



## **AGENDA REGULAR COUNCIL MEETING**

Monday, March 29, 2021

4:30 p.m. To proceed In Camera, Reconvene Open Meeting at 7:00 p.m.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 9:00 P.M.

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**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:

(c) labour relations or other employee relations;

(d) the security of property of the municipality;

(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;

(g) litigation or potential litigation affecting 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 - 17

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-MAR-15, at 4:30 p.m.

**6. MAYOR'S REPORT:**

**7. RISE AND REPORT**

**8. PRESENTATIONS:** 18 - 20

a. Public Works Association of BC 2020 Awards

Chris Anderson, President of the Public Works Association of BC, to present, via Zoom, the following 2020 Awards:

- 2020 Public Works Association BC - Manager of the Year to John Elliot, Director, Public Works
- 2020 Outstanding Public Works Employee to Ritchie Fulla, Lead Supervisor, Waterworks
- 2020 Public Works Association BC - Dedicated Service Award to Angela Mowatt, Clerk/Dispatcher, Public Works

**9. COMMITTEE MINUTES:**

a. Minutes 21 - 25

Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2021-JAN-07 at 4:00 p.m.

b. Minutes 26 - 30

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2021-FEB-11 at 5:00 p.m.

c. Minutes 31 - 34

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2021-FEB-25 at 5:00 p.m.

d. Minutes 35 - 41

Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2021-MAR-17, at 9:01 a.m.

## 10. CONSENT ITEMS:

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### a. Finance and Audit Committee 2021-MAR-17

[Note: A link to the 2021-MAR-17 Finance and Audit Committee meeting agenda is provided for information.]

#### 1. 2020 Surplus Allocation

That Council approve the allocation of the 2020 operating surplus as follows:

##### 1. General Fund

- a. Special Initiatives Reserve \$7,482,599
  - b. Property Acquisition Reserve \$1,000,000
- Total: \$8,482,599

##### 2. Sewer Fund

- a. Sewer Reserve \$589,873
  - b. Sewer Financial Stability Reserve \$28,751
- Total: \$618,624

#### 2. Port Theater - Chiller Equipment Renewal and Low Carbon Electrification Options

That Council direct Staff to:

- 1. Proceed with installing the recommended Option A – Air Source Heat Recovery Heat Pump system to replace the existing chiller; and,
- 2. Increase the budget for the Port Theatre Chiller Replacement project by \$500,799 in 2021 funded by \$150,000 from the Emission Reduction Reserve and \$350,799 from the General Asset Management Reserve.

#### 3. Serauxmen Stadium Maintenance for 2021

That Council approve adding \$59,113 to the 2021 Parks Operations Budget for Parks and Facility Operations to conduct additional facility and field maintenance of Serauxmen Stadium, to be funded from General Revenue.

#### 4. Beban Park Pool Improvements for 2021

That Council amend the 2021-2025 Financial Plan to include \$255,000 in 2021 for change room and washroom upgrades at Beban Park Pool, to be funded from the Facility Development Reserve.

#### 5. Proposed Development of a Medium-Sized Stadium at NDSS

## Community Field

That Council approve:

1. The NDSS Community Field be designated as the medium-sized stadium site for the City of Nanaimo;
2. That a phased implementation plan with options and costing be developed for Council's review and consideration in making NDSS Community Field a medium-sized stadium;
3. That in development of the phased improvement plan, that shared amenities that would benefit Rotary Bowl and Serauxmen Stadium be included; and,
4. That the current Joint Use Agreement with School District #68 be updated to address any changes required of this location being a medium-sized stadium.

## 6. Nanaimo Loaves and Fishes Food Bank

That Council direct Staff to review the Nanaimo Loaves and Fishes Food Bank's ask for funding, identify options and provide a report to Council for information.

## b. Governance and Priorities Committee 2021-MAR-22

43

[Note: A link to the 2021-MAR-22 Governance and Priorities Committee meeting agenda is provided for information.]

## 1. Building Permit Function Review

That the Governance and Priorities Committee receive the March 2021, Building Permit Function Review draft report by Neilson Strategies Inc. and recommend that Council:

1. Refer the additional Staff positions recommended in the draft report to the Finance and Audit Committee for consideration in the 2021-2025 Financial Plan;
2. direct Staff to proceed with implementation of the remaining six recommended changes outlined in the draft report:
  - a. That the City work with industry to develop and implement a Fast Track Process to process applications for targeted, low-risk tenant improvement and residential projects.
  - b. That the City work with industry to establish a time-limited Approved Professionals Pilot Project to test the ability to rely on the assurances of Registered Professionals in issuing building permits for targeted complex building projects.
  - c. That the City engage industry in the establishment of a



Joint Building Permit Advisory Working Group with a mandate to advise on the design and implementation of initiatives aimed at reducing permit processing times, promoting City-industry relations, and addressing other issues and needs identified by the parties.

- d. That the City support investments in technology to develop an online applications portal, facilitate online permit fee payments, and build a user-friendly application tracking dashboard tool for permit applicants.
- e. That the City develop an internal service agreement to set out expectations for the processing of referrals by affected work groups.
- f. That the City, to the extent possible, recover the costs associated with the recommendations in the Building Permit Function Review Draft Report through:
  - savings in overtime costs that are incurred today by Building Officials;
  - grant monies available under the Ministry of Municipal Affairs' recently-announced Local Government Development Approvals Program; and
  - increases to the City's building permit fees to align the fees with those charged by other 100,000 population-plus, high-growth municipalities.

3. Direct Staff to submit a grant application to the Union of British Columbia Municipalities' Local Government Development Approvals Program to support the implementation of established best practices and to test innovative approaches to improve development approvals processes.

2. Building Permit Function Review

That Council direct Staff to provide an information update every two months regarding development approval times compared to the benchmarks set by the City of Nanaimo.

3. Mayor's Leaders' Table

That Council establish the Mayor's Leaders' Table with representation of: Mayor and two Council members; key social, cultural, educational, healthcare, technology, labour, arts, tourism and business organizations; and, chaired by the Mayor and subject to applicable Legislative Support and oversight.

4. Nanaimo Builds - 100,000 Voices Campaign Concept

That Council direct staff to develop the 100,000 Voices Campaign Concept and report back to Council with the marketing and communications plan, including a budget.

5. Art in Public Spaces Working Group - Draft Guidelines and Process

That Council endorse the Art in Public Spaces Working Group Guidelines and Call for Applications and direct Staff to proceed.

6. Art in Public Spaces Public Art Collection De-accession 2021

That Council approve the de-accession of the following artworks from the City of Nanaimo Public Art collection:

1. Dan Richey, Dungeness Crab (2013);
2. Yvonne Vander Kooi and students of Bayview Elementary, The Hummingbird Project (2013); and,
3. Yvonne Vander Kooi, At Play (2007).

11. DELEGATIONS:

12. REPORTS:

a. Participation in Provincial Motor Vehicle Act MicroMobility Pilot Project

44 - 47

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

*Purpose: To seek Council's direction on an opportunity to participate in a Motor Vehicle Act Pilot Project to allow micromobility devices on public streets and sidewalks.*

Recommendation: That Council approve participation in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program to enable the use of micromobility devices within City streets.

b. Strengthening Communities' Services Grant

To be introduced by Shelley Legin, General Manager, Corporate Services.

[Note: Report to be distributed on the addendum.]

c. BC Energy Step Code Rezoning Policy

48 - 60

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

*Purpose: To present to Council the BC Energy Step Code Rezoning Policy for adoption.*

Presentation:

1. Rob Lawrance, Environmental Planner.

Recommendation: That Council:

1. adopt the BC Energy Step Code Rezoning Policy; and
2. direct Staff to implement the Step Code Rezoning Policy three months after adoption.

d. Official Community Plan Amendment Application Process

61 - 63

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

*Purpose: To request a postponement of the 2021-MAY-01 and 2021-NOV-01 Official Community Plan (OCP) amendment application intake rounds, pending adoption of the new OCP, in order to reduce the potential confusion that two parallel OCP processes may cause.*

Recommendation: That Council postpone the 2021-MAY-01 and 2021-NOV-01 intake rounds for applications to amend the Official Community Plan until 2022-MAY-01.

e. Extension of Leases to CBI Health Group and Team Aquatic - 741 Third Street

64 - 67

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

*Purpose: To obtain Council approval to grant a lease extension to CBI Health Group and Team Aquatic for commercial space at the Nanaimo Aquatic Centre, located at 741 Third Street.*

Recommendation: That Council:

1. approve a 21-month extension on the current lease agreements with CBI Health Group Inc. and Team Aquatic Supplies Ltd.; and
2. authorize the Mayor and Corporate Officer to execute the lease agreements.

f. Development Permit Application No. DP1190 - 1300 Junction Avenue

68 - 85

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

*Purpose: To present for Council's consideration, a development permit application for a multi-family development at 1300 Junction Avenue.*

Delegation:

1. Sarah Alexander

Recommendation: That Council issue Development Permit No. DP1190 at 1300 Junction Avenue with a variance to reduce the watercourse setback for Wexford Creek from 15.0m to 9.7m.

To be introduced by Sheila Gurrie, Director, Legislative Services.

*Purpose: To advise Council of the need to transition to hybrid or virtual meetings during the Shaw Auditorium renovation period and present options to facilitate the change.*

Recommendation: That Council direct Staff to schedule meetings during the Shaw Auditorium renovation period virtually, with all members of Council and Staff attending through Zoom.

**13. BYLAWS:**

**14. NOTICE OF MOTION:**

**15. OTHER BUSINESS:**

- a. Councillor Geselbracht Motion re: Call for Immediate Protection of all at-risk Old-growth Forests in BC

91 - 102

At the 2021-MAR-15 Regular Council Meeting Councillor Geselbracht advised that he would be bringing forward the following motion for consideration:

WHEREAS ancient high productivity (big tree) old growth ecosystems are globally one of the most valuable climate mitigation and resiliency assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and bank of biodiversity;

AND WHEREAS, of the 2.7% of the original high productivity (big tree) old-growth forests (less than 1% of BC's total current forested area), 75% are still slated to be eliminated through logging; BE IT RESOLVED

THAT the City of Nanaimo call on the provincial government to immediately defer logging in all high productivity, rare, oldest, and most intact old-growth forests as recommended by the Old-Growth Strategic Review, until all 14 of the panel's recommendations have been implemented; including deferrals in such at-risk old-growth forests as, the head waters of Fairy Creek, the Upper Walbran Valley, Nahmint Valley, Eden Grove, Edinburgh Mountain, Upper Tsitika Valley, East Creek, Klaskish Valley, Nimpkish Lake and the Inland Old-Growth Temperate Rainforest.

AND THAT the City of Nanaimo formally oppose the logging of at-risk old-growth forests;

AND THAT the City of Nanaimo call on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner, in the full spirit of reconciliation and to support the economic transition of affected First Nations and non-First Nation communities from unsustainable old-growth logging for the development of long-term sustainable local economies.

AND THAT the following resolution be sent to the Union of BC Municipalities and as a late submission to AVICC

Immediate Protection for all at-risk Old-growth Forests in BC

WHEREAS ancient high productivity (big tree) old growth ecosystems are globally one of the most valuable climate mitigation and resiliency assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and bank of biodiversity;

AND WHEREAS, of the 2.7% of the original high productivity (big tree) old-growth forests (less than 1% of BC's total current forested area), 75% are still slated to be eliminated through logging; BE IT RESOLVED

THAT the UBCM and AVICC call on the provincial government to immediately defer logging in all high productivity, rare, oldest, and most intact old-growth forests as recommended by the Old-Growth Strategic Review, until all 14 of the panel's recommendations have been implemented; including deferrals in such at-risk old-growth forests as the head waters of Fairy Creek, the Upper Walbran Valley, Nahmint Valley, Eden Grove, Edinburgh Mountain, Upper Tsitika Valley, East Creek, Klaskish Valley, Nimpkish Lake and the Inland Old-Growth Temperate Rainforest.

AND THAT the UBCM and AVICC call on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner, in the full spirit of reconciliation and to support the economic transition of affected First Nations and non-First Nation communities from unsustainable old-growth logging for the development of long-term sustainable local economies.

**16. ADJOURNMENT:**

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2021-MAR-15, AT 4:30 P.M.

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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. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
B. Sims, General Manager, Engineering and Public Works  
L. Fletcher, A/OIC, RCMP, Nanaimo Detachment  
B. Corsan, Director, Community Development  
L. Bhopalsingh, Manager, Community Planning  
F. Farrokhi, Manager, Communications  
B. Thomas, Assistant Manager, Engineering  
T. Loewen, Communications and Marketing Specialist  
D. Blackwood, Client Support Specialist  
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 4:30 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Agenda Item 2 – Procedural Motion - Add *Community Charter* Reason 90(1)(e):

(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.

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*:

- (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; and,

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 6:04 p.m.

Council recessed the Open Meeting at 6:04 p.m.

