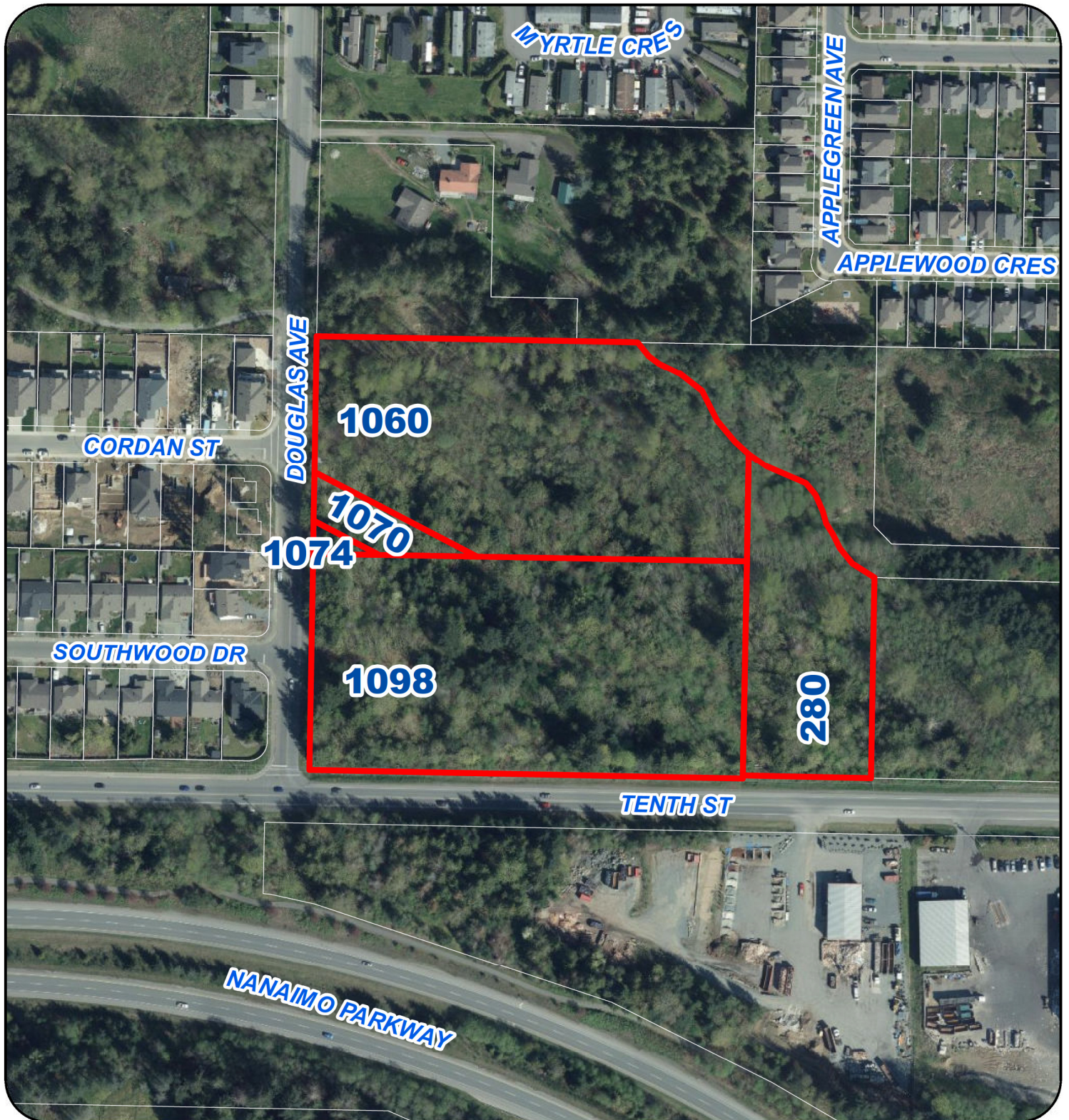
(EXISTING SUBDIVISION PLAN)



ATTACHMENT D PROPOSED SUBDIVISION PLAN



ATTACHMENT E
AERIAL PHOTO



N



COVENANT ADMENDMENT NO. CA000013

LEGEND



SUBJECT PROPERTIES

DATE OF MEETING | October 19, 2020 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT PERMIT APPLICATION NO. DP1138 –
600 NINTH STREET** |

OVERVIEW

Purpose of Report

To present for Council's consideration a development permit application for 47-unit townhouse development at 600 Ninth Street.

Recommendation

That Council issue Development Permit No. DP1138 at 600 Ninth Street with the following variances:

- increase the maximum permitted building height from 9m to 11.07m; and
- increase the maximum permitted perimeter wall height from 7.32m to 8.23m.

BACKGROUND

A development permit renewal application, DP1138, was received from Straight Street Design Ltd., on behalf of Westprop Developments Ltd., for a proposed 47-unit townhouse development at 600 Ninth Street. Previous development permits were issued for the proposed development, most recently DP964 which was issued on 2016-JAN-18 and expired in 2018. A new development permit is required to allow the project to proceed to a building permit.

Subject Property and Site Context

<i>Zoning</i>	R10 – Steep Slope Residential
<i>Location</i>	The subject property is located at the west end of Ninth Street, between its intersection with Howard Avenue and the Nanaimo Parkway.
<i>Total Area</i>	1.36ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Neighbourhood Map 3 – Development Permit Area DPA No. 2 – Environmentally Sensitive Areas; Development Permit Area DPA No. 4 – Nanaimo Parkway Design; and Development Permit Area DPA No. 9 – Commercial, Industrial, Institutional, Multiple Family, and Mixed Commercial / Residential Development
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines; Harewood Neighbourhood Plan Urban Design Guidelines; Environmentally Sensitive Areas Guidelines; and Nanaimo Parkway Development Permit Area Guidelines

The subject property is located in South Harewood on an undeveloped portion of Ninth Street. The property was created in 2012 when it was subdivided (SUB923) from a larger property on

the opposite side of the Nanaimo Parkway. The eastern portion of the property is cleared and the western portion is a 35m-wide forested buffer, as required when adjacent to the Nanaimo Parkway. The property slopes approximately 4m downhill generally from north to south.

The surrounding neighbourhood includes undeveloped lands to the northwest, single residential dwellings to the north and east, a portion of Lotus Pinnatus Park to the south, and the Nanaimo Parkway and Parkway Trail to the southwest.

DISCUSSION

Proposed Development

The applicant is proposing 14 three-storey townhouse buildings with a combined total of 47 two-bedroom dwelling units. The building composition will include 1 duplex, 7 triplexes, and 6 fourplexes.

The total gross floor area will be 6,815m², equal to a Floor Area Ratio (FAR) of 0.50. The maximum base FAR in the R10 zone is 0.45, and the applicant is proposing to achieve 'Tier 1' bonus density, which allows an additional 0.10 of FAR through the provision of amenities as outlined in 'Schedule D' of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"). Some of the amenities proposed include:

- Retention of natural vegetation;
- Wood construction methods;
- Use of recycled materials;
- Restoration of a stormwater retention pond on-site; and
- Educational signage regarding natural habitat retention, sustainable building materials, and water management.

Site Design

The proposed development will occur on the eastern 8,950m² portion of the site, and the remaining 34% of the site is to remain undeveloped. By clustering development in the eastern portion of the site, the subject property will retain the required 15m character protection zone and 20m tree protection zone as required by the Nanaimo Parkway Development Permit Area Guidelines. The Environmentally Sensitive Areas Guidelines were addressed through the subdivision and creation of the property in 2012.

Vehicle access to the site will be provided by a looping internal drive aisle connecting to Ninth Street. All units will have a garage connected by driveway to the internal drive aisle. At the centre of the looping drive aisle will be visitor parking, bicycle parking, refuse receptacle storage, and a lawn with a covered seating area.

Of the 47 units, 19 will face Ninth Street and will have separate pedestrian walkways to the street. An additional pedestrian access path will connect Ninth Street to the site along the east property line. At the drive aisle entrance, a public walkway connection from Ninth Street to the Parkway Trail through Lotus Pinnatus Park will be secured by 3m-wide statutory right-of-way across the subject property as a condition of the Development Permit. The applicant has

voluntarily agreed to complete the trail through the park in lieu of constructing a walkway connection directly to the Parkway Trail on the subject property.

A wetland feature is proposed in the western portion of the site, adjacent to the tree protection zone, to assist with stormwater management goals on-site.

Building Design

Architectural features and details have been proposed to articulate building elevation and reduce the visual massing of each building. The organization of architectural features assist in defining each individual unit within the building clusters. Building materials will include cedar shakes and vinyl siding. The building form is complementary to the surrounding neighbourhood, and the ground-oriented units meet the intent of the Harewood Neighbourhood Plan Urban Design Guidelines.

Each unit will feature a garage and living space on the ground level, additional living space on the second level, and bedrooms on the third level.

Landscape Design

Individual front lawns are proposed for the units facing Ninth Street, providing a characteristic residential street edge. Street trees are to be provided along Ninth Street in addition to trees along the side of the internal drive aisle. A native plant raingarden will be installed to surround the wetland detention pond on site. A rose shrub buffer is proposed along the east property line, and a split rail cedar fence will be installed along the south property line as a buffer with the park.

Proposed Variance

Maximum Building Height

The maximum allowable building height for a building with a sloped roof in the R10 zone is 9m. The proposed building heights range from 10.55m to 11.07m, requiring a variance of 2.07m.

The attached building elevations (Attachment E) show the building heights from slab, but the height of each building will be measured independently due to the varying average finished grade at each location as shown on the Height Survey (Attachment G). The building height variances are requested in order to accommodate the slope of the land without excessive grade manipulation and to accommodate the pitched roof systems for each building that provide significant articulation and reduce the visual massing. No negative impacts from the proposed variances are anticipated.

Height variances were approved under the previous development permits for the same project, and Staff support the requested variance.

Maximum Perimeter Wall Height

The maximum allowable perimeter wall height for a building in the R10 zone is 7.32m. The proposed buildings will have perimeter wall heights up to 8.23m, requiring a variance of 0.91m.

Individual units will be well articulated and the proposed perimeter wall height variance will allow the buildings to present a three-storey residential form. No negative impacts are anticipated and Staff support the requested variance.

SUMMARY POINTS

- Development Permit application No. DP1138 is for a 47-unit townhouse development consisting of 14 three-storey buildings.
- Variances are requested to increase the maximum permitted building height from 9m to 11.07m and to increase the maximum permitted perimeter wall height from 7.32m to 8.23m.
- Staff support the requested variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Site Plan
ATTACHMENT E: Proposed Building Elevations
ATTACHMENT F: Proposed Exterior Materials
ATTACHMENT G: Proposed Height Survey
ATTACHMENT H: Proposed Landscape Plan
ATTACHMENT I: Schedule D 'Amenity Requirements for Additional Density'
ATTACHMENT J: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

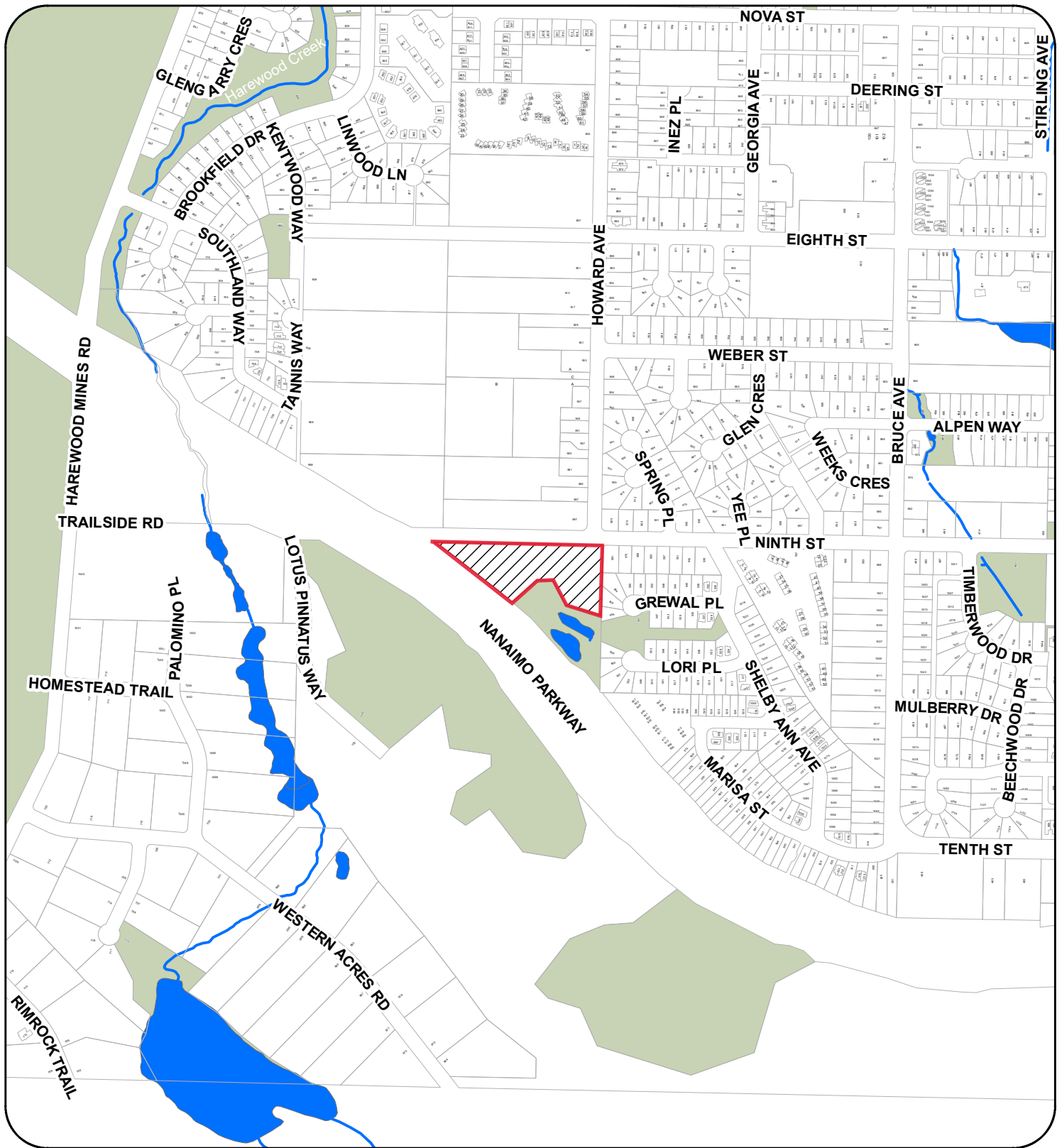
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.6.1 Size of Buildings* – to increase the maximum allowable building height from 9m to 11.07m, as shown on Attachment G.
2. *Section 7.6.1 Size of Buildings* – to increase the maximum allowable perimeter wall height from 7.32m to 8.23m.

CONDITIONS OF PERMIT

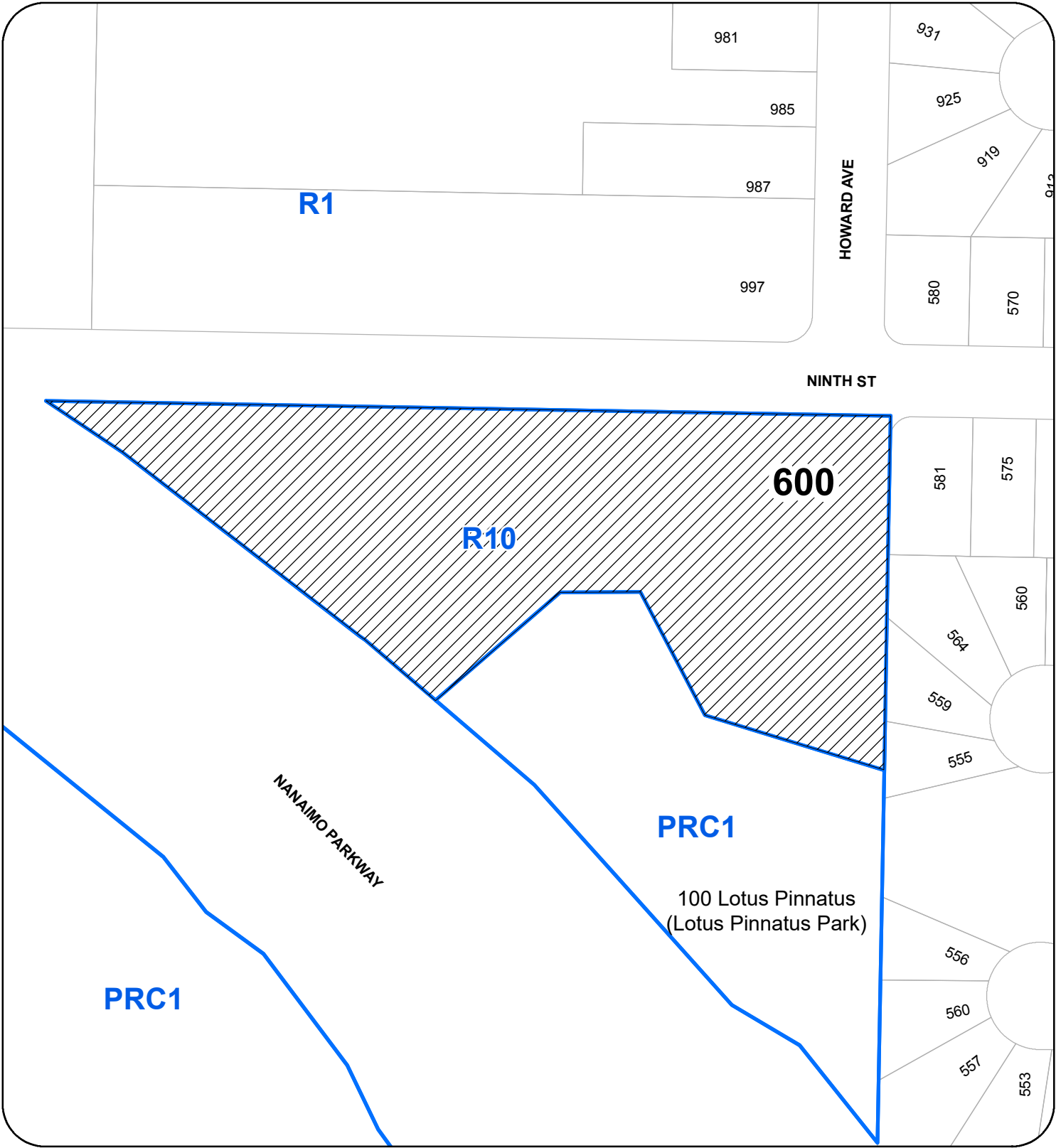
1. The subject property is developed in substantial compliance with the proposed Site Plan prepared by Straight Street Design, dated 2020-JUN-30, as shown on Attachment D.
2. The development is in substantial compliance with the proposed Building Elevations prepared by Straight Street Design, received 2019-APR-15, as shown on Attachment E.
3. The development is in substantial compliance with the proposed Exterior Materials prepared by Straight Street Design, received 2019-APR-15, as shown on Attachment F.
4. The subject property is developed in substantial compliance with the proposed Height Survey prepared by Turner Land Surveying, received 2019-APR-15, as shown on Attachment G.
5. The subject property is developed in substantial compliance with the proposed Landscape Plan prepared by Straight Street Design, dated 2020-AUG-10, as shown on Attachment H.
6. The subject property is developed in accordance with the Schedule D ‘Amenity Requirements for Additional Density’, as shown in Attachment I, and is to include the following items:
 - A letter from the coordinating professional submitted prior to Building Permit issuance, outlining how the required items for additional density will be achieved; and
 - A letter from the coordinating professional with accompanying evidence submitted prior to building occupancy demonstrating that the required items have been provided.
7. A 3m-wide statutory right-of-way for a public walkway between Ninth Street and Lotus Pinnatus Park constructed to the City of Nanaimo’s Urban Soft Surface Trail standard, generally as shown on Attachment D, is to be registered on the subject property prior to building permit issuance.
8. Completion of off-site improvements to construct a public walkway to connect with the Parkway Trail across the City-owned property at 100 Lotus Pinnatus Way, prior to building occupancy.

ATTACHMENT B CONTEXT MAP



600 NINTH STREET

ATTACHMENT C
LOCATION PLAN

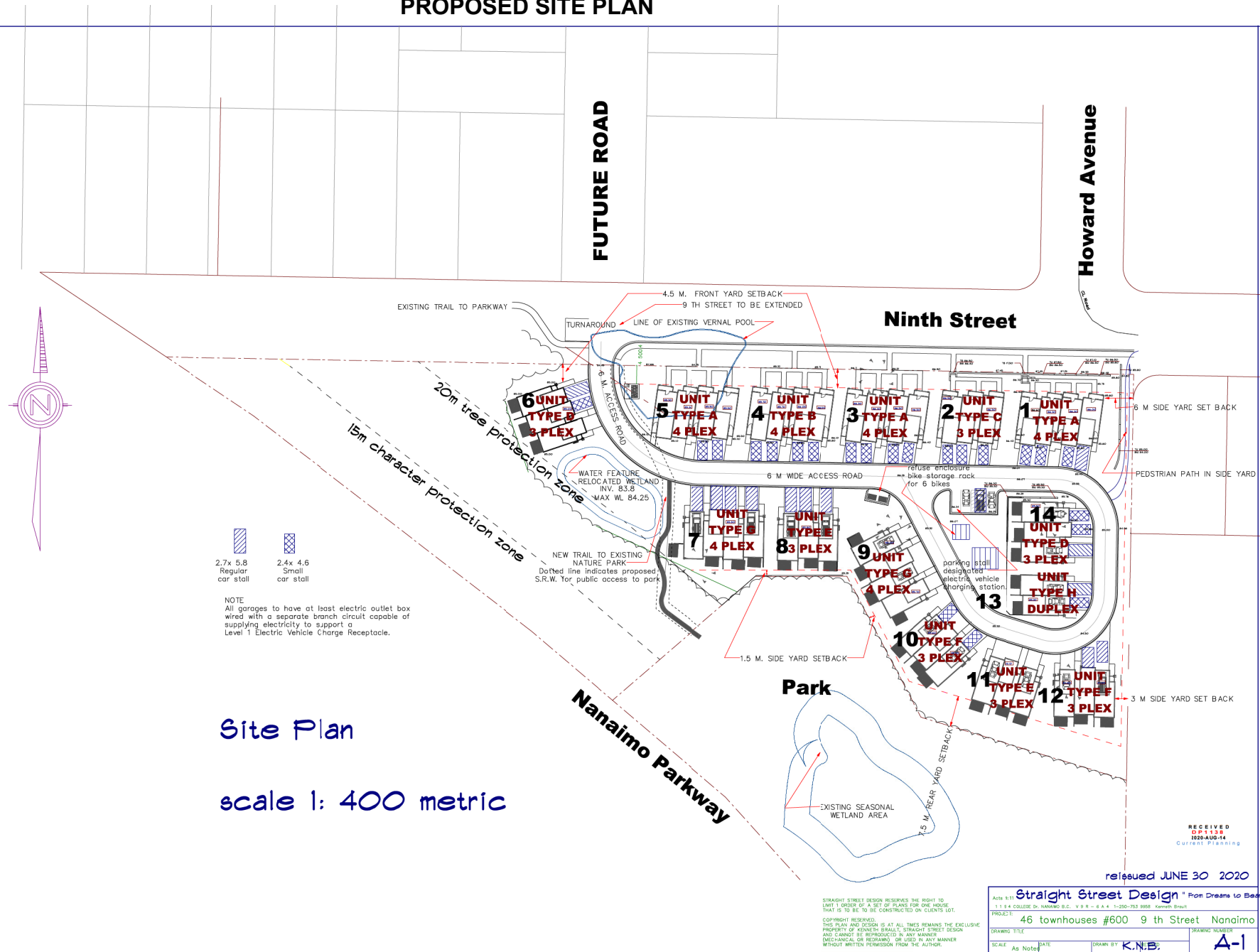


DEVELOPMENT PERMIT APPLICATION NO. DP001138

LOCATION PLAN

Civic: 600 NINTH STREET
Legal: LOT B, SECTION 1, NANAIMO DISTRICT, PLAN EPP22207

ATTACHMENT D PROPOSED SITE PLAN



ATTACHMENT E PROPOSED BUILDING ELEVATIONS

UNIT TYPE A - FOURPLEX (Buildings 1, 3 and 5)



FRONT ELEVATION UNIT TYPE A 4-PLEX
FACING ALONG 9 TH STREET



REAR ELEVATION UNIT TYPE A 4-PLEX
FACING INTERNAL ACCESS ROAD



RE- ISSUED OCT 10TH 2013

RECEIVED
DP1138
2019-APR-15
Current Planning

STRAIGHT STREET DESIGN RESERVES THE RIGHT TO
LIMIT 1 ORDER OF A SET OF PLANS FOR ONE HOUSE
THAT IS TO BE TO BE CONSTRUCTED ON CLIENT'S LOT.
COPYRIGHT RESERVED.
THIS PLAN AND DESIGN IS AT ALL TIMES REMAINS THE EXCLUSIVE
PROPERTY OF KENNETH BRAULT, STRAIGHT STREET DESIGN
AND CANNOT BE REPRODUCED IN ANY MANNER
(MECHANICAL OR REDRAWN) OR USED IN ANY MANNER
WITHOUT WRITTEN PERMISSION FROM THE AUTHOR.

Straight Street Design * From Dreams to Beams 1194 COLLEGE DR. NANAIMO B.C. V9R 6A4 250-153 9999 Kenneth Brault			
PROJECT 41 UNIT TOWNHOUSE 600 9 TH STREET			
DRAWING TITLE			
SCALE	DATE	DRAWN BY	REVISED
As Noted		K.B.	
			DRAWING NUMBER A-4

UNIT TYPE B - FOURPLEX (Building 4)



FRONT ELEVATION UNIT TYPE B 4-PLEX
FACING ALONG 9 TH STREET



REAR ELEVATION UNIT TYPE B 4-PLEX
FACING INTERNAL ACCESS ROAD



RECEIVED
DP1138
2019-APR-15
Current Planning

STRAIGHT STREET DESIGN RESERVES THE RIGHT TO
LIMIT THE USE OF A SET OF PLANS FOR ONE HOUSE.
THIS IS TO BE TO BE CONSTRUCTED ON CLIENTS LOT.
COPYRIGHT RESERVED.
THIS PLAN AND DESIGN IS AT ALL TIMES REMAINS THE EXCLUSIVE
PROPERTY OF KENNETH BRADY, STRAIGHT STREET DESIGN
AND CANNOT BE REPRODUCED IN ANY MANNER
(MECHANICAL OR REBRAND) OR USED IN ANY MANNER
WITHOUT WRITTEN PERMISSION FROM THE AUTHOR.

RE- ISSUED OCT 10TH 2013

Straight Street Design From Dreams to Plans
1194 COLLEGE DR. NANAIMO B.C. V9R 6A4 726-783 8988 Kenneth Brady
PROJECT: 47 UNIT TOWNHOUSE 600 9TH STREET
DRAWING TITLE: DATE: DRAWN BY: K.B. REVISED: A-5

UNIT TYPE C - TRIPLEX (Building 2)



LEFT ELEVATION UNIT TYPE C 3-PLEX



FRONT ELEVATION UNIT TYPE C 3-PLEX
FACING ALONG 9 TH STREET



RIGHT ELEVATION UNIT TYPE C 3-PLEX



REAR ELEVATION UNIT TYPE C 3-PLEX FACING
INTERNAL ACCESS ROAD

RECEIVED
DP1138
2019-APR-15
Current Planning

RE- ISSUED OCT 10TH 2013

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Straight Street Design		From Dreams to Deeds	
1119 4 COLLEGE DR. NANAIMO B.C. V9R 6A4		250-785 9959 Kenneth Brault	
PROJECT: 41 UNIT TOWNHOUSE 600 9 TH STREET			
DRAWING TITLE	DATE	DRAWN BY	REVISION
SCALE: As Noted		K.A.B.	
			DRAWING NUMBER A-6

UNIT TYPE D - FOURPLEX (Buildings 6 and 14)



SIDE ELEVATION UNIT TYPE D 3-PLEX
EXPOSED TO ANOTHER BUILDING



FRONT ELEVATION UNIT TYPE D 3-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE D
3-PLEX
EXPOSED TO INTERNAL ROAD



REAR ELEVATION UNIT TYPE D 3-PLEX
FACING PARK & TREE PROTECTION AREA

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DP1138
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Straight Street Design 1119 4 COLLEGE DR. NANAIMO B.C. V9R 6A4 (250) 759 9959 Kenneth Brault	
PROJECT: 41 UNIT TOWNHOUSE 600 9TH STREET	
DRAWING TITLE:	DRAWING NUMBER:
SCALE: As Noted	DATE:
DRAWN BY: K.A.B.	REVISED:
A-7	

UNIT TYPE E - TRIPLEX

(Buildings 8 and 11)



SIDE ELEVATION UNIT TYPE E 3-PLEX
EXPOSED TO ANOTHER BUILDING



FRONT ELEVATION UNIT TYPE E 3-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE E 3-PLEX
EXPOSED TO ANOTHER BUILDING



REAR ELEVATION UNIT TYPE E 3-PLEX
FACING PARK & TREE PROTECTION AREA

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DP 1138
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Straight Street Design "From Dreams to Beams"
1194 COLLEGE DR. NANAIMO B.C. V9R 6A4 250-33 9988 Kenneth Brault
PROJECT
41 UNIT TOWNHOUSE 600 9 TH STREET
DRAWING TITLE
SCALE DATE DRAWN BY KLB REVISED
A-8

UNIT TYPE F - TRIPLEX

(Buildings 10 and 12)



SIDE ELEVATION UNIT TYPE F 3-PLEX
EXPOSED TO ANOTHER BUILDING



FRONT ELEVATION UNIT TYPE F 3-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE F 3-PLEX
EXPOSED TO ANOTHER BUILDING



REAR ELEVATION UNIT TYPE F 3-PLEX
FACING PARK & TREE PROTECTION AREA

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Straight Street Design 1194 COLLEGE DR. NANAIMO B.C. V9R 6A4 250-783 9956 Kenneth Brault	
PROJECT: 41 UNIT TOWNHOUSE 600 9TH STREET	
DRAWING TITLE: SCALE: As Noted	DATE: _____ DRAWN BY: K.A.B. REVISED: _____
DRAWING NUMBER: A-9	

UNIT TYPE G - FOURPLEX (Buildings 7 and 9)



SIDE ELEVATION UNIT TYPE G 4-PLEX
EXPOSED TO ANOTHER BUILDING



FRONT ELEVATION UNIT TYPE G 4-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE G 4-PLEX
EXPOSED TO ACCESS ROAD & WALKWAYS



REAR ELEVATION UNIT TYPE G 4-PLEX
FACING PARK & TREE PROTECTION AREA

RE- ISSUED OCT 25TH 2013

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Straight Street Design "From Dreams to Beams"
1194 COLLEGE DR. NANAIMO B.C. V9R 6A4 250-33 9988 Kenneth Brault
PROJECT: 47 UNIT TOWNHOUSE 600 9 TH STREET
DRAWING TITLE: SCALE: DATE: DRAWN BY: KLB REVISED: DRAWING NUMBER: A-10

UNIT TYPE H - DUPLEX (Building 13)



SIDE ELEVATION UNIT TYPE H DUPLEX
EXPOSED TO INTERNAL ROAD



FRONT ELEVATION UNIT TYPE H DU-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE H
DUPLEX
EXPOSED TO ANOTHER BUILDING



REAR ELEVATION UNIT TYPE H DUPLEX

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2019-APR-15
Current Planning

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RE- ISSUED OCT 10TH 2013

Straight Street Design "From Dreams to Plans"			
1194 COLLEGE DR. NANAIMO B.C. V9R 6A4 250-33 9988 Kenneth Brault			
PROJECT: 41 UNIT TOWNHOUSE 600 9 TH STREET			
DRAWING TITLE		DRAWING NUMBER	
SCALE	DATE	DRAWN BY	REVISED
As Noted		KLB	
			A-11