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

2. INTRODUCTION OF LATE ITEMS continued:

- (b) Agenda item 12(b) – Add Report titled “Situation Table Update”.
- (c) Add Agenda Item 15(a) - Correspondence dated 2021-FEB-25, to the Honourable John Horgan, Premier of British Columbia from Wendy Clifford, Nanaimo Airport, Board Chair, Nanaimo Airport Commission re: Nanaimo Airport and COVID-19.
- (d) Add Agenda Item 14(a) - Notice of Motion – Councillor Geselbracht re: Immediate Protection of All At-Risk Old Growth Forest in BC

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 following Minutes be adopted as circulated.

- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-FEB-22, at 3:31 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-MAR-01, at 4:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- The Nanaimo Minor Hockey Association sent a letter of appreciation to the City of Nanaimo (the City), thanking Staff in making the 2020/2021 hockey season a success
- A statement issued by the BC Urban Mayor's Caucus and Union of British Columbia Municipalities (UBCM), thanked Minister Fleming for the strong commitment to public transit and active modes of transportation
- Submissions to be the City of Nanaimo's next poet laureate are now being accepted. To review guidelines, eligibility requirements and details on how to apply go to [www.nanaimo.ca/goto/poetry](http://www.nanaimo.ca/goto/poetry). Deadline to submit applications is April 30, 2021 by midnight
- Starting this month, the Front Street complete streets transformation will begin. Front Street, once completed, will increase the comfort and safety for those who walk, bike, take transit and drive. The Government of Canada contributed \$605,000 to the project from the Federal Gas Tax program. The project will be completed before the summer of 2021
- Nanaimo has been globally recognized as a Showcase City for climate adaptation. The City, among 25 other municipalities across Canada, is part of a pilot program focusing on local climate actions. Nanaimo has been awarded the Adaptation Badge for its Climate Resiliency Strategy
- The second State of Economy report has been released and shows Nanaimo is performing well in most economic indicators despite the COVID-19 pandemic. The hospitality industry has suffered greatly through the pandemic but hopefully will bounce back as restrictions continue to be lifted

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- 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, 2021-FEB-24, at 4:00 p.m.

8. CONSENT ITEMS:

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

(a) Advisory Committee on Accessibility and Inclusiveness Meeting 2021-FEB-24

1. Live Closed Captioning Service

That Council direct Staff to implement a live captioning service for all future Advisory Committee on Accessibility and Inclusiveness meetings with the potential to expand to all meetings of Council and Council's committees.

2. 2020 Annual Report for Advisory Committee on Accessibility and Inclusiveness



That the Advisory Committee on Accessibility and Inclusiveness approve and provide to Council the 2020 Annual Report for information.

(b) Governance and Priorities Committee Meeting 2021-MAR-08

1. Community Amenity Contribution Policy

That Council:

1. support the Community Amenity Contribution (CAC) Policy with the rates and defined increases as recommended in the Rollo report (July 2020), as follows:

Land Use	CAC rate starting 2022-JAN-01	CAC rate starting 2023-JAN-01	CAC rate starting 2024-JAN-01
<b>Single Residential Dwelling</b>	\$3,000 per unit	\$5,500 per unit	\$8,000 per unit
<b>Townhouse Residential Dwelling</b> A dwelling that shares one or more walls with another unit, with no unit above, and has a ground level entrance.	\$2,500 per unit	\$5,000 per unit	\$7,500 per unit
<b>Multiple Family Dwelling</b>	\$2,000 per unit	\$3,500 per unit	\$5,000 per unit
<b>Commercial and Industrial</b>	\$34 per m <sup>2</sup> (GFA)	\$34 per m <sup>2</sup> (GFA)	\$34 per m <sup>2</sup> (GFA)
<b>Cannabis and Liquor Retail Store</b>	\$10,000 per store	\$10,000 per store	\$10,000 per store
<b>Student Housing</b>	\$1,000 per bed	\$1,000 per bed	\$1,000 per bed

2. and prior to endorsement, direct Staff to move forward with community consultation, including creating an information page on the City website, and send a referral to the Neighbourhood Network.

The motion carried.

Opposed: Councillor Turley

(c) Separately Addressed Consent Items

1. Advisory Committee on Accessibility and Inclusiveness Meeting 2021-FEB-24

[At the request of Councillor Armstrong, the wording of the original motion "That Council immediately ban conversion therapy within the City of Nanaimo" has been changed to include direction for a Staff report.]

It was moved and seconded that Council direct Staff to prepare a report outlining options to ban conversion therapy within the City of Nanaimo. The motion carried unanimously.

9. REPORTS:

(a) Memorandum of Understanding between Island Health and BC Housing – Navigation Centre

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Bill Corsan Director, Community Development, provided Council with an update regarding the status of the Memorandum of Understanding between Island Health and BC Housing relating to Nanaimo hosting a Navigation Centre for people experiencing long-term homelessness.

(b) Situation Table Update

Lisa Fletcher, A/OIC, RCMP, Nanaimo detachment, provided Council with an update regarding the Situation Table and advised Council that the City of Nanaimo was successfully awarded \$30,000 toward the implementation of a coordinated access and situation table.

(c) Mid-Island Region Child Care Action Plan

Introduced by Bill Corsan, Director, Community Development, and Lisa Bhopalsingh, Manager, Community Planning.

It was moved and seconded that Council:

1. receive the Mid-Island Region Child Care Action Plan;
2. endorse the child care space targets for the City of Nanaimo included in the report; and,
3. include the Action Plan as formal stakeholder input into the REIMAGINE NANAIMO process.

The motion carried.

Opposed: *Councillor Armstrong*

(d) Allocation of Unallocated Pedestrian Funds – Part 1

Introduced by Bill Sims, General Manager, Engineering and Public Works.

It was moved and seconded that Council allocate \$505,000 of the Pedestrian Unallocated Funds to all projects listed under Intersection Upgrades and Sidewalk Item (1) Needham Street north. The motion carried unanimously.

It was moved and seconded that Council direct Staff to allocate \$554,000 from the Special Initiatives Reserve to construct sidewalks on Haliburton Street to be completed in 2022.

It was moved and seconded that Council defer the following motion:

“It was moved and seconded that Council direct Staff to allocate \$554,000 from the Special Initiatives Reserve to construct sidewalks on Haliburton Street to be completed in 2022”,

subject to a report from Staff showing all financial implications and any infrastructure concerns that may occur in the future. The motion was defeated.

Opposed: *Councillors Bonner, Brown, Geselbracht, Hemmens, and Maartman*

The vote was taken on the main motion as follows:

It was moved and seconded that Council direct Staff to allocate \$554,000 from the Special Initiatives Reserve to construct sidewalks on Haliburton Street to be completed in 2022. The motion carried.

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

10. BYLAWS:

(a) "Zoning Amendment Bylaw 2020 No. 4500.177"

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.177” (To rezone 30 Lorne Place from Duplex Residential [R4] to Low Density Residential [R6]) be adopted. The motion carried unanimously.

11. NOTICE OF MOTIONS:

(a) Notice of Motion – Councillor Geselbracht re: Immediate Protection of All At-Risk Old Growth Forest in BC

Councillor Geselbracht advised that he would be bringing forward the following motion for consideration at the 2021-MAR-29 Regular Council Meeting.

City of Nanaimo Resolution

WHEREAS ancient high productivity (big tree) old growth ecosystems are globally one of the most valuable climate mitigation and resiliency assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and bank of biodiversity;

AND WHEREAS, of the miniscule fraction (2.7%) of the original high productivity (big tree) old-growth forests (less than 1% of BC’s total current forested area), 75% are still slated to be eliminated through logging including the headwaters of Fairy Creek, the last unprotected intact old-growth watershed in southern Vancouver Island; BE IT RESOLVED:

THAT the City of Nanaimo call on the provincial government to immediately defer logging in all and at-risk old-growth forests, as identified by the independent Old

Growth Strategic Review Panel, until all 14 of the panel's recommendations have been implemented;

AND THAT the City of Nanaimo formally oppose the logging of at-risk old-growth forests;

AND THAT the City of Nanaimo call on the Government of British Columbia to immediately and permanently protect the Fairy Creek watershed from further logging;

AND THAT the City of Nanaimo call on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner, in the full spirit of reconciliation and to support the economic transition of affected communities and workers from unsustainable old-growth logging for the development of long-term sustainable local economies.

AND THAT the following resolution be sent to the Union of BC Municipalities and AVICC as a late submission.

Union of British Columbia Municipalities and Association of Vancouver Island and Coastal Communities Resolution

WHEREAS ancient high productivity (big tree) old growth ecosystems are globally one of the most valuable climate mitigation and resiliency assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and bank of biodiversity;

AND WHEREAS, of the miniscule fraction (2.7%) of the original high productivity old-growth forests (less than 1% of BC's total current forested area), 75% are still slated to be eliminated through logging including the headwaters of Fairy Creek, the last unprotected intact old-growth watershed in southern Vancouver Island; BE IT RESOLVED:

THAT UBCM and AVICC call on the provincial government to immediately defer logging in all and at-risk old-growth forests, as identified by the independent Old Growth Strategic Review Panel, until all 14 of the panel's recommendations have been implemented.

AND THAT UBCM and AVICC call on the Government of British Columbia to immediately and permanently protect the Fairy Creek watershed from further logging.

AND THAT UBCM and AVICC call on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner in the full spirit of reconciliation where applicable and to support the economic transition of affected communities and workers from unsustainable old-growth logging for the development of long-term sustainable local economies.

12. OTHER BUSINESS:

- (a) Correspondence dated 2021-FEB-25, to the Honourable John Horgan, Premier of British Columbia from Wendy Clifford, Board Chair, Nanaimo Airport Commission re: Nanaimo Airport and COVID-19

It was moved and seconded that Council direct the Mayor to write a letter of support to Wendy Clifford, Board Chair, Nanaimo Airport Commission, in response to her letter regarding Nanaimo Airport and COVID-19 correspondence sent to the Honourable John Horgan, Premier of British Columbia. The motion carried unanimously.

Council moved In Camera at 8:34 p.m.

Council moved out of In Camera at 8:45 p.m.

13. ADJOURNMENT:

It was moved and seconded at 8:45 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER



February 9, 2021

Mr. John Elliot  
Director of Public Works  
% City of Nanaimo  
Engineering and Public Works  
**VIA EMAIL**

Re: 2020 Public Works Association BC - Manager of the Year

Dear John,

It gives me great pleasure to announce you, John Elliot, as the 2020 recipient of the Public Works Association of BC's Manager of the Year Award. This award is given annually to a public works Manager/Supervisor who, in the opinion of the Awards Committee, best exemplifies the spirit and professionalism of the Association.

John, your service and support of Nanaimo has spanned an impressive 40 years in Engineering and Public Works. Your career progression from construction surveyor, inspector, superintendent, Manager of Utilities and now Director of Public Works is an inspiration for all of us in the industry.

A few notable highlights that support your nomination include a focus on communication and relationship building with both the public and staff. Efforts spent on mentoring staff as well as having the public feel engaged, as well as your value engineering work will pay off for generations. Your involvement in setting up the Department Emergency Operations center was instrumental coupled with responding to emergency events (wildfires, wind and snowstorms) shows that your caring for the community goes well beyond day-to-day activities.

Finding and acting on efficiencies (strategic and operational), evident by static staff numbers but growing population to support is evident that you have customer service of residents and business front of mind.

On behalf of the Public Works Association of BC, I wish you, John the very best, and we look forward to acknowledging you at our next annual Public Works Conference. In the meantime, we would like to show our support by sharing your achievement with our Public Works colleagues by including a picture of you in our awards publicity campaign and would be grateful if you forward one at your earliest convenience. In addition, we would also be interested in presenting you your award at a virtual Council meeting should that be of interest to you and your organization.

Sincerely,



Chris Anderson  
President  
Public Works Association BC

Cc: Farnaz Farrokhi, Manager, Communications  
Bill Sims, Director, Engineering and Public Work



February 9, 2021

Ritchie Fulla  
% City of Nanaimo  
Engineering and Public Works  
**VIA EMAIL**

Re: 2020 Outstanding Public Works Employee

Dear Ritchie,

It gives me great pleasure to announce you as the 2020 recipient of the Public Works Association of BC's Outstanding Public Works Employee. This award is given annually to a public works employee who goes above and beyond day-to-day responsibilities to demonstrate exemplary care and concern for colleagues, community and our industry.

Ritchie, your service to the community of Nanaimo has spanned 45 years, and through your leadership as Waterworks Lead Supervisor, you demonstrate integrity and passion for your trade through your trusted leadership when responding to many water emergencies as well as your involvement in community tours where you are fondly remembered as "The Water Guy."

On behalf of the Public Works Association of BC, I wish you, Ritchie, the very best, and we look forward to acknowledging you at our next annual Public Works Conference. In the meantime, we would like to show our support by sharing your achievement with our Public Works colleagues by including a picture of you in our awards publicity campaign and would be grateful if you forward one at your earliest convenience. In addition, we would also be interested in presenting you with your award at a virtual Council meeting should that be of interest to you and your organization.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Anderson", is written over the word "Sincerely,".