ATTACHMENT F PROPOSED EXTERIOR MATERIALS



FRONT ELEVATION UNIT TYPE A 4-PLEX
FACING INTERNAL ACCESS ROAD



FRONT ELEVATION UNIT TYPE C 4-PLEX
FACING ALONG 9 TH STREET

FIBERGLAS SHINGLES

CEDAR SHAKES

ALUM GUTTER
2X8 CEDAR FACIA

BOARD AND BATTEN

VINYL FRAME THERMOPANE
WINDOWS
1X3 CEDAR TRIM
AROUND ALL WINDOWS

VINYL SIDING
1X3 CEDAR TRIM
AT CORNERS



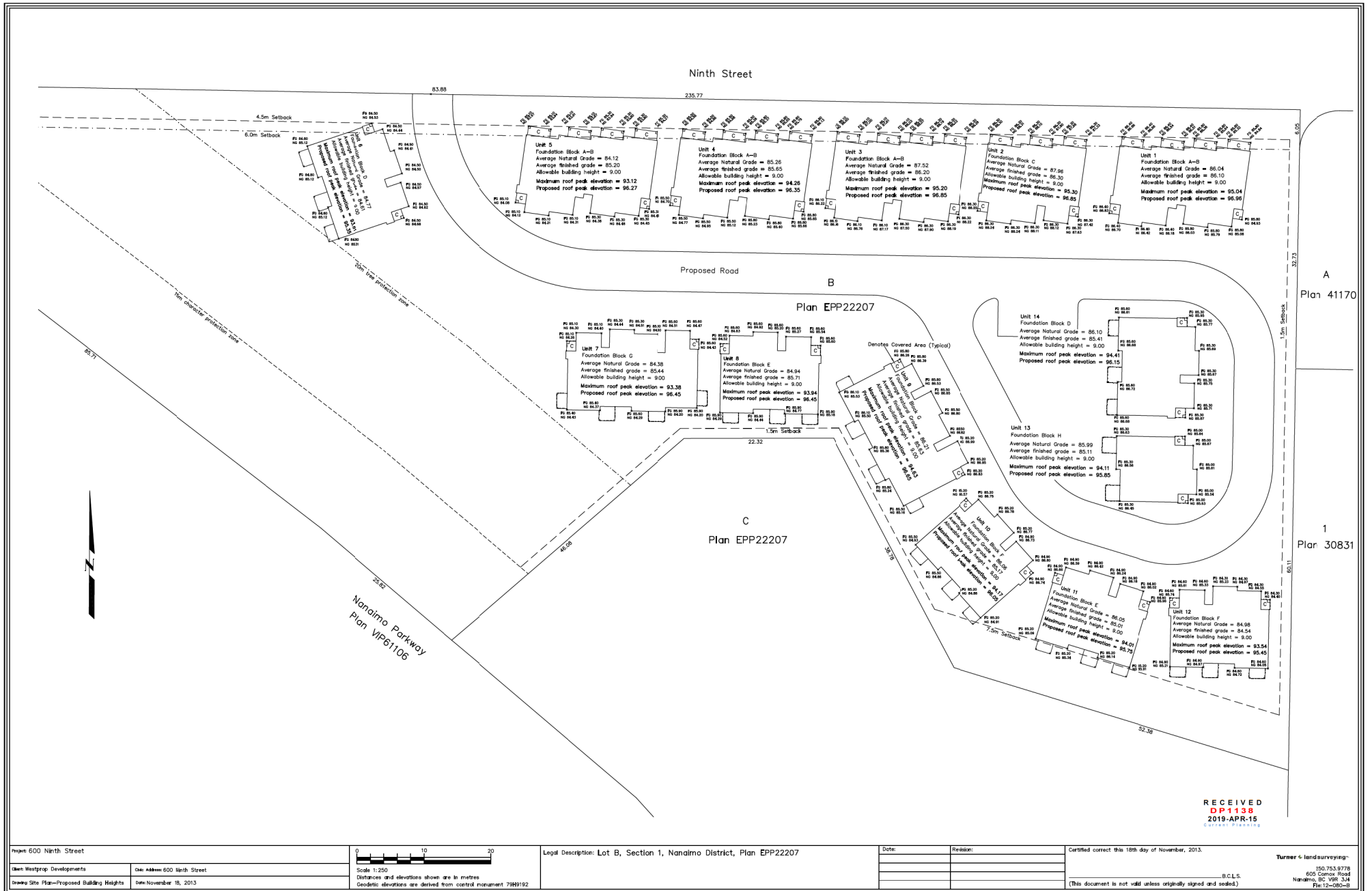
STREET VIEW LOOKING SOUTH WEST
FACING ALONG 9 TH STREET

RECEIVED
DP1138
2019-APR-15
Current Planning

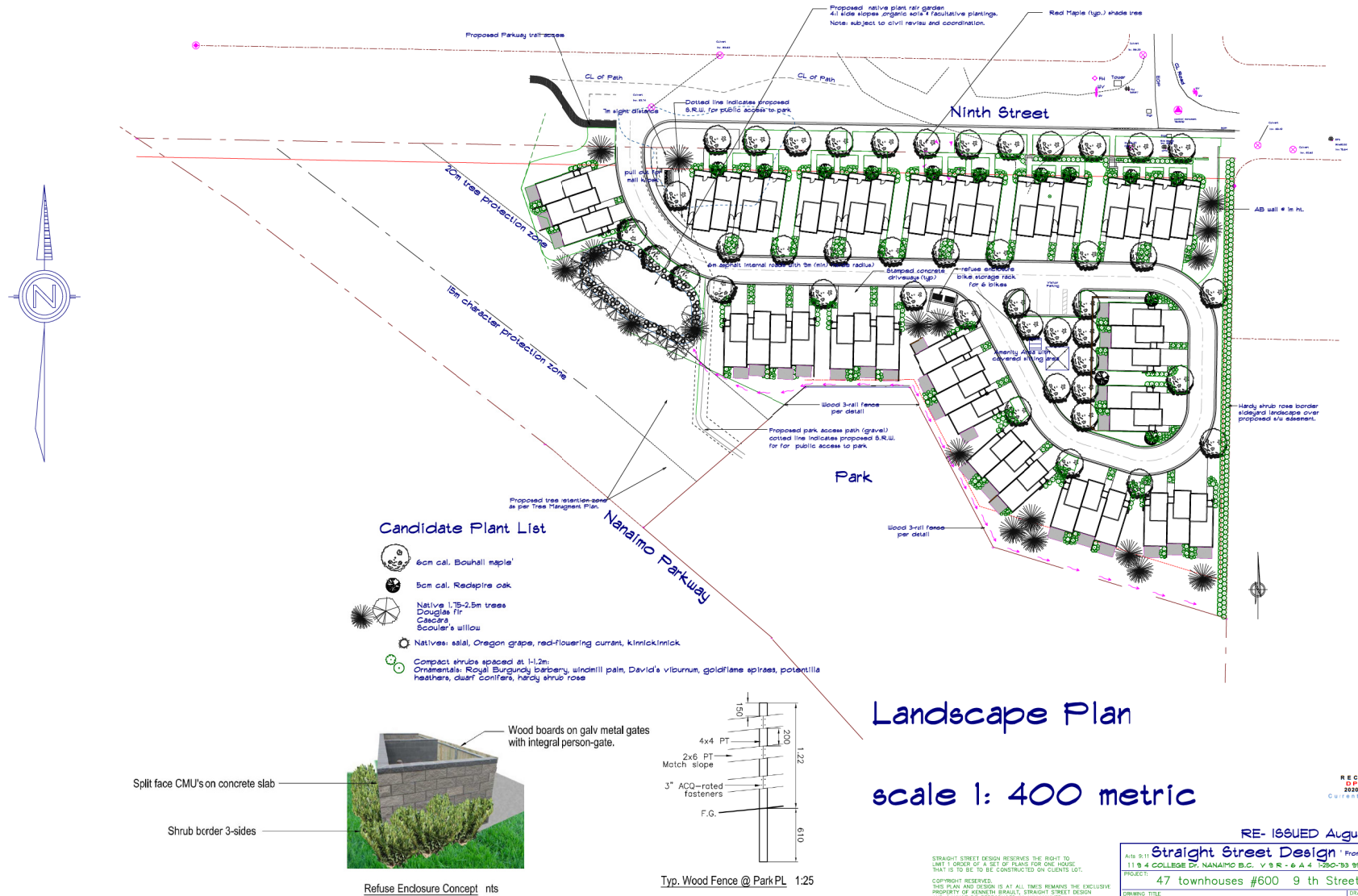
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ISSUED SEPT 20 2013			
Acts 9:11 Straight Street Design "From Dreams to Beams" 1184 COLLEGE DR. NANAIMO B.C. V9R 6A4 (250) 753 9356 Kenneth Brault			
PROJECT 41 UNIT TOWNHOUSE 600 9 TH STREET			
DRAWING TITLE		DRAWING NUMBER	
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ATTACHMENT G PROPOSED HEIGHT SURVEY



ATTACHMENT H PROPOSED LANDSCAPE PLAN



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CITY OF NANAIMO
2020-AUG-14
CIVIL ENGINEERING

RE- ISSUED August 10 2020

Straight Street Design From Dreams to Deeds

1119-4 COLLEGE DR. NANAIMO B.C. V9R 6A4 780-53 9958 Kenneth Brault

PROJECT: 47 townhouses #600 9th Street Nanaimo

DRAWING TITLE: DRAWING NUMBER: L-1

SCALE: As Noted DATE: DRAWN BY: K.C.B. REVISED:

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ATTACHMENT I
SCHEDULE D 'AMENITY REQUIREMENTS FOR ADDITIONAL DENSITY'

Straight Street Design
1194 College Drive Nanaimo, BC V9R 6A4 t Phone or Fax 250-753 9958
Phone 753-9958 t Fax Same: 753-9958 t Email kbault@nanaimo.ark.com

600 Ninth St -

Please receive this letter to advise, our development wishes to apply TIER 1 in Schedule D of the Zoning bylaw to gain an additional 0.1 FAR. Outlined below is how the development will meet the points required in 3 categories 2, 4, & 6 to gain the added density increase of .1

Schedule D

Amenity Requirements for Additional Density

Category 2: Retention and Restoration of Natural Features (8 points required) (9 provided)

B/ The property includes the retention of natural vegetation, trees, shrubs, and under storey on the West side of property. A contiguous area that is equal to or 3 greater than 15% of the property area, exclusive of the required watercourse leavestrip or environmentally sensitive area buffer.
= 3 Points

E/ The proposed development includes planting street trees along extension of 9 th street. = additional 1 points

H/ 50% of the site area (excluding the building footprint) has been maintain with pervious surfaces = 3 Points .

Total 13,601 sq m. lot area, (less 3055 sq.m. Bldg footprint) = 10546 sq.m.

6030 sq. m. is going to be impervious surfaces and building area.

7577 sq. m. pervious surfaces (including 3036 sq.m Landscape) = 71%

4541 sq. m. Landscaped, restored and undisturbed forest including the Vernal Water Pond will be relocated and restored - an area of 550 Sq. M.

Included in

I/ Our development will include permanent educational signage or display(s) regarding the protected pond plants, trees, animal habitat or other natural features on and adjacent to the site. = 1 Points

Category 4: Building Materials (8 points required) (9 provided)

A/ Wood is the primary building material. = 1 Points

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DP1138
2020-AUG-14
Current Planning

C/ At least 50% of all wood products used in construction are certified by the Forest Stewardship Council (FSC) Canada. = 3 Points

D/ The proposed development uses materials with recycled content such that the sum of the post consumer recycled material constitutes at least 25%, based on costs, of the total value of the materials in the project. = 2 point

E/ The project developer has submitted a construction and waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted onsite or comingled.
= 2 point

H/ The development includes permanent educational signage or display(s) regarding the sustainable use of building materials used during construction of the project. = 1 Points

Category 6: Water Management (8 points required) (8 provided)

A/ At least 50% of the property is covered with a permeable surface area = 2 point

B/ The proposed buildings on the property include plumbing features which will use 35% less water than the BC Building Code standard. = 2 point

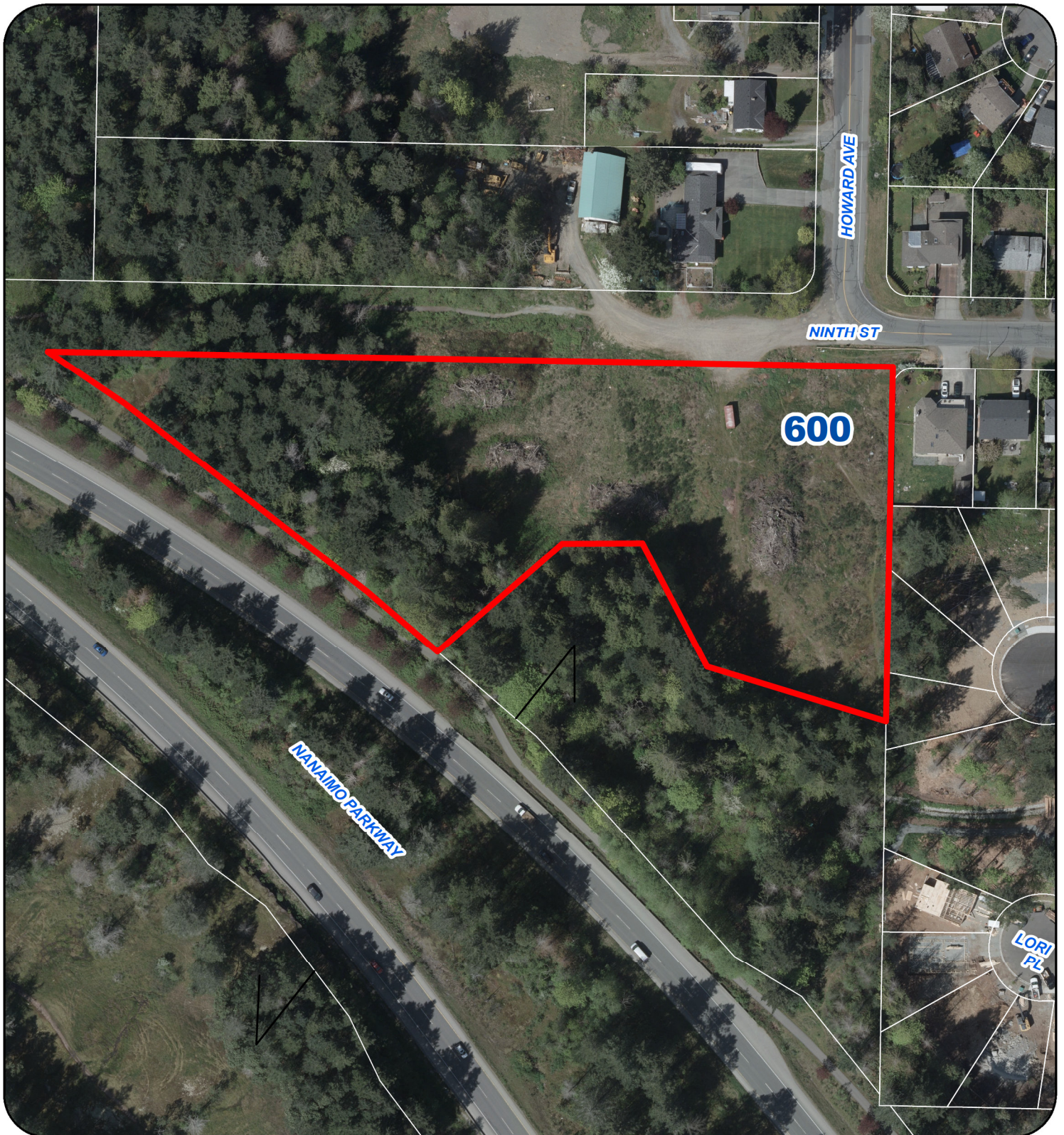
F/ A water efficient irrigation system (such as drip) is installed. = 1 point

G/ The proposed development includes the restoration of retention pond on the property = 2 point


H/ The development site will include permanent educational signage regarding sustainable water management practices used on site. = 1 point

Kenneth Brault

ATTACHMENT J
AERIAL PHOTO



Legend

 Subject Property

DEVELOPMENT PERMIT NO. DP001138

Delegation Request

Delegation's Information:

Kenneth Brault has requested an appearance before Council.

City: Nanaimo
Province: BC

Delegation Details:

The requested date is October 19, 2020.

The requested meeting is:
Council

Bringing a presentation: No

Details of the Presentation:

DP1138 - 600 Ninth Street

Delegation Request

Delegation's Information:

Irene Wenngantz has requested an appearance before Council.

City: Nanaimo

Province: BC

Delegation Details:

The requested date is October 19, 2020.

The requested meeting is:
Council

Bringing a presentation: No

Details of the Presentation:

DP1138 - 600 Ninth Street - COUNCIL MEETING NOTIFICATION

DATE OF MEETING | October 19, 2020 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT **DEVELOPMENT PERMIT APPLICATION NO. DP1160 –
145 STEWART AVENUE**

OVERVIEW

Purpose of Report

To present for Council's consideration, a development permit application for a 15-unit multi-family development at 145 Stewart Avenue. |

Recommendation

That Council issue Development Permit No. DP1160 at 145 Stewart Avenue with a variance to:

- increase the maximum allowable percentage of small car spaces from 40% to 56%.|

BACKGROUND

A development permit application, DP1160, was received from Daryoush Firouzli Architecture Inc., on behalf of Salvatore Albanese, Margaret Evans and Karen Eryou, for a proposed 15-unit multi-family residential development at 145 Stewart Avenue.

Subject Property and Site Context

Zoning	Mixed Use Corridor (COR2)
Location	The subject property is located just north of downtown on Stewart Avenue in the Newcastle neighbourhood.
Total Area	809.4m ²
Official Community Plan (OCP)	Map 1 – Future Land Use Plan – Corridor Map 3 – Development Permit Area No. 9 - Commercial, Industrial, Institutional, Multiple Family and Mixed Commercial/Residential development. Newcastle + Brechin Neighbourhood Plan – Map 1 - Mixed Use Corridor
Relevant Design Guidelines	General Development Permit Area Design Guidelines Newcastle + Brechin Neighbourhood Plan Urban Design Framework and Guidelines

The subject property is one block from the waterfront walkway. The property currently contains a single family dwelling, and there is a single family dwelling on both adjacent properties. The immediate neighbourhood contains a mix of single family dwellings and three- to four-storey multi-family buildings. The commercial uses in the neighbourhood include a gas station/convenience store, hotel, and restaurant.

DISCUSSION

Proposed Development

The applicant proposes to construct a four-storey building with under-the-building parking and 15 one-bedroom residential units. The units range in size from 50m² to 71m².

Site Design

The proposed building footprint occupies 50% of the property and is oriented closer to the south property line, with greater separation on the north side. The natural grade of the property is proposed to be lowered for the under-the-building parking area, such that a retaining wall is proposed along the rear property line and portions of the side property lines. The permitted Floor Area Ratio (FAR) in the COR2 zone is 1.25, and with Zoning Bylaw Schedule D, Tier 1 amenities, a FAR of 1.5 is permitted. The applicant is proposing a FAR of 1.5, and an amenity that will be provided is a building that exceeds the energy efficiency requirements in “Building Bylaw 2016 No. 7224” by one step, in accordance with the BC Energy Step Code. The mechanical room, garbage, and recycling will be located in an enclosed area of the parkade.

Building Design

A contemporary four-storey building design is proposed, with a flat roof and exterior decks on three sides of the building. The structural frames on the corners of the building break the building mass and highlight the three residential stories of the building. The front entrance faces Stewart Avenue at ground level and leads to a lobby with an elevator. The parking area contains 16 parking spaces and a bicycle storage area. The exterior façade materials include multi-colour Hardie panel and metal Hardie plank accents. Vinyl windows and doors are proposed, and the deck contains glass panels with aluminum deck railings. A Juliette-style balcony is proposed on the third storey (south elevation) to reduce overlook to the adjacent property. Overhead screening is also provided on the ceiling of the parking area to mitigate off-site illumination from the ceiling lights. The building design is consistent with the Development Permit Design Guidelines.

Landscape Design

The front yard building entry area is proposed to contain magnolia trees, a bench, bike rack, and will be surfaced with concrete pavers. The applicant provided an arborist report for the existing large maple tree in the City boulevard area and it was determined, with Staff support, this tree be removed, as it would be difficult to protect the root structure of the maple tree with the development of the property. The north side property line will be landscaped with a robust buffer of sweet gum trees and shrubs. The retaining wall along the rear property line will be screened with draping winter jasmine, which will be visible from the Stewart Avenue sidewalk. Along the south side property line, the existing walnut tree will be replaced with an oak tree. Also, the south side property line, to the building face, will contain a lavender hedge, as well as a wood fence with arbour feature and clematis vine.

Design Advisory Panel

The Design Advisory Panel (DAP), at its meeting held on 2019-NOV-14, accepted DP001160 as presented and provided recommendations regarding the design of the garage entry area,

location and style of fencing along the south side property line, tree replacement considerations, lighting in the parking garage, and benches at the building entrance. The applicant has responded to the DAP recommendations by:

- improving the design of the mechanical/refuse structure within the parking garage entry area;
- removing the fence in the front yard area, and proposing a fence design that will provide more privacy for the neighbour to the south;
- providing an arborist report that recommended replacing the Norway maple tree on the City boulevard,
- providing information regarding the screening of parking garage lighting to avoid spillover to neighbouring properties; and
- adding a bench in the front yard area near the building lobby.

Proposed Variance

The maximum allowable amount of small car parking spaces is 40% (6 spaces) of the required 16 parking spaces. The applicant is proposing that 56% of the required parking spaces (9 spaces) be small-car parking spaces; a proposed variance of 16% (3 spaces).

In accordance with the City's Policy for Consideration of a Parking Variance, the applicant has provided the following rationale:

The subject property is located in the Downtown mobility hub with access to public transportation. Also, the applicant is providing two electric vehicle charging stations, an electric bicycle charging station, as well as indoor and outdoor bike storage.

Staff support the proposed variance.

SUMMARY POINTS

- Development Permit Application No. DP1160 is for a multi-family building consisting of 15 one-bedroom units.
- One variance is proposed to increase the allowable percentage of small-car parking spaces. Staff support the proposed variance.
- The development includes amenities to achieve the Tier 1 additional density available through 'Schedule D' of the Zoning Bylaw.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Site Plan
ATTACHMENT E: Proposed Building Elevations
ATTACHMENT F: Proposed Building Renderings
ATTACHMENT G: Proposed Landscape Plan and Details
ATTACHMENT H: Schedule D – Amenity Requirements for Additional Density
ATTACHEMNT I: Aerial Photo |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services |

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

City of Nanaimo “Off-Street Parking Regulations Bylaw No. 2018 No. 7266”, is varied as follows:

1. Section 4.3 ‘Small Car Spaces’ – to increase the maximum allowable percentage of small car parking spaces from 40% to 56%.

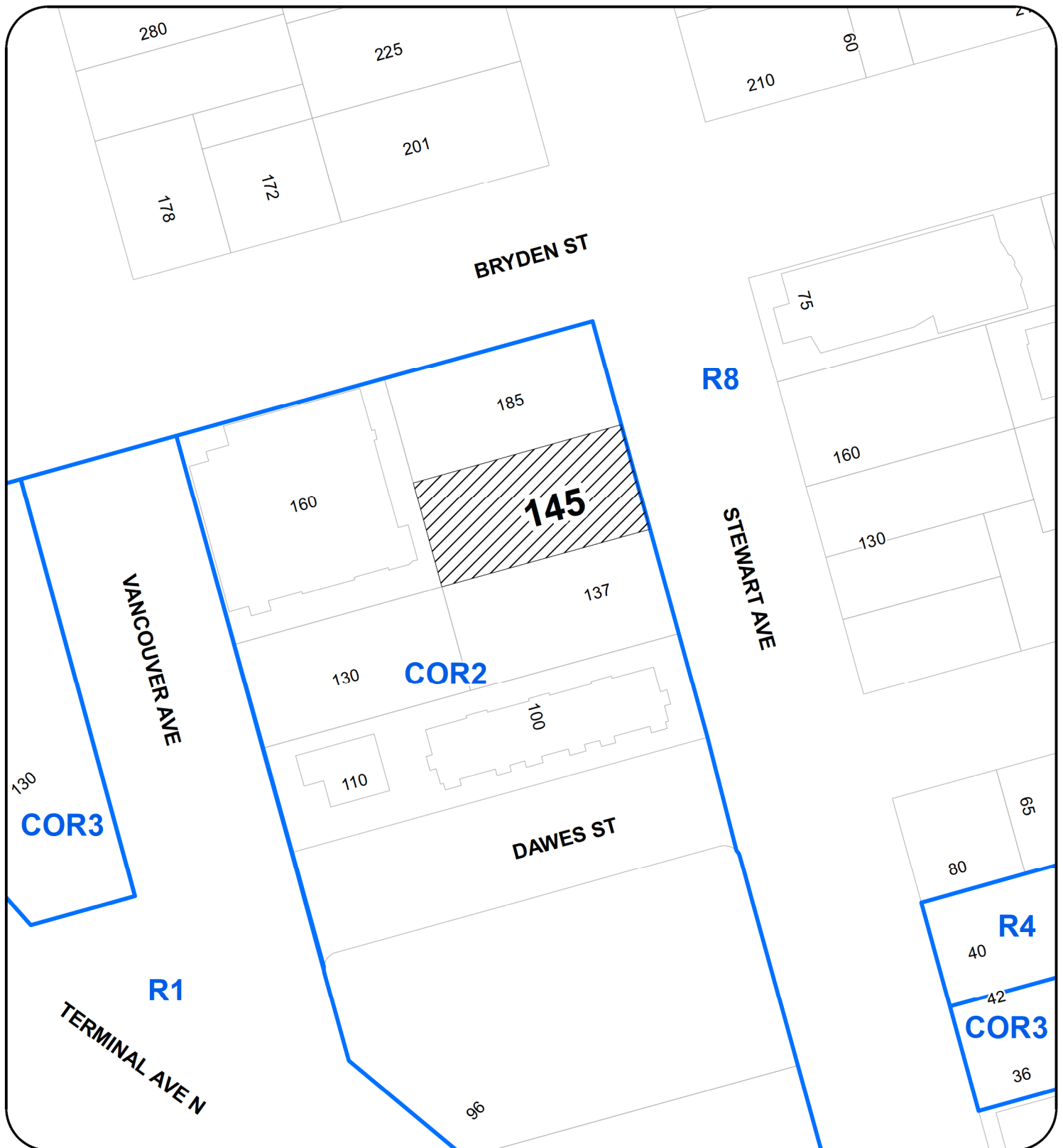
CONDITIONS OF PERMIT

1. The subject property shall be developed generally in accordance with the proposed Site Plan prepared by Daryoush Firouzli Architecture Inc., dated 2020-SEP-30, as shown on Attachment D.
2. The development is in substantial compliance with the proposed Building Elevations prepared by Daryoush Firouzli Architecture Inc., dated 2020-AUG-20, as shown on Attachment E.
3. The subject property is developed in substantial compliance with the proposed Landscape Plan and Details prepared by JPH Consultants Inc., dated 2020-SEP-29, as shown on Attachment G.
4. The development is to comply with the “City of Nanaimo Zoning Bylaw 2011 No. 4500”, ‘Schedule D - Amenity Requirements for Additional Density’ Tier 1, prior to building occupancy as outlined in Attachment H of this Permit.

ATTACHMENT B
CONTEXT MAP



ATTACHMENT C
LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001160

LOCATION PLAN

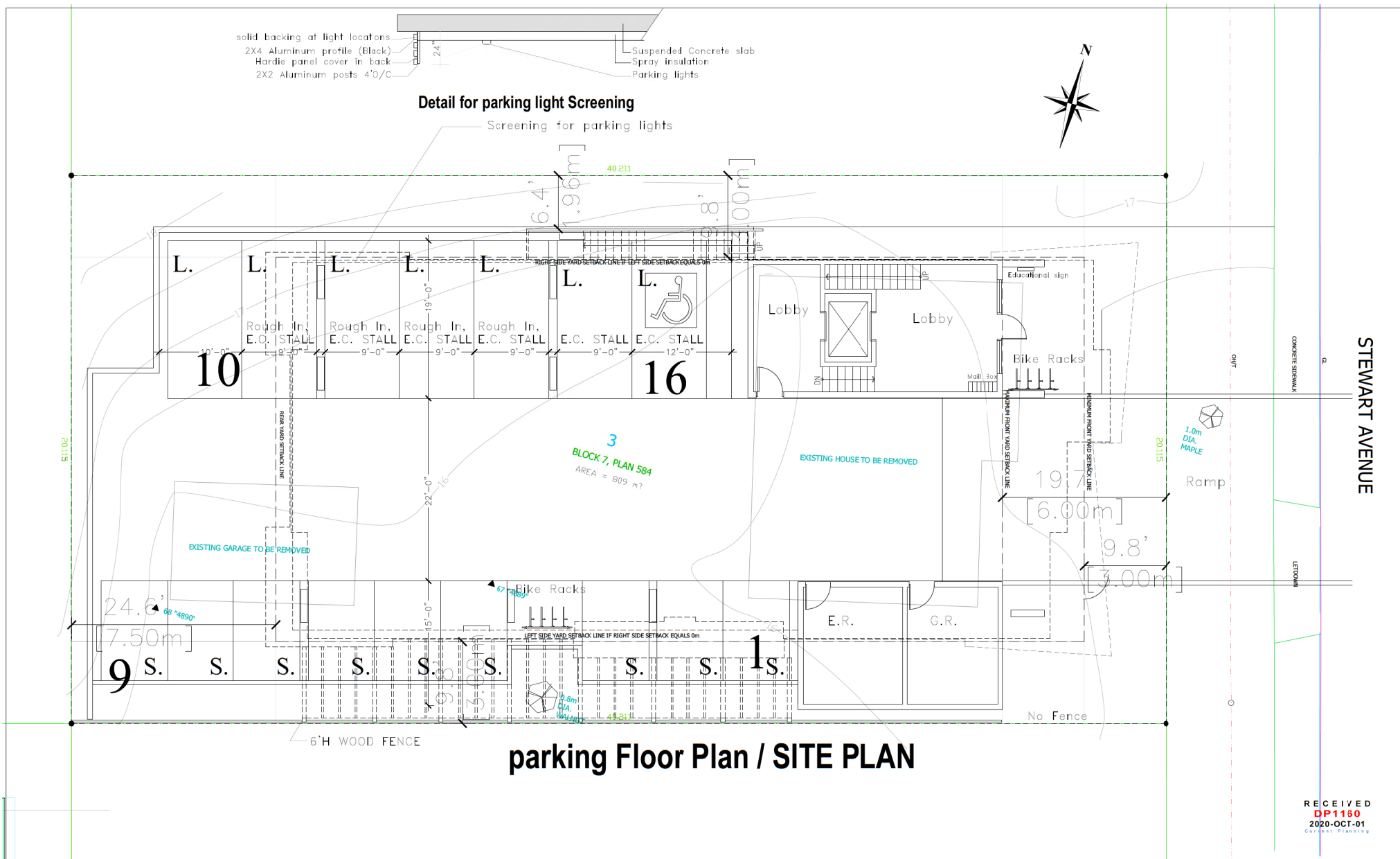
Civic: 145 STEWART AVENUE

Legal: LOT 3, BLOCK 7, NEWCASTLE TOWNSITE, SECTION 1
NANAIMO DISTRICT, PLAN 584



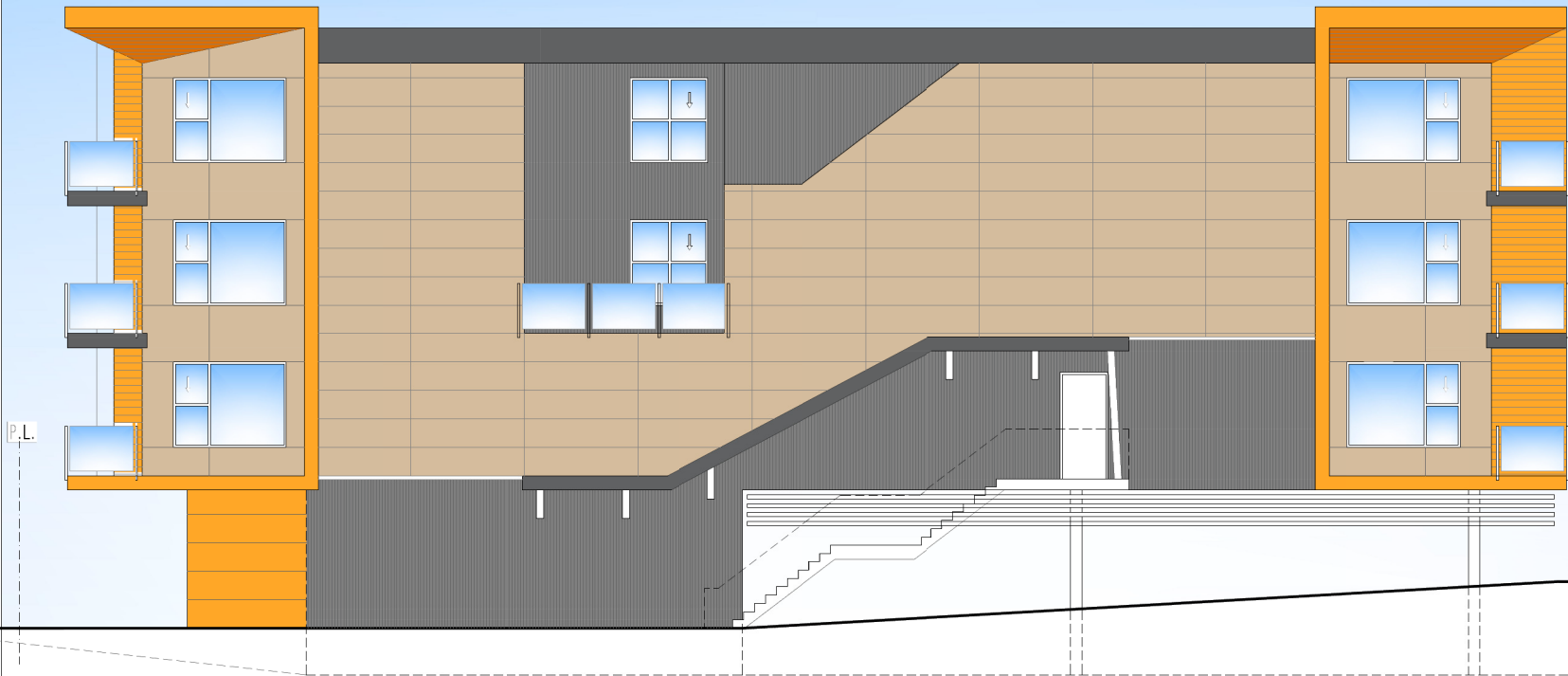
Subject Property

ATTACHMENT D
PROPOSED SITE PLAN



EXTERIOR MATERIALS & COLORS

CODE	COLOR	MATERIAL
1		HARDIEPANEL WALL SMOOTH FINISH FOLDED METAL FLASHING JOINTS COLOUR # HC-99 Abingdon Putty
2		6" HARDIEPLANK SIDING (HORIZONTAL) TRUE GRAIN (CEDARTON)
3		6" HARDIEPLANK SIDING (HORIZONTAL) COLOR TO BE SELECTED
4		HARDIEPANEL SMOOTH FINISH FOLDED METAL FLASHING JOINTS COLOUR # 1582 Deep River
5		2"x4" ALUMINUM
6		VINYL WINDOWS
7		ALUMINUM RAILING
8		CONCRETE COLUMNS



NORTH ELEVATIONS

RECEIVED
05 AUG 20
2020-SEP-18
Current Planning

NO.	DATE	REVISIONS



PRELIMINARY

D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9Y 1N4
T: 250-933-1991, E: FIROUZLI@SHAW.CA
DARYOUSH FIROUZLI ARCHITECTURE INC.