Chris Anderson  
President  
Public Works Association BC

Cc: Farnaz Farrokhi, Manager, Communications  
Mike Squire, Manager, Water Resources



February 9, 2021

Ms. Angela Mowatt  
% City of Nanaimo  
Engineering and Public Works  
**VIA EMAIL**

Re: 2020 Public Works Association BC - Dedicated Service Award

Dear Angela,

It gives me great pleasure to announce you as the 2020 recipient of the Public Works Association of BC's Dedicated Service Award. This award is given annually to a public works employee who demonstrates exemplary service when performing their day-to-day responsibilities.

Angela, your service and support has spanned 25 years in Engineering and Public Works, and through your role as Clerk Dispatcher, you demonstrate a strong work ethic and are a positive role model. You extend your tireless energy in daily dispatch work, which is the hub for relaying information to crews, as well as in your contributions to project teams, including your role with the City of Nanaimo's switch to automated garbage collection.

On behalf of the Public Works Association of BC, I wish you, Angela, the very best, and we look forward to acknowledging you at our next annual Public Works Conference. In the meantime, we would like to show our support by sharing your achievement with our Public Works colleagues by including a picture of you in our awards publicity campaign and would be grateful if you forward one at your earliest convenience. In addition, we would also be interested in presenting you with your award at a virtual Council meeting should that be of interest to you and your organization.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Anderson', is written over a horizontal line.

Chris Anderson  
President  
Public Works Association BC

Cc: Farnaz Farrokhi, Manager, Communications  
Taaj Daliran, Manager, Sanitation, Recycling, Cemeteries & PW Admin



**MINUTES**  
BOARD OF VARIANCE MEETING  
BOARDROOM, SERVICE AND RESOURCE CENTRE  
411 DUNSMUIR STREET, NANAIMO, BC  
THURSDAY, 2021-JAN-07 AT 4:00 P.M.

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PRESENT:   Members:   Jessica Kaman, Chair, At Large Member  
                              Nelson Allen, At Large Member  
                              Allan Dick, At Large Member (joined electronically)  
                              Daryoush Firouzli, At Large Member (joined electronically)

                 Absent:   Kenneth Hample, At Large Member

                 Staff:     L. Stevenson, 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 4:06 p.m.

2.    INTRODUCTION OF LATE ITEMS:

- (a)   Agenda Item 5(a) Board of Variance Application No. BOV744 – 5324 Kenwill Drive - Add an email from adjacent property owners who are in support of the variance.
- (b)   Agenda Item 5(b) Board of Variance Application No. BOV745 – 2198 Departure Bay Road - Add an email from an adjacent property owner who is not in support of the variance.

3.    ADOPTION OF AGENDA:

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

4.    ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2020-DEC-17, at 4:00 p.m., be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

(a) Board of Variance No. BOV744 – 5324 Kenwill Drive

The Chair read the application requesting a variance to locate a heat pump between the front of the principal building and the nearest front lot line. Zoning Bylaw No. 4500 requires that a heat pump or central air conditioning unit be located to the rear or side of a principal building. The applicant requests a variance to "Section 6.5.2 of the City of Nanaimo Zoning Bylaw No. 4500". Where the principal use of the property is a single residential dwelling or duplex, heat pumps and central air conditioning units shall not be located between the front face of a principal building and the nearest front lot line, and shall not be closer than 4.5m to side lot lines or closer than 3m to rear lot lines. Heat pumps and central air conditioning units shall be screened from view from streets.

Scott Parker, owner, spoke to the rationale and hardship of the application. He stated that when his house was developed in the early 1990's, Georgiaview Crescent was designated as the front yard to the property due to the location of the house on the lot; however, the civic address of the property is actually 5324 Kenwill Drive. Therefore, any design of the property comes from the knowledge that Georgiaview is his front yard. He also stated that the location of the proposed heat pump would serve the best interest to surrounding neighbours and the elevations of his property are quite a bit higher from the nearest neighbour at 5311 Georgiaview Crescent. He believes that for how his family uses the property, Kenwill Drive is his front yard.

Discussion took place regarding:

- The proposed location being screened by a fence from the road
- The designation and definition of the front and side yard
- House meeting current setbacks
- Conflicts with putting heat pumps in the front yard
- Noise level to surrounding neighbours

It was moved and seconded that application BOV744 for 5324 Kenwill Drive to vary the provisions of "Section 6.5.2 of City of Nanaimo Zoning Bylaw No. 4500" to locate a heat pump between the front of the principal building and the nearest front lot line be approved. The motion carried unanimously.

(b) Board of Variance Application No. BOV745 – 2198 Departure Bay Road

The Chair read the application requesting a variance to allow a fence height of up to 2.0m within the front yard setback and within the required 7m setback for visibility at intersections. The applicant requests a variance to "Sections 6.9.1 and 6.10.2 of the City of Nanaimo Zoning Bylaw No. 4500". Where two streets intersect, there shall be no obstruction to the line of vision between 1.2m and 3m within an area bounded by the centre line of intersecting lot lines and a line joining each of the lot lines 7m from their point of intersection. The maximum height of a fence within the front yard shall not exceed 1.2m in height in the R1 zone.

Melvin and Constance Crum, owners, spoke to the rationale for the application. They stated that their house is located on Departure Bay Road, where there is constant traffic. The main entrance and main floor of their house is close to street level, where they find it very noisy. The noise and busyness of it make it truly difficult to enjoy being outside in their yard. They are proposing to build a 2m high fence inside their property line on Departure Bay Road to reduce the noise and give them some privacy from the large volume of traffic. They said they have done some research and found that a 2m high concrete fence is their best option to reduce the noise. A 1.2m high fence is not high enough to block out the noise & sight of the constant traffic. They said their proposed fence would meet the intent of the Visibility At Intersection bylaw (Section 6.9.1), to not obstruct the visibility of the road, as the road right of way is greater than 11 metres from Montrose Avenue to their lot. They also advised that many of their neighbours (both owners and tenants) have signed a letter in support of their application.

Discussion took place regarding:

- The hardship being the constant noise from traffic
- The intention with the existing trees along the Departure Bay Road lot line
- Safety of the visibility at the intersection
- Aesthetics with a 2 metre high concrete fence
- Whether there was discussion with the City before they bought the house of what their options were for noise mitigation
- Possibility for higher shrubs, hedge or vegetation, different fence material
- Permeability between the street and houses, create a connection between public and private
- Big blank wall attracts vandalism
- The fence height for all front yards in an R1 Zone have a maximum fence height of 1.2m
- Extenuating circumstances should allow for modifications to the bylaw, different avenues for the applicants to go such as development variance application etc.

It was moved and seconded that application BOV745 for 2198 Departure Bay Road to vary the provisions of "Sections 6.9.1 and 6.10.2 of City of Nanaimo Zoning Bylaw No. 4500" in order to permit a fence height of up to 2.0m within the front yard setback and within the required 7m setback for visibility at intersections be denied. The motion carried.  
Opposed: *Nelson Allen*

(c) Board of Variance Application No. BOV746 – 30 Mt. Benson Street

The Chair read the application requesting a front yard setback of 5.05m and a north side yard setback of 2.14m in order to renovate an existing non-conforming building and increase its height by approximately 1m. This represents front and side yard setback variances of 0.95m and 0.86m respectively. Zoning Bylaw No. 4500 requires a minimum front yard setback of 6m and a minimum side yard setback of 3m in the R8 zone.

Don Saywell, on behalf of the owners, spoke to the rationale for the application. He stated that presuming that the building was built to the required setbacks at the time; they are looking to reconstruct the building to upgrade it to the British Columbia Building Code standards without having to demolish the existing foundation.

Discussion took place regarding:

- When the building was originally constructed
- The use of the building
- Through the building approval the front, the sides and the back of that building will be renovated including the roof
- The approved development permit
- Proposed changes to the existing building
- Whether raising the roof approximately 1.2m is within the allowable height
- The extent of the interior and exterior renovations

It was moved and seconded that application BOV746 for 30 Mt. Benson Street to vary the provisions of "Section 7.5.1 of City of Nanaimo Zoning Bylaw No. 4500" to allow a front yard setback of 5.05m and a north side yard setback of 2.14m in order to renovate an existing non-conforming building and increase its height by approximately 1m be approved. The motion carried unanimously.

6. OTHER BUSINESS:

(a) Late Item Submitted & BOV Notices

Board member discussion took place regarding the late item that was submitted for BOV745 from a neighbour who was not in support of the variance. The neighbour stated that he did not receive a notice within the 7 day bylaw requirement before the meeting. Staff advised of the requirements in the Local Government Act and the Board of Variance Bylaw, and said that the City is required to make its best efforts to mail or otherwise deliver notices not less than 7 days before the hearing. In this case, the notice was mailed by the City more than 14 days prior to the meeting, which is why staff did not remove the application from the agenda. However, if the board members felt that adequate notice was not provided, then they may make a motion to postpone an item.

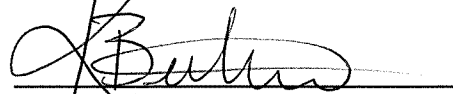
7. ADJOURNMENT:

It was moved and seconded at 5:09 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

A handwritten signature in cursive script, appearing to read "B. Butler", is written over a horizontal line.

RECORDING SECRETARY

**MINUTES**  
DESIGN ADVISORY PANEL MEETING  
BOARD ROOM, SERVICE AND RESOURCE CENTRE  
411 DUNSMUIR STREET, NANAIMO, BC  
THURSDAY, 2021-FEB-11, AT 5:00 P.M.

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PRESENT:   Members:   Charles Kierulf, Chair  
                              Councillor Brown (joined electronically)  
                              Tony James, AIBC (joined electronically)  
                              Kevin Krastel (joined electronically)  
                              Marie Leduc (joined electronically)  
                              Kate Stefiuk, BCSLA (joined electronically)

Absent:       Gur Minhas

Staff:         L. Rowett, Manager, Current Planning Section  
                  L. Brinkman, Planner, Current Planning Section  
                  C. Horn, Planner, 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 5:06 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 Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-JAN-28 at 5:05 p.m. be adopted as circulated. The motion carried unanimously.

4.    PRESENTATIONS:

(a)   Development Permit Application No. DP1213 – 250 Timbercrest Way

Introduced by Lisa Brinkman, Planner, Current Planning Section.

Presentations:

1.    Joyce Troost, Architect of Joyce Reid Troost Architecture accompanied by Scott Mack, Principal of Townsite Planning Inc., presented the project. Ms. Troost spoke regarding site history, site and neighbourhood context,

site topography, and provided an overview of the proposed architectural plans.

- There are 21 residential units proposed (nine duplex buildings and three single family homes)
- The duplex models differ from one another; one is wide and shallow, and the other is long and narrow
- Single family homes are located at each end of the site
- Buildings are sited to fit the site's topography and natural features and to allow for optimal sun exposure
- The lowest point of the property is at the corner of Timbercrest Way and Crestline Terrace
- Exterior materials consist of natural materials in muted colours such as stone and wood

2. Scott Murdoch, Landscape Architect of Murdoch de Greef Landscape Planning and Design presented the landscape plan and spoke regarding the proposed tree retention plan, site grade challenges and the proposed plant palette.

- The tree management plan proposes 31 tree removals and the planting of 132 trees
- The site's grades are inconsistent throughout the site and attempts are made to minimize disturbance to the land and the amount of retaining walls required
- Ornamental planting treatments are used on street frontages and side yards
- Common areas are planted with native and adaptive plant material and small lawn areas are proposed where the slope allows
- Concrete will be used for walkways and driveways
- A rock cut wall will run through the mid portion of the site (naturalized zone)
- A mix of native and non-native tree species will be used including Douglas fir, arbutus, native pines, maple and ash
- Shade gardens will be incorporated and will include native ferns

Panel discussions took place regarding the following:

- The intended stratification of the development
- The driveway design and location for the duplex units
- The east elevation façades and considerations to break building massing
- The possibility of integrating an amenity space on the east side of the property
- The proximity of Buildings 5 and 8 pertaining to the proposed glazing and fire protection
- Siting the single family homes at either end of the development
- The possibility of fitting visitor parking on the site
- The proposed building height variance

It was moved and seconded that Development Permit Application No. DP1213 be accepted as presented with support for the proposed building height variance. The following recommendations were provided:

- Consider introducing variation on the east facing high wall elevations; and,
- Consider introducing an amenity space or pathway in keeping with the natural landscape character.

The motion carried unanimously.

(b) Development Permit Application No. DP1214 – 400 Fitzwilliam Street

Introduced by Caleb Horn, Planner, Current Planning Section.