SEAL

CONSULTANT LOG

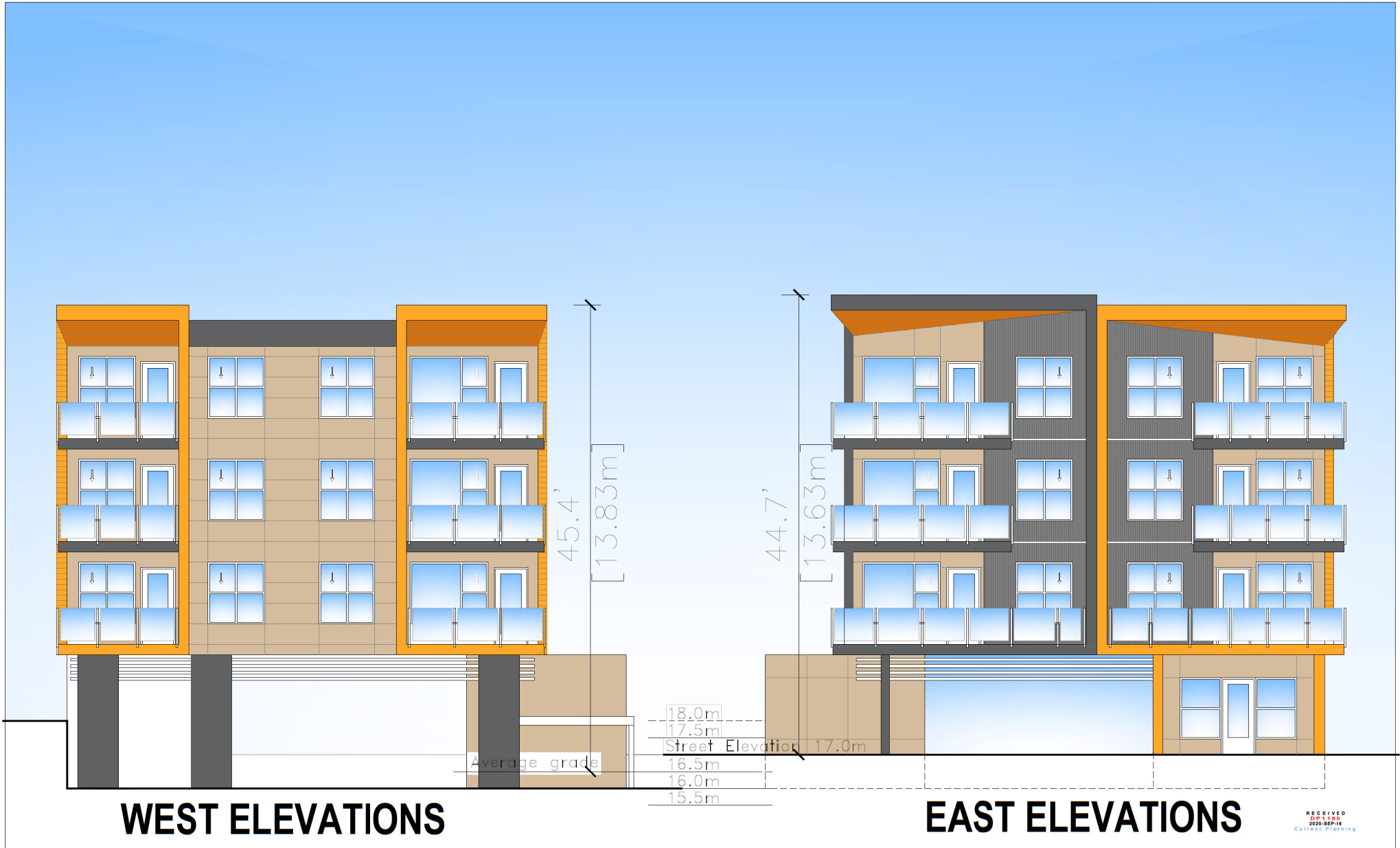
SCALE
1/4" = 1'-0"
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CHECKED
DATE
05 AUG 20


PROJECT
145 STEWART AVENUE,
NANAIMO, BC

CLIENT
Salvatore Albanese
PROJECT NO.
2860

SHEET TITLE
NORTH ELEVATION

SHEET NO.
A3.2
REVISION
—



<small>NOTE:</small> The building is a preliminary drawing. It is not intended to be used for construction or other purposes. It is for informational purposes only. It is not intended to be used for construction or other purposes. It is for informational purposes only.	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	REVISIONS																						 <p>D-ARCHITECTURE 6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4 T: 250-933-1991, E: FIROUZLI@SHAW.CA DARYOUSH FIROUZLI ARCHITECTURE INC.</p>	<p>PRELIMINARY</p>	<p>16L</p>	<p>CONSULTANT LOGO</p>	<p>SCALE: 1/4" = 1'-0"</p> <p>DRAWN: _____</p> <p>CHECKED: _____</p> <p>DATE: 05 AUG 20</p>	<p>PROJECT</p> <p>145 STEWART AVENUE, NANAIMO, BC</p>	<p>CLIENT</p> <p>Salvatore Albanese</p> <p>PROJECT NO. 2860</p>	<p>SHEET TITLE</p> <p>EAST & WEST ELEVATIONS</p>	<p>SHEET NO.</p> <p>A3.3</p> <p>REVISION</p>
	NO.	DATE	REVISIONS																															

ATTACHMENT F
PROPOSED BUILDING RENDERINGS

1 of 3



D-ARCHITECTURE
6377 CARUS DRIVE, NANAIMO, BC V9V 1H4
T: 250-933-1991, E: FIRDOUZLI@D-ARCHITECTURE.COM
DARYOUSH FIRDOUZLI ARCHITECTURE INC.

145 STEWART AVENUE,
NANAIMO, BC



D-ARCHITECTURE
6377 CARLE DRIVE, NANAIMO, BC V9V 1H4
T: 250-933-1991, E: FIRDOUZI@D-ARCH.COM
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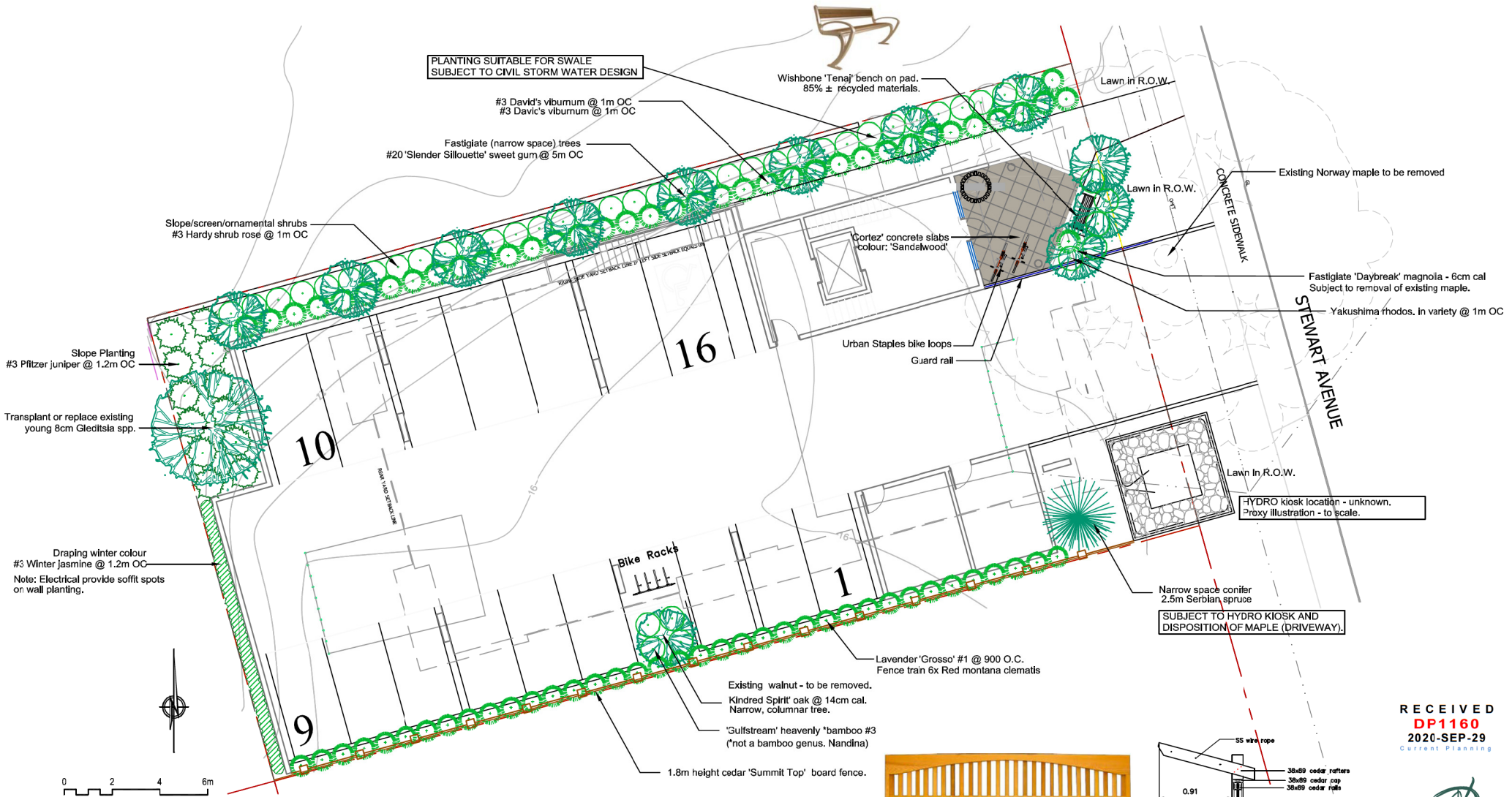
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NANAIMO, BC



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6377 GARUS DRIVE, NANAIMO, BC V9V 1H4
T: 250-933-1991, E: FIRDOUZLI@D+ARCHITECTURE.COM
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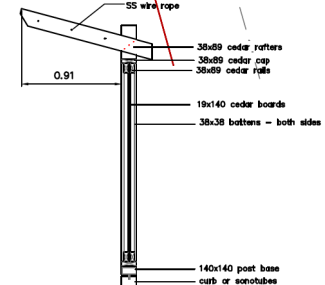
145 STEWART AVENUE,
NANAIMO, BC

ATTACHMENT G PROPOSED LANDSCAPE PLAN AND DETAILS



145 Stewart Avenue Landscape Plan

Revisions			
Date	Details	Int.	
29/09/20	DPA - Maple in R.O.W. TBR	JPH	
07/10/20	DPA - Comprehensive letter	JPH	
31/10/19	DPA - adjust to civil input	JPH	
21/09/19	DPA - for review	JPH	
29/05/19	pre-application mtg	JPH	



RECEIVED
DP1160
2020-SEP-29
Current Planning



JPH Consultants Inc.
434 Wilson Street, North York, ON M6H 2L7
Phone: (416) 241-8887 Cell: (416) 241-8888

Project: 19 - 145 Stewart
Date: 29/05/19
Drawn: JPH Checked: DFA
Scale: 1:150

Sheet: DPA-1 of 1

**ATTACHMENT H
SCHEDULE D - AMENITY REQUIREMENTS
FOR ADDITIONAL DENSITY**



Reference: 2860

September 30th 2020

Dear Ms. Lisa Brinkman, Planner

Development Planner

Community Development

145 Stewart Avenue, Nanaimo BC Tier 1 proposal

The proposed project proposing to use Tier 1 additional density and here are the 3 Categories requirements:

Category 2: Retention and Restoration of Natural Features (8 points required)

	Amenity	Points
E	The Proposed development includes Street Trees, Yes	1
F	After re-planting, the proposed development does not result in a net loss of trees with a caliper greater than 6cm. No trees on site with a caliper greater than 6 cm.	1
G	Post development, the total amount of trees on property, or adjacent road right of way or public space is at least 20% more than the number of trees on the property before development. Yes, 8 trees in property and proposal is 27 trees,	2
H	Restore a minimum of 50% of the site area (Excluding the building footprint) by maintaining pervious surfaces.	3
I	The Development includes permanent educational signage or display regarding the protected or planted plants, trees, animal habitat or other natural features on the site.	1
	Total	8

Category 3: Parking and Sustainable Transportation (10 points required)

	Amenity	Points
D	The parking area within the proposed development includes at least one electric vehicle charging station.	1
E	A Minimum of 80% of the total parking area is located underground or in a parking structure incorporated into design of the building.	4
F	The proposed development includes covered and designated parking spaces for a motorized scooter or plug in for an electronic bicycle or electric scooter, or a designated motorcycle parking space to accommodate, a) multiple family residential development: 1 motorized Scooter or motorcycle space per 15 dwelling units	2
H	Parking does not exceed minimum parking requirements within the City's Development parking Regulations Bylaw.	2
I	The development includes signage regarding the sustainable transportation alternatives available on site or within the immediate area.	1
	Total	10

Category 5: Energy Management (11 points required)

	Amenity	Points
A	The proposed development meets at least the requirements of the Step 2 of BC Energy Step Code and exceeds the requirement specified in the Building Bylaw, by one step.	10
D	The development includes permanent education signage or display regarding sustainable energy management practices used on site	1
	Total	11

Please feel free to contact if there is any question

Sincerely,

Daryoush Firouzli


Architect AIBC, RAIC, AIA, MArch

ATTACHMENT I
AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP001160

Legend

 Subject Property

DATE OF MEETING | October 19, 2020 |

AUTHORED BY | LAINY NOWAK, PLANNER, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP407 – 3602 OVERLOOK DRIVE** |

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to allow the construction of a covered patio on an existing single family dwelling at 3602 Overlook Drive.

Recommendation

That Council issue Development Variance Permit No. DVP407 at 3602 Overlook Drive with the following variance:

- reduce the minimum required front yard setback for a covered patio from 4.5m to 2.9m.

BACKGROUND

A development variance permit application, DVP407, was received from Sunbeam Timberworks, on behalf of Owen and Roberta Carr, to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), in order to permit the construction of a covered patio at 3602 Overlook Drive.

Subject Property and Site Context:

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is at the corner of Hammond Bay Road and Overlook Drive
<i>Total Area</i>	600m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan - Neighbourhood

The subject property has road frontage on three sides and is located above Hammond Bay Road with views of Piper's Lagoon. Currently, there is a single family dwelling and a secondary suite within a detached accessory building (built in 2015) located on the lot. The surrounding properties are predominantly developed with single family dwellings.

A building permit for a timber frame covered patio attached to the rear of the existing single family dwelling was applied for by the applicant in 2020. Through the application review process, it was discovered the proposed structure encroaches into the front yard setback on Hammond Bay Road and a variance is required.

Statutory Notification has taken place prior to Council's consideration of the variance.

DISCUSSION

The proposed development includes the addition of a roof covering an existing patio area. The covered patio is attached to the north elevation of the existing single family dwelling. The proposed covered patio is approximately 18.7m².

There is a private driveway access easement located along the northwest property line of the subject property. The easement is registered on title in favour of the property located at 3606 Overlook Drive. The proposed covered patio and overhangs will not encroach into the easement area or Impede views of Piper's Lagoon.

Proposed Variance

Minimum Front Yard Setback

Section 7.5.1 of the Zoning Bylaw requires a minimum front yard setback of 4.5m in the R1 zone. The applicant is proposing a front yard setback of 2.9m in order to construct a covered patio. This represents a variance of 1.6m.

The purpose of the proposed development is to provide a functional outdoor space for the property owners, and to provide privacy between the neighbours at 3602 and 3606 Overlook Drive. A letter of support was submitted by the property owners at 3606 Overlook Drive, and the covered patio is not expected to impede any views. Compliance with the required setbacks is difficult to achieve due to the road frontage on three sides of the subject property.

Staff support the proposed variance as no negative impact to the adjacent properties is anticipated.

SUMMARY POINTS

- The applicant is requesting to vary the minimum required front yard setback in the R1 zone from 4.5m to 2.9m in order to construct a covered patio. This represents a variance of 1.6m.
- The covered patio will not encroach into the easement area and is not anticipated to negatively impact adjacent properties.
- Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Site Survey
ATTACHMENT E: Conceptual Building Elevation
ATTACHMENT F: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay, General Manager
Development Services

||

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

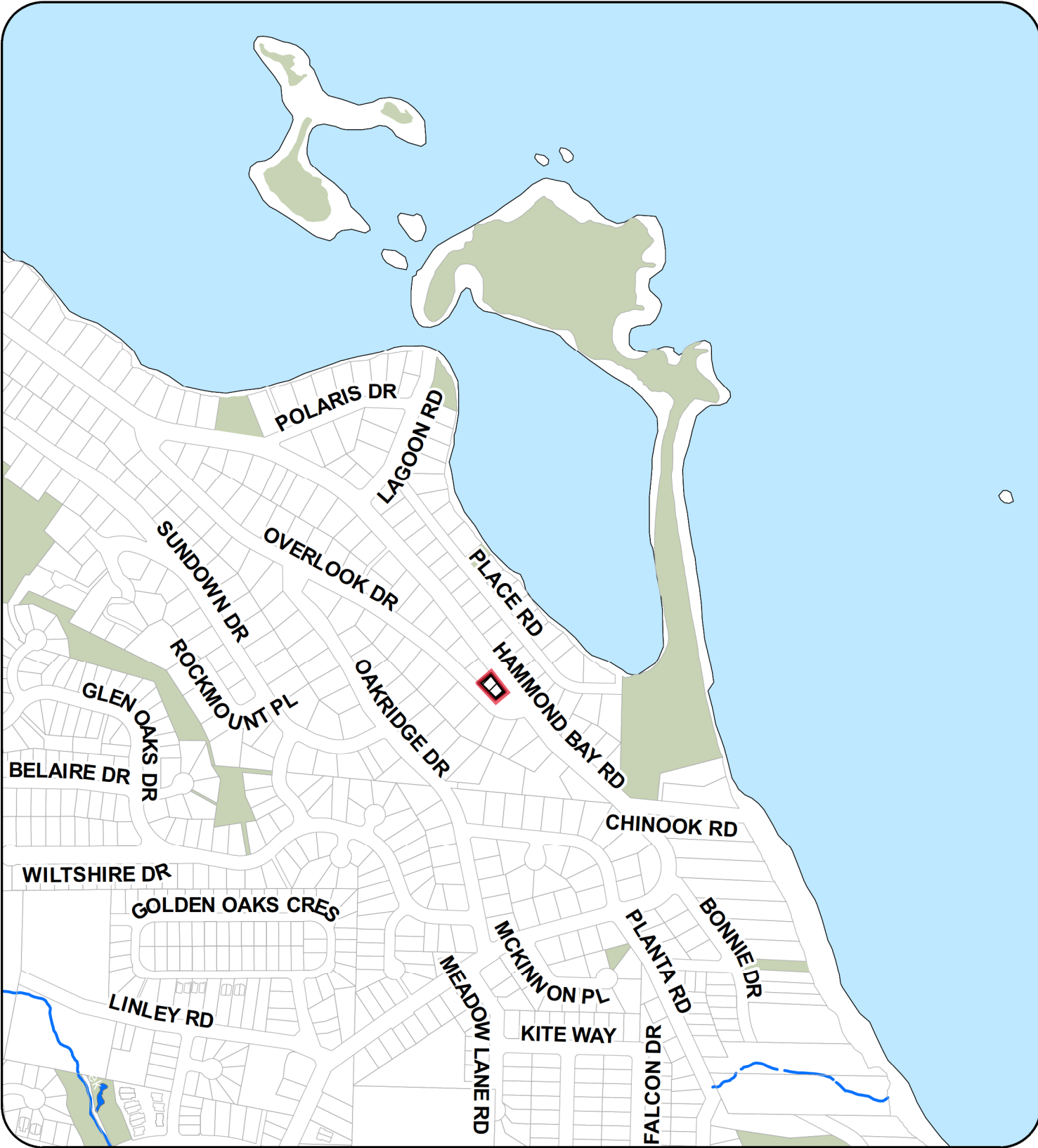
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.5.1 Siting of Buildings* - to reduce the minimum required front yard setback for a covered patio from 4.5m to 2.9m.

CONDITIONS OF PERMIT

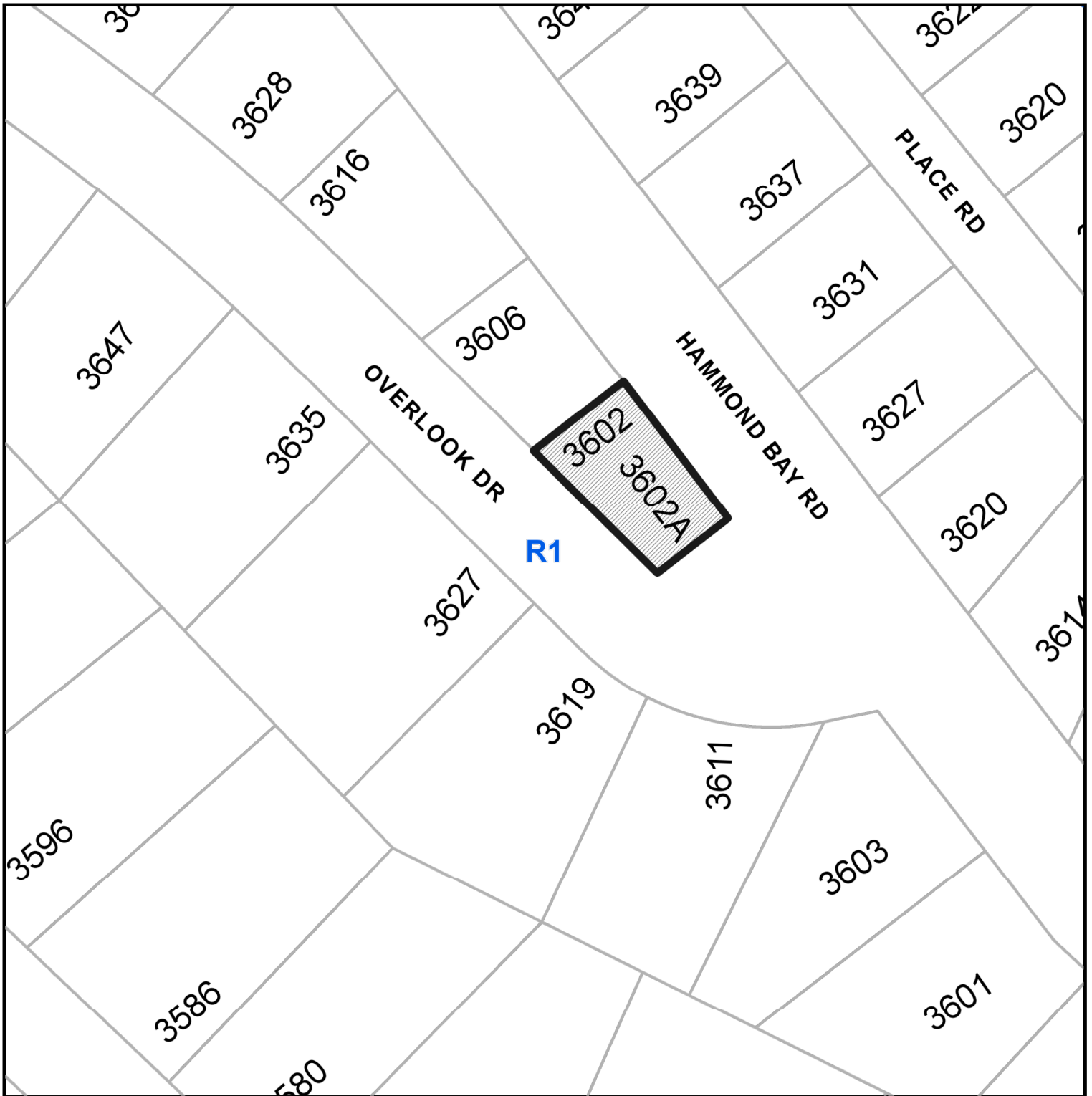
1. The subject property shall be developed in accordance with the Site Survey prepared by Bennett Land Surveying Ltd., received 2020-SEP-24, as shown on Attachment D.

ATTACHMENT B
CONTEXT MAP



3602 OVERLOOK DRIVE

ATTACHMENT C
LOCATION PLAN



R1



DEVELOPMENT VARIANCE PERMIT NO. DVP00407



Subject Property

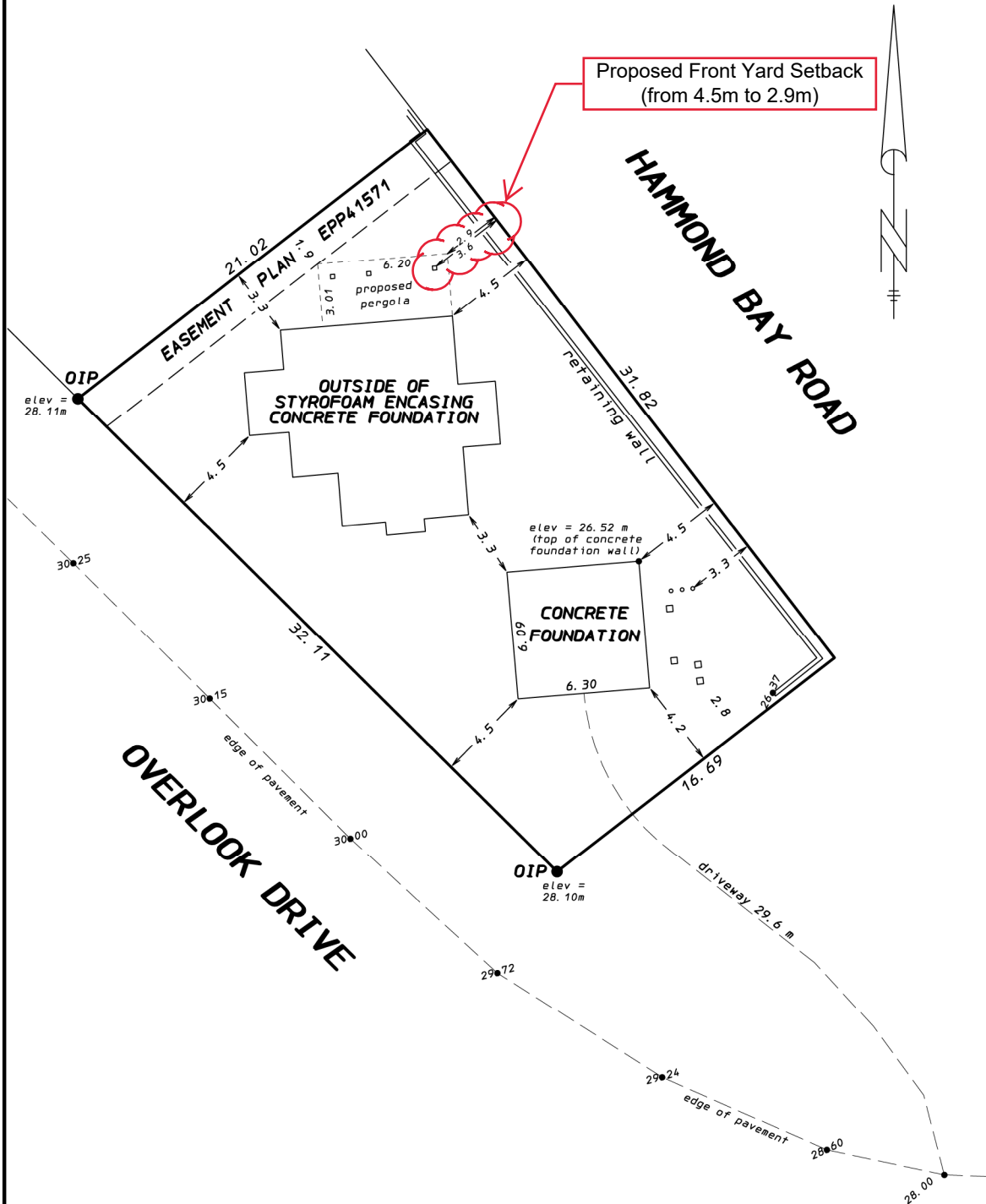
CIVIC: 3602 OVERLOOK DRIVE

LEGAL: LOT B, DISTRICT LOT 39, WELLINGTON DISTRICT, PLAN EPP41570

**B. C. LAND SURVEY ATTACHMENT D
SITE SURVEY ICATE OF LOCATION
OF FOUNDATION'S ON LOT B, PLAN EPP41570,
DISTRICT LOT 39, WELLINGTON DISTRICT.**

SCALE = 1: 250

All distances are in metres.
Elevation datum, in metres, is Geodetic.



RECEIVED
DVP407
2020-SEP-24
Current Planning

Note: Sept. 23, 2020.
Revised proposed pergola
Note: June 22, 2020.
Added proposed pergola.

Note: June 2, 2015.
Main house finished roof
peak elevation is 33.75 m.
Turret peak elev is 34.73 m.

Note: May 19, 2015.
Carriage house finished roof
peak elevation is 33.27 m.
Certified Correct

BENNETT LAND SURVEYING LTD.

B. C. Land Surveyors & Planners
Nanaimo, B. C.

Date: December 27, 2014.

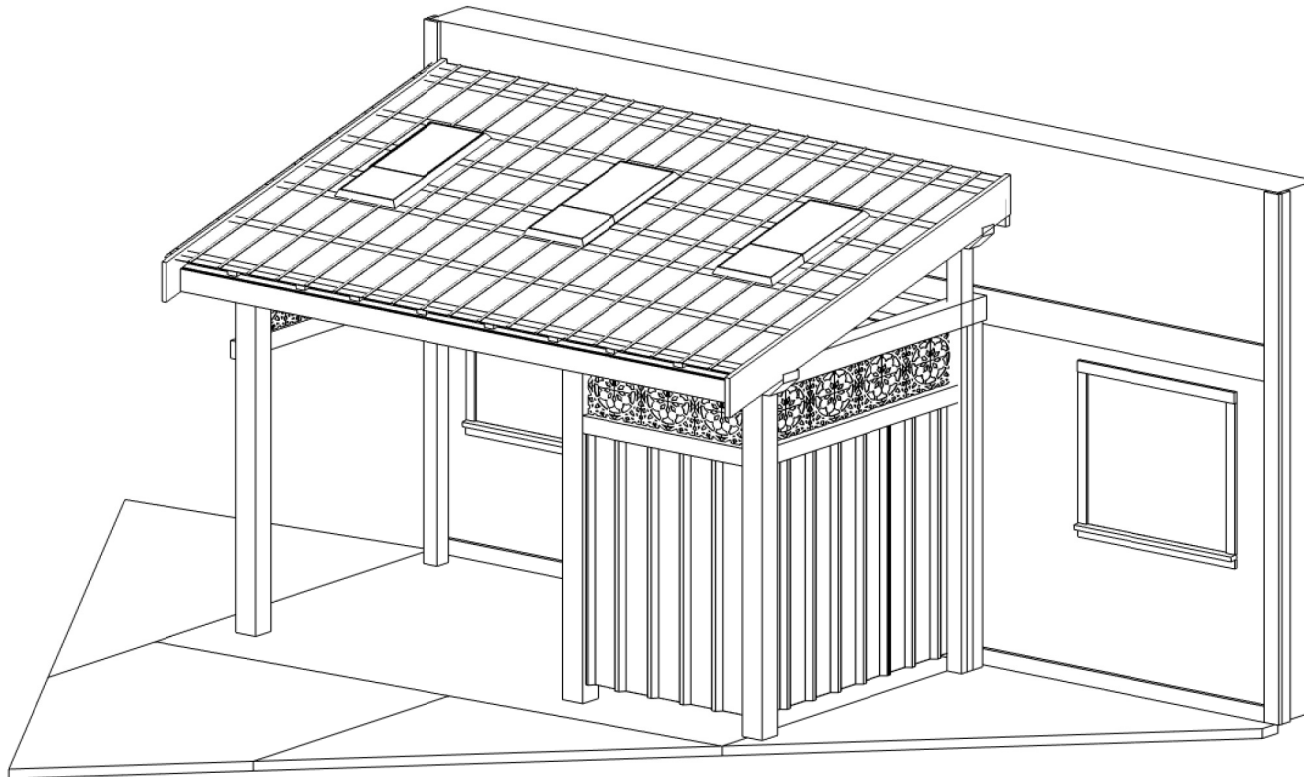
©

186
File: WL-39-GEN

B. C. L. S.
This document is not valid unless
originally signed and sealed.

**ATTACHMENT E
CONCEPTUAL BUILDING ELEVATION**

Blackwell
Structural Engineers



**CARR PATIO PERGOLA
SUNBEAM TIMBERWORKS**

**Our Project - 200084
Permit Drawings**

General Notes and Typical Details - **S-001**

Structural Framing Plans - **S-101**

Structural Details - **S-201**

RECEIVED
DVP407
2020-SEP-25
Current Planning

Toronto 416.593.5300 | Waterloo 519.616.0895 | Victoria 778.817.1010 | Halifax 902.593.0125 | blackwell.ca

The map displays a residential area with several streets and numerous lots. The streets shown are Overlook Dr, Hammond Bay Rd, Oakridge Dr, and Place Rd. The lots are numbered, with many starting with '36'. A red rectangle highlights a specific lot area, likely the subject of the legal case mentioned in the text.



188

DATE OF MEETING October 19, 2020

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

**SUBJECT PROPERTY DISPOSITION – 2230 BOXWOOD ROAD AND LAND
EXCHANGE - 2221 AND 2241 BOWEN ROAD – MID-TOWN
GATEWAY PROJECT**

OVERVIEW

Purpose of Report

To obtain Council approval to dispose of portions of two City-owned properties at 2230 Boxwood Road and 2241 Bowen Road.

Recommendation

That Council:

1. authorize the disposition of a portion of City-owned lands located at 2241 Bowen Road to Christ Community Church in exchange for a portion of the Church's property at 2221 Bowen Road;
2. authorize the disposition of a portion of City-owned lands located at 2230 Boxwood Road and the portion of property the City will receive from the Church's property at 2221 Bowen Road to Island West Coast Developments; and
3. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transactions.

BACKGROUND

Mid-town Gateway Project (formerly known as the Boxwood Connector)

On 2010-NOV-01, the City acquired 2230 Boxwood Road and 2241 Bowen Road (the "Property"), Attachment A, for \$2.2 million, plus consultant and closing costs, for a total purchase price of \$2.5 million, to facilitate the Mid-town Gateway Project (the "City Project"), Attachment B. The Property is 3.44ha (8.49 acres) in size. 2230 Boxwood Road has R8 (Medium Density Residential) zoning and 2241 Bowen Road has COR3 (Community Corridor) zoning.

The Property was acquired to ease traffic congestion and improve safety at the intersection of Bowen Road and Northfield Road. Over the development of the City Project, several additional opportunities have become possible that have turned this into a signature brownfield redevelopment project.

The Property underwent extensive geotechnical and environmental improvements in 2019 to address contamination through historical coal mining and construction waste activities. The wetland impacted by these legacy activities has been restored and now acts as a storm water detention facility. The 2019 improvements also included the placement of 24,000 cubic meters of preload material overtop of the future roadways to help compact the soils underneath. After

the soils have stopped settling, the pre-load material will be removed from the Property and final ground improvement can be finished.

Construction of the next phase of the project is scheduled to start in 2022. In this phase, the Property will be developed into a signature gateway corridor that will embrace active transportation and complete-street principles, and will provide connections to the Parkway Trail, Beban Park, and the 'Off Bowen Bikeway' along Boxwood Road. Boxwood Road will also be extended to Rosstown Road, which will allow for the closure of the existing intersection of Rosstown Road at Bowen Road to vehicles, but will maintain access for pedestrians and cyclists. This will offer a much safer route for motorists through the Property, while providing more access options for pedestrians and cyclists.

Development Opportunity of Parcel and Surrounding Area

Upon completion of the City Project, there is roughly 1.05ha (2.59 acres) of surplus City-owned land that can be repurposed for redevelopment (the "Redevelopment Parcel"). Island West Coast Developments ("IWCD") have acquired the majority of the properties to the south of the Redevelopment Parcel between 2254 and 2220 Northfield Road.

In order to facilitate the investment in the Redevelopment Parcel and the properties along Northfield Road, City Staff and IWCD met to discuss the opportunity for IWCD to acquire the Redevelopment Parcel, subject to the terms of the negotiations set out in a Letter of Intent (the "LOI"). On 2020-MAY-25 Council directed Staff to:

- "1. direct the Mayor and Corporate Officer to execute the Letter of Intent with Island West Coast Development; and*
- 2. direct Staff to return to a future Council meeting, upon completion of negotiations, to present the Purchase and Sale Agreement for the disposition of a portion of City-owned property at 2230 Boxwood Road for Council's approval."*

The LOI included that the City and IWCD work together to adjust neighbouring property lines to create a suitable development parcel. The key property adjustment is with land owned by Christ Community Church (the "Church") located at 2221 Bowen Road (the "Church Property").

The City has proposed an exchange of a portion of the Property, shaded in green, for an area of the Church's Property, shaded pink, shown on Attachment C. This will provide the Church with an improved access to their property off the future roadway, rather than turning directly off Bowen Road. The area that the Church will exchange to the City will be consolidated with the Redevelopment Parcel and then sold to IWCD.

As a result of the land consolidation and rezoning of the Redevelopment Parcel, IWCD will be in the position to build a proposed \$75 million mixed-use development, including a grocery store, retail and office space, and a 175-unit multi-family residential development with surface and underground parking (the "IWCD Proposal"). The redevelopment of the properties along this corridor and the Parcel will revitalize this area and provide a more inviting gateway into central Nanaimo.

It is likely this redevelopment will spur further redevelopment in the Northfield/Bowen Corridor, which is in line with the vision set out in the Official Community Plan, and would establish a new neighbourhood node, the Northfield Gateway.