Presentations:

1. Pablo Yuste, Architect and Principal of Omicron Architecture Engineering Construction Ltd., accompanied by Jordan Royer, Project Manager of Omicron Architecture Engineering Construction Ltd., presented the project. Mr. Yuste spoke regarding site and neighbourhood context, site grades, building siting and volumes, and provided an architectural overview of the project.
  - This mixed use development consists of two buildings for a residential rental mix of 197 units and one commercial retail unit
  - The existing Telus operations centre is to remain onsite
  - The proposed unit mix targets a wide variety of household types, with adaptable and accessible units included
  - The site is programmed with a number of elements which include a communal roof deck atop Building B (including an indoor kitchen area), children's play space, a dog walk area, garden beds, outdoor communal amenity furnishings (ie seating, dining table)
  - Wallace Terrace, a new public space is being created just off the street level commercial retail unit located on the corner of Wallace and Wentworth Street
  - A prominent sculptural stair is proposed from the lower level of Wallace Street and to the semi-private resident courtyard between Buildings A and B
  - The resident courtyard is located over the underground parkade
  - Street frontage improvements will include a bike lane along Wallace, Wentworth and Richards streets
  - Parking area access will be from Richards Street
  - Exterior materials are chosen to limit massing and include aluminum composite panel, wood look shiplap siding, corrugated and perforated metal cladding in contrasting colours
  - All patios and balconies will include glazing
2. Ken Larsson, Landscape Architect of Connect Landscape Architecture presented an overview of the proposed landscape concept plan.



- The Wentworth/Wallace Street corner public plaza will include several amenities to become an activity generator which includes the corner bulge, bike path, commercial retail unit and slightly elevated seating terrace, a people place
- Materials, textures and colours are chosen to be durable and to play off the coastal feel

Panel discussions took place regarding the following:

- The possibility of providing additional street level commercial space
- The lower units and resident access from the street level
- Pedestrian access to and through the site
- Historical pedestrian movement within the Old City area, its uniqueness and the possibility of creating something similar through the site
- The importance of the transition with the existing neighbourhood along the Wallace Street/Fitzwilliam Street corner
- The possibility of adding transparency to the commercial unit for enhanced lighting on the plaza
- Landscape materials and plantings to reflect the local zone
- The use of artificial turf within the dog walk area and rubber matting within the children's play area
- The good use of the site's natural topography to step back and screen the underbuilding parking with dwelling units
- The street facing units on all elevations providing surveillance and reducing any need for fencing or gating
- The possible reinforcement of the character of the older areas, with less of a setback and a little more streetscape

It was moved and seconded that Development Permit Application No. DP1214 be accepted as presented with support for the proposed building height variance. The following recommendations were provided:

- Consider enhancing the southeast corner stair and its relationship to the street; and,
- Give further consideration to enhancing the integration between the building frontage and the Wallace Street streetscape.

The motion carried unanimously.

5. OTHER BUSINESS:

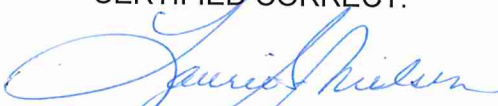
Lainya Rowett, Manager, Current Planning Section advised the panel that one panel member has resigned and the position will be advertised.

6. ADJOURNMENT:

It was moved and seconded at 6:55 p.m. that the meeting terminate. The motion carried unanimously.

  
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CHAIR

CERTIFIED CORRECT:

  
\_\_\_\_\_  
RECORDING SECRETARY

**MINUTES**  
**DESIGN ADVISORY PANEL MEETING**  
**BOARD ROOM, SERVICE AND RESOURCE CENTRE**  
**411 DUNSMUIR STREET, NANAIMO, BC**  
**THURSDAY, 2021-FEB-25, AT 5:00 P.M.**

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

Absent:       Gur Minhas At Large

Staff:        L. Rowett, Manager, Current Planning Section  
                  L. Brinkman, Planner, 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 5:05 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 Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-FEB-11 at 5:05 p.m. be adopted as circulated. The motion carried unanimously.

4.    PRESENTATIONS:

(a)   Development Permit Application No. DP1212 – 285 Prideaux Street

Introduced by Lisa Brinkman, Planner, Current Planning Section.

Presentations:

1.    Chad Zyla, Architect of S2 Architecture & Interior Design presented the BC Housing supportive housing project and spoke regarding site context and topography, building siting, architectural features, exterior materials,

and provided a brief overview of the modular construction method and the proposed building height variance.

- A shared access agreement is in place between this property and the fire station property
- Vehicle access is from both Fitzwilliam and Prideaux Streets
- The site topography has a 2m grade drop from the south side along Fitzwilliam Street to the southern edge of the shared access driveway along Prideaux Street
- The 4m building height variance requested is to accommodate the modular construction method being used and site grades
- The building consists of 10 modules
- The exterior materials provide texture, rhythm, and reduce massing with wood accents along the top and sides to provide visual interest

2. Michael Holm, Landscape Architect, WSP Landscape Architecture, presented the landscape plan.

- The landscape plan focuses on the Prideaux Street and Fitzwilliam Street edges of the site
- A series of evergreen and crab apple trees are proposed along Prideaux Street
- An outdoor, fenced private amenity space is proposed on the south side of the building for residents
- The planting plan consists mostly of hardy, native evergreen species for year round colour
- A narrow landscape buffer with fence is proposed along the north property line

Panel discussions took place regarding the following:

- The possible addition of colour or artwork to add visual interest to the amenity space and/or building on the south elevation
- The form and character transition between the proposed building and the existing neighbourhood
- The similarity of the building in comparison to the 702 Nicol Street BC Housing project
- How the building relates to the corner of Fitzwilliam and Prideaux Street
- The possibility of locating the main lobby on the southeast corner of the building to add transparency and interest to the streetscape
- The possible extension of the white banding on the south elevation, and the addition of windows to the north elevation
- The Prideaux Street ramp entry and possible ways to strengthen the identity of the main entrance
- A suggestion was made to lower the building into the site to reduce the building height and the need for platforms and stairs at each building entrance
- A concern was raised regarding resident privacy and the west side of the building
- Screening of the garbage and recycling enclosure
- The retaining wall finish

It was moved and seconded that Development Permit Application No. DP1212 be accepted as presented with support for the proposed building height variance. The following recommendations were provided:

- Consider incorporating ways for the building to complement the adjacent neighbourhood character;
- Consider alternative treatments on the south elevation to enhance the building's form and character;
- Consider ways to better screen the garbage and recycling storage area; and
- Consider opportunities to increase the openness and transparency on the southeast corner.

The motion carried unanimously

(b) Development Permit Application No. DP1221 – 3945 Biggs Road

Introduced by Lainya Rowett, Manager, Current Planning Section.

Presentations:

1. Tony Gill, Architect and Global Director P3 Buildings of IBI Group, provided an overview of the project, and its intent as a rehabilitation facility. Mr. Gill also spoke regarding existing site conditions, maintaining the existing site topography, and building architecture and features.
  - The existing campus/facility will be replaced in phases
  - Walkways through the site will be retained
  - The proposed buildings are stepped down with the site's topography
  - Building and site features include administration, library, classrooms, woodworking shop, healthcare services, recreational areas and facilities, horticultural centre, outdoor meeting spaces dining areas and gardens
  - The architectural theme is based on Coast Salish architecture through the use of horizontal siding with vertical lines added, round columns at entry points, and space for exterior artwork
  - Grey tone material is generally used on the building façades with brown wood-look finish on the soffits
2. Michael Patterson, Landscape Architect and Principal of Perry + Associates provided an overview of the site and presented the landscape plan. Mr. Patterson spoke regarding resident rehabilitation and ability for residents to connect with nature.
  - Objective is to maintain existing trees, removing 21 trees that are in poor condition and planting 163 canopy trees
  - The landscape plan focuses on storm water management
  - The firetruck turnaround will double as a small basketball court
  - Artwork is being commissioned for the facility's main entrance area

- Natural elements include hedgerow planting and swales where they can be used
  - Pattern and colour is included within asphalt surfaces
3. Scott Lewis, Civil Engineer of Aplin Martin Engineering Ltd., provided an overview of the storm water management plan and spoke regarding the existing outfall to the lake, retention and detention components, landscape berms, bio-swales, and the proposed open pond system onsite.

Panel discussions took place regarding the following:

- Screening of the visitor parking area from Biggs Road
- A suggestion was made to include weather protection over all exterior doors
- Appreciation was conveyed for incorporating the facility into the existing site conditions, the incorporation of public artwork, and the proposed storm water management plan

It was moved and seconded that Development Permit Application No. DP1221 be accepted as presented. The following recommendations were provided:

- Consider additional landscape screening in the parking area; and
- Consider providing weather protection over all exterior doors.

The motion carried unanimously.

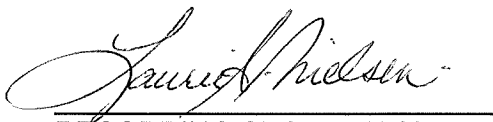
5. ADJOURNMENT:

It was moved and seconded at 7:05 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:



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RECORDING SECRETARY

**MINUTES**  
**FINANCE AND AUDIT COMMITTEE MEETING**  
**SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,**  
**80 COMMERCIAL STREET, NANAIMO, BC**  
**WEDNESDAY, 2021-MAR-17, AT 9:00 A.M.**

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Present: Mayor L. Krog, Chair  
Councillor S. D. Armstrong  
Councillor D. Bonner  
Councillor T. Brown (joined electronically 9:38 a.m.)  
Councillor B. Geselbracht  
Councillor E. Hemmens  
Councillor Z. Maartman  
Councillor I. W. Thorpe  
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
B. Sims, General Manager, Engineering and Public Works  
T. Doyle, Fire Chief  
J. Le Masurier, Assistant Chief, Education and Training, Fire Rescue Department  
A. Groot, Director, Facilities and Parks Operations  
L. Mercer, Director, Finance  
L. Wark, Director, Recreation and Culture  
C. Davis, Manager, Parks Operations  
W. Fulla, Manager, Business, Asset and Financial Planning  
S. Pamminger, Manager, Infrastructure Planning and Energy  
S. Gurrie, Director, Legislative Services  
S. Snelgrove, Deputy Corporate Officer  
K. Lundgren, Recording Secretary

1. CALL THE FINANCE AND AUDIT COMMITTEE MEETING TO ORDER:

The Finance and Audit Committee Meeting was called to order at 9:01 a.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 minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2021-FEB-17, at 9:00 a.m. be adopted as circulated. The motion carried unanimously.

4. DELEGATIONS:

- (a) Peter Sinclair, Executive Director, Nanaimo Loaves and Fishes Food Bank, provided a PowerPoint presentation regarding a request for financial support from the City of Nanaimo (the City), in the amount of \$930,000, to build a warehouse and distribution centre at 1861 East Wellington Rd. He spoke regarding the success of the Nanaimo Loaves and Fishes Food Bank and the limitations of the current facility.

Committee discussion took place. Highlights included:

- Figures to evaluate food based on weight and dollar amount
- Nanaimo Loaves and Fishes' work is very valuable and appreciated
- Fundraising campaigns to raise funds for this project
- Potential partnerships with other groups for the use of the large scale kitchen in the new facility

5. REPORTS:

- (a) TK2140 Portable Radio Replacement - Fire Dispatch Transition

Introduced by Tim Doyle, Fire Chief.

- Advised the committee that \$58,000 has been added to year 2021 of the 2021-2025 Financial Plan for replacement of the Nanaimo Fire Rescue's portable radios
- The models currently in use are incompatible with Surrey's emergency signaling technology
- Emergency signalling technology allows the firefighter to signal the dispatch and provides information such as the unit number and the time of the call
- Surrey's communication consultant highly recommends the replacement of the radios

Committee discussion took place. Highlights included:

- The older models, that are being replaced, will be used for training purposes or situations where the emergency call button is not needed
- The information that is relayed to the dispatcher when the emergency signalling is activated (Unit ID number)

- (b) 2020 Budget CarryForwards

Introduced by Laura Mercer, Director, Finance.

- Informed the committee of the 2020 budget carried forward to 2021
- Carryforwards include projects that have not yet been completed and projects that have been delayed



(c) 2020 Surplus Allocation

Introduced by Laura Mercer, Director, Finance.

- Informed the committee of the 2020 surplus
- Listed some of the biggest drivers for the surplus. These included:
  - The COVID-19 Safe Restart Grant
  - Cost saving measures implemented prior to being aware of the COVID-19 Safe Restart Grant
  - Savings in the Parks and Recreation department due to COVID-19
  - Less traveling for conferences
  - Higher than anticipated revenues in business licensing
- The water fund recorded a deficit; user fees related to water are difficult to predict as it is based on many factors including consumption and weather

Councillor Brown joined electronically at 9:38 a.m.

- Advised leaving money in the reserve as a contingency measure

Jake Rudolph, Chief Administrative Officer, spoke regarding:

- Growth and the challenge to maintain service levels; particularly funding pressures in the RCMP
- Areas of interest may be brought forward for further discussion at the 2021-APR-14 Special Finance and Audit Committee meeting
- A large portion of the surplus funds are already committed to projects
- Consideration for the uncertainties of the future and unforeseen challenges

Committee discussion took place. Highlights included:

- Taking a conservative approach and leaving the money alone until the next budget
- Suggestion that part of the surplus be allocated to lowering taxes and sewer rates
- Desire to help the Nanaimo Loaves and Fishes with their ask for funding
- Recognizing the potential for a third wave of COVID-19

It was moved and seconded that the Finance and Audit Committee recommend that Council approve the allocation of the 2020 operating surplus as follows:

1. General Fund
  - a. Special Initiatives Reserve \$7,482,599
  - b. Property Acquisition Reserve \$1,000,000Total: \$8,482,599
2. Sewer Fund
  - a. Sewer Reserve \$589,873
  - b. Sewer Financial Stability Reserve \$28,751Total: \$618,624

The motion carried unanimously.