DISCUSSION

Terms for Purchase and Sale Agreement with IWCD:

Purchase Price:

- An updated fair market value assessment of the Redevelopment Parcel will be prepared, based upon the highest and best use, not more than 60 days prior to the Closing Date, for the purpose of determining the Purchase Price. An appraisal has been prepared by Cunningham and Rivard who has estimated the fair market value of the Redevelopment Parcel as of 2019-OCT-25 at \$3,385,000. This appraisal did not include the area the City will acquire from the Church. The area to be acquired from the Church using the price per square foot market valuation from this appraisal estimates the market value of the Church's Property at \$348,000 (less any value to remediate the site contamination) for consolidation with the Redevelopment Parcel.
- The Purchase Price will be adjusted by \$1,251,300 in consideration of the additional site remediation that will be required to allow future rezoning and development of the Redevelopment Parcel. This deduction reflects the value to remove and dispose of unsuitable / contaminated soils that are still within the proposed development footprint.
- Based on the current appraised value, including the area from the Church, the disposition of the Redevelopment Parcel would net the City \$2,481,700 (less any value to remediate the site contamination on the Church's property) from the sale, less costs.

Preload Agreement

- The City and IWCD will work together to develop a joint agreement around the removal of the preload situated on the Redevelopment Parcel prior to completion of the Purchase and Sale Agreement.

Commitments from the City:

- The City will be responsible for and will bear the following costs:
 - Arranging the survey plan and application for the subdivision of the Redevelopment Parcel and the Church Land Exchange.
 - Costs for the notice or other requirements required under the *Community Charter*.
 - The City's legal and closing costs related to the property disposition, including the preparation of the Purchase and Sale Agreement.

Commitments from IWCD

- IWCD will be responsible for and will bear the following costs:
 - Their legal and closing costs arising from the purchase.
 - Any application fees and other costs arising from a rezoning. Amenity contributions with respect to the rezoning may be reduced or waived in the event the City is satisfied rezoning does not result in an increase in the value in exceedance of the Purchase Price.
 - Any fees or costs incurred in applying for and obtaining a Certificate of Compliance.
 - Any fees or costs arising from the installation of any applicable works and services that the City will require as part of the Project.

Conditions:

- The City's Approving Officer must have approved the subdivision plan by 2021-OCT-01.
- The City shall become the Owner of the Church's Property by 2021-SEP-01.

Closing Date:

- Complete the Redevelopment Parcel transfer on or before 2021-DEC-17.

IWCD has agreed to the terms noted above and has provided a signed purchase and sale agreement to the City.

Terms for Land Exchange Agreement with the Church

On 2020-AUG-31 Council directed Staff to:

- "1. prepare a Land Exchange Agreement with Christ Community Church for the disposition of a portion of City-owned property at 2241 Bowen Road in exchange for a portion of 2221 Bowen Road; and*
- 2. return to a future Council meeting, upon completion of negotiations, to present the Land Exchange Agreement for Council's approval."*

Staff have met with the Church and they have agreed to enter into and signed a Land Exchange Agreement with the City. Accordingly, as the same amount of land is being exchanged, no compensation issues exist with the proposal. The land exchange will result in the area the City acquires being able to be sold to IWCD for an estimated market value of \$348,000 (less any value to remediate the site contamination on the Church's Property) for consolidation with the Redevelopment Parcel.

Engineering & Public Works have reviewed the application applicable to all City standards and the portion of the Property is deemed surplus to City requirements.

Next Steps:

Should Council approve the Purchase and Sale and the Land Exchange Agreement, Staff will work with IWCD and the Church to complete the boundary adjustment subdivision to complete the land exchange and property disposition. IWCD will start work on the development permit and rezoning applications for the Redevelopment Parcel. A Staff report for the applications will be brought to Council at a future date for Council's consideration.

OPTIONS

1. That Council:
 1. authorize the disposition of a portion of City-owned lands located at 2241 Bowen Road to Christ Community Church in exchange for a portion of the Church's property at 2221 Bowen Road;
 2. authorize the disposition of a portion of City-owned lands located at 2230 Boxwood Road and the portion of property the City will receive from the Church's property at 2221 Bowen Road to Island West Coast Developments; and
 3. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transactions.

- Advantages: IWCD is a willing partner and wants to collaborate with the City to see the Redevelopment Parcel and the properties along Northfield Road ultimately be developed into a comprehensive mixed-use development. Staff have published a Notice of Disposition as required by Sections 26 and 94 of the *Community Charter*. Providing approval to dispose of the Redevelopment Property would be consistent with Council's past decisions.
- Disadvantages: Council may choose to hold this property for other Council priorities as they arise during the term. Staff time can be allocated to other Council priorities.
- Financial Implications: The Redevelopment Parcel has an appraised value of \$3,385,000 plus \$348,000 for the appraisal estimate of the area acquired from the Church. It is estimated the cost to remediate the site contamination will cost \$1,251,300. Based on the current appraised value, the disposition of the property could potentially net the City \$2,481,700 (less any value to remediate the site contamination on the Church's property) from the sale, less costs. Net proceeds from the sale will be deposited to the Property Sales Reserve Fund. An updated appraisal of the market value of the Redevelopment Parcel will be prepared 60 days before the completion date. The costs to complete the land exchange with the Church and the disposition of the Redevelopment Parcel are estimated at: surveying \$20,000, legal \$20,000, environmental \$15,600, notices required under the *Community Charter* \$550, appraisal fees \$3,000, and subdivision application \$1,000. Total cost estimate: \$60,150. The City's costs will be paid out of the Property Reserve Fund.

2. That Council:

1. deny approval to disposition of a portion of City-owned lands located at 2230 Boxwood Road to Island West Coast Developments for \$2,481,700; and
 2. deny approval to the disposition of a portion of City-owned lands located at 2241 Bowen Road to Christ Community Church.
- Advantages: Council may choose to hold these properties for other Council priorities as they arise during the term. Staff time can be allocated to other Council priorities.
 - Disadvantages: It may become difficult for IWCD to build a comprehensive and impactful development with their properties along Northfield Road without the acquisition of the Redevelopment Parcel and the Redevelopment Parcel may not be developed for many years. It will remain a brownfield and may be difficult to sell in the future.
 - Financial Implications: The City will not incur the costs to dispose of the Redevelopment Parcel or complete the land exchange with the Church. The City could potentially not benefit \$2,481,700 from the sale of the Redevelopment Parcel.

SUMMARY POINTS

- The City acquired 3.44ha (8.49 acres) of land at 2230 Boxwood Road and 2241 Bowen Road (the “Property”) in 2010 in advance of a scheduled road and utility project designed to alleviate traffic congestion and improve safety at the intersection of Northfield Road and Bowen Road.
- Over time, the Project has evolved from a ‘simple’ road project into a signature brownfield redevelopment project. This includes the restoration of a wetland habitat and environmental remediation in 2019. In 2022, the City Project is scheduled to include the originally proposed Bowen Road/Northfield Road intersection improvement and the newly proposed “Off Bowen Bikeway” and a Parkway Trail/Beban Park Connection.
- Upon completion of the City Project, there is roughly 1.05ha (2.59 acres) of surplus City-owned land that can be repurposed for redevelopment (the “Redevelopment Parcel”).
- On 2020-MAY-25, Council directed Staff to execute a Letter of Intent (the “LOI”) with Island West Coast Development (IWCD) for the Purchase the Redevelopment Parcel.
- IWCD has acquired the majority of the land south of the Redevelopment Parcel and is interested in acquiring the City land to facilitate a \$75M mixed-use development with a grocery store, 175 units of residential development, and underground parking.
- The LOI included that the City and IWCD work together to adjust neighbouring property lines to create a suitable development parcel. The key property adjustment is with property at 2241 Bowen Road.
- IWCD has provided a signed purchase and sale agreement to the City for the acquisition of the Redevelopment Parcel.
- On 2020-AUG-31, Council directed Staff to prepare a Land Exchange Agreement with Christ Community Church for the disposition of a portion of City-owned property at 2241 Bowen Road in exchange for a portion of 2221 Bowen Road.
- Staff have met with the Church and they signed a Land Exchange Agreement with the City. Accordingly, as the same amount of land is being exchanged, no compensation issues exist with the proposal.
- Based on the current appraised value, including the area from the Church, the disposition of the Redevelopment Parcel would net the City \$2,481,700 (less any value to remediate the site contamination on the Church’s property) from the sale, less costs. An updated appraisal of the market value of the Redevelopment Parcel will be prepared 60 days before the completion date of 2021-DEC-17.
- Should Council approve the Purchase and Sale and the Land Exchange Agreement Staff will work with IWCD and the Church to complete the boundary adjustment subdivision to complete the land exchange and property disposition. IWCD will start work on the development permit and rezoning applications for the Redevelopment Parcel. A Staff report for the applications will be brought to Council at a future date for Council’s consideration.

ATTACHMENTS: |

ATTACHMENT A: Location Plan

ATTACHMENT B: Mid-Town Gateway – City Project

ATTACHMENT C: Property Disposition and Land Exchange Plan

Submitted by:

Bill Corsan
Director, Community Development

Poul Rosen
Director, Engineering |

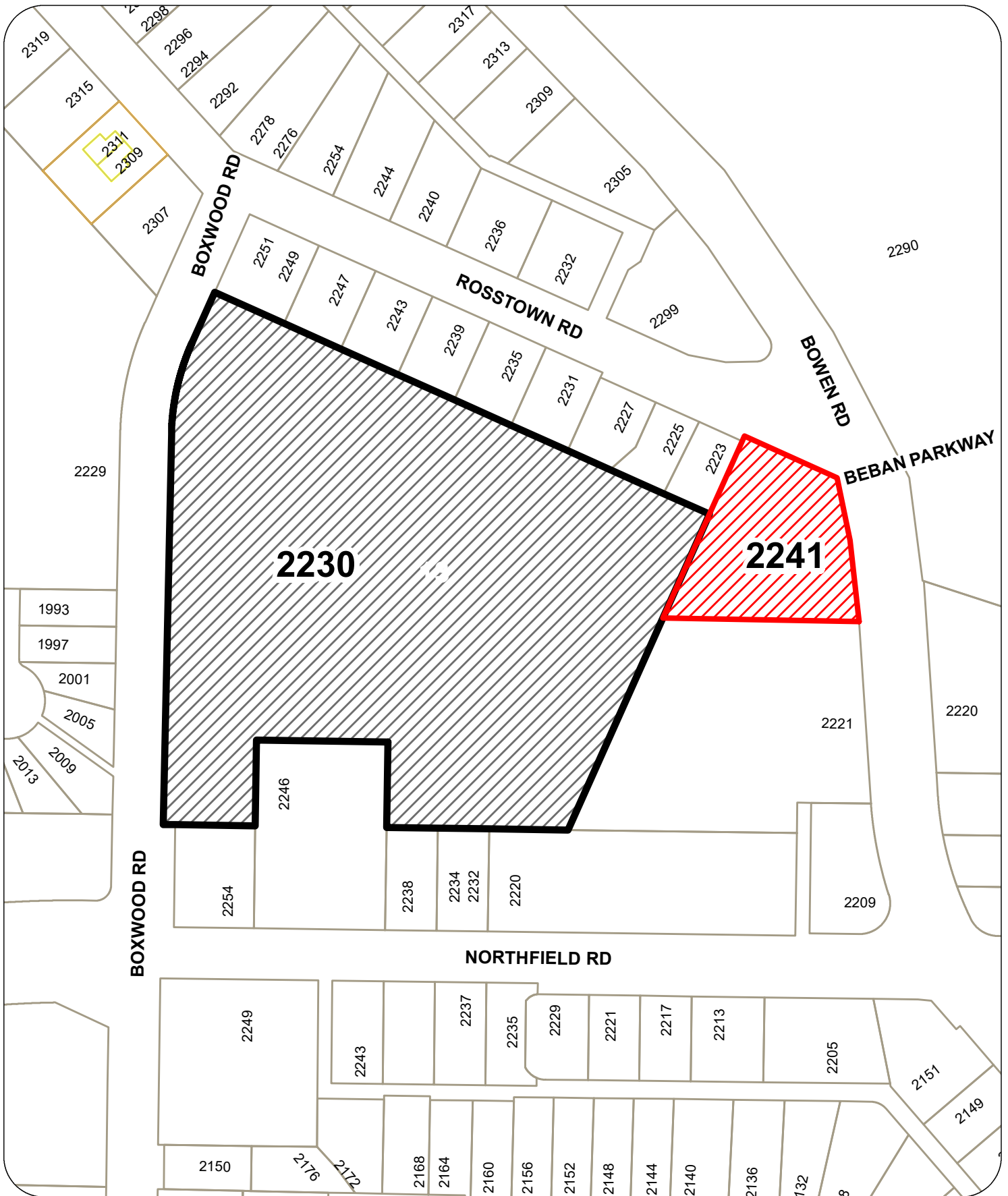
Concurrence by:

Dale Lindsay
General Manager, Development Services



Bill Sims
General Manager, Engineering & Public Works

Laura Mercer
Director, Finance |

ATTACHMENT A



Legend

-  2230 BOXWOOD ROAD
-  2241 BOWEN ROAD

LOCATION PLAN

Civic: 2230 BOXWOOD ROAD & 2241 BOWEN ROAD



ATTACHMENT B






MID-TOWN GATEWAY PROJECT



ATTACHMENT C



Legend

-  2230 BOXWOOD RD - CITY PROPERTY
-  2221 BOWEN RD - CHURCH PROPERTY
-  2241 BOWEN RD - CITY TRANSFER TO CHURCH
-  REDEVELOPMENT PARCEL
-  CHURCH TRANSFER TO CITY - COMPLETION OF LAND EXCHANGE - CITY TRANSFER AREA TO IWCD -CONSOLIDATE WITH REDEVELOPMENT PARCEL

Property Disposition Portion of 2230 Boxwood Road Land Exchange Between Portions of 2221 Bowen and 2241 Bowen

DATE OF MEETING | October 19, 2020 |

AUTHORED BY | Kirsten Gellein, Zero Waste Coordinator

SUBJECT | CHECKOUT BAG REGULATION BYLAW

OVERVIEW

Purpose of Report

To provide Council with the draft “Checkout Bag Regulation Bylaw 2019 No. 7283” for consideration.

Recommendation: That Council:

1. That “Checkout Bag Regulation Bylaw 2020 No. 7283” (To regulate single use checkout bags) pass first reading;
2. That “Checkout Bag Regulation Bylaw 2020 No. 7283” pass second reading;
3. That “Checkout Bag Regulation Bylaw 2020 No. 7283” pass third reading; and;
4. That in accordance with Section 9 of the Community Charter direct staff to forward “Checkout Bag Regulation Bylaw 2020 No. 7283” to the Minister of Environment and Climate Change Strategy for approval.

BACKGROUND

In January 2020, the Supreme Court of Canada affirmed, through case dismissal, the B.C. Court of Appeal decision that:

- The nature of municipal checkout bag regulations align within Section 8(3)(j), protection of the natural environment, of the *Community Charter*; and
- Municipal checkout bag regulations subsequently fall within the spheres of concurrent authority under Section 9 of the *Community Charter*, and require approval from the respective provincial Minister.

Following the dismissal, staff reintroduced the Checkout Bag Regulation Bylaw (“Bylaw”) at the March 9, 2020 Governance and Priorities Committee meeting. The new legal precedence was reported to the Committee, along with the findings of the 2019 single-use checkout bag consultation and a summary of actions from senior government and other local jurisdiction on single-use plastics.

The Governance and Priorities Committee made the below recommendation, which was passed at the following March 16, 2020 Regular Council meeting:

...[to] direct Staff to revise draft “Checkout Bag Regulation Bylaw 2019 No. 7283” in reference to section 8(3)(j) of the Community Charter, and return with the revised bylaw for first, second and third reading at the next scheduled Council meeting, to be forwarded to the Minister of Environment and Climate Change Strategy for approval.

The Bylaw was set to be brought back to Council in April 2020, but was put on hold to assess the impacts of COVID-19 following the provincial State of Emergency. Staff consulted with the Province for guidance, and on July 28, 2020 the Ministry of Environment and Climate Change Strategy (“the Ministry”) indicated it would advise of the next steps “in the coming months.”

On September 12, 2020, Minister George Heyman announced the approval of single-use bag bylaws from other municipalities, and that other bylaws would be considered upon submission. Minister Heyman also “proposed to draft a new regulation under the Community Charter to allow local governments to ban single-use plastic without requiring provincial approval.”

The Federal government has also resumed policy action on harmful single-use plastics. On October 7, 2020 Minister of Environment and Climate Change, the Honourable Jonathan Wilkinson, announced that Canada would maintain the 2021 timeline for banning harmful single-use plastics. These regulations are set to be finalized by the end of 2021, and will include plastic checkout bags, straws, stir sticks, six-pack rings, cutlery, and food ware made from hard-to-recycle plastics. The announcement was supported by the release of the *Proposed Integrated Management Approach to Plastic Products to Prevent Waste and Pollution*, which alongside bans of these harmful single-use plastics, discusses mechanisms to establish performance standards (e.g. recycled content requirements) and ensure end-of-life responsibility (e.g. improve and expand extended producer responsibility programs).

Also on October 7, 2020 the Federal government released the final *Science Assessment of Plastic Pollution* to affirm plastic pollution negatively impacts environmental and human health, realms protected under the *Canadian Environmental Protection Act*.

DISCUSSION

Attachment A, the draft “Checkout Bag Regulation Bylaw 2020 No. 7283” has been amended to reference Section 8(3)(j), protection of the natural environment, of the *Community Charter*. Minor administrative revisions have been made, and notably the effective date has been updated to July 1, 2021. Should Council adopt the Bylaw upon approval from the Province, an amendment must be made to “Bylaw Notice Enforcement Bylaw 2012 No. 7159” to include the associated fines for the Checkout Bag Regulation Bylaw.

Since the announcements from senior government, staff have conversed with personnel at the Ministry of Environment and Climate Change Strategy to confirm next steps on proceeding with Bylaw submission for approval. Provincial staff affirmed the draft Bylaw should be approved without issue, as it is consistent with the already approved bylaws from other municipalities, however, not until the new government is called into office. Accordingly, Province staff were not able to advise on a timeline for approval, but agreed the proposed implementation date of July 1, 2021 should be practical.

In terms of duplicity with the Federal ban of single use plastic bags, there is overlap with Sections 3.1 and 3.3(a) in the Bylaw, in which no business may sell or provide a plastic bag.

However, the Federal ban does not make mention to ban biodegradable and compostable bags, which fall within the definition of plastic bags in the draft Bylaw and which no businesses are to sell or provide under Section 3.3(a). Additionally, the Federal ban will not overlie Bylaw Section 3.2 to regulate the provision of paper bags and reusable bags, nor Section 3.4 to regulate businesses from denying or discouraging the use of reusable bags.

The draft Bylaw goes beyond the scope of the proposed Federal ban to also regulate the distribution of biodegradable and compostable bags, and discourage the use of paper and reusable bags. In this respect, the draft Bylaw more strongly incorporates the principles of Zero Waste and pollution prevention hierarchies, to prioritize reduction and reuse above recycling and composting, with landfilling only when other options are exhausted. This advantage supports Council's priority of Environmental Protection.

In the initial stages of COVID-19, the BC Centre for Disease Control (BCCDC) had prohibited the use of reusable bags. Since late April, the BCCDC has once again allowed for the use of reusable checkout bags provided customers keep the bags in their cart and pack the bags themselves. Regarding the potential of spread through reusable bags, the BCCDC states the "risk of spread [on surfaces] is probably low" and advises retail stores to "make policy that works for them and their employees." A scan of other jurisdictions indicate some municipalities remain in a holding pattern, while others, like the City of Vancouver, have kept their ban in force but have withheld the education and enforcement components. The proposed date of Bylaw effect on July 1, 2021 will give time to further assess the impacts of COVID-19, and adapt education campaigns and enforcement of the Bylaw accordingly. |

OPTIONS

1. 1. That "Checkout Bag Regulation Bylaw 2020 No. 7283" (To regulate single use checkout bags) pass first reading;
2. That "Checkout Bag Regulation Bylaw 2020 No. 7283" pass second reading;
3. That "Checkout Bag Regulation Bylaw 2020 No. 7283" pass third reading; and
4. That in accordance with Section 9 of the Community Charter direct staff to forward "Checkout Bag Regulation Bylaw 2020 No. 7283" to the Minister of Environment and Climate Change Strategy for approval.

The advantage of this option is being a legally sound action to position Nanaimo as a leader in environmental protection, as aligned with the priorities of Environmental Responsibility, Governance Excellence and Economic Health in the Strategic Plan. The disadvantages are uncertainty in timeline for receiving Ministerial approval, and some overlap with the proposed Federal regulation to ban single-use plastic bags by the end of 2021.

Financial Implications: the enforcement costs, in bylaw staff time, and the utilization of \$15,350 in public education funds currently included in the 2020 budget.

2. That Council withhold the "Checkout Bag Regulation Bylaw 2019 No. 7283", under expectation the Federal regulation to ban single-use plastic bags is set to be finalized by the end of 2021.

The advantage of this option is the administrative onus falls to the Federal government, and the regulation will harmonize with a much larger geography. The disadvantage is the Federal ban will not regulate the distribution of biodegradable, compostable, paper and reusable bags.

There are no financial implications for this option.

3. That Council provide alternate direction. |

SUMMARY POINTS

- Under the *Community Charter*, the City of Nanaimo is required to obtain approval from the Minister of Environment and Climate Change Strategy prior to adoption of the draft "Checkout Bag Regulation Bylaw 2019 No. 7283".
- The Government of Canada and Province of British Columbia have announced plans regulate plastic waste, with the Federal Government set to ban harmful single-use plastics in late 2021.
- In addition to regulating the distribution of single-use plastic checkout bags, the draft "Checkout Bag Regulation Bylaw 2019 No. 7283" would regulate the distribution of biodegradable, compostable, paper and reusable bags.

ATTACHMENTS:

- A. Draft "Checkout Bag Regulation Bylaw 2020 No. 7283"
- B. Checkout Bag Regulation Bylaw Presentation |

Submitted by:

Taaj Daliran
Manager, Sanitation & Recycling |

Concurrence by:

Bill Sims
General Manager,
Engineering & Public Works |

CITY OF NANAIMO

BYLAW NO. 7283

A BYLAW TO REGULATE THE USE OF CHECKOUT BAGS

WHEREAS under Section 8(3)(j) of the *Community Charter*, the Council of the City of Nanaimo may, by bylaw, regulate, prohibit and impose requirements in relation to protection of the natural environment;

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 2020 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

- 3.1 Except as provided in this Bylaw, no Business shall provide a Checkout Bag to a customer.
- 3.2 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.
- 3.3 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.
- 3.4 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

- 4.1 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.
- 4.2 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.
- 4.3 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 reused by other customers.
- 4.4 Section 3 does not apply to a Checkout Bag that was purchased by a Business prior to adoption of this Bylaw.

5. Offence

- 5.1 Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the *Community Charter and Offence Act*.
- 5.2 Where an offence under this bylaw is of a continuing nature, each day that an offence continues, or is permitted to exist, constitutes a separate offence.
- 5.3 Section 5.1 shall not prevent the City, or an authorized Person on behalf of the City, issuing and enforcing a ticket under the City's Bylaw Notice Enforcement Bylaw.

6. Severability

If any part, section, sub-section, sentence, clause or sub-clause of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid section shall be severed and the severance shall not affect the validity of the remaining portions of this Bylaw.

7. Effective Date

This Bylaw comes into force on July 1, 2021.

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

Approved by the Ministry of Environment and Climate Change Strategy _____

ADOPTED _____

MAYOR

CORPORATE OFFICER

SCHEDULE 'A'


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

Effective July 1, 2021, checkout bag fees, pursuant to Section 3.2 shall be:

- (1) 15 cents per Paper Bag; and
- (2) \$1 dollar per Reusable Bag.

Effective January 1, 2022, checkout bag fees, pursuant to Section 3.2 shall be:

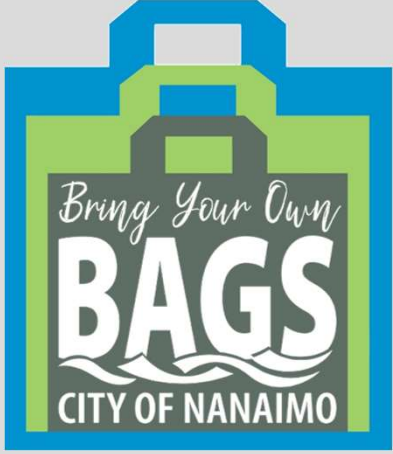
- (1) 25 cents per Paper Bag; and
- (2) \$2 dollars per Reusable Bag.




Checkout Bag Regulation Bylaw

Taaj Daliran
Manager Sanitation & Recycling

Kirsten Gellein
Zero Waste Coordinator



October 19, 2020

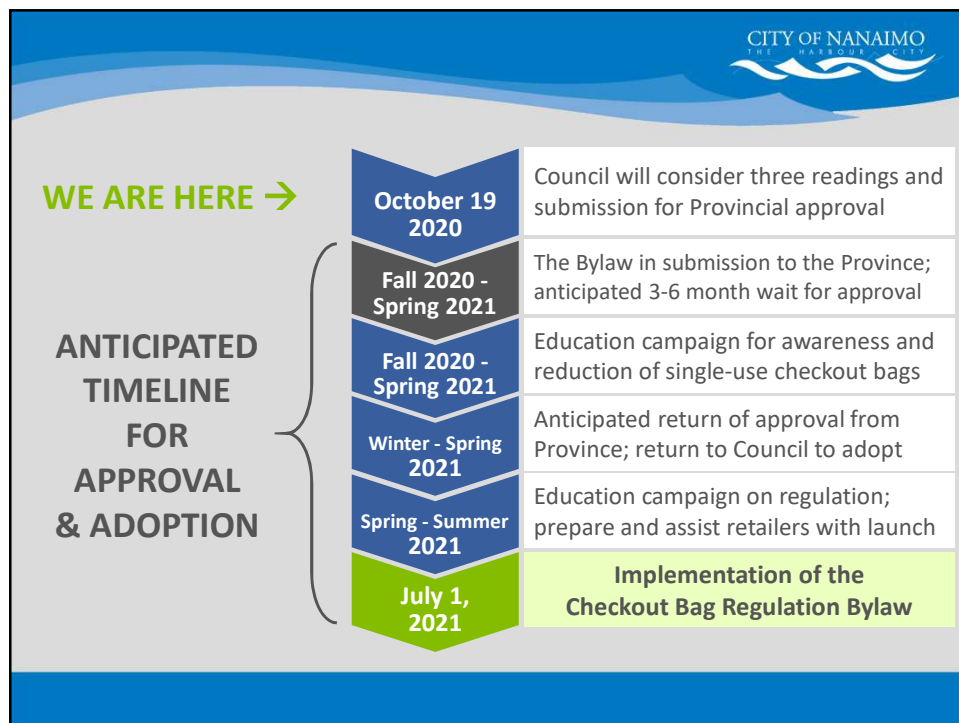
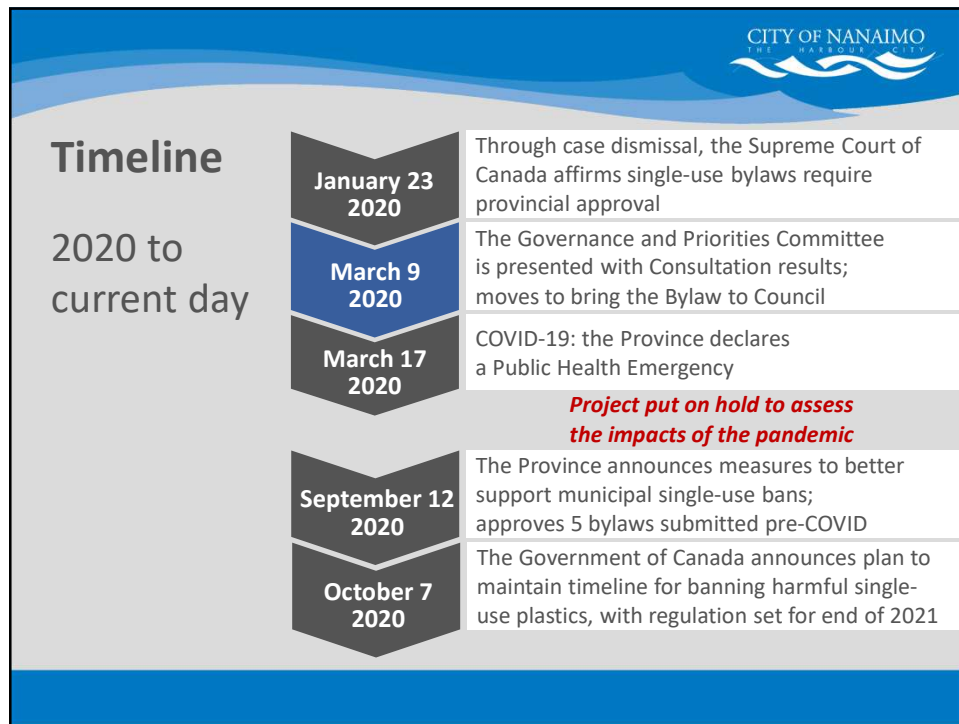


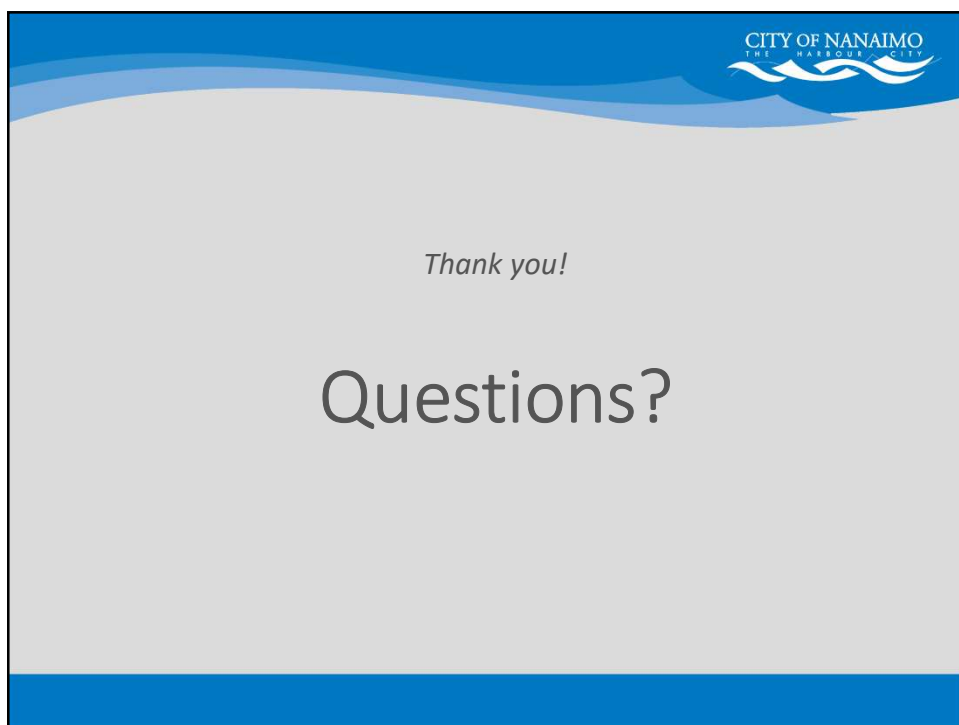
Timeline

2017 to
Summer
2019

December 2017	Council moves that the City of Nanaimo wishes to ban the use of plastic bags
November 2018	Council directs staff to proceed with public consultation
March - June 2019	Public consultation period with residents and businesses
June - July 2019	Consultation analysis; drafting of the regulation
June - July 2019	The Provincial and Federal governments announce plans to regulate single-use plastics, with a Federal ban as early as 2021
July 2019	The B.C. Court of Appeal rules single-use bylaws require provincial approval

Nanaimo's Bylaw put on hold awaiting an appeal to the Supreme Court of Canada





CITY OF NANAIMO

BYLAW NO. 4500.167

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

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

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2020 No. 4500.167".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (A) By rezoning the lands legally described as LOT 1, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3896 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A
 - (B) By rezoning the lands legally described as LOT 2, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3874 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A
 - (C) By rezoning the lands legally described as LOT 3, BLOCK 17, SECTIONS 3 AND 4, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3852 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (D) By rezoning the lands legally described as LOT 4, BLOCK 17, SECTIONS 3 AND 4 WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3848 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (E) By rezoning the lands legally described as LOT 5, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3816 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (F) By rezoning the lands legally described as LOT 8, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A (3817 Victoria Avenue) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (G) By rezoning the lands legally described as LOT 9, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A (3841 Victoria Avenue) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.

PASSED FIRST READING: 2020-FEB-3
PASSED SECOND READING: 2020-FEB-3
PUBLIC HEARING HELD: 2020-MAR-05
PASSED THIRD READING: 2020-MAR-05
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: 2020-APR-08
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000432
Address: 3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway

SCHEDULE A



REZONING APPLICATION NO. RA000432

CIVIC: 3816 3848 3852 3874 3896 ISLAND HIGHWAY N
3817 3841 VICTORIA AVENUE
LEGAL: LOTS 1-5, 8-9, BLOCK 17, SECTION 3 WELLINGTON
DISTRICT PLAN 318A EXCEPT THAT PART IN PLAN 33807



SUBJECT PROPERTY

Bylaw No.4500.167
Page 2

PASSED FIRST READING: 2020-FEB-3
PASSED SECOND READING: 2020-FEB-3
PUBLIC HEARING HELD: 2020-MAR-05
PASSED THIRD READING: 2020-MAR-05
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____
ADOPTED: _____

Approved pursuant to section 52(3)(a) of
the *Transportation Act*

this 8th day of April, 2020
Ministry of Transportation and Infrastructure



MAYOR

CORPORATE OFFICER

JAMIE LEIGH HOPKINS
File: Commissioner for taking affidavits
RA000432
Address: the Province of British Columbia
3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway
2100 Labeux Road, Nanaimo BC V9T 6E9

CITY OF NANAIMO

BYLAW NO. 7315

A BYLAW TO EXEMPT CERTAIN LANDS AND BUILDINGS FROM TAXATION

WHEREAS Section 224 of the *Community Charter* provides general regulations for the exemption of property from taxation;

AND WHEREAS Section 224 of the *Community Charter* provides specific exemptions for certain types or uses of property.

AND WHEREAS Council deems it expedient to exempt property enumerated herein:

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

1. TITLE

1.1 This Bylaw may be cited as “Property Tax Exemption Bylaw 2020 No. 7315”.

2. CHURCHES

2.1 Subject to Section 2.2 of this Bylaw, the Church lands, together with the buildings thereon, listed on the attached Schedule ‘A’ and further clarified in Maps ‘A-1’ to ‘A-10’, shall be exempt from taxation.

2.2 Church halls situated upon lands described in Schedule ‘A’ of this Bylaw, whether such halls are within church buildings or apart there from, are deemed to be necessary to their respective church operations.

2.3 The maximum area of land to be exempted from taxation shall be 2.0 acres (87,120 sq. ft.) of the land upon which the buildings for public worship stand plus the footprint of the building(s) used for public worship. This exempted area will not exceed the land area of the legal parcel(s) upon which these buildings stand.

3. SENIOR CITIZENS HOUSING

3.1 The Senior Citizens Housing Facility lands and buildings listed on the attached Schedule ‘B’ shall be exempt from taxation.

4. COMMUNITY CARE FACILITIES

- 4.1 The Community Care Facility lands and buildings listed on the attached Schedule 'C' shall be exempt from taxation.

5. MISCELLANEOUS NON-PROFIT

- 5.1 The Miscellaneous Non-Profit lands and buildings listed on the attached Schedule 'D' and further clarified in Maps 'D-1' to 'D-17', unless otherwise specified, shall be exempt from taxation.

6. REPEAL

- 6.1 "Property Tax Exemption Bylaw 2019 No. 7293" is hereby repealed.

PASSED FIRST READING: 2020-OCT-05
PASSED SECOND READING: 2020-OCT-05
PASSED THIRD READING: 2020-OCT-05

Notice of intention to proceed with this bylaw was published on the 23rd day of September, 2020 and the 30th day of September, 2020 in the *Nanaimo News Bulletin* newspaper, circulating in the City of Nanaimo, pursuant to Section 94 of the *Community Charter*.

ADOPTED: _____

MAYOR

CORPORATE OFFICER

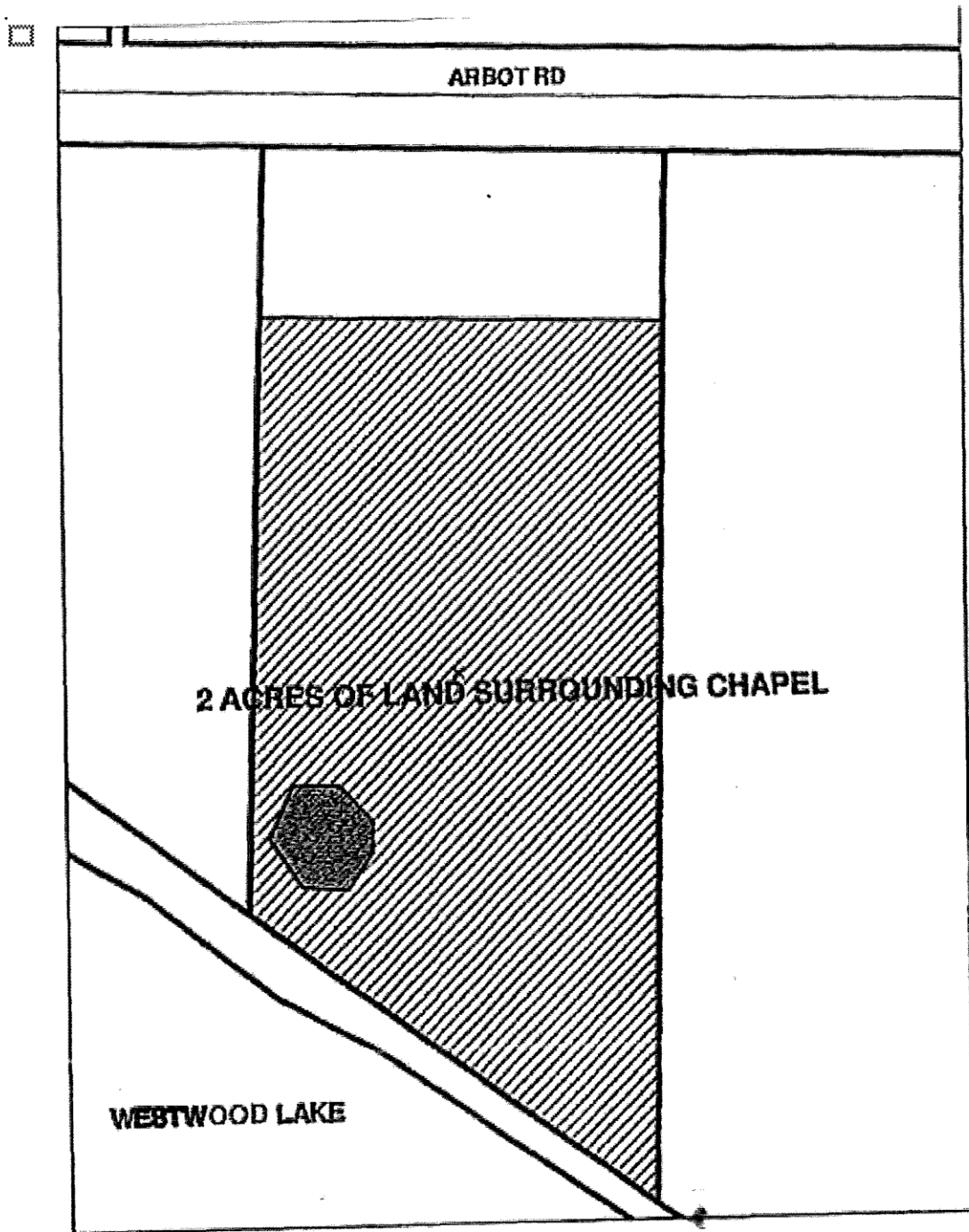
SCHEDULE 'A'

Folio	House	Street	Organization	Legal Description	Map
84331.005	100	CHAPEL STREET	ANGLICAN SYNOD DIOCESE OF B C	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP49398	
07708.570	4951	RUTHERFORD ROAD	B C CONFERENCE OF THE MENNONITE BRETHREN THE	LOT 52, DISTRICT LOTS 14 & 19, WELLINGTON DISTRICT, PLAN VIP56051, EXCEPT PART IN PLAN VIP58432	
06006.305	2400	HIGHLAND BOULEVARD	B C CORP SEVENTH DAY ADVENTIST	LOT 1, SECTION 18, RANGE 8, MOUNTAIN DISTRICT, PLAN 46005	
16897.002	897	HARBOUR VIEW STREET	BC MUSLIM ASSOCIATION THE	PART OF BLOCK C, SECTION 1, NANAIMO DISTRICT, PLAN 1748, ETC, LD 32	
05342.200	2371	ARBOT ROAD	BASIC CHRISTIAN COMMUNITY ASSOCIATION (BETHLEHEM CENTRE)	LOT 2, SECTION 10, RANGE 6, MOUNTAIN DISTRICT, PLAN 18793	A-1
07704.200	6234	SPARTAN ROAD	BISHOP OF VICTORIA	LOT 4, SECTION 12, WELLINGTON DISTRICT, PLAN 17325	
82071.000	301	MACHLEARY STREET	BISHOP OF VICTORIA	LOT 4, BLOCK Q, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT THAT PART IN PLAN VIP67460	
05536.300	2221	BOWEN ROAD	CHRIST COMMUNITY CHURCH	LOT A, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 41417	
05949.192	1609	MEREDITH ROAD	CHRISTIAN AND MISSIONARY ALLIANCE-CANADIAN PACIFIC DISTRICT	LOT 1, SECTION 16, RANGE 8, MOUNTAIN DISTRICT, PLAN VIP87081	A-2
81468.000	20	CHAPEL STREET	CHRISTIAN SCIENCE SOC OF NANAIMO	THE NORTHERLY 1/2 OF LOT 9, BLOCK 55, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT THE EASTERLY 60 FEET	
07657.100	2424	GLEN EAGLE CRESCENT	CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IN CANADA	LOT 1,SECTION 5, WELLINGTON DISTRICT, PLAN 28663	A-7
16001.002	2150	DEPARTURE BAY ROAD	CHURCH OF THE NAZARENE CANADA PACIFIC DISTRICT	LOT 2, SECTION 1, NANAIMO DISTRICT , PLAN 18757	
05680.000	2114	MEREDITH ROAD	DEPARTURE BAY CONGREGATION OF JEHOVAH'S WITNESSES TRUSTEES	THAT PART OF LOT 2, BLOCK 10, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 526, LYING TO THE EAST OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 128 FEET FROM THE WESTERLY BOUNDARY OF SAID LOT EXCEPT PLAN VIP56132	
84302.100	1650	WADDINGTON ROAD	FIRST BAPTIST CHURCH NANAIMO BC	LOT A, DISTRICT LOT 12, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT, VIP58878	A-3
08055.153	6553	PORTSMOUTH ROAD	FOURSQUARE GOSPEL CHURCH OF CANADA	LOT A, DISTRICT LOT 28, WELLINGTON DISTRICT, PLAN EPP14697	A-4
81059.000	305	PRIDEAUX STREET	G S M P D SIKH TEMPLE INC	PARCEL B (DD 29290N) OF LOTS 15 AND 16, BLOCK 25, SECTION 1, NANAIMO DISTRICT, PLAN 584	
80776.000	19	NICOL STREET	GOVERNING COUNCIL OF THE SALVATION ARMY	LOT B, (DD EM34637), BLOCK 12, SECTION 1, NANAIMO DISTRICT, PLAN 584	
17357.000	505	EIGHTH STREET	GOVERNING COUNCIL OF THE SALVATION ARMY CANADA WEST THE	SECTION 12, RANGE 8, SECTION 1, NANAIMO DISTRICT, PLAN 1747	A-5

Folio	House	Street	Organization	Legal Description	Map
08323.405	4960	HAMMOND BAY ROAD	HAMMOND BAY BAPTIST CHURCH	LOT A, DISTRICT LOT 54, PLAN 40992, WELLINGTON DISTRICT	A-6
16039.665	2174	DEPARTURE BAY ROAD	HOPE LUTHERAN CHURCH	LOT A (DD EL108574), SECTION 1, NANAIMO DISTRICT, PLAN 18900	
85738.000	520	PRIDEAUX STREET	LIGHTHOUSE BIBLE BAPTIST CHURCH OF NANAIMO SOCIETY	LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN 14199	
07090.001	2875	ELK STREET	MINTER MIKE/ DANIEL KEVIN/ALEXANDER THOMAS TRUSTEES OF THE NANAIMO CHRISTADELPHIANS	LOT 8, BLOCK 8, SECTION 1, WELLINGTON DISTRICT, PLAN 414	
05965.245	1720	MEREDITH ROAD	NANAIMO CHURCH OF CHRIST	LOT E, SECTION 17, RANGE 8, MOUNTAIN DISTRICT, PLAN 14987	
08323.360	4900	HAMMOND BAY ROAD	NANAIMO FULL GOSPEL ASSEMBLY	LOT 1, DISTRICT LOT 54, WELLINGTON DISTRICT, PLAN VIP62729	
81643.010	260	NEEDHAM STREET	PENTECOSTAL ASSEMBLIES OF CANADA	LOT A (ED110296) OF LOT 4, BLOCK B, SECTION 1, NANAIMO DISTRICT, PLAN 584	
86042.000	1300	PRINCESS ROYAL AVENUE	PENTECOSTAL ASSEMBLIES OF CANADA	LOT 1, SECTION 1, PLAN 22739, NANAIMO DISTRICT	
07357.000	4334	JINGLE POT ROAD	PRIESTLY SOCIETY OF ST PIUS	PARCEL D (DD5353N) OF SECTION 4, WELLINGTON DISTRICT	
86094.000	212	PRIDEAUX STREET	REDEEMED CHRISTIAN CHURCH OF GOD THE/KANAKA MANAGEMENT LTD	LOT 1, BLOCK 34, SECTION 1, NANAIMO DISTRICT, PLAN 28842	A-10
16531.002	394	SHEPHERD AVENUE	ST PAUL'S LUTHERAN CHURCH OF NANAIMO	LOT A (DD EK39556) OF SECTION 1, NANAIMO DISTRICT, PLAN 6350	
16216.002	1064	OLD VICTORIA ROAD	TRUSTEES OF THE CHASE RIVER CONGREGATION OF JEHOVAH'S WITNESSES	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN EPP14550	
81095.000	315	FITZWILLIAM STREET	TRUSTEES OF THE CONGREGATION OF ST ANDREWS UNITED CHURCH	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP65271	
07618.001	3510	DEPARTURE BAY ROAD	TRUSTEES OF THE CONGREGATION OF DEPARTURE BAY BAPTIST CHURCH	LOT 1, SECTION 5, WELLINGTON DISTRICT, PLAN 9339	A-8
07458.202	4235	DEPARTURE BAY ROAD	TRUSTEES OF ST ANDREWS PRESBYTERIAN CHURCH NANAIMO	LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN VIP58451	
07864.065	6011	DOUMONT ROAD	TRUSTEES OF THE WOODGROVE CONGREGATION OF JEHOVAH'S WITNESSES	LOT 1, DISTRICT LOT 23G, WELLINGTON DISTRICT, PLAN 42114	
07205.002	4017	VICTORIA AVENUE	UKRAINIAN CATHOLIC EPARCHY OF NW	LOT A (DD EK99968), BLOCK 11, SECTION 5, WELLINGTON DISTRICT, PLAN 318	
83042.000	595	TOWNSITE ROAD	UNITARIAN FOUNDATION OF NANAIMO	PARCEL A (DD F34209), SECTION 1, NANAIMO DISTRICT, PLAN 1505	

Folio	House	Street	Organization	Legal Description	Map
16536.100	328	THIRD STREET	VANCOUVER ISLAND KHALSA DIWAN SOCIETY	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP76304	A-9
17545.010	275	PINE STREET	VANCOUVER ISLAND KHALSA DIWAN SOCIETY	LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN VIP71136	
16276.025	170	WAKESIAH AVENUE	WAKESIAH GOSPEL CHAPEL	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 7109	

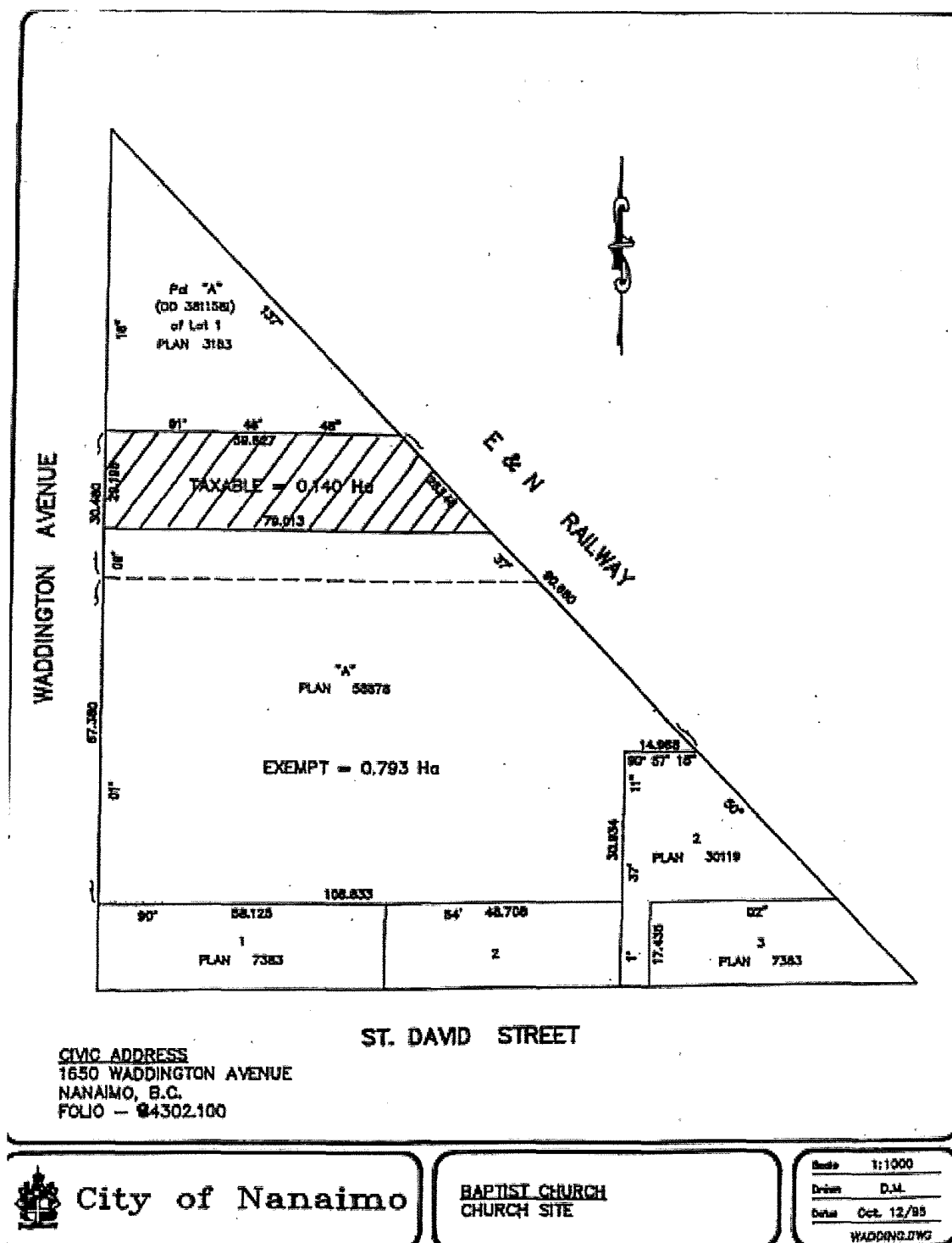
MAP 'A-1'



Folio: 05342.200
Civic: 2371 Arbot Road
Organization: **BASIC CHRISTIAN COMMUNITY ASSOCIATION (BETHLEHEM CENTRE)**

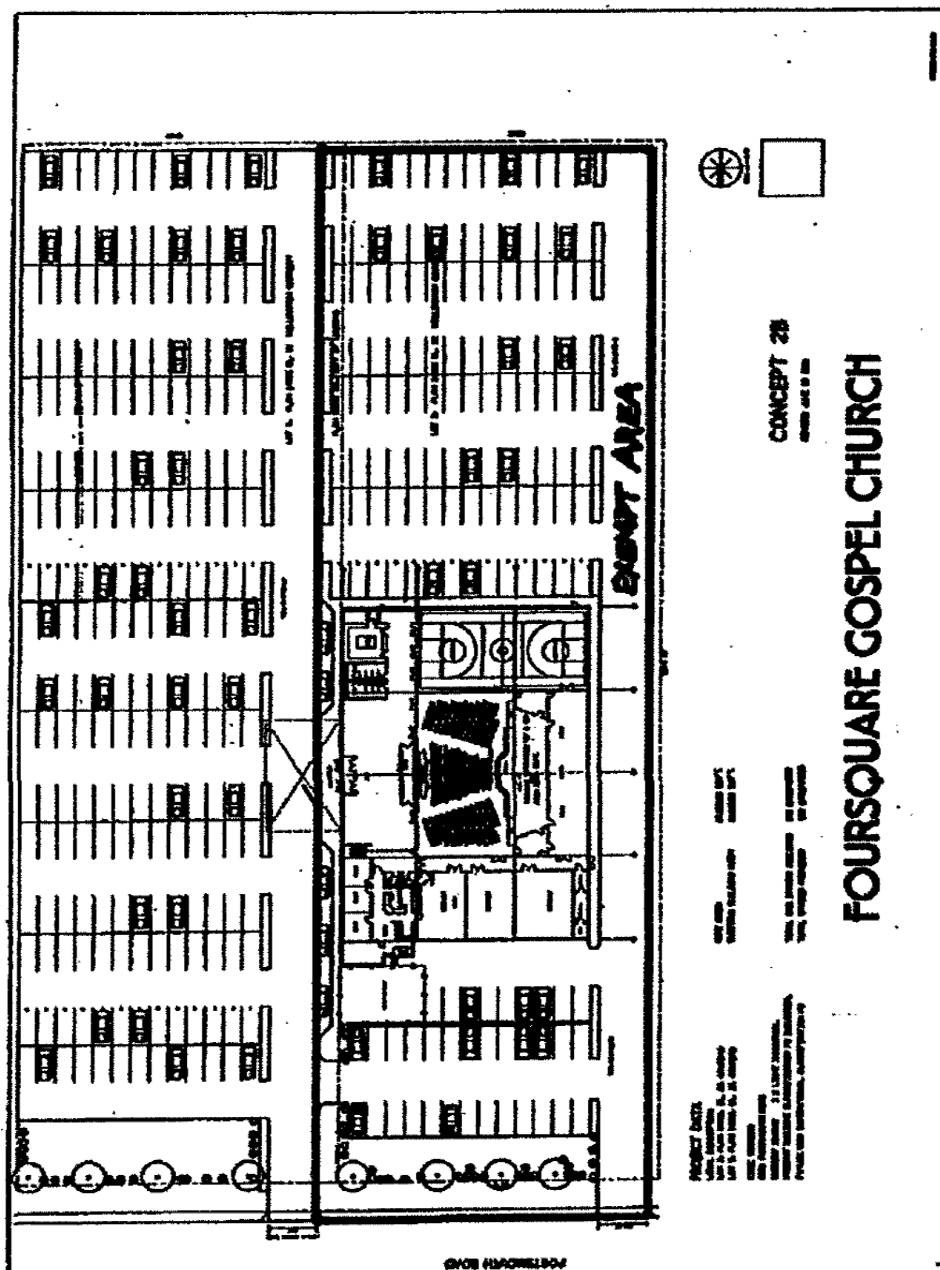


MAP 'A-3'



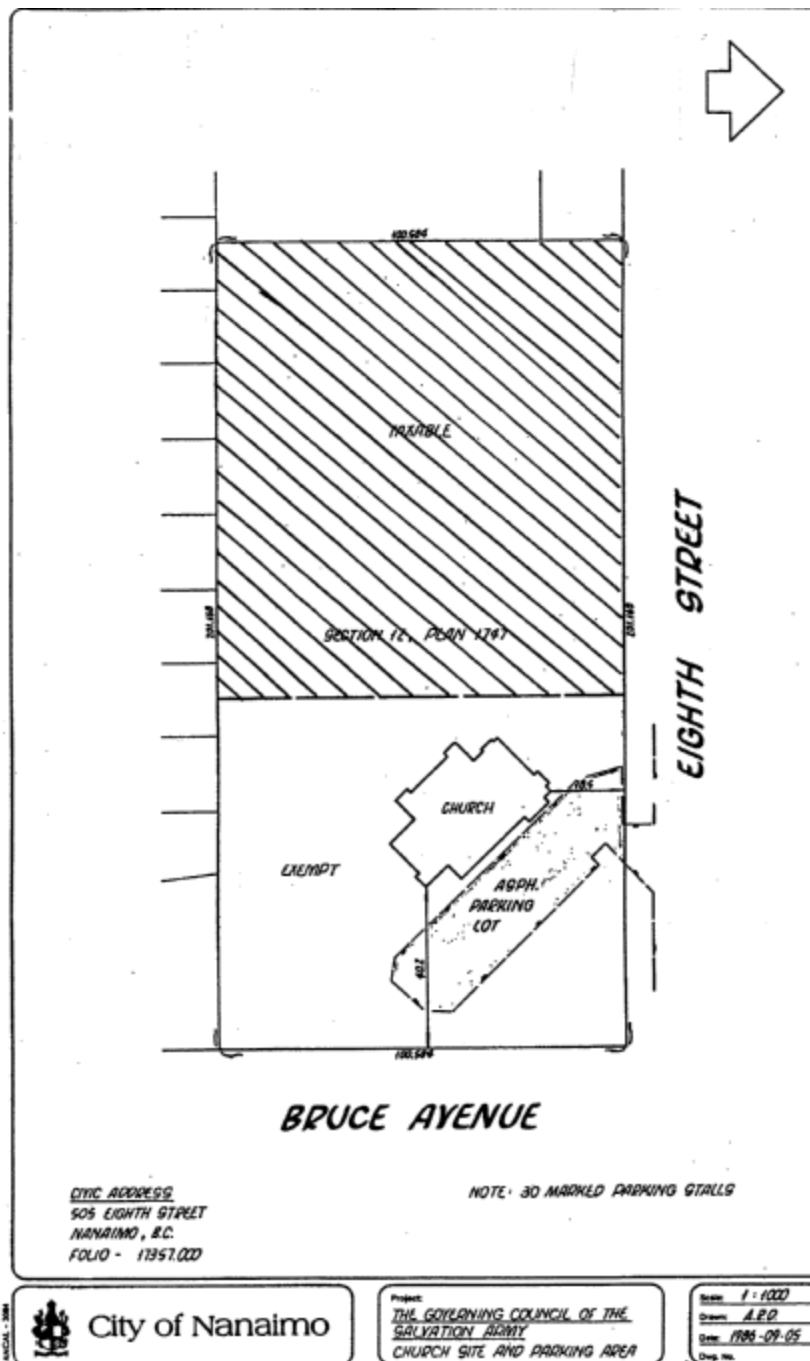
Folio: 84302.100
Civic: 1650 Waddington Road
Organization: FIRST BAPTIST CHURCH NANAIMO BC

MAP 'A-4'



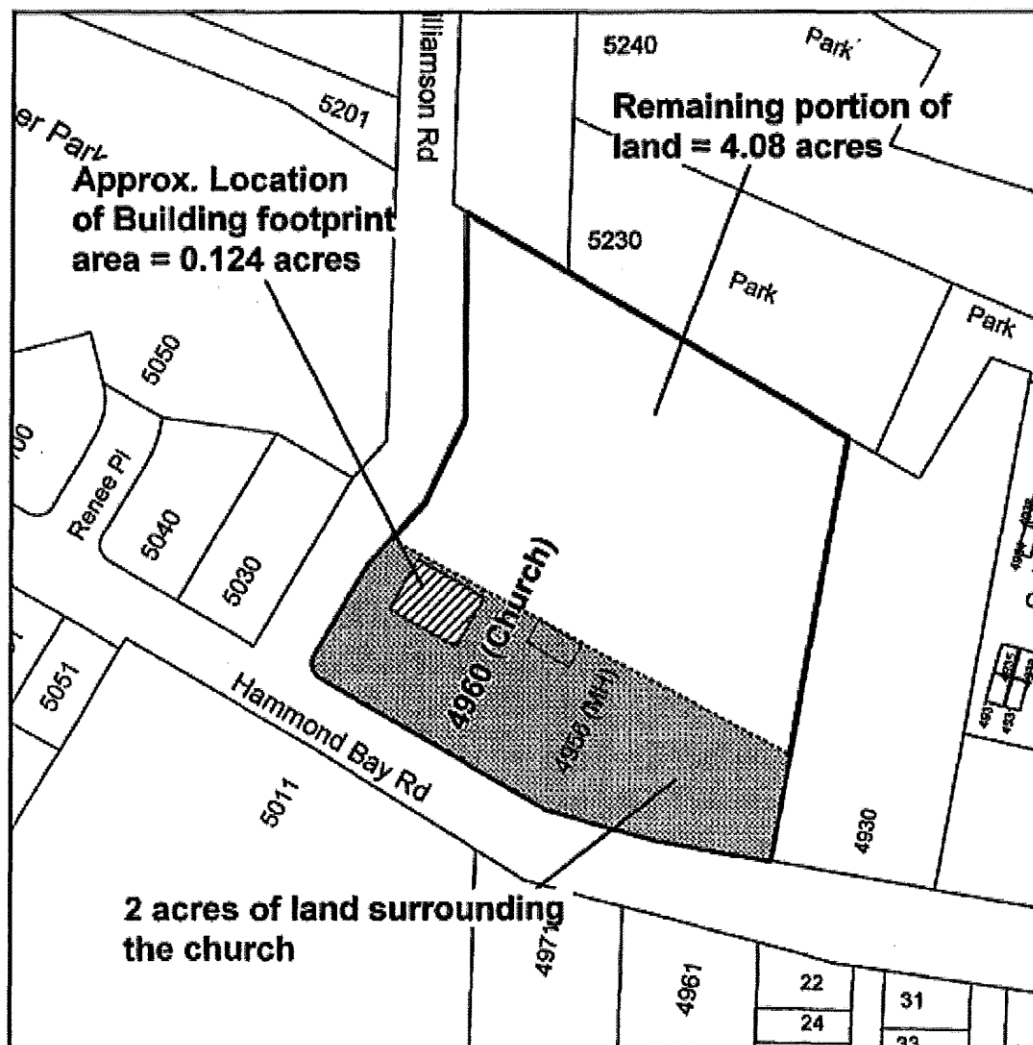
Folio: 08055.153
Civic: 6553 Portsmouth Road
Organization: **FOURSQUARE GOSPEL CHURCH OF CANADA**

MAP 'A-5'



Folio: 17357.000
Civic: 505 Eighth Street
Organization: THE GOVERNING COUNCIL OF THE SALVATION ARMY CANADA WEST

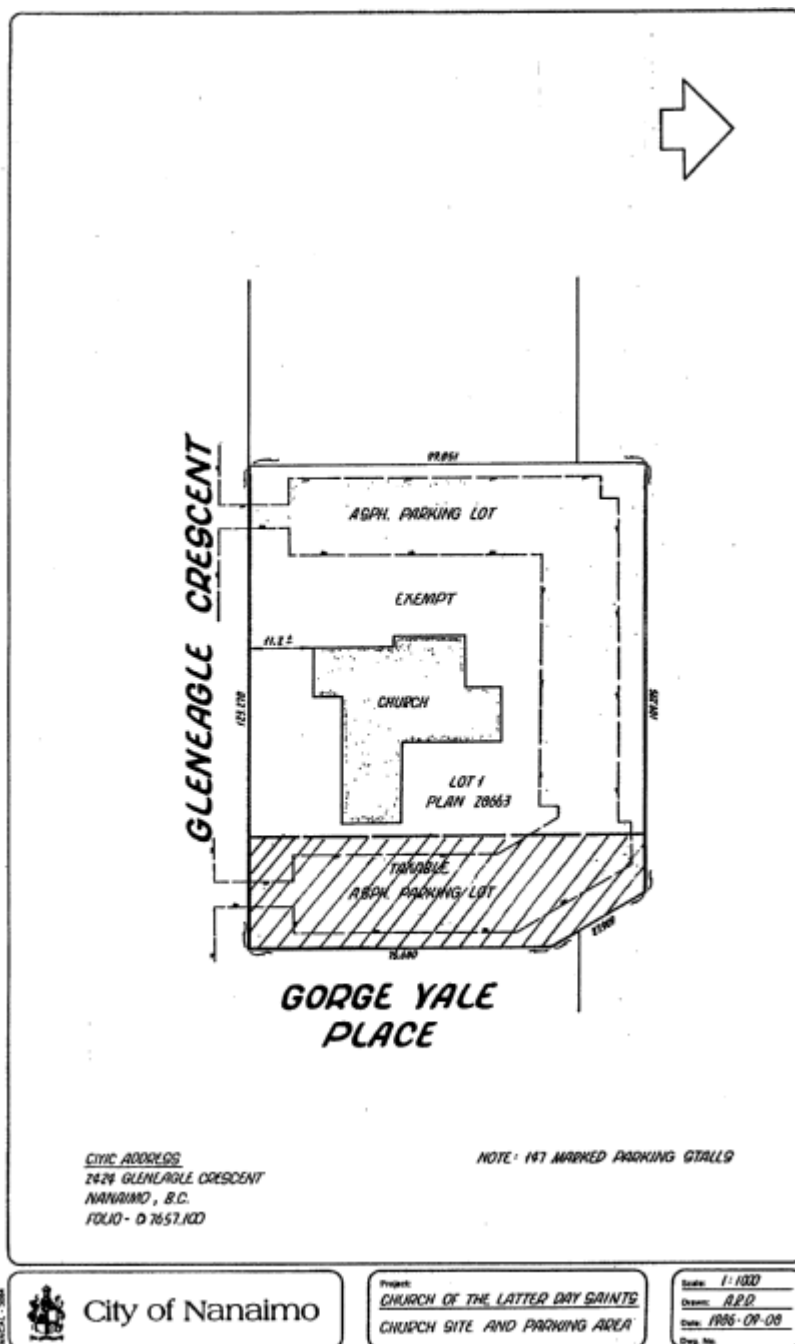
MAP 'A-6'



Entire lot area of 4960 Hammond Bay Road = 6.3 acres

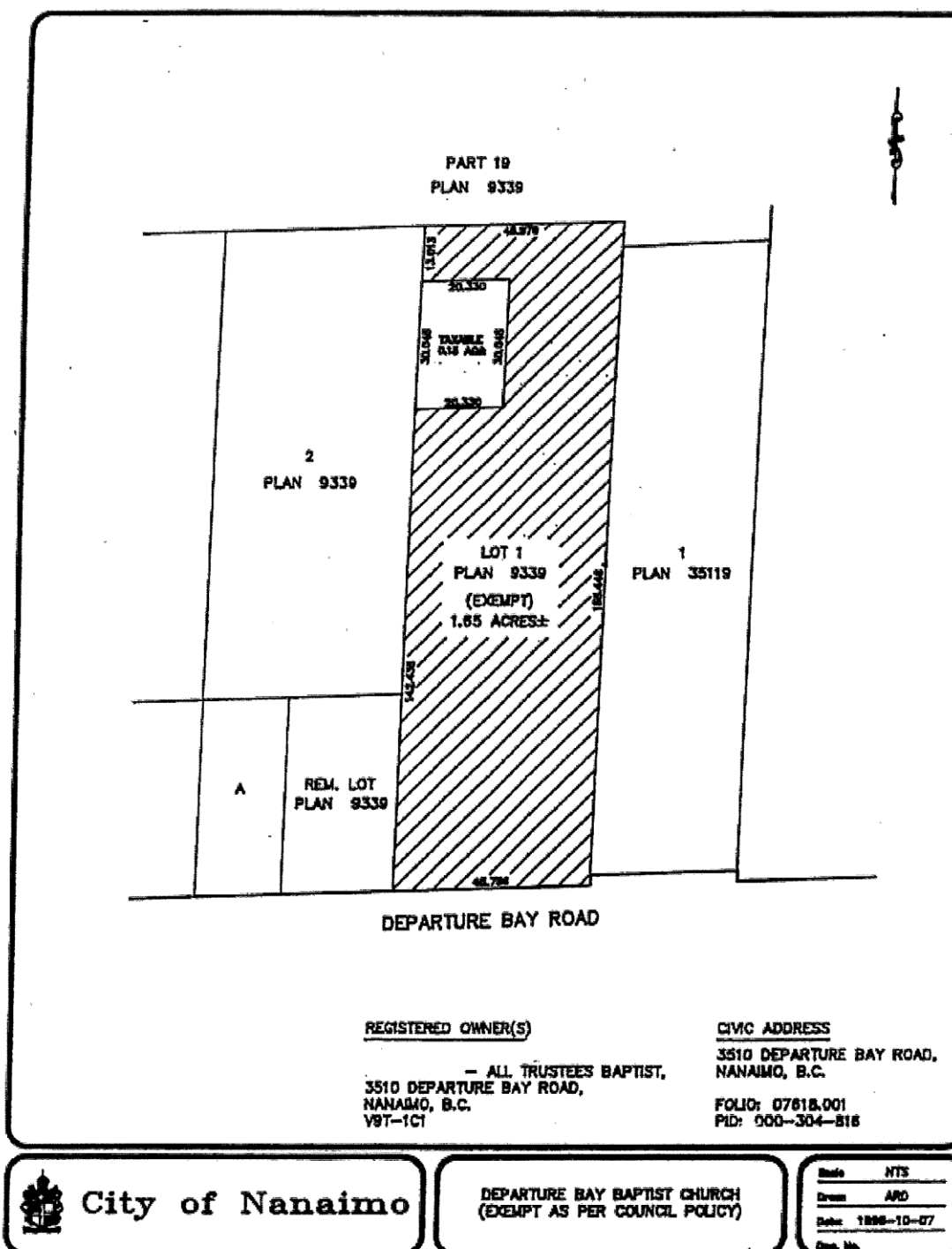
Folio: 08323.405
Civic: 4960 Hammond Bay Road
Organization: **HAMMOND BAY BAPTIST CHURCH**