(d) Kal's Replay Fund

Introduced by Laura Mercier, Director, Finance.

- Advised the committee that the City has submitted a grant application totaling \$28,519 to Kal Tire's RePlay Fund
- The funding will go towards the Harewood Centennial Park Accessible and Inclusive Playground Upgrade Project
- Funding expected to be announced April 2021

(e) Sponsorship Asset Inventory and Valuation for the City of Nanaimo, Request for Proposals to be Issued

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Introduced by Laura Mercer, Director, Finance.

- The Request for Proposals (RFP) for a Sponsorship Asset Inventory and Valuation is ready to be issued and anticipate that the contract will be awarded late May 2021
- Consultants to provide a comprehensive Sponsorship Asset inventory and valuation. Deliverables will include:
  - Identifying all sponsorship assets
  - Developing both an outsource and internal (City-resourced) strategy
  - Drafting a Sponsorship Policy

Committee discussion took place. Highlights included:

- Pleased to see the Sponsorship Asset Inventory and Valuation project moving ahead
- Possibility of taking advantage of sponsorship opportunities in the short term
- This project will allow the City to generating additional revenue

(f) Port Theater - Chiller Equipment Renewal and Low Carbon Electrification Options

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

Scott Pamminger, Manager, Infrastructure Planning and Energy, gave an overview of the Port Theater chiller equipment renewal project. Highlights included:

- The chiller equipment that is used for cooling in the Port Theater is in need of replacement
- An electrification study was conducted that outlines three options
- Two of the presented options would reduce Green House Gas (GHG) emissions

Committee discussion took place regarding Option A (Air Source Heat Recovery Heat Pump) which would include the added benefit of both heating and cooling and has a better GHG emission than the other options.

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to:

1. Proceed with installing the recommended Option A – Air Source Heat Recovery Heat Pump system to replace the existing chiller; and,
2. Increase the budget for the Port Theatre Chiller Replacement project by \$500,799 in 2021 funded by \$150,000 from the Emission Reduction Reserve and \$350,799 from the General Asset Management Reserve.

The motion carried unanimously.

(g) Serauxmen Stadium Maintenance for 2021

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

- Requesting approval to amend the 2021 Parks Operations budget to include funding for additional facility and field maintenance of Serauxmen Stadium

Committee discussion took place. Highlights included:

- Funding to come from General Revenue as the maintenance of the stadium would be long term
- The Serauxmen Stadium is a tremendous asset to our community, a valuable investment, and another source of income for the City.

It was moved and seconded that the Finance and Audit Committee recommend that Council approve adding \$59,113 to the 2021 Parks Operations Budget for Parks and Facility Operations to conduct additional facility and field maintenance of Serauxmen Stadium, to be funded from General Revenue. The motion carried unanimously.

(h) Beban Park Pool Improvements for 2021

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

- To obtain approval to amend the 2021-2025 Financial Plan to include funding for facility upgrades at Beban Park Pool
- Changes and upgrades will improve change rooms as well as reduce touch points in the facilities

Art Groot, Director, Facility and Parks Operations, spoke regarding the opportunity to take advantage of the current extended closure at Beban Park Pool to perform these upgrades.

It was moved and seconded that the Finance and Audit Committee recommend that Council amend the 2021-2025 Financial Plan to include \$255,000 in 2021 for change room and washroom upgrades at Beban Park Pool, to be funded from the Facility Development Reserve. The motion carried unanimously.

(i) Proposed Development of a Medium-Sized Stadium at NDSS Community Field

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

- At the 2020-JUL-27 Special Council Meeting, Council directed Staff to present the concept of a medium-sized stadium at NDSS Community Field to School District 68 and other stakeholders.
- Staff have received support from user groups
- Staff can provide a phased implementation plan for the development of a medium-sized stadium at the NDSS Community Field
- Using NDSS community field as the stadium-site is that it will benefit other surrounding venues, such as the Serauxmen Stadium and Rotary Bowl

Committee discussion took place. Highlights included:

- Requesting that the Advisory Committee on Accessibility and Inclusiveness provide feedback on the implementation plan
- Parking and transit
- Benefit of centralizing amenities in that area

It was moved and seconded that the Finance and Audit Committee recommend that Council approve:

1. The NDSS Community Field be designated as the medium-sized stadium site for the City of Nanaimo;
2. That a phased implementation plan with options and costing be developed for Council's review and consideration in making NDSS Community Field a medium-sized stadium;
3. That in development of the phased improvement plan, that shared amenities that would benefit Rotary Bowl and Serauxmen Stadium be included; and,
4. That the current Joint Use Agreement with School District #68 be updated to address any changes required of this location being a medium-sized stadium.

The motion carried unanimously.

6. OTHER BUSINESS:

(a) Nanaimo Loaves and Fishes Food Bank

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to review the Nanaimo Loaves and Fishes Community Food Bank's ask for funding, identify options and provide a report to Council for information. The motion carried unanimously.

7. ADJOURNMENT:

It was moved and seconded at 10:25 a.m. that the meeting adjourn. The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER

Please click on the link below to access the agenda for the 2021-MAR-17 Finance and Audit Committee Meeting:

<https://pub-nanaimo.escribemeetings.com/Meeting.aspx?Id=4c7a9736-f1d7-4fce-bec3-f52e6ae8418d&Agenda=Agenda&lang=English>

Please click on the link below to access the agenda for the 2021-MAR-22 Governance and Priorities Committee Meeting:

<https://pub-nanaimo.escribemeetings.com/Meeting.aspx?Id=77668917-ccb7-416a-9331-81e3b2f729dd&Agenda=Merged&lang=English>

DATE OF MEETING MARCH 29, 2021

AUTHORED BY MADELEINE KOCH, ACTIVE TRANSPORTATION PROJECT SPECIALIST

SUBJECT **Participation in Provincial Motor Vehicle Act MicroMobility Pilot Project**

## **OVERVIEW**

### **Purpose of Report**

To seek Council's direction on an opportunity to participate in a Motor Vehicle Act Pilot Project to allow micromobility devices on public streets and sidewalks.

### **Recommendation**

That Council approve participation in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program to enable the use of micromobility devices within City streets.

## **BACKGROUND**

The Province of British Columbia's Motor Vehicle Act (MVA) now has Pilot Projects Program, which allows for trial changes to legislation, prior to formal enactment.

An upcoming Pilot Project is seeking proposals from municipalities to conduct a Pilot Project for the use of micromobility devices which are not currently authorized for use on public streets or sidewalks. A "micromobility device" is a zero-emission motorized personal mobility device such as an electronic kick scooter ("e-scooter"), designed to transport one person.

These devices are currently prohibited from use on streets and sidewalks under the Act. The first Pilot Project to be offered would enable participating municipalities to submit proposals for relaxations to the MVA that enable the use of a micromobility device. Intake for a second Pilot Project is anticipated in the summer of 2021, to seek proposals to enhance Vulnerable Road User Safety.

Staff is seeking Council's direction whether to participate in the Pilot Project, and if so, to seek feedback on what Council would like to consider proposal development.

## **DISCUSSION**

Expanding opportunities for Active Transportation in Nanaimo supports Council's mobility and climate action goals. Engagement during Phase 1 of REIMAGINE NANAIMO revealed there is community interest in emerging technologies, such as e-scooter use and shared mobility options, as long as potential user conflicts are considered.

Proposal details are not required at the Expression of Intent stage, but a description of the general proposal vision is requested. If Council wishes to proceed, the next steps would be:



1. The City submits an Expression of Intent to the Province containing general information on the City's vision for a Micromobility Pilot Project, and a resolution indicating Council's approval to participate (Draft shown in [Attachment A](#)).
2. Detailed project proposal approved by Council before submitting to the Province.
3. The City awaits Provincial approval. The Province is unable to confirm intake or approval timelines, but envisions the project commencing in late spring / early summer.
4. If approved by the Province, the City would need to amend the "Traffic and Highways Regulation Bylaw 1993 No. 5000", prior to implementing the approved Micromobility Proposal.

Expressing an interest in participating does not obligate the City to participate, and proposals can be withdrawn at any time. Participation in this program would rely on municipal funding, which could come from 'Active Transportation Education and Marketing'.

"Traffic and Highways Regulation Bylaw 1993 No. 5000" is due for an update in 2022 to better support evolving needs of the community with respect to transportation mode choices, property frontage maintenance, and on-street parking management. Participation in this Pilot Project would be an opportunity to hear the views and opinions of the community with respect to the use of different, and potentially, unconventional modes of travel.

## **OPTIONS**

1. That Council approve participation in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program to enable the use of micromobility devices within City streets.
  - The advantages of this option: Participation in this Pilot Project will enable the City to explore opportunities to diversify Active Transportation options which could lead to greater uptake within the community.
  - The disadvantages of this option: Staff time is required to submit an expression of intent and to develop a proposal. There will also be time and costs associated with developing and implementing the program.
  - Financial Implications: In addition to Staff time, there would be costs associated with developing and implementing a micromobility proposal. The Motor Vehicle Act Pilot Projects Program does not offer any financial assistance, only the ability to legally support micromobility projects on public roads. Council could look to existing funding sources, such as the 'Active Transportation Education and Marketing' and pursue grant opportunities if available.
2. That Council direct Staff to not participate in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program.
  - The advantages of this option: Staff time and costs will not be required.
  - The disadvantages of this option: The City will not have the opportunity to offer micromobility options that are otherwise prohibited by the Motor Vehicle Act.
  - Financial Implications: None.

### **SUMMARY POINTS**

- The Provincial Motor Vehicle Act (MVA) has been recently updated to allow local municipalities to apply for relaxation of Provincial Regulations in order to undertake pilot projects.
- The first intake of Pilot Projects is intended to seek proposals to allow the use of micromobility devices on public streets.
- The municipality can opt out of the pilot project at any time.
- If Council approves participation, and the Province approves the proposal, Council will be asked to approve the Pilot, prior to submission to the Province.

### **ATTACHMENTS:**

Attachment A – Draft Expression of Intent |

#### **Submitted by:**

Jamie Rose  
Manager of Transportation, Engineering |

#### **Concurrence by:**

Poul Rosen  
Director, Engineering |



## INTRODUCTION

If your community intends to submit an Motor Vehicle Act (MVA) Pilot Project Proposal, the Ministry of Transportation and Infrastructure (Ministry) requests that you complete this Expression of Intent Form H1401 and submit to [MVA.Pilot.Project@gov.bc.ca](mailto:MVA.Pilot.Project@gov.bc.ca) on or before **January 31, 2019 at 4:00 p.m.**

This form is to be completed by individuals employed and acting on behalf of municipalities and Treaty First Nations, including the Nisga'a (hereafter referred to as 'local communities') who are interested in establishing a Pilot Project under the *Motor Vehicle Act* in accordance with Part 13 of the Act.

Submission of this form:

- Will assist Ministry staff in providing any potential supplementary information to staff with interested local communities in advance of the March 6, 2020 deadline for submission of an MVA Pilot Project Proposal; and,
- Does not obligate your local community to submit a completed MVA Pilot Project Proposal.

## REQUEST FOR GENERAL INFORMATION ON THE MVA PILOT PROJECT 1.1

### Contact Information

Local Community Name Nanaimo

*Please provide a main point of contact whom Ministry staff may contact to provide potential supplementary information to support completion of your community's proposal.*

Contact Name

Phone

Email

Madeleine Koch

Jamie Rose

### 1.0 Please provide a general overview of the MVA Pilot Project for which your local

*Please indicate, if possible, the type of micromobility device you will seek to pilot and any other general information that you are able to share at this point, related to your local community's vision for such a project, e.g. why the pilot project is needed?*

The City of Nanaimo has identified an opportunity to enable the use of micromobility devices in specific areas of the City. The current Official Community Plan and the Nanaimo Transportation Master Plan identify seven areas within the City as "Urban Nodes" or "Mobility Hubs". These are the areas planned for higher densities of housing, services, and employment opportunities, and as such, these are the areas in which investment in active transportation will be most impactful. We see an opportunity to improve mobility within these hubs by enabling residents to utilize micromobility devices on public streets or sidewalks.

DATE OF MEETING March 29, 2021

AUTHORED BY ROB LAWRENCE, ENVIRONMENTAL PLANNER

SUBJECT BC ENERGY STEP CODE REZONING POLICY

## **OVERVIEW**

### **Purpose of Report**

To present to Council the BC Energy Step Code Rezoning Policy for adoption.

### **Recommendation**

That Council:

1. adopt the BC Energy Step Code Rezoning Policy; and
2. direct Staff to implement the Step Code Rezoning Policy three months after adoption.