MAP 'A-7'



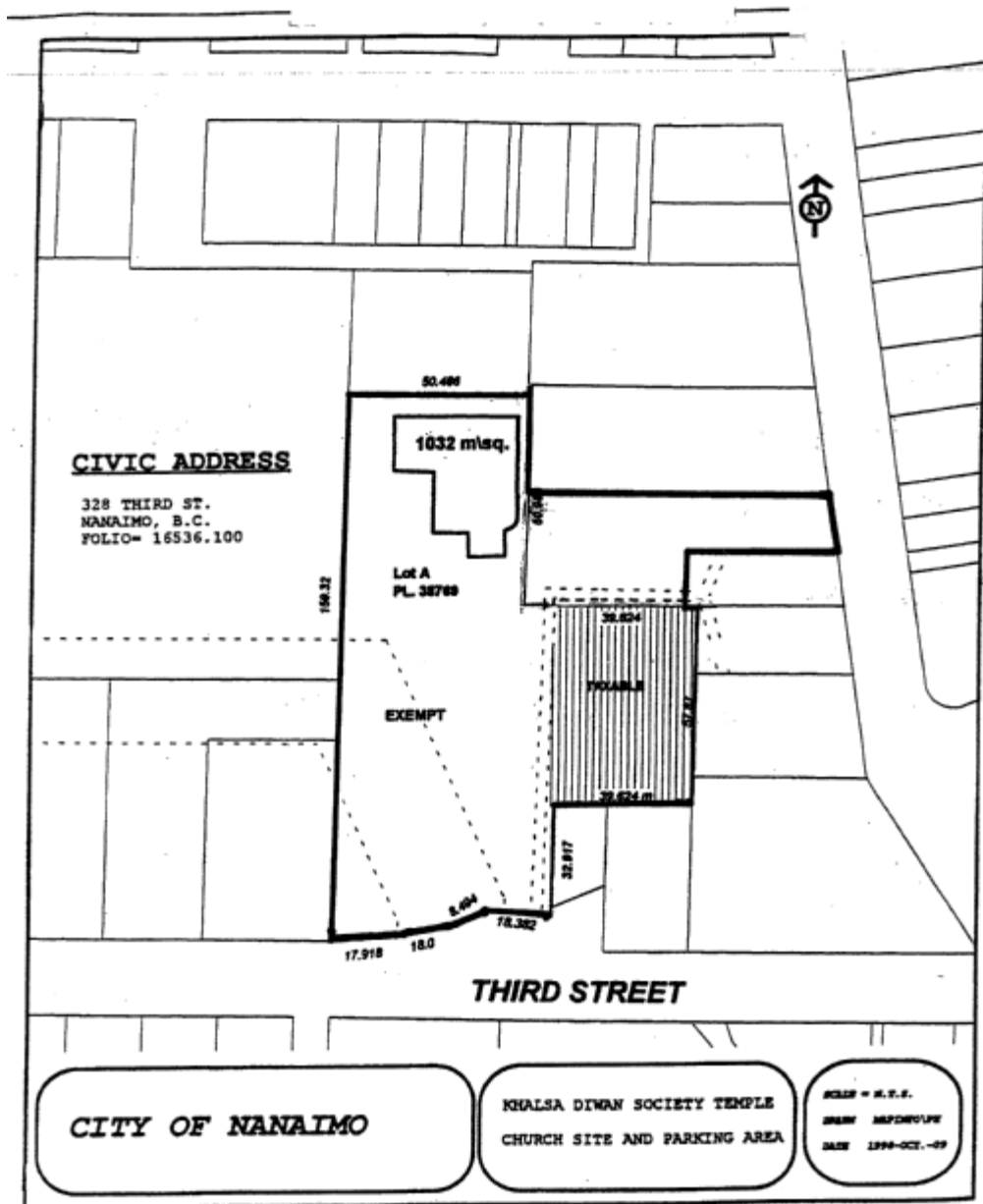
Folio: 07657.100
Civic: 2424 Glen Eagle Crescent
Organization: **CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IN CANADA**

MAP 'A-8'

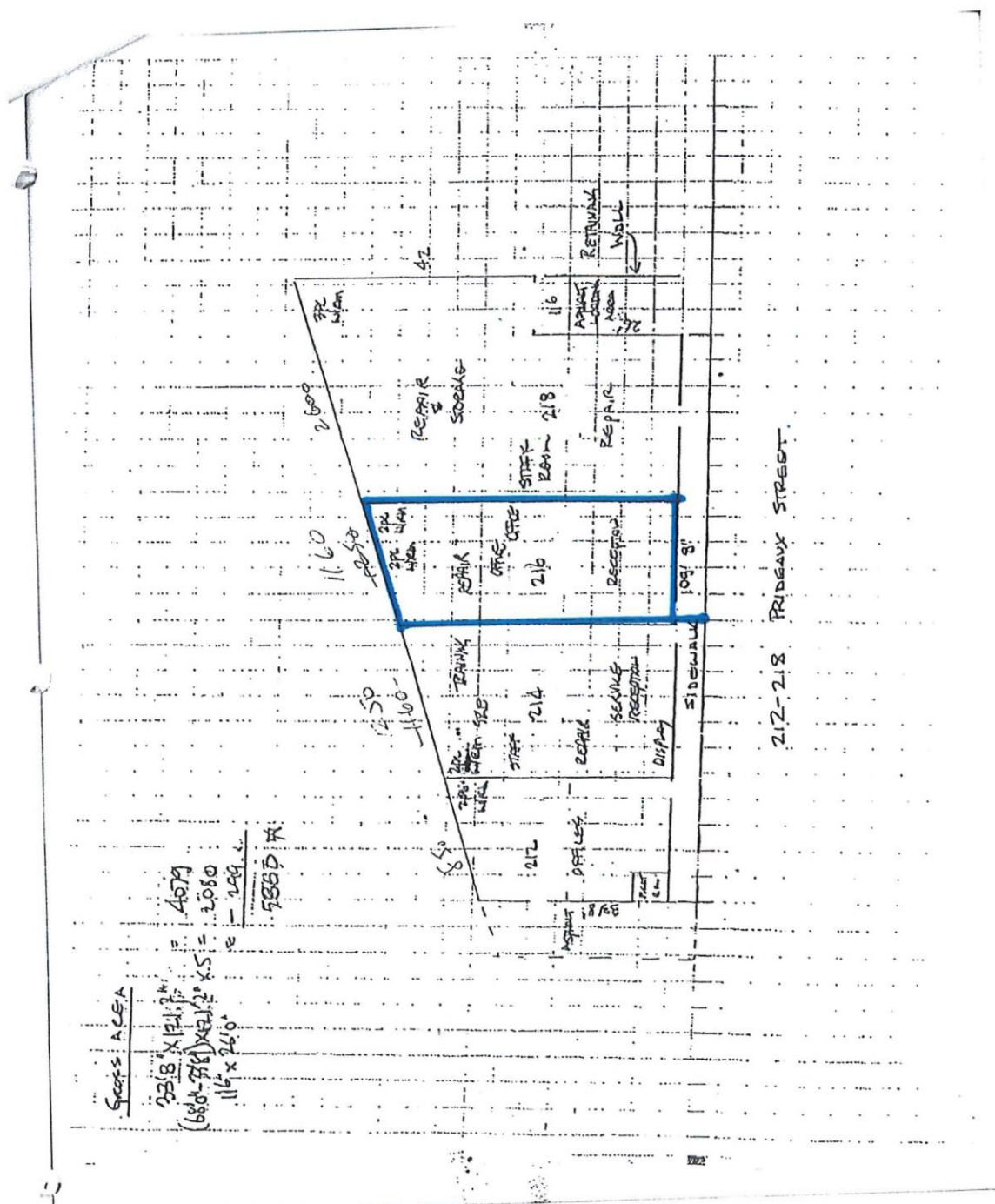


Folio: 07618.001
Civic: 3510 Departure Bay Road
Organization: **TRUSTEES OF THE CONGREGATION OF DEPARTURE BAY BAPTIST CHURCH**

MAP 'A-9'



Folio: 16536.100
Civic: 328 Third Street
Organization: VANCOUVER ISLAND KHALSA DIWAN SOCIETY



Folio: 86094.000
Civic: 212 Prideaux Street
Organization: **THE REDEEMED CHRISTIAN CHURCH OF GOD**

SCHEDULE 'B'

Folio	House	Street	Organization	Legal Description
16006.051	11	BUTTERTUBS DRIVE	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 11, SECTION 1, NANAIMO DISTRICT, PLAN 23432
16006.252	15	BUTTERTUBS DRIVE	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 12, SECTION 1, NANAIMO DISTRICT, PLAN 23432
16006.275	10	BUTTERTUBS DRIVE	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 13, SECTION 1, NANAIMO DISTRICT, PLAN 23432
81301.000	66	PRIDEAUX STREET	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 6 AND THE SOUTHERLY 14 FEET 9 INCHES OF LOT 7, BLOCK 45, SECTION 1, NANAIMO DISTRICT, PLAN 584
81315.000	69	PRIDEAUX STREET	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 13, BLOCK 46, SECTION 1, NANAIMO DISTRICT, PLAN 584
81312.000	619	COMOX ROAD	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 8 AND 9, BLOCK 46, SECTION 1, NANAIMO DISTRICT, PLAN 584
84328.000	55	PRIDEAUX STREET	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT B - D, SECTION 1, NANAIMO DISTRICT, PLAN 3421
81314.000	65	PRIDEAUX STREET	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 12, BLOCK 46, SECTION 1, NANAIMO DISTRICT, PLAN 584
81316.000	73	PRIDEAUX STREET	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 14, BLOCK 46, SECTION 1, NANAIMO DISTRICT, PLAN 584
86157.500	451	SELBY STREET	NANAIMO AFFORDABLE HOUSING SOCIETY	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 33419 (72 SUITES)

SCHEDULE 'C'

Folio	House	Street	Organization	Legal Description
85047.100	1221	KIWANIS CRESCENT	NANAIMO DISTRICT SENIOR CITIZENS' HOUSING DEVELOPMENT SOCIETY	STRATA LOT 1, DISTRICT LOT 97G, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS5226 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V
85047.201	1233	KIWANIS CRESCENT	NANAIMO DISTRICT SENIOR CITIZENS' HOUSING DEVELOPMENT SOCIETY	STRATA LOT 3, DISTRICT LOT 97G, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS5226 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF STRATA LOT AS SHOWN ON FORM V
85047.305	1234	KIWANIS CRESCENT	NANAIMO DISTRICT SENIOR CITIZENS' HOUSING DEVELOPMENT SOCIETY	STRATA LOT 6, DISTRICT LOT 97G, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS5226 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF STRATA LOT AS SHOWN ON FORM V
85047.310	1237	KIWANIS CRESCENT	NANAIMO DISTRICT SENIOR CITIZENS' HOUSING DEVELOPMENT SOCIETY	STRATA LOT 5, DISTRICT LOT 97G, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS5226, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF STRATA LOT AS SHOWN ON FORM V
05955.010	1917	NORTHFIELD ROAD	NANAIMO TRAVELLERS LODGE SOCIETY	LOT 1, SECTION 17, RANGE 8, MOUNTAIN DISTRICT, PLAN EPP12446

SCHEDULE 'D'

Folio	Unit	House	Street	Organization	Legal Description	Map
81283.002		445	COMOX ROAD	1 ST NANAIMO SCOUT GROUP / SCOUT PROPERTIES (BC/YUKON)	PARK DEDICATED BY PLAN 584, EXCEPT PART IN PLAN EPP30249, LEASE TO NANAIMO SCOUT GROUP - LD003083	
05426.150		2465	LABIEUX ROAD	BC OLD AGE PENSIONERS BRANCH 4 INC	LOT 2, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, PLAN 40481	
05863.000		154	WESTWOOD ROAD	B C SPCA	THE WESTERLY 12.042 CHAINS OF SECTION 13, RANGE 8, MOUNTAIN DISTRICT EXCEPT PART IN PLANS VIP61247, VIP81292 AND EPP53572	
05342.000		2393	ARBOT ROAD	BASIC CHRISTIAN COMMUNITY ASSOCIATION (BETHLEHEM CENTRE)	LOT 1, SECTION 10, RANGE 6, MOUNTAIN DISTRICT, PLAN 18793	
16019.000		20	FIFTH STREET	BOYS AND GIRLS CLUB OF CENTRAL VANCOUVER ISLAND	LOT 3, SECTION 1, NANAIMO DISTRICT, PLAN 9450 EXEMPT PORTION AS SHOWN ON MAP ATTACHED HERETO	D-4
16822.101		1400	CRANBERRY AVENUE	BOYS AND GIRLS CLUB OF CENTRAL VANCOUVER ISLAND/ CITY OF NANAIMO	LOT 1, SECTION 2, NANAIMO DISTRICT, PLAN 23032, EXCEPT PART INCLUDED IN LEASE TO BOYS & GIRLS CLUB	
05549.101		2290	BOWEN ROAD	BOYS AND GIRLS CLUB OF CENTRAL VANCOUVER ISLAND/CITY OF NANAIMO	LOT 1, SECTION 18, 19, & 20, RANGE 7, MOUNTAIN DISTRICT, PLAN 27441, AS SHOWN ON SCHEDULE "C" – BEBAN HOUSE	
86055.000		290	BASTION STREET	CANADIAN MENTAL HEALTH ASSOCIATION – MID-ISLAND	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 25254	D-15
86081.000	101	319	SELBY STREET	CENTRAL VANCOUVER ISLAND MULTICULTURAL SOCIETY/WIDSTEN KATHLEEN MAY & WIDSTEN LINDSAY FARRELL (50% TAX EXEMPTION)	LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN 27926 (UNIT 101 LEASE) AS SHOWN OUTLINED IN BLACK ON MAP ATTACHED HERETO.	D-8
16891.000		838	OLD VICTORIA ROAD	CLAY TREE SOCIETY	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 8961	
85616.010	10	150	COMMERCIAL STREET	CRIMSON COAST DANCE SOCIETY/CITY OF NANAIMO	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 12390, THAT PART INCLUDED IN UNIT 10 LEASE	
05910.000		1717	KERRISDALE ROAD	CRISIS PREGNANCY CENTRE OF NANAIMO SOCIETY	LOT 6, SECTION 15, RANGE 8, MOUNTAIN DISTRICT, PLAN 7272	
05829.000		175	PRYDE AVENUE	DUCKS UNLIMITED CANADA/CITY OF NANAIMO	SECTION 12, RANGE 8, MOUNTAIN DISTRICT, EXCEPT THE WESTERLY 11.979 CHAINS THEREOF AND EXCEPT THAT PART IN PLANS 25503 AND VIP61854	
07375.585		4148	MOSTAR ROAD	HABITAT FOR HUMANITY MID-VANCOUVER ISLAND/LENCO DEVELOPMENT LTD/FERNCO DEVELOPMENT LTD/NORCO DEVELOPMENT LTD	LOT 17, SECTION 5, WELLINGTON DISTRICT, PLAN 38953 EXCEPT PART IN PLAN VIP82697 EXEMPT PORTION AS SHOWN ON MAP ATTACHED HERETO	D-9
82336.000		25	VICTORIA ROAD	HARBOUR CITY THEATRE ALLIANCE SOCIETY/CITY OF NANAIMO	LOT 4, BLOCK AA, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT PARCELS A (DD 94054) & PARCEL B (DD 11647N).	

Folio	Unit	House	Street	Organization	Legal Description	Map
84750.000		7	PORT DRIVE	ISLAND CORRIDOR FOUNDATION/CANADIAN PACIFIC RAILWAY COMPANY	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 6675 EXCEPT PLANS 19380 & 30712 (EXCEPT NON-UTILITY OPERATIONS SEE 84750.100) - EXEMPT PORTION AS SHOWN ON MAP ATTACHED HERETO	D-10
84758.000		1161	MILTON STREET	ISLAND CORRIDOR FOUNDATION/CANADIAN PACIFIC RAILWAY COMPANY	LOT 1, BLOCK 1, SECTION 1, NANAIMO DISTRICT, PLAN 6910, EXCEPT PLAN 29652 - EXEMPT PORTION AS SHOWN ON MAP ATTACHED HERETO	D-10
08310.152		6682	DOVER ROAD	ISLAND CRISIS CARE SOCIETY	LOT 15, DISTRICT LOT 53, WELLINGTON DISTRICT, PLAN VIP76773	
16930.000		880	VICTORIA ROAD	ISLAND CRISIS CARE SOCIETY	LOT 4, BLOCK 1, SECTION 1, NANAIMO DISTRICT, PLAN 2009	
16931.000		870	VICTORIA ROAD	ISLAND CRISIS CARE SOCIETY	LOT 5, BLOCK 1, SECTION 1, NANAIMO DISTRICT, PLAN 2009	
80306.203	3	1200	PRINCESS ROYAL AVENUE	ISLAND CRISIS CARE SOCIETY	STRATA LOT 3, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS2892 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1	
80306.204	4	1200	PRINCESS ROYAL AVENUE	ISLAND CRISIS CARE SOCIETY	STRATA LOT 4, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS2892 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1	
84680.005		355	NICOL STREET	ISLAND CRISIS CARE SOCIETY	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP29088	
07838.100		3413	LITTLEFORD ROAD	ISLAND CRISIS CARE SOCIETY	LOT 1, DISTRICT LOT 19, WELLINGTON DISTRICT, PLAN 31377	
05501.100		2060	EAST WELLINGTON ROAD	ITALIAN SOCIETY FELICE CAVALOTTI LODGE INC NO S7832	LOT 1, SECTIONS 14 AND 15, RANGE 7, MOUNTAIN DISTRICT, PLAN 20182, EXCEPT THAT PART IN PLAN VIP58179	
86186.000	200	1585	BOWEN ROAD	LET ME BE ME LEARNING FOUNDATION/BC0811580 BC LTD	LOT 1, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT, PLAN 36556	D-11
80596.000		210	FRY STREET	LOAVES & FISHES FOOD BANK FOUNDATION	LOT 18, BLOCK 3, SECTION 1, NANAIMO DISTRICT, PLAN 584	
81613.000		1009	FARQUHAR STREET	LOAVES & FISHES FOOD BANK FOUNDATION	THE NORTH 1/2 OF LOT 8, BLOCK A, SECTION 1, NANAIMO DISTRICT, PLAN 584	
16822.135		1356	CRANBERRY AVENUE	LOYAL ORDER OF MOOSE, NANAIMO LODGE NO. 1052 -(CLASS 8 EXEMPTION ONLY)	LOT 2, SECTION 2, NANAIMO DISTRICT, PLAN VIP8257	
08283.925		6175	MCGIRR ROAD	MCGIRR SPORTS SOCIETY THE/ CITY OF NANAIMO	LOT A, DISTRICT LOT 48, PLAN 42751, WELLINGTON DISTRICT-LEASED TO MCGIRR SPORTS SOCIETY - BYLAW #5145	
05895.100		1630	EAST WELLINGTON ROAD	MT BENSON (PAC BR 256) ROYAL CANADIAN LEGION -(CLASS 8 EXEMPTION ONLY)	LOT 1, SECTIONS 14 & 15, RANGE 8, MOUNTAIN DISTRICT, PLAN 39076	
07204.002		3999	VICTORIA AVENUE	MID ISLAND ABILITIES & INDEPENDENT LIVING SOCIETY/CITY OF NANAIMO	PART OF SECTION 5, WELLINGTON DISTRICT, AS SHOWN ON PLAN 51235	

Folio	Unit	House	Street	Organization	Legal Description	Map
05549.008	3	2300	BOWEN ROAD	NANAIMO & DISTRICT EQUESTRIAN ASSOCIATION/VANCOUVER ISLAND EXHIBITION ASSOCIATION/CITY OF NANAIMO	LOT 1, SECTIONS 18, 19 AND 20, RANGE 7, MOUNTAIN DISTRICT, PLAN 27441 EXCEPT THOSE PARTS IN PLANS 40622 AND 44255 LEASE FOR VANCOUVER ISLAND EXHIBITION ASSOC & NANAIMO & DISTRICT EQUESTRIAN ASSOC AS OUTLINED IN A HEAVY DASHED LINE ON MAP ATTACHED HERETO	D-1
85093.002		100	CAMERON ROAD	NANAIMO & DISTRICT MUSEUM SOCIETY/CITY OF NANAIMO	LOT B, SECTION 1, PLAN 8979, NANAIMO DISTRICT, NANAIMO & DISTRICT MUSEUM SOCIETY - FLOOR 1 - THAT PART INCLUDED IN CITY OF NANAIMO LEASE	
81611.020	201	285	PRIDEAUX STREET	NANAIMO 7-10 CLUB/CITY OF NANAIMO	NANAIMO LAND DISTRICT, PORTION LEASE, COMMUNITY SERVICES BUILDING - ROOM 201 AS OUTLINED BY A HEAVY DARK LINE ON MAP ATTACHED HERETO	D-5
81611.033	303	285	PRIDEAUX STREET	NANAIMO 7-10 CLUB/CITY OF NANAIMO	NANAIMO LAND DISTRICT, PORTION LEASE, COMMUNITY SERVICES BUILDING - ROOM 303.	
86175.000		83	VICTORIA CRESCENT	NANAIMO ASSOCIATION FOR COMMUNITY LIVING	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 35056	
08092.305		5800	TURNER ROAD	NANAIMO AUXILIARY TO NANAIMO REGIONAL GENERAL HOSPITAL	STRATA LOT 1, DISTRICT LOT 30, WELLINGTON DISTRICT, STRATA PLAN VIS5863 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 – 5% EXEMPTION	
05549.007	2	2300	BOWEN ROAD	NANAIMO B M X ASSOCIATION /CITY OF NANAIMO	LOT 1, SECTIONS 18, 19 AND 20, RANGE 7, MOUNTAIN DISTRICT, PLAN 27441 EXCEPT THOSE PARTS IN PLANS 40622 AND 44255 LEASE FOR NAN BMX ASSOC	
81535.000	101	290	BASTION STREET	NANAIMO BRAIN INJURY SOCIETY	LT 8&9, BLK 60, SEC 1, PLN 584, EXC E 5 FT OF 9, LD 32	D-16
05990.101	1	2525	MCCULLOUGH ROAD	NANAIMO BRANCH OF THE RED CROSS SOCIETY/IKONKAR HOLDINGS LTD	STRATA LOT 1, SECTIONS 18 &19 , RANGE 8, MOUNTAIN DISTRICT, STRATA PLAN VIS4260, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1	
05990.102	2	2525	MCCULLOUGH ROAD	NANAIMO BRANCH OF THE RED CROSS SOCIETY/O M DEVELOPMENT INC	STRATA LOT 2&3, SECTIONS 19 , RANGE 8, MOUNTAIN DISTRICT, STRATA PLAN VIS4260, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1	
17458.266		129	HAREWOOD ROAD	NANAIMO BRANCH ROYAL CANADIAN LEGION (BRANCH 10) -(CLASS 8 EXEMPTION ONLY)	LOT 16, SECTION 1, NANAIMO DISTRICT, PLAN 20827	
07151.002		4295	VICTORIA AVENUE	NANAIMO CANOE & KAYAK CLUB / NANAIMO ROWING CLUB / CITY OF NANAIMO	SECTION 5, WELLINGTON DISTRICT, ROADWAY & PUBLIC PARK BETWEEN LOTS 1 & 8 AND LONG LAKE (LBF0138849) THAT PART INCLUDED IN LICENSE FOR THE PURPOSE OF A STORAGE AND TRAINING FACILITY FOR FLATWATER CANOE & KAYAK RACING ON LONG LAKE-SEE 07151.000-LEASE LEA0108, AS OUTLINED ON MAP ATTACHED HERETO	D-2

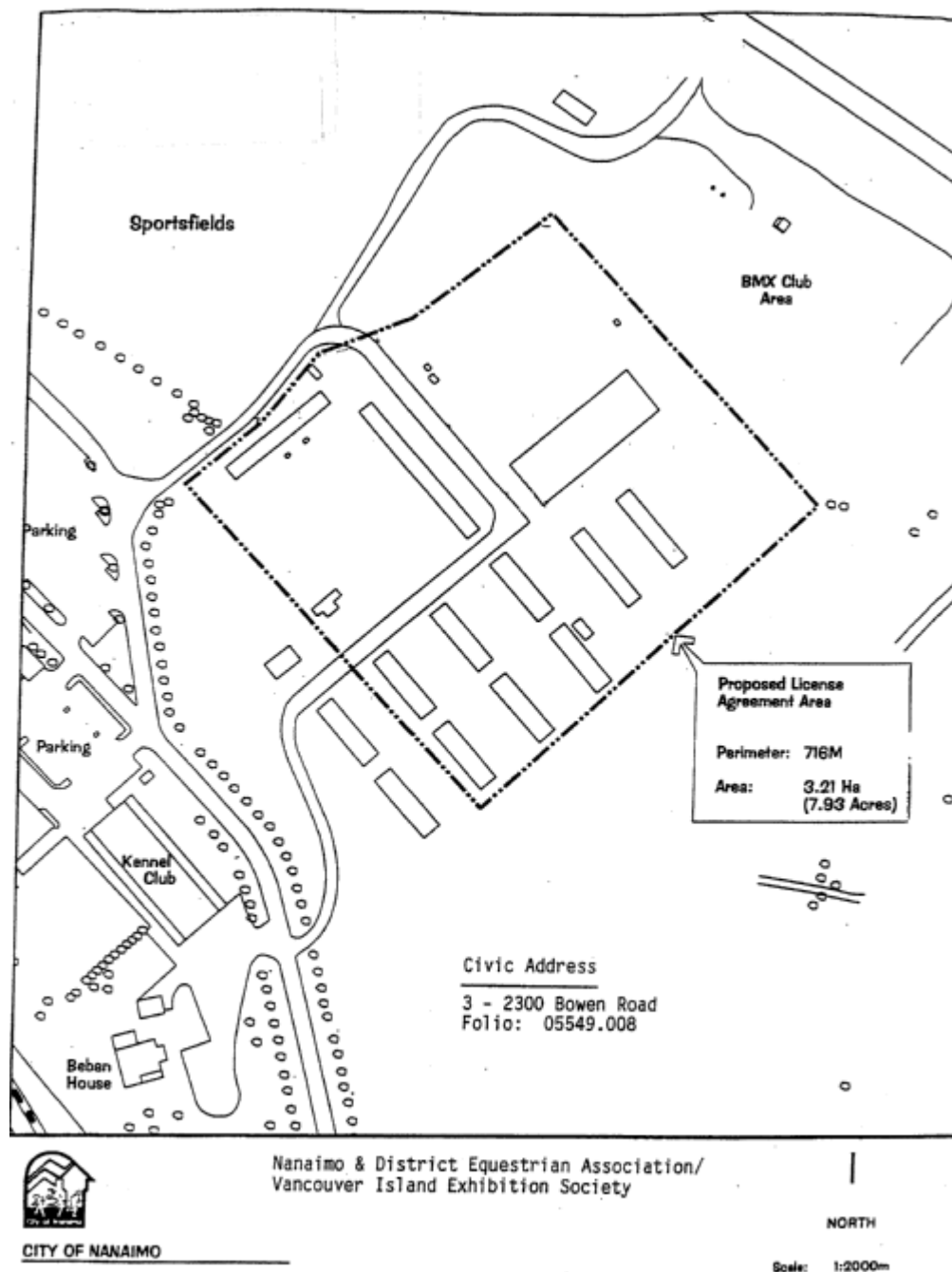
Folio	Unit	House	Street	Organization	Legal Description	Map
85047.002		1135	NELSON STREET	NANAIMO CHILD DEVELOPMENT CENTRE SOCIETY/ VANCOUVER ISLAND HEALTH AUTHORITY	LOT A, DISTRICT LOT 97-G, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT, PLAN 50077, EXCEPT THAT PART IN PLAN VIP51807, LEASED FOR 25 YEARS FROM JULY 1976 FROM NANAIMO REGIONAL HOSPITAL	
85616.009	9	150	COMMERCIAL STREET	NANAIMO COMMUNITY ARCHIVES/CITY OF NANAIMO	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 12390, THAT PART INCLUDED IN UNIT 9 LEASE	
05549.013		2300	BOWEN ROAD	NANAIMO COMMUNITY GARDENS SOCIETY	LOT 1, SECTIONS 18, 19 & 20, RANGE 7, MOUNTAIN DISTRICT, PLAN 27441, EXCEPT THOSE PARTS IN PLANS 40622 & 44255, LEASE FOR NANAIMO COMMUNITY GARDENS SOCIETY	
85901.001		945	WADDINGTON ROAD	NANAIMO COMMUNITY HOSPICE SOCIETY	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 47726	
86099.000		375	SELBY STREET	NANAIMO CONSERVATORY OF MUSIC	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 28924	
89095.000		100	WALL STREET	NANAIMO CURLING CLUB/CITY OF NANAIMO	THAT PART OF BOWEN PARK(14817N) LYING TO THE EAST OF WALL STREET CONTAINING 1.46 ACRES MORE OR LESS AS SHOWN OUTLINED IN RED, LEASE AUTHORIZATION BYLAW '96 NO 5217, AS OUTLINED ON MAP ATTACHED HERETO	D-3
07498.216	1	4166	DEPARTURE BAY ROAD	NANAIMO DISABILITY RESOURCE CENTRE SOCIETY	STRATA LOT 1, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN VIS2524 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 – 41.47% EXEMPTION	
07498.217	2	4166	DEPARTURE BAY ROAD	NANAIMO DISABILITY RESOURCE CENTRE SOCIETY	STRATA LOT 2, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN VIS2524 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 – 41.47% EXEMPTION	
83252.000		1070	TOWNSITE ROAD	NANAIMO FAMILY LIFE ASSOCIATION	LOT 2, BLOCK 2, DISTRICT LOT 97G, NEWCASTLE RESERVE SECTION 1 NANAIMO DISTRICT, PLAN 1712	
80951.000		505	ALBERT STREET	NANAIMO F O S NON-PROFIT HOUSING SOCIETY	PARCEL A (DD 670N) OF LOT 11, PARCEL B (DD 5701N) OF LOTS 12 & 13, PARCEL A (DD 629N) OF LOTS 12 & 13, ALL OF BLOCK 20, SECTION 1, NANAIMO DISTRICT, PLAN 584	
85998.000		1191	SEAFIELD CRESCENT	NANAIMO F O S NON-PROFIT HOUSING SOCIETY	LOT A, DISTRICT LOT 97G, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT, PLAN 19919	
17545.005		271	PINE STREET	NANAIMO FOODSHARE NETWORK SOCIETY	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP71136	
84474.000		19	COMMERCIAL STREET	NANAIMO LITERACY ASSOCIATION/NASH HARDWARE LTD	LOT 1, SECTION 1, BLOCK 60, NANAIMO DISTRICT, PLAN 584, ETC., AND AM LOT A (DD4326N), SECTION 1, NANAIMO DIST PLAN 5221 [P.I.D. 000-097-110 & 000-097-420]	
85576.001	A	1844	STEWART AVENUE	NANAIMO MARINE RESCUE SOCIETY/CITY OF NANAIMO	LD002343 RIGHT TO OCCUPY THOSE PARTS OF DISTRICT LOT 2092, BLOCK L OF DISTRICT LOT 227 & BLOCK M OF DISTRICT LOTS 227 & 2092, NANAIMO DISTRICT, PLAN EPC579 - DEC 1/2010 - NOV 30/2020	
16000.025		750	THIRD STREET	NANAIMO MINOR HOCKEY ASSOCIATION/CITY OF NANAIMO	LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN 35726 EXCEPT PART IN PLAN 50590	

Folio	Unit	House	Street	Organization	Legal Description	Map
05695.000		2227	MCGARRIGLE ROAD	NANAIMO REGION JOHN HOWARD SOCIETY	LOT 2, BLOCK 14, SECTION 18, RANGE 8, MOUNTAIN DISTRICT, PLAN 526, EXCEPT THE EAST 396 FEET OF THE SOUTH 165 FEET THEREOF AND EXCEPT PARCEL "A" (DD 34684I) THEREOF- EXEMPT PORTION AS SHOWN ON MAP ATTACHED HERETO	
05536.170		2353	ROSSTOWN ROAD	NANAIMO REGION JOHN HOWARD SOCIETY	LOT 15, SECTION 19, RANGE 7, MOUNTAIN DISTRICT, PLAN 27484	
05438.000		2368	ROSSTOWN ROAD	NANAIMO REGION JOHN HOWARD SOCIETY	LOT 6, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, PLAN 6733 EXCEPT PART IN PLAN VIP63918	
16592.001		195	FOURTH STREET	NANAIMO SEARCH & RESCUE SOCIETY/REGIONAL DISTRICT OF NANAIMO/CITY OF NANAIMO	THAT PART OF SECTION 28, RANGE 9, SECTION 1, NANAIMO DISTRICT, PLAN 630, SHOWN OUTLINED IN RED ON PLAN 563R EXEMPT PORTION AS SHOWN ON MAP ATTACHED HERETO	D-7
86226.000		256	WALLACE STREET	NANAIMO SQUASH CLUB/597500 BC LTD	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 43024	D-12, D-13
05431.100		2373	ROSSTOWN ROAD	NANAIMO THEATRE GROUP	LOT 1, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, PLAN 24020	
82528.001		60	NEEDHAM STREET	NANAIMO UNIQUE KIDS ORGANIZATION	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 49522	
86055.000		290	BASTION STREET	NANAIMO YOUTH SERVICES ASSOCIATION	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 25254	
05457.004		201	DOGWOOD ROAD	NATURE TRUST OF BC	WILDLIFE SANCTUARY, SECTION 7, RANGE 7, MOUNTAIN DISTRICT, EXCLUDING PLANS 535R AND NO. 4 RESERVOIR	
05457.006		250	DOGWOOD ROAD	NATURE TRUST OF BC	SECTION 7&8, RANGE 7, MOUNTAIN DISTRICT, PARTS PORTION AND PTS OF SECTION 7 RANGE 8, #4 RESERVOIR AS SHOWN ON PLAN UNDER 766-8562C	
05761.005		787	NANAIMO LAKES ROAD	NATURE TRUST OF BC	PARCEL A (DD 49323N) OF SECTION 5, RANGE 8, MOUNTAIN DISTRICT, EXCEPT PARTS IN PLANS 8707, 18489, 24715 AND 28135	
16021.300		200	BUTTERTUBS DRIVE	NATURE TRUST OF BC	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP63268	
05762.101		731	DOGWOOD ROAD	NATURE TRUST OF BC	LOT 4, SECTION 6, RANGE 8, MOUNTAIN DISTRICT, PLAN 16149, EXCEPT PARTS IN PLANS 18489, 19566 AND 24715	
05765.003		941	COLLEGE DRIVE	NATURE TRUST OF BC	SECTION 7, RANGE 8, EXCEPT THE EASTERLY 500 FT AND EXCEPT PART IN NO. 4 RESERVOIR AS SAID RESERVOIR IS SHOWN ON PLAN DEPOSITED UNDER NUMBER 766-8562-C, MOUNTAIN DISTRICT	
05828.005		1946	JINGLE POT ROAD	NATURE TRUST OF BC	LOT A, SECTION 11, RANGE 8, MOUNTAIN DISTRICT, PLAN VIP85882	
16007.500		1780	JINGLE POT ROAD	NATURE TRUST OF BC	LOT 1, BLOCK 1, NANAIMO DISTRICT, PLAN 28980	
16170.000		1141	FREW ROAD	NATURE TRUST OF BC	PARCEL A (DD 35952-I) OF SECTION 1, RANGE 6, NANAIMO DISTRICT	
16171.000		1050	RAINES ROAD	NATURE TRUST OF BC	THAT PART OF SECTION 2, RANGE 6, NANAIMO DISTRICT, LYING TO THE EAST OF THE EAST BRANCH OF THE NANAIMO RIVER, EXCEPT PARCEL A THEREOF	

Folio	Unit	House	Street	Organization	Legal Description	Map
16172.000		901	RAINES ROAD	NATURE TRUST OF BC	THAT PART OF SECTION 2 AND THAT PART OF SECTION 3, RANGE 6, NANAIMO DISTRICT, LYING WEST OF THE EAST BRANCH OF THE NANAIMO RIVER	
16173.000		1145	MAUGHAN ROAD	NATURE TRUST OF BC	SECTION 2, RANGE 7, NANAIMO DISTRICT, EXCEPT PARCEL A THEREOF, AND EXCEPT PART IN PLAN 37922	
16174.000		900	RAINES ROAD	NATURE TRUST OF BC	THE SOUTH PART OF SECTION 3, RANGE 7, NANAIMO DISTRICT, CONTAINING 21 ACRES MORE OR LESS, AS SHOWN ON A PLAN DEPOSITED UNDER DD 22536	
16175.000		1141	MAUGHAN ROAD	NATURE TRUST OF BC	PARCEL A (39161I), SECTION 1, RANGE 8, NANAIMO DISTRICT, CONTAINING 9 ACRES MORE OR LESS	
16176.000		1201	MAUGHAN ROAD	NATURE TRUST OF BC	SECTION 1, RANGE 8, NANAIMO DISTRICT, EXCEPT PARCEL A (DD 39161I), EXCEPT THE PART IN PLAN 32333, AND EXCEPT PART IN PLAN VIP62603	
16178.000		1125	MAUGHAN ROAD	NATURE TRUST OF BC	THE WEST 1/2 OF SECTION 2, RANGE 8, NANAIMO DISTRICT, EXCEPT PARTS IN PLANS 32333 AND 37922	
16000.010		750	FIFTH STREET	NAVY LEAGUE OF CANADA NAN BRANCH	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 23380 EXCEPT PART IN PLAN 3655 RW	
81611.007	206	285	PRIDEAUX STREET	OPTIONS FOR SEXUAL HEALTH/ CITY OF NANAIMO	NANAIMO LAND DISTRICT, PORTION LEASE, COMMUNITY SERVICES BUILDING – ROOMS 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 214, 215, 209A, 214A – OPTIONS FOR SEXUAL HEALTH AS OUTLINED BY A HEAVY DARK LINE ON MAP ATTACHED HERETO	D-6
80701.100		275	NICOL STREET	PACIFICA HOUSING ADVISORY ASSOCIATION	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP75290	
07498.255		3156	BARONS ROAD	PACIFIC CARE FAMILY ENRICHMENT SOCIETY/DASH HOLDINGS INC/TURRIF HOLDINGS LTD)	LOT 11, SECTION 5, WELLINGTON DISTRICT, PLAN 30716. LEASING 2,500 OF 5,047 SQUARE FEET.	D-14
07674.020		6100	DOUMONT ROAD	PLEASANT VALLEY SOCIAL CENTRE	LOT 2, SECTION 10, WELLINGTON DISTRICT, PLAN 32084	
07860.001		6006	DOUMONT ROAD	PLEASANT VALLEY SOCIAL CENTRE	THAT PART OF LOT 23G, WELLINGTON DISTRICT, LYING NORTH OF DOUMONT ROAD AND WEST OF THE ISLAND HIGHWAY AS SHOWN PLAN DEPOSITED UNDER DD 16913N	
13552.001		208	COLVILLETON TRAIL	PROTECTION ISLAND LIONS CLUB/CITY OF NANAIMO	LOT 1, NANAIMO DISTRICT, PLAN 14550, DOUGLAS ISLAND LIGHT STATION OIC 1518	
13553.701	A	7	PIRATES LANE	PROTECTION ISLAND NEIGHBOURHOOD ASSOCIATION/NANAIMO PORT AUTHORITY	NPA LSE FL255, ADJ TO LT 140, PLN 14111, WTHN PIRATES PARK, PROTECTION ISLAND, LD 32 – DOCK SITE	
16000.114		901	FIFTH STREET	ROYAL CANADIAN AIRFORCE ASSOC 808 (THUNDERBIRD) WING/HER MAJESTY THE QUEEN IN RIGHT OF CANADA	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP69992, LEASED AREA AT MILITARY CAMP	
80962.000	403	489	WALLACE STREET	SOCIETY FOR EQUITY, INCLUSION AND ADVOCACY	AMENDED LOT 6, (DD 59330N) AND LOT 5, PLAN 584, EXCEPT PARCEL A (DD 416-N), EXCEPT PART IN PLAN 21310 AND EXCEPT THAT PART LYING WITHIN THE BOUNDARIES OF PLAN 494-R, ALL OF BLOCK 21, SECTION 1, NANAIMO DISTRICT	D-17
19805.301		2250	LABIEUX ROAD	ST JOHN'S AMBULANCE/CITY OF NANAIMO	ST JOHN LEASEHOLD AREA, PLN VIP72802, BYLAW 5512	

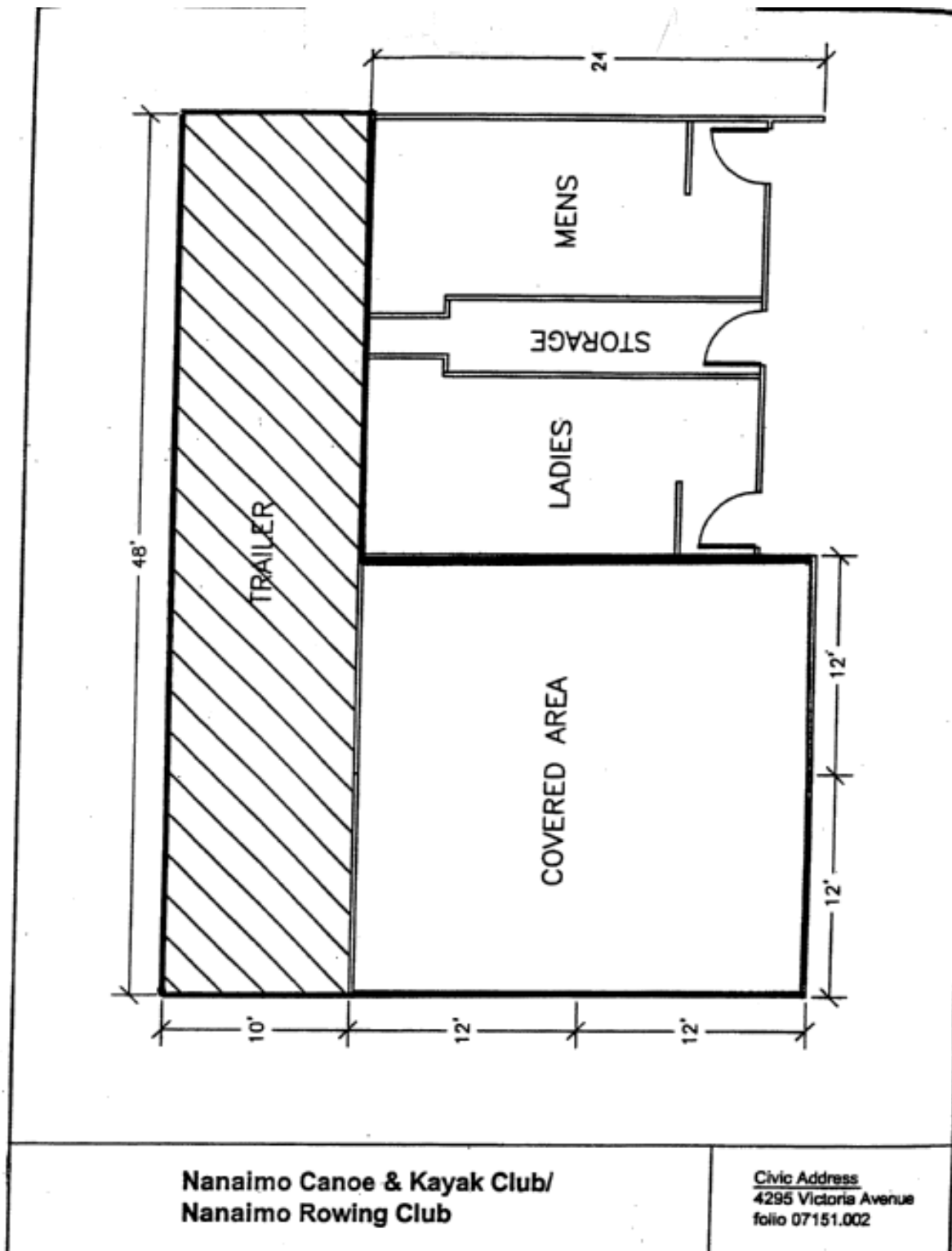
Folio	Unit	House	Street	Organization	Legal Description	Map
85616.004	4A/4B	150	COMMERCIAL STREET	THEATRE ONE/CITY OF NANAIMO	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 12390, THAT PART INCLUDED IN UNITS 4A & 4B LEASE	
81676.000		602	HALIBURTON STREET	TILlicum LELUM ABORIGINAL SOCIETY	LOT 23, BLOCK D, SECTION 1, NANAIMO DISTRICT, PLAN 584 EXCEPT THAT PART IN PLAN VIP52239	
16905.000		927	HALIBURTON STREET	TILlicum LELUM ABORIGINAL SOCIETY	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP66687	
17364.001		479	TENTH STREET	TILlicum LELUM ABORIGINAL SOCIETY	LOT 1, THAT PART OF SECTION 1, NANAIMO DISTRICT, PLAN EPP5225	
17364.002		477	TENTH STREET	TILlicum LELUM ABORIGINAL SOCIETY	LOT 2, THAT PART OF SECTION 1, NANAIMO DISTRICT, PLAN EPP5225	
81054.209	9	327	PRIDEAUX STREET	UNITED WAY CENTRAL & NORTHERN VANCOUVER ISLAND	STRATA LOT 9, SECTION 1, NANAIMO DISTRICT, STRATA PLAN VIS2989 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1	
05549.005		2290	LABIEUX ROAD	VANCOUVER ISLAND HAVEN SOCIETY/CITY OF NANAIMO	LEASE PLAN 1823R, EXCEPT 43195 LIONS MANOR	
05536.100		2352	ROSSTOWN ROAD	VANCOUVER ISLAND MENTAL HEALTH	LOT 1, SECTION 19, RANGE 7, MOUNTAIN DISTRICT, PLAN 27484	
05438.015		2332	BRACKENWOOD PLACE	VANCOUVER ISLAND MENTAL HEALTH	STRATA LOT A, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, STRATA PLAN VIS5043, TOGETHER WITH INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V	
05438.020		2330	BRACKENWOOD PLACE	VANCOUVER ISLAND MENTAL HEALTH	STRATA LOT B, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, STRATA PLAN VIS5043, TOGETHER WITH INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V	
07281.000		3793	NORWELL DRIVE	VANCOUVER ISLAND MENTAL HEALTH	LOT 12, BLOCK 22, SECTION 5, WELLINGTON DISTRICT, PLAN 318A	
82664.000		285	ROSEHILL STREET	VANCOUVER ISLAND MENTAL HEALTH	LOT 1, BLOCK 14, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 584	
85093.003	2 & 3	100	CAMERON ROAD	VANCOUVER ISLAND MILITARY MUSEUM /CITY OF NANAIMO	LOT B, PLAN 8979, SECTION 1, NANAIMO DISTRICT, VANCOUVER ISLAND MILITARY MUSEUM - FLOOR 2 & 3 - THAT PART INCLUDED IN LEASE FROM CITY OF NANAIMO	
85616.007	7	150	COMMERCIAL STREET	VANCOUVER ISLAND SYMPHONY/CITY OF NANAIMO	LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 12390, THAT PART INCLUDED IN UNIT 7 LEASE	
07233.001		3976	CORUNNA AVENUE	WELLINGTON COMMUNITY ASSOCIATION	LOT 2, BLOCK 16, SECTIONS 3 AND 5, WELLINGTON DISTRICT, PLAN 318A INCLUDING THAT PART OF SECTION 5, WELLINGTON DISTRICT, BEING PART OF THE OLD COMOX ROAD SHOWN ON PLAN 318A NOW CLOSED BY ORDER-IN- COUNCIL 1052 DATED THE 9-OCT-1928 & LYING IN LOT 2	
07234.001		3922	CORUNNA AVENUE	WELLINGTON COMMUNITY ASSOCIATION	LOT 3 AND 4, BLOCK 16, SECTIONS 3 AND 5, WELLINGTON DISTRICT, PLAN 318A	

MAP 'D-1'



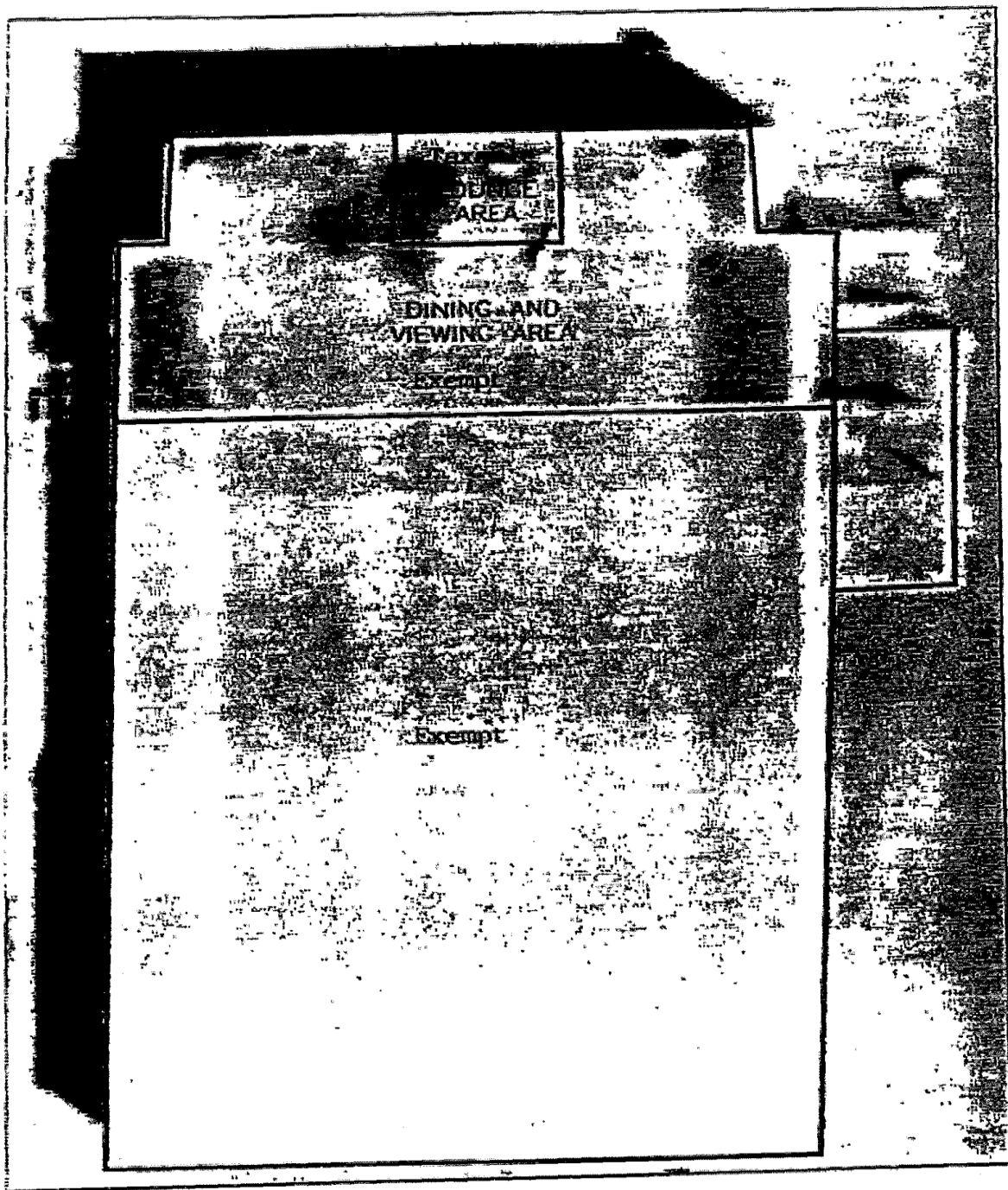
Folio: 05549.008
Civic: 3 - 2300 Bowen Road
Organization: **NANAIMO & DISTRICT EQUESTRIAN ASSOCIATION
VANCOUVER ISLAND EXHIBITION ASSOCIATION**

MAP 'D-2'



Folio: 07151.002
Civic: 4295 Victoria Avenue
Organization: **NANAIMO CANOE & KAYAK CLUB**
NANAIMO ROWING CLUB

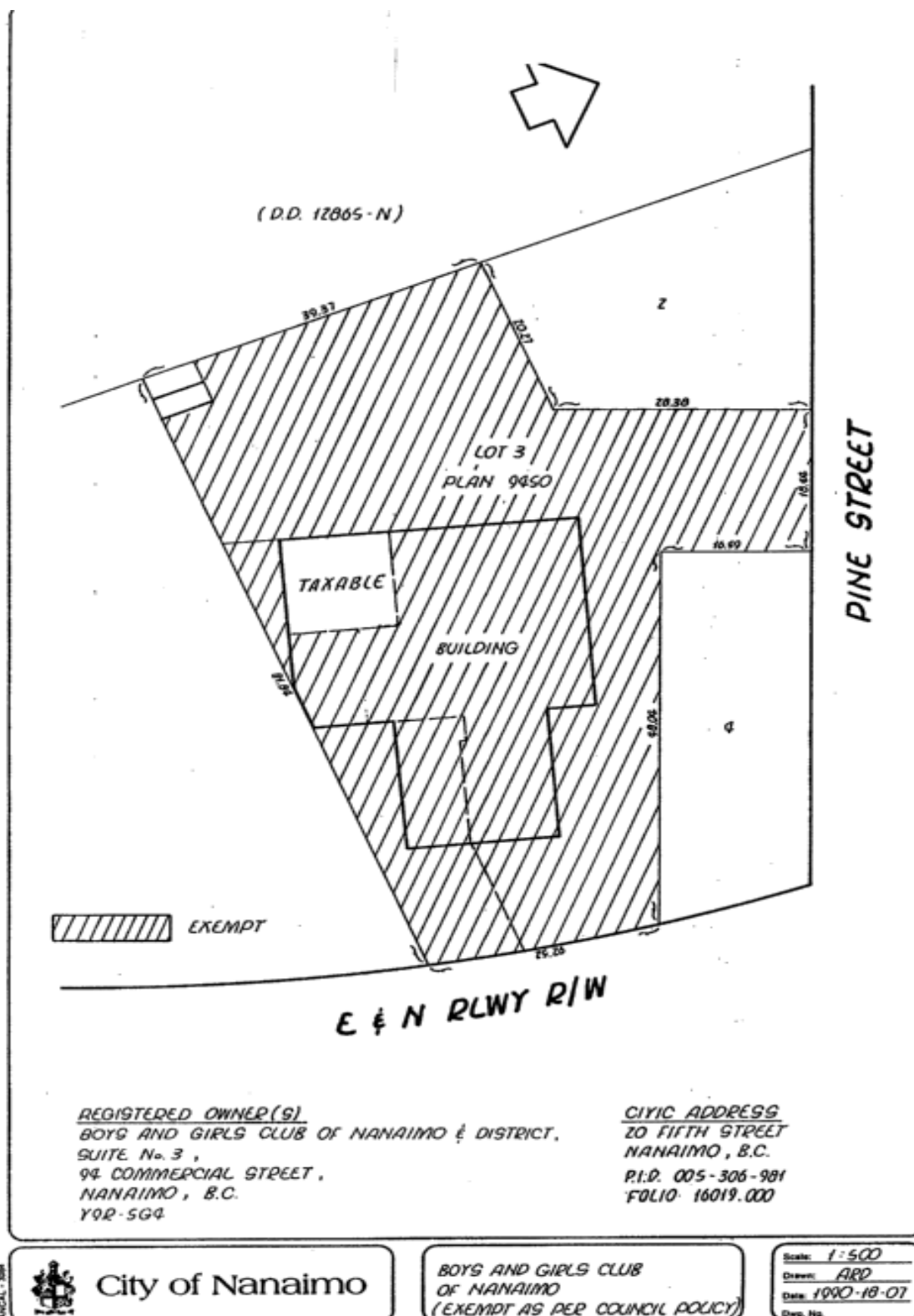
MAP 'D-3'



NANAIMO CURLING CLUB

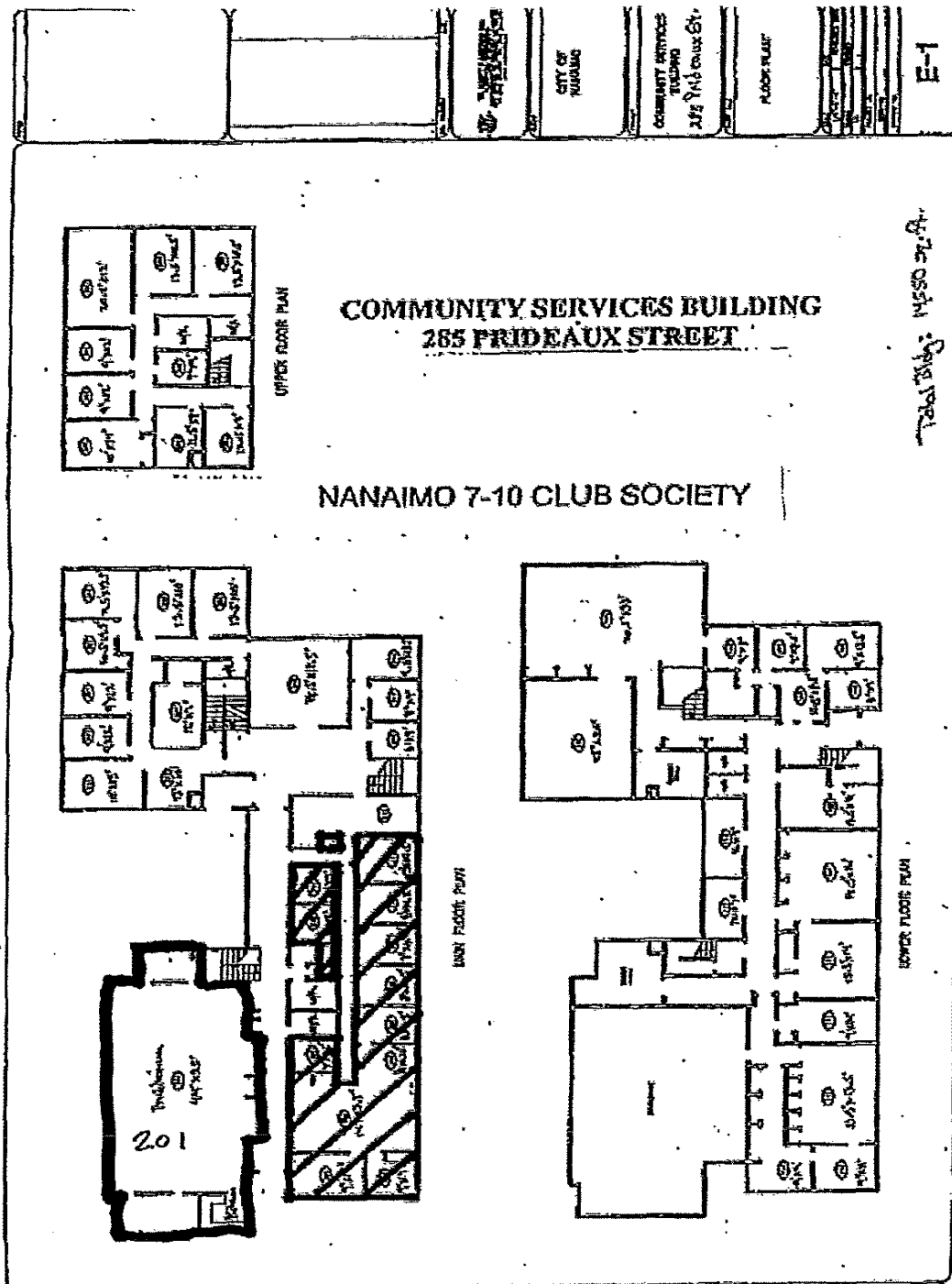
Folio: 89095.000
Civic: 100 Wall Street
Organization: **NANAIMO CURLING CLUB**

MAP 'D-4'



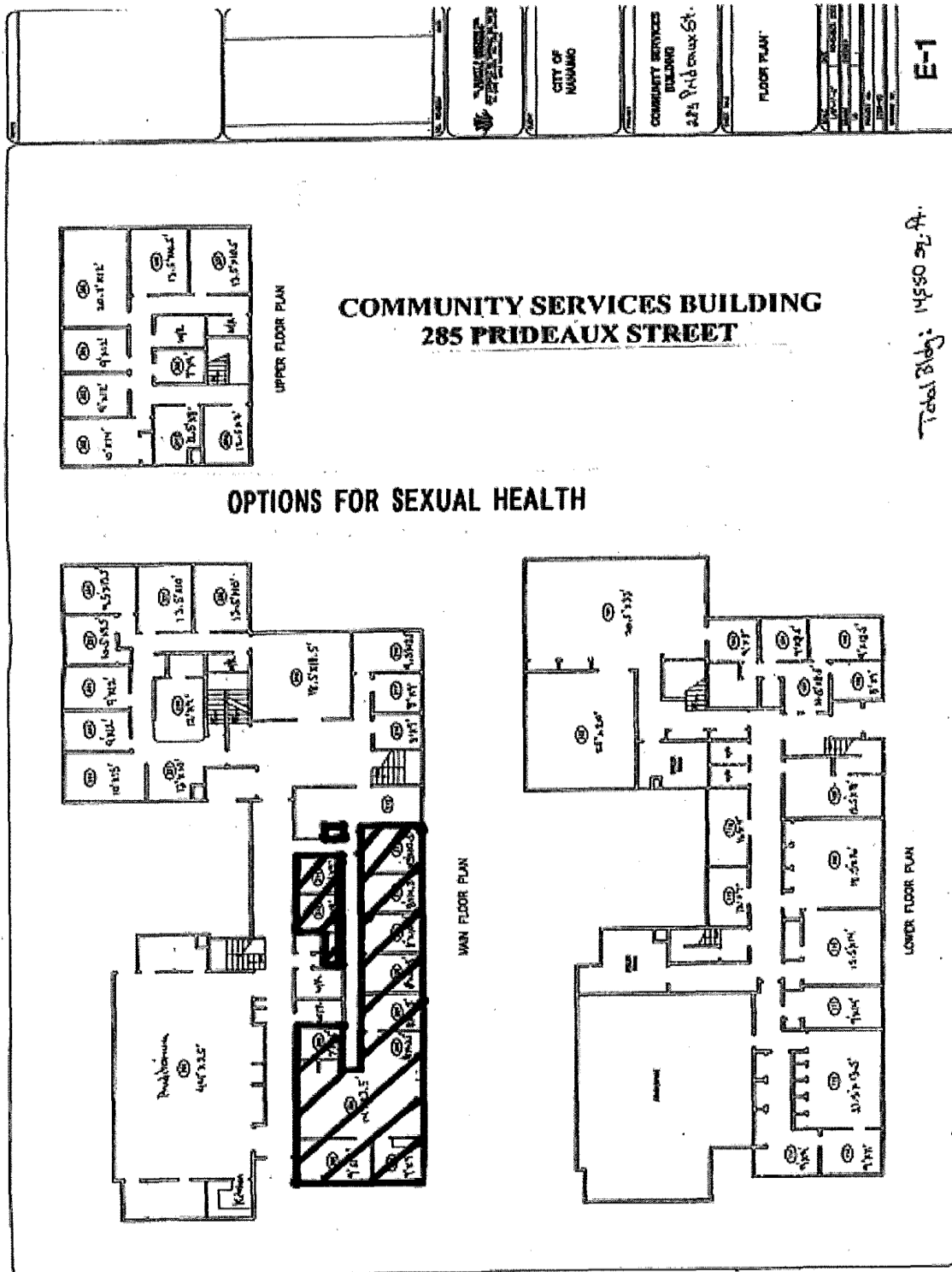
Folio: 16019.000
Civic: 20 Fifth Street
Organization: **BOYS AND GIRLS CLUB OF CENTRAL VANCOUVER ISLAND**

MAP 'D-5'



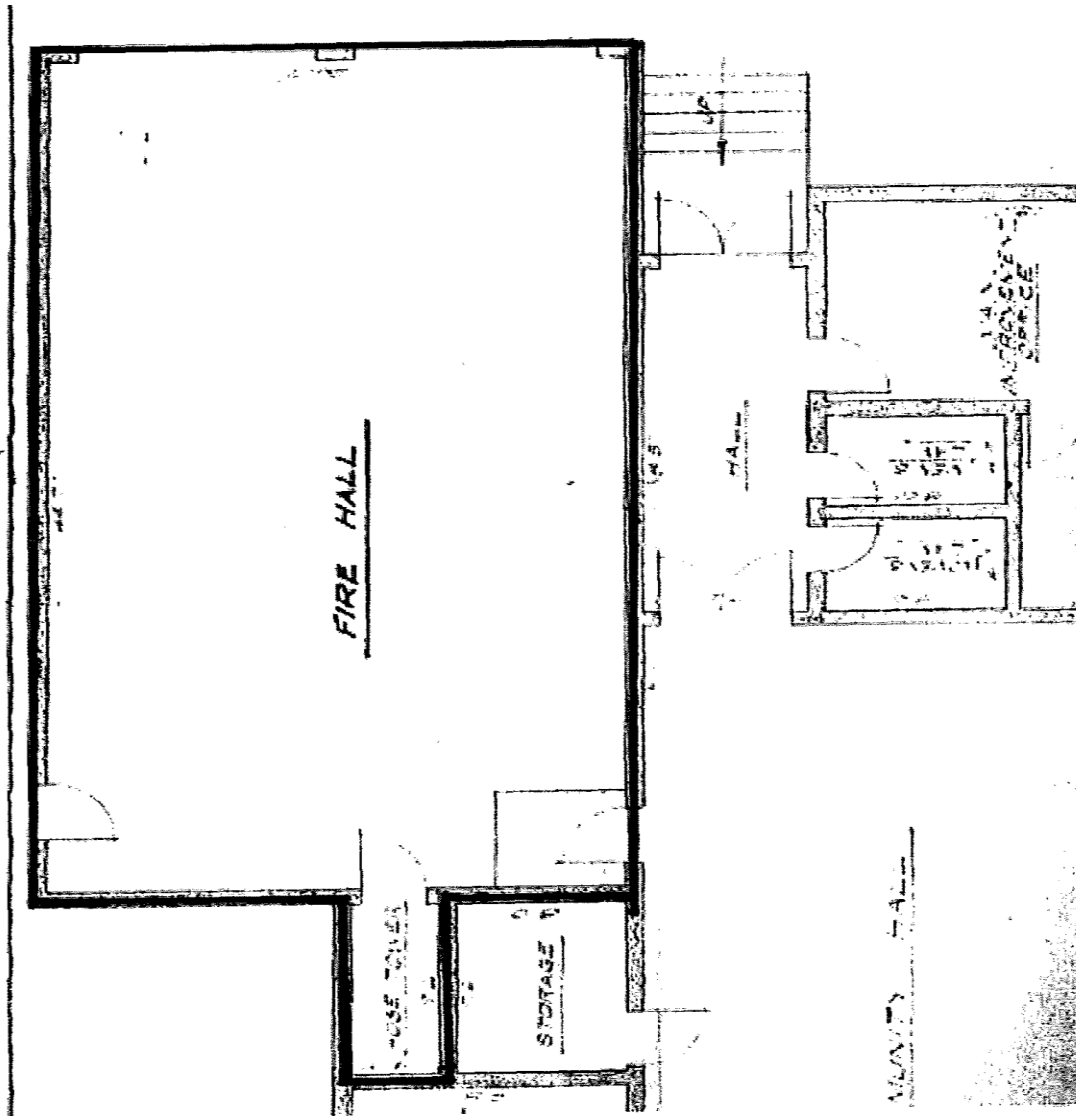
Folio: 81611.020
Civic: 201 – 285 Prideaux Street, Community Services Building
Organization: **NANAIMO 7-10 CLUB**

MAP 'D-6'

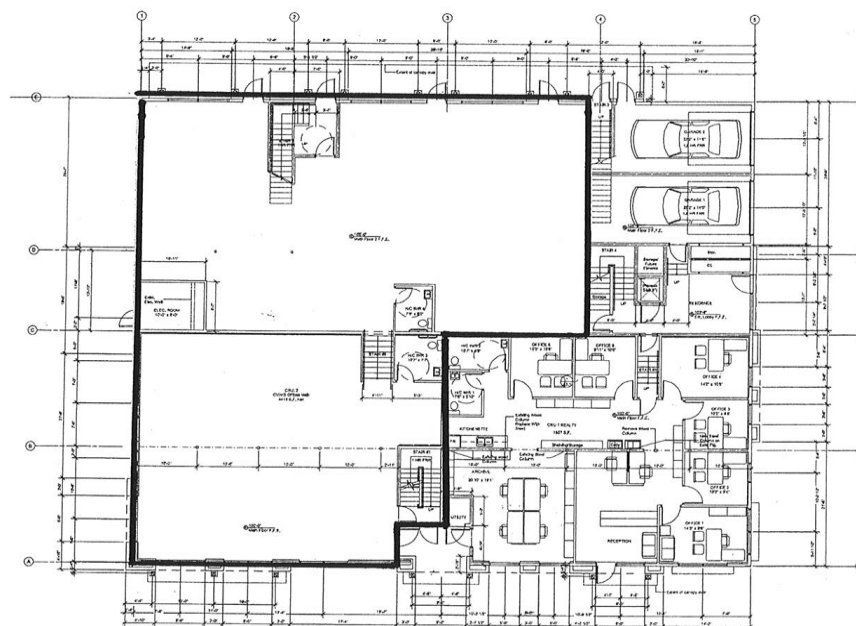


Folio: 81611.007
Civic: 206 – 285 Prideaux Street, Community Services Building
Organization: **OPTIONS FOR SEXUAL HEALTH**