## **BACKGROUND**

On 2018-JUL-09, Council received and adopted the BC Energy Step Code Implementation Strategy. The strategy included a number of recommendations, including the incorporation of the BC Energy Step Code (the “Step Code”) standards into the City of Nanaimo “Building Bylaw 2016 No. 7224” (the “Building Bylaw”), the introduction of density bonus points for meeting higher Step Code requirements in the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”), and the development of a BC Energy Step Code rezoning policy. Council adopted the Building Bylaw and Zoning Bylaw amendments in October and November 2019. On 2019-SEP-16, Council directed Staff to develop the BC Energy Step Code Rezoning Policy (the “Rezoning Policy”), and on 2020-JUN-03, an initial draft of the policy was presented to and endorsed by the City Environment Committee. This report presents the final draft for Council consideration and adoption.

### **BC Energy Step Code Implementation**

The Province of British Columbia has set a long-term goal for all new buildings to be net-zero-energy-ready by 2032 through implementation of the Step Code. Through its CleanBC Plan, the Province has made a commitment to follow a step-by-step pathway to make this transition through the BC Building Code (BCBC).

Compared to the 2018 BCBC energy-efficiency requirements, by following the Step Code, new homes will be:

- 20% more energy efficient by 2022,
- 40% more energy efficient by 2027, and
- 80% more energy efficient by 2032 – Net Zero Energy Ready.

The Step Code applies to new construction in buildings under Part 9 (houses and small buildings) and Part 3 (large and complex buildings) of the BCBC. Initially, the Step Code provides local governments with the option to require lower steps (Steps 1 to 3), and incentivize higher steps (Steps 4 and 5) as a way to speed up the implementation of the Step Code.

In Nanaimo, Step Code requirements were included into the City's Building Bylaw, beginning with Step 1 (Enhanced Compliance) in 2020. Enhanced Compliance requires builders to complete an EnerGuide or energy modeling assessment to BCBC requirements. Currently, the City requires all Part 9 buildings to meet Step 2 (20% greater than current BCBC energy-efficiency requirements). Part 3 buildings remain at Step 1 until January 2022. The current pace for meeting the Step Code allows the local development industry to make adjustments in training and building techniques in order to help minimize financial impacts and allow industry capacity to develop as the transition to higher energy-efficiency buildings progresses. |

### **Climate Action Update: Community Greenhouse Gas Inventory**

On 2020-NOV-09, Staff presented a Climate Action Plan update to the Governance and Priorities Committee. During the presentation, the consultant from C2MP provided a review of the City's greenhouse gas (GHG) emission profile. Using fuel-use and energy-use data released by the Province, an analysis was conducted that showed Nanaimo's GHG emissions have increased by 18% between 2010 and 2017 (the latest year where data is available). When comparing population growth during this period at 14%, it shows emissions are growing faster than population growth.

Growth is particularly dramatic in the building sector, which saw large growth in natural gas use (55% increase), and much smaller increases in electricity (5%). While some of the growth is likely from economic growth and expansion of energy-intensive workplaces, a large proportion is likely due to residents and businesses continuing a long-term shift from electricity to natural gas due to the arrival of natural gas on the Island in the 1990s. As natural gas produces 16 times more emissions than BC Hydro electricity for an equivalent unit of energy, this shift has profound implications for Nanaimo's ability to reach its climate targets.

### **DISCUSSION**

On 2020-JUN-03, an initial draft of the policy was presented to and endorsed by the City Environment Committee. Committee members commented on the need to accelerate the Step Code measures, the cost of construction when adding additional energy-efficiency requirements, and the various approaches that can be taken to reach the net-zero-energy-ready target in 2032.

Following endorsement of the draft policy by the Environment Committee, Staff met with development industry stakeholders, represented by the Nanaimo Development Group, in September and November 2020, and again in January 2021, to receive input on the draft policy. The comment and input received generally centered on concern for the cost of implementing the policy and the impact on the affordability of housing in Nanaimo, as well as concern that such a policy would deter developers from proceeding with the rezoning of properties. The use of incentives over regulation was raised as an alternative approach for the City to consider.

Staff also presented the draft policy and received input from the Vancouver Island chapter of the Canadian Homebuilders' Association in November 2020. Input was received that supported the incentive approach to reaching for higher steps, and it was suggested that if the rezoning process is used to lift a project to a higher Step Code level, there should be an offsetting gain through density bonuses or a reduction in another requirement.

After reviewing the input received, Staff feel the density bonus amenity incentive currently provided through Schedule D of the Zoning Bylaw, allows for adequate incentive opportunity for builders and developers to offset additional costs from the Step Code increases in the Rezoning Policy. In response to the input received and to provide another option for developers that helps the City meet its Climate Emergency Declaration greenhouse gas (GHG) reduction goals, an alternative low-carbon energy system path has been added to the draft Rezoning Policy (Attachment A).

### Low-Carbon Energy Systems (LCES)

While the Step Code establishes a framework for reducing energy use in new buildings, it does not explicitly address GHG emissions from buildings. In order to provide an alternative to higher Step Code commitment through rezoning that would address building GHG emissions, the policy has been drafted to allow a commitment to installation of a low-carbon energy system to heat and cool the building as another option.

A low-carbon energy system is a professionally installed and maintained, high-efficiency mechanical system that supplies space heating, cooling, and domestic hot water heating demands primarily from renewable energy sources (i.e., electricity).

The draft policy allows for two options: 1) exceed the Step Code requirement for Part 9 and Part 3 buildings by one-step; or 2) meet the Step Code requirement and commit to installation of a low-carbon energy system that meets a set standard for greenhouse gas intensity ("GHGI", Attachment A).

GHGI is a measure that can be collected as part of an energy modeling for a building at the time of building permit application. Elsewhere in the province, most local governments that provide an LCES option over a higher Step Code requirement use GHGI requirements in their policies. A best practice guide developed by AES Engineering for the Energy Step Code Peer Network (AES Study) recommends a GHGI level of 3kg of CO<sub>2</sub>/m<sup>2</sup>/year or lower be followed.

The Step Code Rezoning Policy would be applied as outlined according to building type:

Part 9 Building Type	Energy Step Code Paths for Rezoning Applications		
	2021 (three months after adoption)	2022	2027
Single dwelling, duplex, row housing, small- scale multi- residential and commercial.	Step 3	Step 4	Step 5
	Step 2 with a Low- Carbon Energy System	Step 3 with a Low- Carbon Energy System	Step 4 with a Low- Carbon Energy System

<b>Part 3 Building Type</b>	<b>Energy Step Code Paths for Rezoning Applications</b>		
	<b>2021</b> (three months after adoption)	<b>2022</b>	<b>2027</b>
Multi-Residential Buildings	Step 2	Step 3	Step 4
	Step 1 with Low-Carbon Energy System	Step 2 with Low-Carbon Energy System	Step 3 with Low-Carbon Energy System
Commercial / Hotel	Step 2	Step 3	Step 4
	Step 1 with Low-Carbon Energy System	Step 2 with Low-Carbon Energy System	Step 3 with Low-Carbon Energy System

While the draft policy includes the option of meeting the basic Step Code with a commitment to a Low-Carbon Energy System for commercial / hotel classes, the AES Study also recommends exemptions for commercial buildings and hotels in order to recognize the needs of commercial kitchens and businesses with intense energy demands. As such, Staff do not anticipate a significant uptake of the Low-Carbon Energy System option for these classes of development.

The BC Energy Step Code Rezoning Policy keeps within Council direction around reducing GHGs and improving energy efficiency in new construction. There are also density amenity bonus options available for developers under Schedule D of the Zoning Bylaw that can help soften potential financial impact of requiring higher Step Code or Low-Carbon Energy System requirements through rezoning.

Staff recommend a three-month window before implementation of the policy to allow for adequate notice to the development community of the change in policy.

## **OPTIONS**

1. That Council:
  1. adopt the BC Energy Step Code Rezoning Policy for adoption; and
  2. direct Staff to implement the Step Code Rezoning Policy three months after adoption.
    - Advantages: Accelerates the implementation of the BC Energy Step Code and helps meet the City's GHG reduction targets.
    - Disadvantages: The development community has expressed concern over additional requirements and costs and the potential to discourage rezoning.
2. That Council deny adoption of the BC Energy Step Code Rezoning Policy.
  - Advantages: Additional requirements and costs on the development community avoided.



- Disadvantages: The City will not be able to accelerate implementation of the BC Energy Step Code and will not be able to encourage the use of Low-Carbon Energy Systems through rezoning. It will become more difficult for the City to meet its GHG reduction targets, as expressed in the Climate Emergency Declaration.

### **SUMMARY POINTS**

- On 2018-JUL-09, Council received and adopted the BC Energy Step Code Implementation Strategy. The strategy included a number of recommendations, including the incorporation of the Step Code standards into the Building Bylaw, the introduction of density bonus points for meeting higher Step Code requirements in the Zoning Bylaw, and development of a BC Energy Step Code rezoning policy.
- The draft policy allows for two options: 1) exceed the Step Code requirement for Part 9 and Part 3 buildings by one-step; or 2) meet the Step Code requirement, and commit to installation of a low-carbon energy system that meets a set standard for greenhouse gas intensity.
- The BC Energy Step Code Rezoning Policy keeps within Council direction around reducing GHGs and improving energy efficiency in new construction. There are also density amenity bonus options available for developers under Schedule D of the Zoning Bylaw that can help soften potential financial impact of requiring higher Step Code or Low-Carbon Energy System requirements through rezoning

### **ATTACHMENTS:**

ATTACHMENT A: BC Energy Step Code Rezoning Policy |

#### **Submitted by:**

Rob Lawrance  
Environmental Planner |

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services





<b>RCRS Secondary:</b>	GOV-02	<b>Effective Date:</b>	
<b>Policy Number:</b>	COU-216	<b>Amendment Date/s:</b>	
<b>Title:</b>	Energy Step Code Rezoning Policy	<b>Repeal Date:</b>	
<b>Department:</b>	Development Approvals	<b>Approval Date:</b>	

## PURPOSE:

The Province of British Columbia has set a long-term goal for all new buildings to be net-zero-energy-ready by 2032. The Energy Step Code was enacted by the Province in 2017 to provide a consistent set of energy efficiency standards across BC. In July 2018, Nanaimo City Council endorsed the BC Energy Step Code Implementation Strategy, which included a recommendation for a Step Code rezoning policy. BC Energy Step Code requirements were adopted and incorporated into the City of Nanaimo “Building Bylaw 2016 No. 7224” on 2019-OCT-21. Additionally, the City has recently updated GHG reduction targets in its Official Community Plan as the result of Nanaimo City Council declaring a climate emergency on 2019-APR-29, and Council’s commitment to reducing buildings’ GHG emissions consistent with the *Climate Action Charter*

## DEFINITIONS:

<b>Energy Step Code</b>	means the Province of British Columbia’s performance-based standard for energy efficiency in new construction requiring energy modeling and on-site testing to demonstrate minimum performance against metrics for building envelope; equipment and systems; and airtightness requirements; and including Step 1, Step 2, Step 3, Step 4 and Step 5, as defined in Sections 9.36.6 and 10.2.3 of the British Columbia Building Code, all as amended or re-enacted from time to time.
<b>Low Carbon Energy System</b>	means a professionally operated and maintained, highly efficient mechanical system that supplies a building’s space heating, cooling, and domestic hot water heating demand primarily from renewable energy sources, and meets defined GHG limits.
<b>Greenhouse Gas Intensity</b>	means a measure of a building’s GHG performance using the definition, calculation, and fuel type emissions factors established in the energy modeling guidelines referenced by the Energy Step Code that is a calculated value determined through energy modeling and reported in kilograms of carbon-dioxide-equivalent per square meter per year (kgCO <sub>2</sub> e/m <sup>2</sup> /yr.).

## SCOPE:

This policy applies to rezonings for new construction in buildings under Part 9 (houses and small buildings) and Part 3 (large and complex buildings) of the BC Building Code.

## **POLICY:**

Rezoning applications that lead to an increase in density or a change of use will require minimum building energy efficiency standards to be secured through the application process. The minimum building energy standard will be either (a) one step above the required BC Energy Step Code standard, or (b) the required BC Energy Step Code standard plus the City's Greenhouse Gas (GHG) emission reduction standard.


## **PROCESS:**

Applications to amend the "City of Nanaimo Zoning Bylaw 2011 No.4500" or any bylaw enacted in its place (a "rezoning application") will proceed as follows:

1. During preliminary review of a potential rezoning application, Staff will direct the prospective applicant to review this Policy, the BC Energy Step Code and the BC Building Code, although the prospective applicant is solely responsible for being aware of and responsible for the legal and cost implications.
2. For any rezoning application received, Staff will assess whether the proposed rezoning will lead to an increase in density or change of use. If either of these criteria are met, Staff will recommend a minimum building energy standard be secured consistent with this policy for any future development on the subject property through one or more of the following: a bylaw, phased development agreement, standard development agreement, amenity zoning, or covenant.
3. For a building or portion of building constructed under Part 3 of the BC Building Code, specifically conforming to Section 10.2.3 of the BC Building Code (that is, four storeys and above and greater than 600 square metres in building area), or under Part 9.36.6 of the BC Building Code, the building must comply with the BC Building Code energy standard and either:
  - a. one step above the Energy Step Code step prescribed for that building, or
  - b. subject to a legal commitment to install a low-carbon energy system that satisfies a greenhouse gas intensity limit of 3kg/m<sup>2</sup>/year.
4. If the rezoning application is approved by Council, the applicant must, prior to bylaw adoption, enter a phased development agreement, standard development agreement, amenity zoning commitment, or covenant for any future development on the subject property, assuring the project complies with this policy prior to building occupancy.

## **RELATED DOCUMENTS:**

- BC Energy Step Code
- BC Building Code
- Building Bylaw 2016 No. 7224



**ENERGY**  
**STEP CODE**  
BUILDING BEYOND THE STANDARD

City of Nanaimo Council:  
**Energy Step Code Rezoning Policy**

2021-MAR-29


**Rob Lawrance**  
Environmental Planner  
City of Nanaimo

1

**BC Energy Step Code**

**Eliminating the Patchwork:**

- Previously, local government adopted a wide range of programs and approaches to address building energy efficiency.
- Development industry struggled to stay on top of these requirements.
- BC Energy Step Code offers a common standard for achieving building energy goals.



2

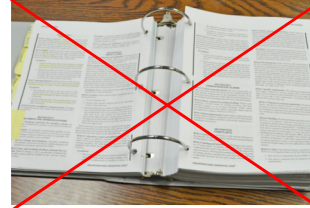
## Performance Compliance



Energy modeling



Air-Tightness Testing



No Prescriptive Requirements

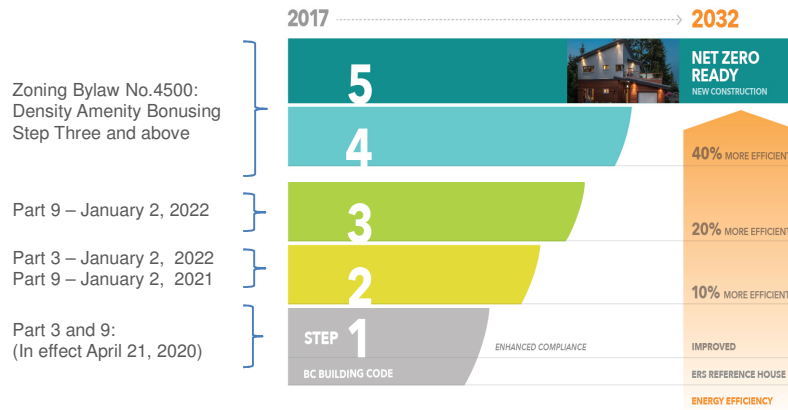
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## BC Energy Step Code Implementation

In 2018, Council adopted the Step Code Implementation Strategy. The strategy includes the following:

- ✓ Adopting an amendment to the **City's Building Bylaw** to require gradual compliance of up to Step Three of the Step BC Energy Step Code by 2022. Adopted Fall 2019.
- ✓ **Schedule D Amendment to the Zoning Bylaw No. 4500** to reward projects that meet or exceed Step Three of the BC Energy Step Code. Adopted Fall 2019.
- Council direction to create a **Council Rezoning Policy** to require all rezoning applications for multi-family, mixed-use, or commercial buildings to enter into restrictive covenants to require Step Code compliance at the time of building.

## Building Bylaw Amendment and Zoning Bylaw Density Amenity



5

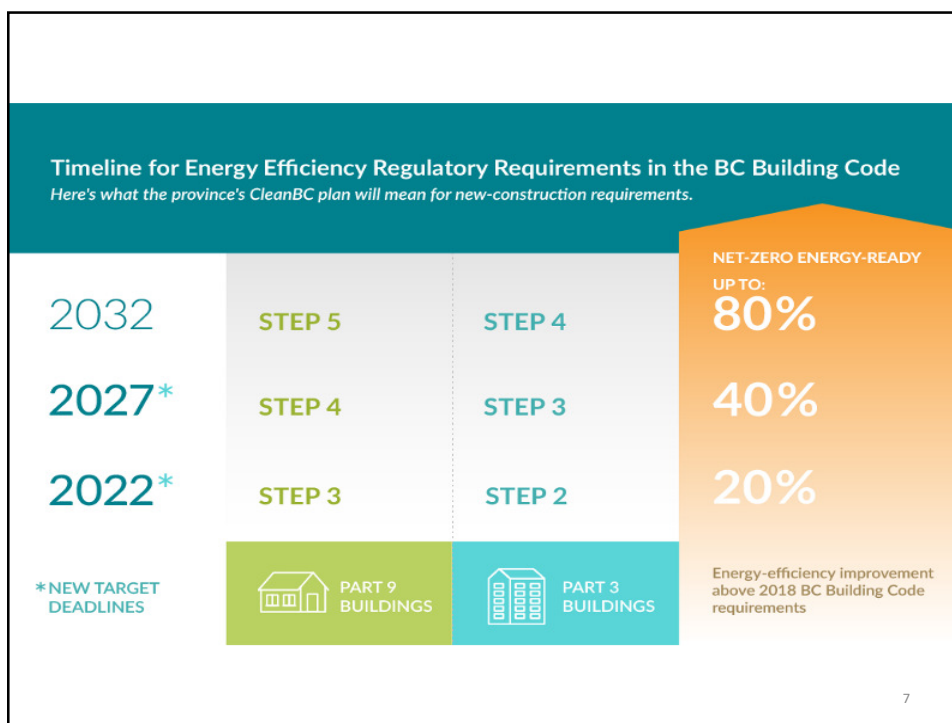
## BC Energy Step Code Rezoning Policy

### Policy

Rezoning applications that lead to an *increase in density or a change of use* will require minimum building energy efficiency standards to be secured through the application process and applied at the time of construction.

***The minimum building energy standard will be one step above the required BC Energy Step Code standard.***





## Policy Review

**City Environment Committee**

- Initial draft policy presented in **June 2020**.
- Support for policy received as an important step accelerate GHG emission reduction.

**Nanaimo Development Group**

- A volunteer group of developers that offer input and comment on City policy and program development affecting the development community in Nanaimo.
- Met and reviewed draft policy in **September and Nanaimo 2020** and again in **January 2021**.
- Cost of implementing policy and impact on housing affordability.

**Canadian Home Builders Association**

- Represents residential construction industry on Vancouver Island. Represents 114 member companies.
- Presented draft policy in **November 2020** during online breakfast meeting.
- Support for taking an incentive approach for reaching higher steps.

## Low-Carbon Energy Systems

- Low-Carbon Energy System: A professionally operated and maintained mechanical system that supplies space heating and cooling and domestic hot water to a building from renewable, low-carbon, energy sources.
- BC Energy Step Code does not specifically require carbon emissions performance in meeting energy efficiency requirements.
- Offering an alternative path to meeting a higher Step Code requirement gives developers and builders another option while meeting the City's Climate Emergency declaration.



## Rezoning Policy: Compliance Pathways

Part 9 Building Type	Energy Step Code Paths for Rezoning Applications		
	2021 (three months after adoption)	2022	2027
Single-family dwelling, duplex, row housing, small- scale multi-unit residential buildings.	Step 3	Step 4	Step 5
	Step 2 with a Low-Carbon Energy System	Step 3 with a Low-Carbon Energy System	Step 4 with a Low-Carbon Energy System
Part 3 Building Type	2021 (three months after adoption)	2022	2027
	Step 2	Step 3	Step 4
Multi-Residential Buildings	Step 1 with Low-Carbon Energy System	Step 2 with Low-Carbon Energy System	Step 3 with Low-Carbon Energy System
	Step 2	Step 3	Step 4
Commercial / Hotel	Step 1 with Low-Carbon Energy System	Step 2 with Low-Carbon Energy System	Step 3 with Low-Carbon Energy System
	Step 2	Step 3	Step 4

Thank You!

**Rob Lawrance**

Environmental Planner

City of Nanaimo

[rob.lawrance@nanaimo.ca](mailto:rob.lawrance@nanaimo.ca)

11



DATE OF MEETING March 29, 2021

AUTHORED BY JEREMY HOLM, DIRECTOR, DEVELOPMENT APPROVALS

**SUBJECT OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION PROCESS**

## **OVERVIEW**

### **Purpose of Report**

The purpose of this report is to request a postponement of the 2021-MAY-01 and 2021-NOV-01 Official Community Plan (OCP) amendment application intake rounds, pending adoption of the new OCP, in order to reduce the potential confusion that two parallel OCP processes may cause.

### **Recommendation**

That Council postpone the 2021-MAY-01 and 2021-NOV-01 intake rounds for applications to amend the Official Community Plan until 2022-MAY-01.

## **BACKGROUND**

The City's practice for processing Official Community Plan (OCP) amendment applications through semi-annual intake rounds in May and November of each year is based on the policy direction in the current OCP (Plan Nanaimo). The OCP review, which is taking place as a key component of the comprehensive strategic policy initiative REIMAGINE Nanaimo, has reached Phase 2 – Exploring Options, where future growth scenarios are being developed for review and subsequent public consultation. The next intake for OCP amendment applications is scheduled for 2021-MAY-01.

## **DISCUSSION**

Typically, at this stage in an OCP update process, Council is asked to provide direction to postpone intake of additional OCP amendment applications while it is deliberating on the new OCP. A postponement of OCP amendment application intake would reduce the likelihood of introducing additional variables at the scenario development stage of the OCP update and would also reduce the potential for confusion, both on the part of the public and applicants, that could result from running an OCP update and the review of OCP amendment applications as two parallel processes. It is also anticipated the processing of new OCP amendment applications would be in conflict with Council's consideration of a new OCP and the OCP bylaw adoption process that is expected to commence in early 2022.

There are currently eight OCP amendment applications under review, including the following significant applications:

1. Sandstone (OCP91)
2. Oceanview (OCP94)
3. Green Thumb (OCP96)

Staff are working with applicants for current OCP amendment applications to develop review timelines for their applications that respect and align with the anticipated timeline of the OCP review.

At this time, Staff do not anticipate that any major amendment applications are currently being prepared for submission for the upcoming 2021-MAY-01 intake round. Given the extraordinary circumstance of the OCP review, Staff are recommending Council postpone the 2021-MAY-01 and 2021-NOV-01 intake rounds for applications to amend the OCP until 2022-MAY-01.

Should Council choose to postpone the 2021-MAY-01 and 2021-NOV-01 intake rounds for OCP amendment applications, property owners will still retain the right to make application and the City must still accept applications. However, direction to postpone the upcoming application amendment intake rounds would allow Staff to communicate clearly with potential applicants Council's preference regarding the appropriate timing of OCP amendment applications, given the status of the OCP review. If an OCP amendment application were to be submitted, despite direction to postpone intake of applications, Staff would bring the application forward to Council for direction prior to undertaking standard application review.

## **OPTIONS**

1. That Council postpone the 2021-MAY-01 and 2021-NOV-01 intake rounds for applications to amend the Official Community Plan until 2022-MAY-01.
  - Advantages: Reduces the likelihood of introducing additional variables at the scenario development stage of the OCP update. Reduces the potential for confusion, both on the part of the public and applicants, that could result from running an OCP update and OCP amendment application review as two parallel processes. Limits the potential that processing of new OCP amendment applications would be in conflict with Council's consideration of a new OCP and the OCP bylaw adoption process.
  - Disadvantages: Postponing OCP amendment application intake could discourage or delay developers from bringing forward proposals of merit.
  - Financial Implications: None identified.
2. That Council deny postponement the 2021-MAY-01 and 2021-NOV-01 intake rounds for applications to amend the Official Community Plan until 2022-MAY-01.
  - Advantages: Denying postponement of OCP amendment application intake would not discourage or delay developers from bringing forward proposals of merit.
  - Disadvantages: Does not reduce the likelihood of introducing additional variables at the scenario development stage of the OCP update. Does not reduce the potential for confusion, both on the part of the public and applicants, that could result from running an OCP update and OCP amendment application review as two parallel processes. Does not limit the potential that processing of new OCP amendment applications would be in conflict with Council's consideration of a new OCP and the OCP bylaw adoption process.
  - Financial Implications: None identified.

### **SUMMARY POINTS**

- The City's practice for processing Official Community Plan (OCP) amendment applications through semi-annual intake rounds in May and November of each year is based on the policy direction in the current OCP (Plan Nanaimo).
- The next intake for OCP amendment applications is scheduled for 2021-MAY-01.
- A postponement of OCP amendment application intake would reduce the likelihood of introducing additional variables at the scenario development stage of the OCP update and would also reduce the potential for confusion, both on the part of the public and applicants, that could result from running an OCP update and the review of OCP amendment applications as two parallel processes.
- At this time, Staff do not anticipate that any major amendment applications are currently being prepared for submission for the upcoming 2021-MAY-01 intake round.
- Direction to postpone the upcoming application amendment intake rounds would allow Staff to communicate clearly with potential applicants Council's preference regarding the appropriate timing of OCP amendment applications, given the status of the OCP review.
- If an OCP amendment application were to be submitted, despite direction to postpone intake of applications, Staff would bring the application forward to Council for direction prior to undertaking standard application review.