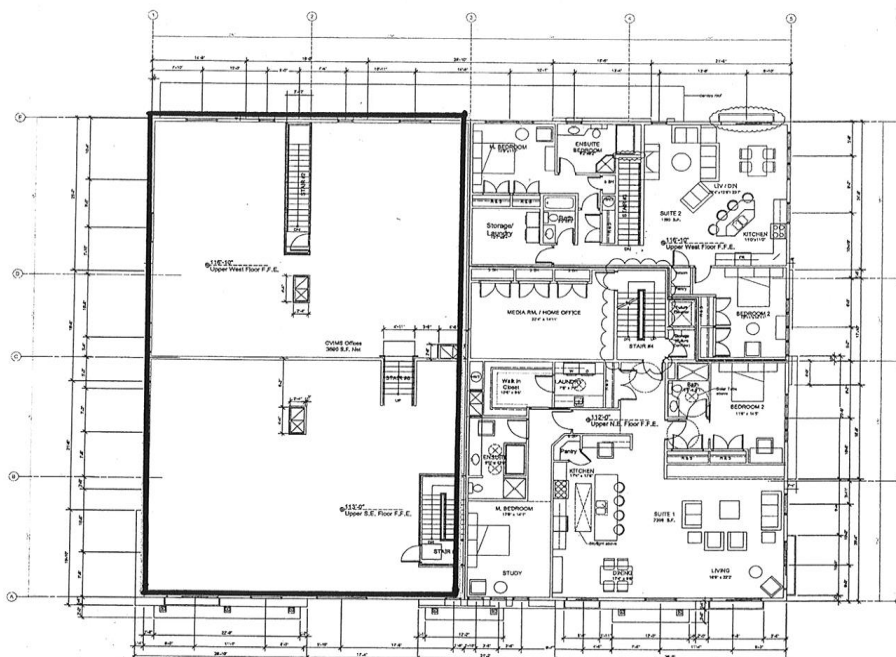
MAP 'D-7'



MAP 'D-8'



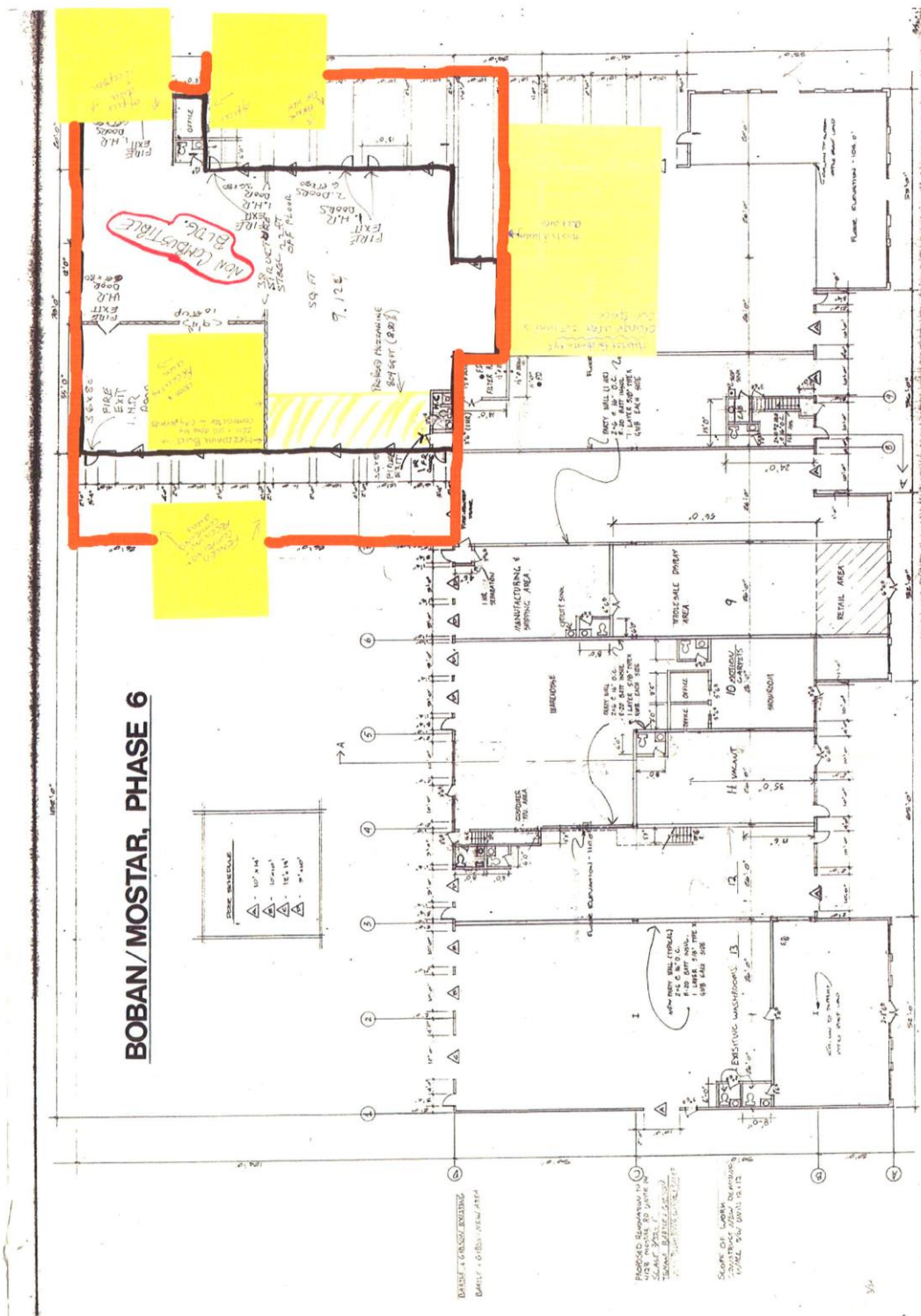
MAIN FLOOR



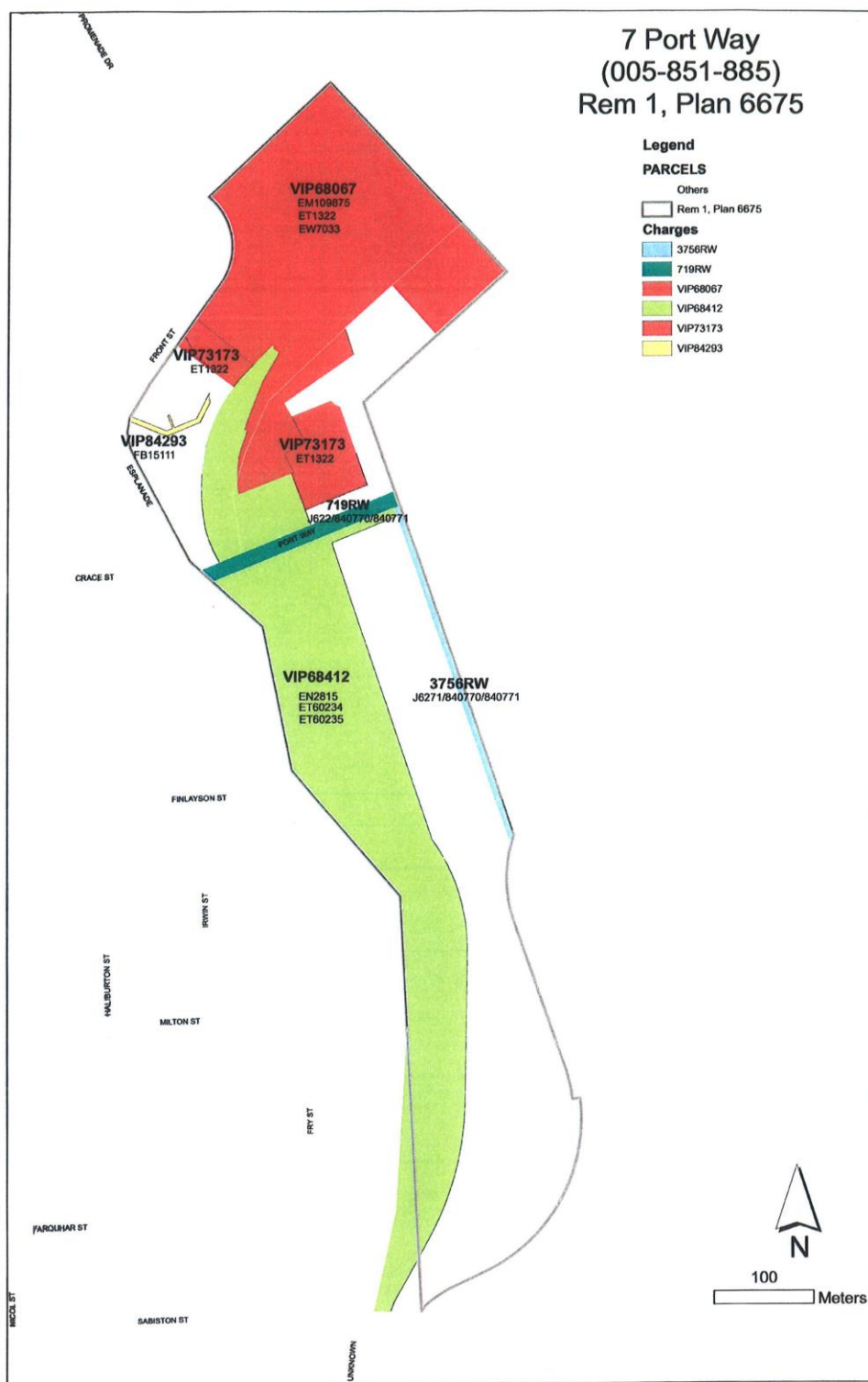
TOP FLOOR

Folio: 86081.000
Civic: 101 – 319 Selby Street
Organization: **CENTRAL VANCOUVER ISLAND MULTICULTURAL SOCIETY**

MAP 'D-9'

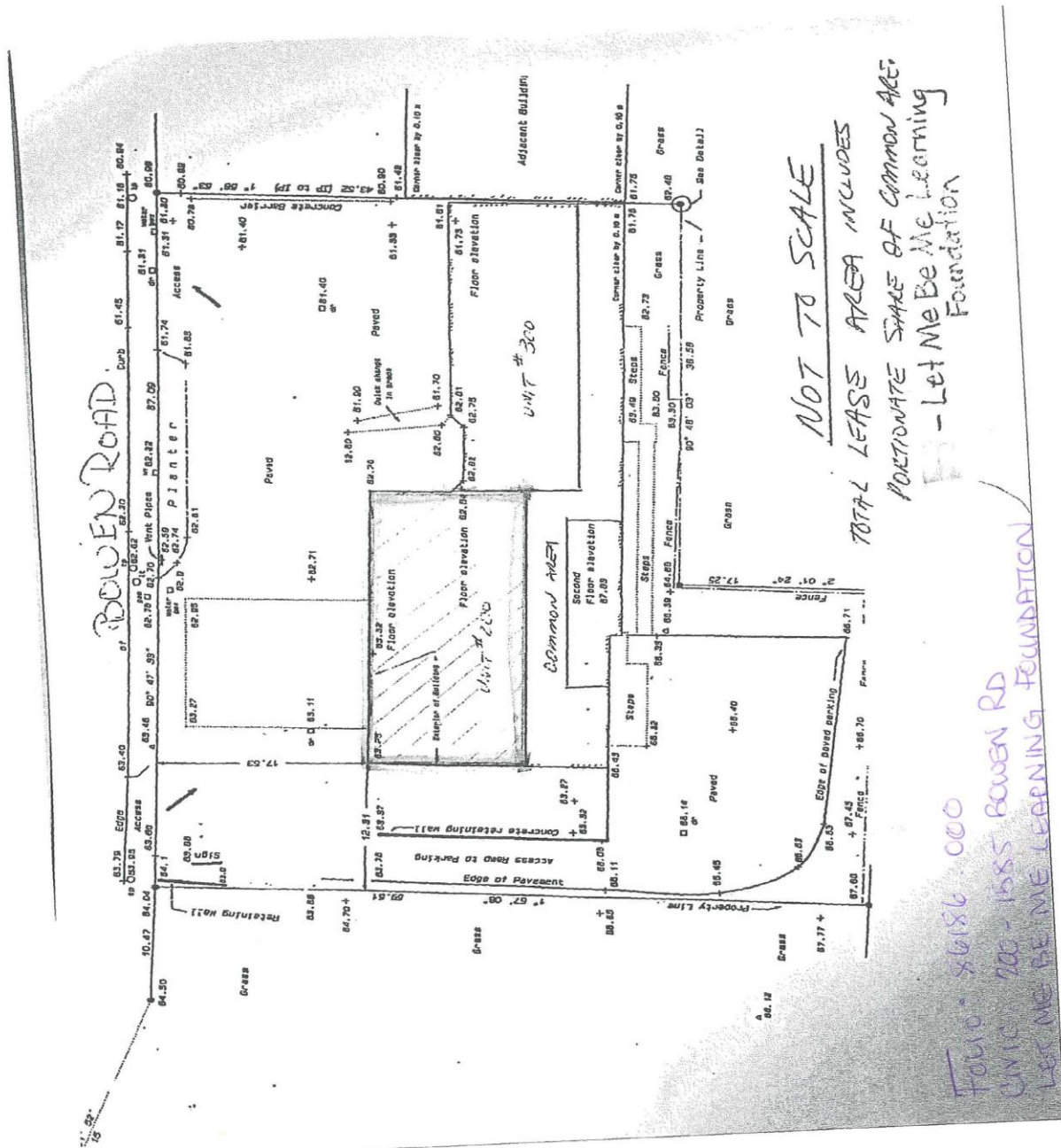


MAP 'D-10'



Folio: 84750.000 Civic: 7 Port Drive
Folio: 84750.035 Civic: 0 Port Drive
Folio: 84758.000 Civic: 1161 Milton Street
Organization: **ISLAND CORRIDOR FOUNDATION**

MAP 'D-11'



Folio: 86186.000
Civic: 200 - 1585 Bowen Road
Organization: **LET ME BE ME LEARNING FOUNDATION**

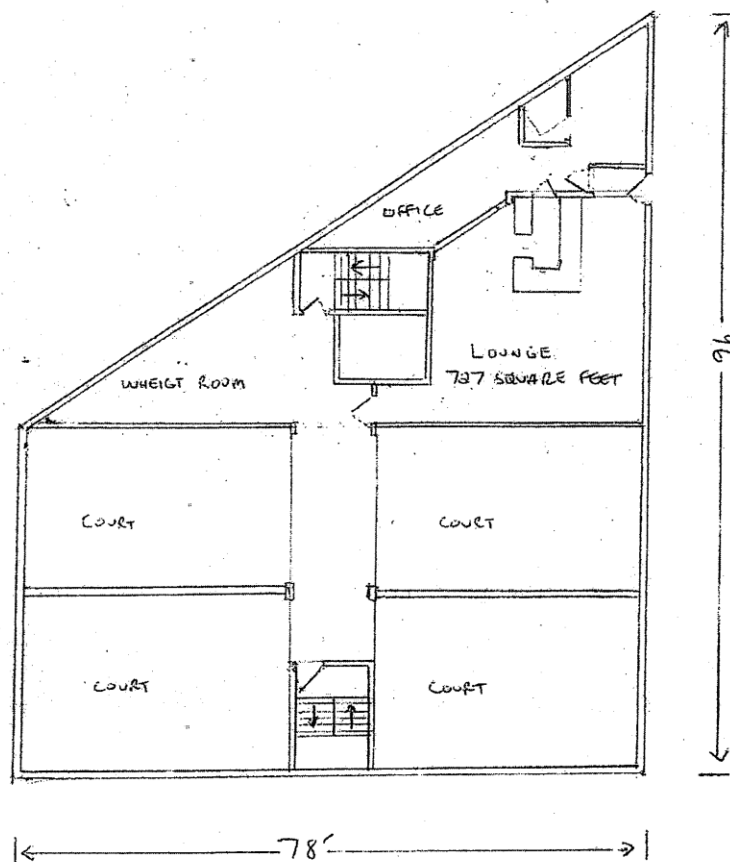
MAP 'D-12'

NANAIMO SQUASH CLUB

TOTAL SQUARE FOOTAGE 7993

LOUNGE SQUARE FOOTAGE 727

PERCENTAGE OF BUILDING USED FOR LOUNGE = 9.1%



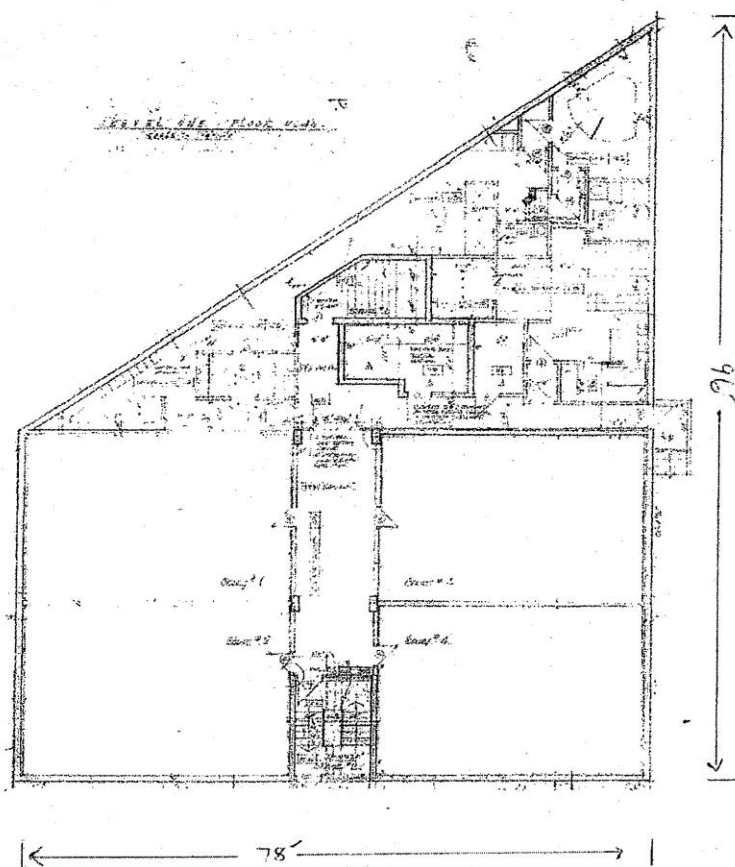
MEZZANINE LEVEL 2498 SQUARE FEET

Folio: 86226.000
Civic: 256 Wallace Street
Organization: **NANAIMO SQUASH CLUB**

MAP 'D-13'

Plan of space leased:

NANAIMO SQUASH CLUB

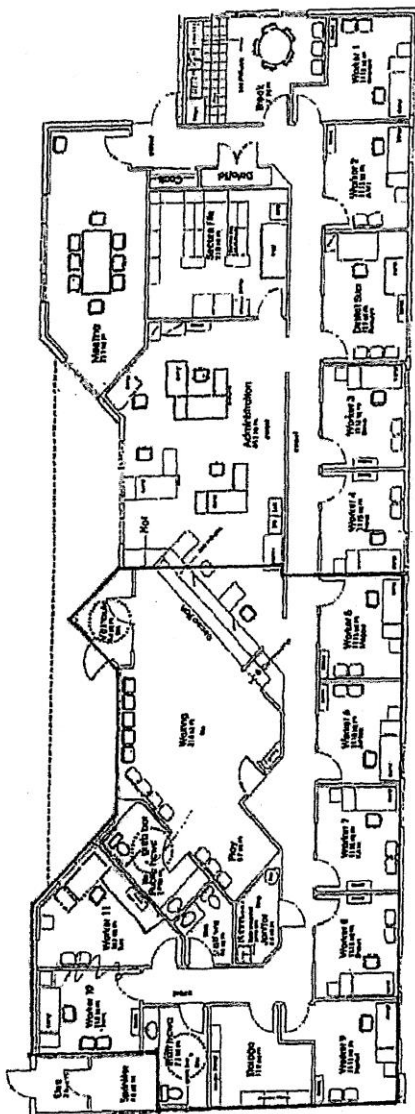


GROUND LEVEL 5495 SQUARE FEET

Folio: 86226.000
Civic: 256 Wallace Street
Organization: **NANAIMO SQUASH CLUB**

MAP 'D-14'

**LEASED PREMISES
(OUTLINED IN HEAVY BLACK)**



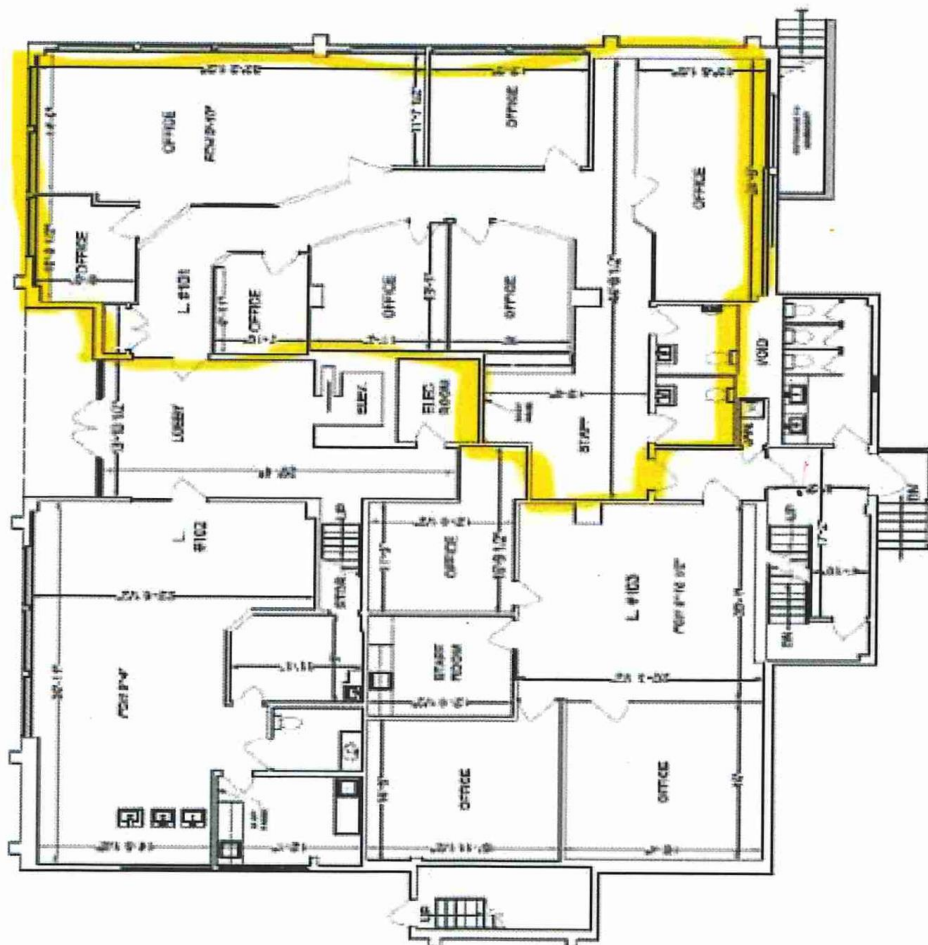
3156 Barrons Road

PacificCARE leasing 2,500 sq. feet of
total 5,047 sq. feet



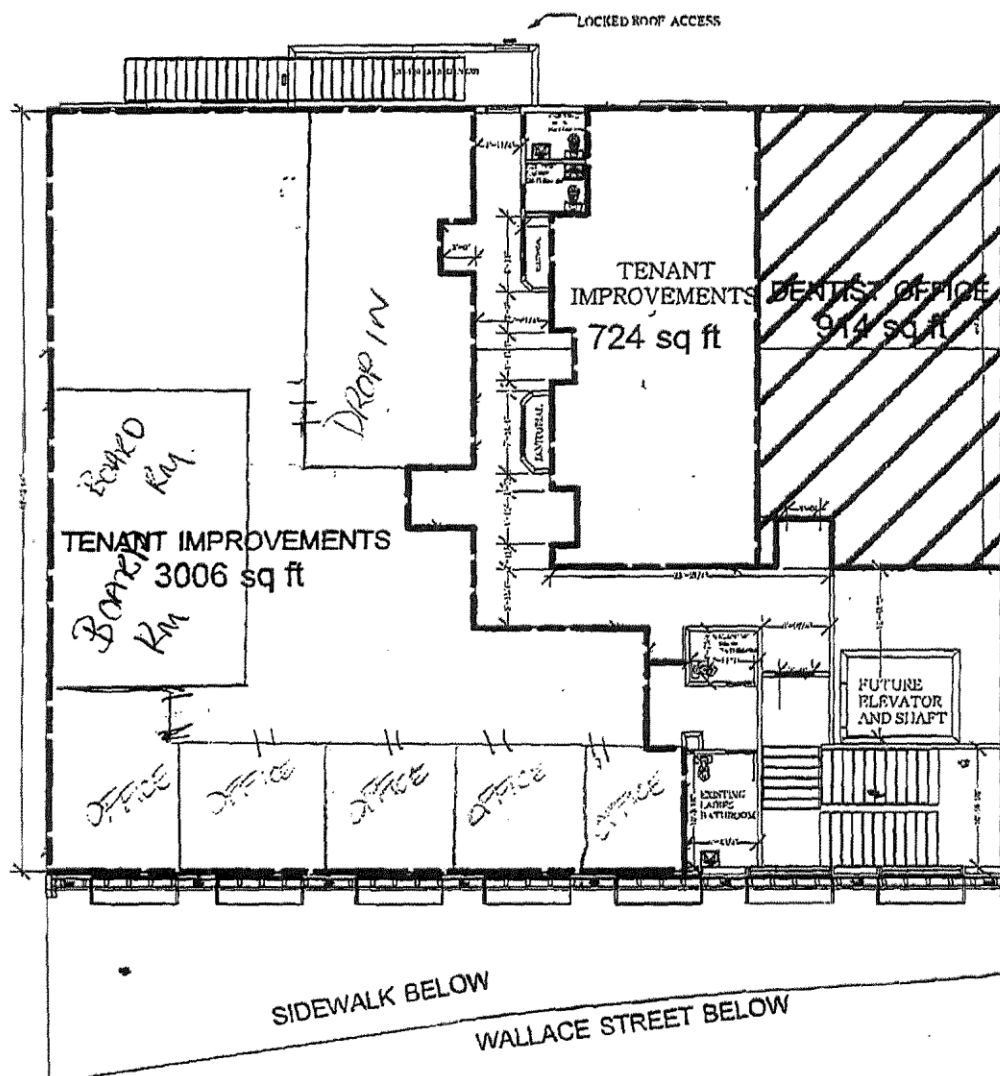
Folio : 07498.255
Civic: 3156 Barons Road
Organization: **PACIFIC CARE FAMILY ENRICHMENT SOCIETY**

MAP 'D-16'



Folio: 81535.000
Civic: 101 – 290 Bastion Street
Organization: **NANAIMO BRAIN INJURY SOCIETY**

MAP 'D-17'



4500.055

"Zoning Amendment Bylaw 2014 No. 4500.055" (RA324 – To rezone 4015 and part of 4001 Corunna Avenue from Single Dwelling Residential [R1] to Residential Corridor [COR1] in order to construct an office building).

Passed first and second reading 2014-JAN-13. Public Hearing 2014-FEB-06. Passed third reading 2014-FEB-06. Ministry of Transportation approval 2014-MAR-04.

4500.139

"Zoning Amendment Bylaw 2019 No. 4500.139" (To rezone 1483 Bowen Road to allow "Cannabis Retail Store" as a site-specific use in the Community Corridor [COR3] Zone).

Passed first and second reading 2019-APR-01. Public Hearing held and passed third reading on 2019-MAY-02.

4500.140

"Zoning Amendment Bylaw 2019 No. 4500.139" (To rezone 510 Fifth Street to allow "Cannabis Retail Store" as a site-specific use in the City Commercial Centre [CC3] Zone).

Passed first and second reading 2019-APR-01. Public Hearing held and passed third reading on 2019-MAY-02.

4500.145

"Zoning Amendment Bylaw 2019 No. 4500.145" (To rezone 140 Terminal Avenue to allow "Cannabis Retail Store" as a site-specific use in the Terminal Avenue [DT4] zone).

Passed first and second reading 2019-MAY-27. Public Hearing held and passed third reading on 2019-JUN-13. Received Ministry of Transportation and Infrastructure approval on 2019-JUL-09.

4500.146

"Zoning Amendment Bylaw 2019 No. 4500.146" (To rezone 111 Terminal Avenue to allow Cannabis Retail Store as a site-specific use with the Terminal Avenue (DT4) Zone).

Passed first and second reading 2019-JUN-10. Public Hearing held and passed third reading 2019-JUL-04. Received Ministry of Transportation and Infrastructure approval on 2019-JUL-29.

4500.153

"Zoning Amendment Bylaw 2019 No. 4500.153" (RA423 – to rezone 4392 Jingle Pot Road from Single Dwelling Residential [R1] to Mixed Use Corridor [COR2]).

Passed first and second reading 2019-NOV-18. Public Hearing held and passed third reading 2019-DEC-05. Received Ministry of Transportation and Infrastructure approval 2019-DEC-17.

4500.155

"Zoning Amendment Bylaw 2019 No. 4500.155" (To rezone 50 Tenth Street to allow "Cannabis Retail Store" as a site-specific use in the City Commercial Centre [CC3] zone).

Passed first and second reading 2019-JUL-22. Public Hearing held 2019-SEP-19.
Passed third reading 2019-OCT-07. Received Ministry of Transportation and Infrastructure approval 2019-OCT-29.

4500.159

"Zoning Amendment Bylaw 2019 No. 4500.159" (To rezone 150 Esplanade and 155 Fry Street from Community Corridor [COR3] to Mixed Use Corridor [COR2])

Passed first and second reading 2019-OCT-21. Public Hearing held and passed third reading 2019-NOV-07. Requires Public Hearing and Ministry of Transportation and Infrastructure approval prior to adoption.

4500.160

"Zoning Amendment Bylaw 2019 No. 4500.160" (To rezone 115 Chapel Street to allow "Cannabis Retail Store" as a site-specific use in the Core [DT1] zone)

Passed first and second reading 2019-OCT-21. Public Hearing held and passed third reading 2019-NOV-07. Requires Public Hearing and Ministry of Transportation and Infrastructure approval prior to adoption.

4500.164

"Zoning Amendment Bylaw 2019 No. 4500.164" (To rezone 307 Hillcrest Avenue and 308 and 326 Wakesiah Avenue from Single Dwelling Residential [R1] and Residential Corridor [COR1] to Mixed Use Corridor [COR2] with site-specific student housing use).

Passed first and second reading 2019-NOV-18. Public Hearing held 2019-DEC-05.
Passed third reading 2019-DEC-05.

4500.167

"Zoning Amendment Bylaw 2020 No. 4500.167" (To rezone 3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway North from Single Dwelling Residential [R1] to Community Corridor [COR3]).

Passed first and second reading 2020-FEB-03. Public Hearing held 2020-MAR-05. Third reading passed 2020-MAR-05. Ministry of Transportation and Infrastructure approval received 2020-APR-08.

4500.169

"Zoning Amendment Bylaw 2020 No. 4500.169" (To rezone portions of 3500 Rock City Road from Low Density Residential [R6] to Medium Density Residential [R8] with site-specific Floor Area Ratio).

Passed first and second reading 2020-JUL-20. Public Hearing held and passed third reading 2020-SEP-17.

4500.171

"Zoning Amendment Bylaw 2020 No. 4500.171" (To rezone 405 Rosehill Street from Single Dwelling Residential [R1] to Low Density Residential [R6]).

Passed first and second reading 2020-FEB-03. Public Hearing held 2020-MAR-05.
Passed third reading 2020-MAR-05. Ministry of Transportation and Infrastructure approval received 2020-APR-07.

4500.177

"Zoning Amendment Bylaw 2020 No. 4500.177" (To rezone 30 Lorne Place from Duplex Residential [R4] to Low Density Residential [R6]).

Passed first and second reading 2020-MAY-25. Public Hearing held and passed third reading 2020-JUN-18.

4500.181

"Zoning Amendment Bylaw 2020 No. 4500.181" (To rezone 5485 and 5495 Godfrey Road from Single Dwelling Residential [R1] to Low Density Residential [R6]).

Passed first and second reading 2020-AUG-31. Public Hearing held and passed third reading 2020-SEP-17. Requires Ministry of Transportation and Infrastructure approval prior to adoption.

5000.046

"Traffic and Highways Regulation Amendment Bylaw 2019 No. 5000.046" (To remove the time-limit and payment exemptions for vehicles displaying disabled parking permits in City parkades).

Third reading of bylaw rescinded 2019-SEP-16. Referred to Staff for Review in the Downtown Transportation Mobility Study and consultation with stakeholders.

6500.041

"Official Community Plan Amendment Bylaw 2019 No. 6500.041" (OCP90 – To re-designate 4392 Jingle Pot Road on the Future Land Use Plan (Map 1) from Neighbourhood to Corridor).

Passed first and second reading 2019-NOV-18. Public Hearing held 2019-DEC-05.
Passed third reading 2019-DEC-05.

7183

"Trapping Bylaw 2013 No. 7183" (To regulate, prohibit and impose requirements respecting body-gripping traps or devices for animals and wildlife).

Passed three readings 2013-NOV-18. Requires Ministry of Forests, Lands and Natural Resource Operations approval prior to adoption.

7282

"Port Theatre Borrowing Bylaw 2019 No. 7282" (To authorize the borrowing of up to \$4,500,000 for the construction of the Port Theatre Community Performing Arts Centre).

Passed three readings 2019-JAN-14. Grant approval and Inspector approval required prior to adoption.

7315

“Property Tax Exemption Bylaw 2020 No. 7315” (To provide exemption from 2021 property taxes).

Passed three readings 2020-OCT-05.

Correspondence re: VICC Resilience Summit Invitation – November 6, 2020

Dear Local Government Staff and Elected Officials,

The VICC-CLP (Vancouver Island and Coastal Communities Climate Leadership Plan) Steering Committee is a group of local government representatives appointed by regional districts to build a Climate Action and Resilience Plan out to 2030 for Vancouver Island and Coastal Communities.

On behalf of this group, I am delighted to invite you and relevant staff to a Resilience Summit which will be held on **Zoom Friday, November 6th, 2020 from 9:00am – 4:45pm**. There will be lots of breaks!

[Event registration and agenda can be found here.](#)

The Resilience Summit is an opportunity for us to come together to develop a Climate Action and Resilience Plan to 2030 for the island and coastal communities. The Summit will be a series of interactive, action-oriented workshops. It's a space for elected officials and staff from municipalities and regional districts, and First Nations staff and council members, from across the Vancouver Island and Coastal Communities region, to collaborate around how to build more resilient communities as we act to mitigate and adapt to climate change.

We promise a day of learning and networking. This will be a unique opportunity for you to work with councillors, staff members and First Nations from across our coastal region.

In preparation for this event, we have developed an understanding of the Vancouver Island and Coastal Communities region based on our vulnerability to climate change and identified municipalities and regional districts' priorities for action. You can view our research [here](#).

Now we need *your* input to develop a 2030 Climate Action and Resilience Plan for the island and coastal communities.

We really hope you can join us! Please share this invitation with your staff, First Nations elected officials and staff in your region.

Any questions or enquiries, please email Catriona: catrionamallows@uvic.ca

With best wishes,

The Vancouver Island and Coastal Communities Climate Leadership Plan Steering Committee
www.viccclp.com