**Submitted by:**

Jeremy Holm  
Director, Development Approvals

**Concurrence by:**

Dale Lindsay  
General Manager, Development Services

DATE OF MEETING | March 29, 2021 |

AUTHORED BY | SEAN REILLY, PROPERTY AGENT, REAL ESTATE |

**SUBJECT                      EXTENSION OF LEASES TO CBI HEALTH GROUP AND TEAM  
AQUATIC – 741 THIRD STREET**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval to grant a lease extension to CBI Health Group and Team Aquatic for commercial space at the Nanaimo Aquatic Centre, located at 741 Third Street. |

### **Recommendation**

| That Council:

1. approve a 21-month extension on the current lease agreements with CBI Health Group Inc. and Team Aquatic Supplies Ltd.; and
2. authorize the Mayor and Corporate Officer to execute the lease agreements. |

## **BACKGROUND**

The Nanaimo Aquatic Centre (NAC), located at 741 Third Street, opened to the public in June 2001. As well as public facilities, NAC includes three commercial tenants who have been conducting business under their respective agreements.

In 2001, a Request for Proposal (RFP) process for commercial tenants conducted by Parks, Recreation and Culture (PR&C) resulted in Summit Injury Management Inc. as the operator of the 151.2m<sup>2</sup> (1,627 sq. ft.) physiotherapy clinic. A lease was granted by the City with tenure for two five-year terms which expired 2011-MAY-31. Summit Injury Management Inc. is now doing business as CBI Health Group Inc. (CBI). On 2011-JUN-01, the City entered into a new agreement with CBI for two five-year terms, expiring 2021-MAY-31.

D. B. Perks and Associates Ltd. was selected through the original RFP process as the operator of a 25.5m<sup>2</sup> (275 sq. ft.) retail shop. The retail shop was granted a lease which expired 2011-MAY-31. D.B. Perks and Associates Ltd. is now doing business as Team Aquatic Supplies Ltd. (Team Aquatic). On 2011-JUN-01, the City entered into a new lease with Team Aquatic for two five-year terms, expiring 2021-MAY-31.

A third operator was selected to operate a food services area at NAC. The lease for a food service café has been assigned to different operators throughout its tenure. The café is currently occupied by Happy Harmony Childcare Inc., doing business as Happy Times Cafe.

Due to the COVID-19 pandemic, Happy Times Cafe has requested early termination of its lease, which is scheduled to expire on 2021-MAY-31.

CBI and Team Aquatic have both requested an extension to their current leases, which expire 2021-MAY-31. Both CBI and Team Aquatic are well suited for NAC as CBI offers physiotherapy and cardiac rehabilitation programs and Team Aquatic offers swimming and fitness products.

## **DISCUSSION**

NAC is currently not at full operational capacity due to the COVID-19 pandemic and the current Provincial health orders, which has limited business operations for the tenants of NAC.

Council is in the position to extend the current leases for 21 months, as a holdover, pending relaxation of public health orders and facilities opening back up to full capacity. A new RFP process is planned in 2022 by the City. The RFP process will enable interested parties to submit proposals to the City for the commercial space. CBI and Team Aquatic will have the opportunity to submit proposals.

If Council chooses to extend the current leases to 2023-FEB-28, the rent payments by both tenants would stay status quo for the extended term.

Staff have published a Notice of Disposition as required under Section 26 of the *Community Charter*.

## **OPTIONS**

1. That Council:
  1. approve a 21-month extension on the current lease agreements with CBI Health Group Inc. and Team Aquatic Supplies Ltd.; and
  2. authorize the Mayor and Corporate Officer to execute the lease agreements.
    - Advantages: The two tenants requesting an extension currently provide services to the public that are complementary to the community services offered at the NAC. Delaying an RFP process until 2022 will provide time for the public health orders to be resolved and adequate time to undertake a new RFP process.
    - Disadvantages: Extending the current leases by 21 months delays the City from finding new long-term tenants.
    - Financial Implications: The City will continue to collect \$2,034 monthly from CBI and \$800 monthly from Team Aquatic until 2023-FEB-28.
2. That Council deny the two-year extension of the current lease agreements with CBI Health Group Inc. and Team Aquatic Supplies Ltd.
  - Advantages: The agreement term would expire and the operators would likely enter into a month-to-month tenancy with the City.
  - Disadvantages: CBI and Team Aquatic may not view this as a fair process and may choose to vacate the building. Implementing a new a Request for Proposal process to find new tenants may be tricky while under public health orders restricting the operating capacity of the facility. New prospective tenants may be reluctant to enter into leases during the covid-19 pandemic with the facility at limited operations.

### **SUMMARY POINTS**

- CBI and Team Aquatic are existing tenants with a long-standing business relationship with the City and have been occupiers of the Nanaimo Aquatic Centre since 2001.
- The current lease term is scheduled to expire 2021-MAY-31.
- If Council approves the lease extensions the agreements would be extended until 2023-FEB-28.
- The RFP process is planned for 2022 to allow other prospective tenants to submit proposals to occupy the commercial spaces.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan |

#### **Submitted by:**

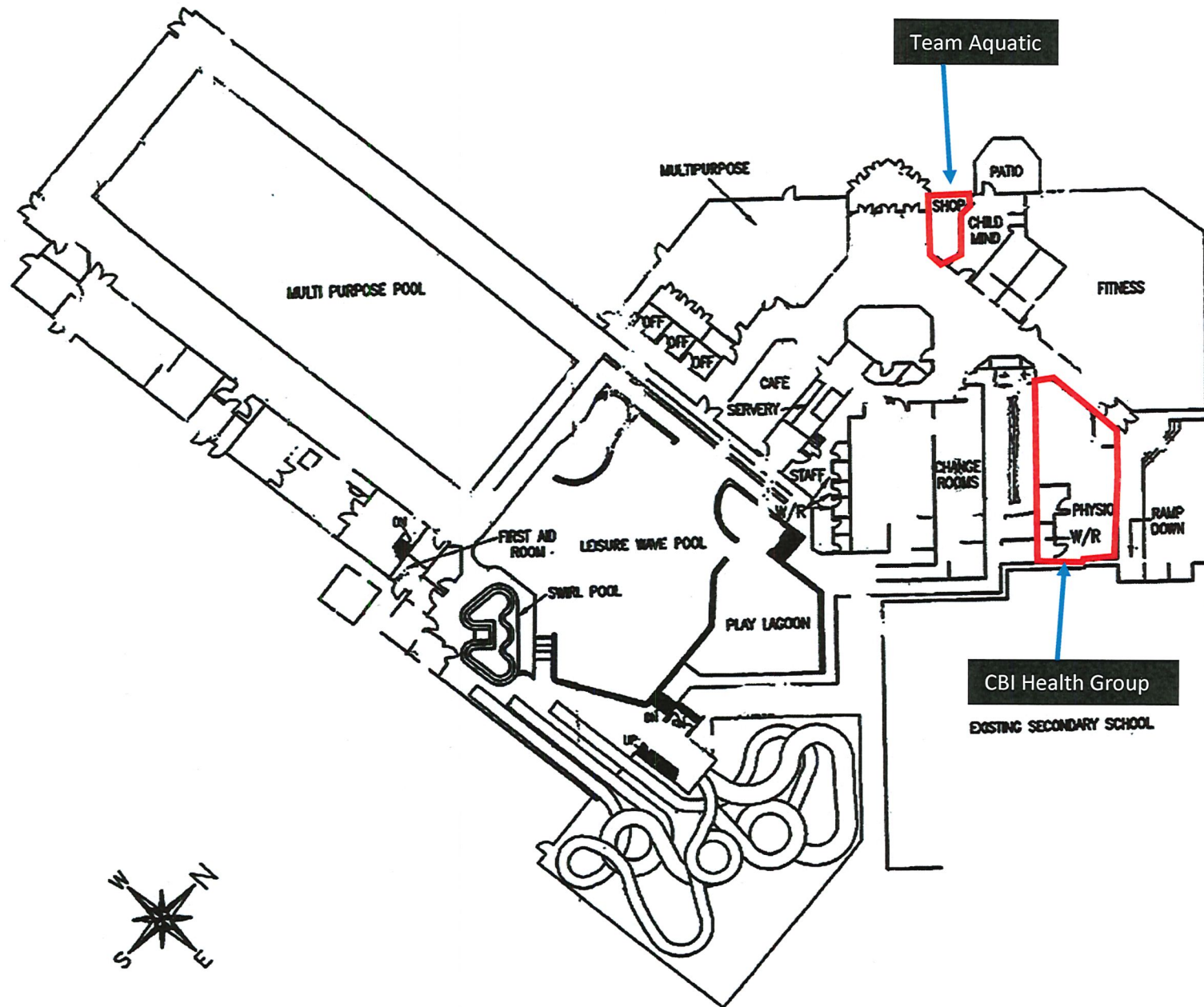
Bill Corsan  
Director, Community Development |

#### **Concurrence by:**

Richard Harding  
General Manager, Parks, Recreation and  
Culture

Dale Lindsay  
General Manager, Development Services |

## ATTACHMENT A





DATE OF MEETING | March 29, 2021 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

**SUBJECT** | **DEVELOPMENT PERMIT APPLICATION NO. DP1190 –  
1300 JUNCTION AVENUE** |

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development permit application for a multi-family development at 1300 Junction Avenue. |

### **Recommendation**

That Council issue Development Permit No. DP1190 at 1300 Junction Avenue with a variance to reduce the watercourse setback for Wexford Creek from 15.0m to 9.7m. |

## **BACKGROUND**

A development permit application, DP1190, was received from Westurban Developments Ltd. on behalf 1228581 BC Ltd. to permit a multi-family rental development at 1300 Junction Avenue. The property was rezoned from Single Dwelling Residential (R1) to Mixed Used Corridor (COR2) in 2019 (RA400).

### **Subject Property and Site Context**

<i>Zoning</i>	COR2 – Mixed Use Corridor
<i>Location</i>	The subject property is bounded by Tenth Street to the north, Lawlor Road to the east, Eleventh Street to the south, and Junction Avenue to the west.
<i>Total Area</i>	1.52ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Corridor; and City Commercial Centre Map 3 – Development Permit Area DPA No. 1 – Watercourses; 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; and Design Guide: Chase River Town Centre

The subject property occupies a large block in the Chase River town centre in South Nanaimo. The site is generally flat, cleared of natural vegetation, and was historically used for agriculture. Wexford Creek crosses the northeastern section of the property.

The Chase River Neighbourhood Plan and Design Guide (1999) envisions Lawlor Road as a commercial main street; however, the portion of the subject property abutting Lawlor Road has since been identified as a riparian restoration area for Wexford Creek. As such, the Lawlor



Road frontage will not be developed for commercial use but instead is expected to be rehabilitated into a natural riparian state through a future City of Nanaimo Development Cost Charge (DCC) project.

Surrounding land uses include commercial retail centres (Southgate Shopping Centre and South Parkway Plaza) across Lawlor Road to the northeast and east, Chartwell Malaspina care residence across Eleventh Street to the south, single residential dwellings across Junction Avenue to the west, and Wexford Creek Seniors' Community care residence across Tenth Street to the north.

## **DISCUSSION**

### **Proposed Development**

The applicant proposes to construct three 4-storey multi-family rental residential buildings with a combined total of 213 dwelling units. Each building will have a gross floor area of 5,380m<sup>2</sup> and will consist of 71 dwellings units with a total unit mix as follows:

- 118 one-bedroom units, approximately 57m<sup>2</sup> in floor area;
- 71 two-bedroom units, between approximately 66m<sup>2</sup> and 78m<sup>2</sup> in floor area; and
- 24 three-bedroom units, approximately 86m<sup>2</sup> in floor area.

The proposed Floor Area Ratio (FAR) is 1.06, which is below the maximum permitted base FAR of 1.25 in the COR2 zone.

### *Site Design*

The proposed development will feature three buildings sited in the central and western portion of the lot. The eastern portion of the property is protected by a statutory right-of-way (SRW) for future restoration of Wexford Creek. Building A is sited in the northwest corner of the property, oriented to align with Tenth Street; Building B is sited in the southwest corner of the property, facing Eleventh Street; and Building C is oriented north-south adjacent to an outdoor amenity area and the protected restoration area.

All three buildings will have primary entrances facing an interior surface parking lot, with additional underground parking accessed via ramps from the parking. Two vehicle entrances are proposed to the site, one from Junction Avenue and one from Eleventh Street. Multiple pedestrian access points are proposed from Tenth Street, Junction Avenue, and Eleventh Street. Painted crosswalks will provide pedestrian connections between the buildings and through the site.

The City of Nanaimo "Off-Street Parking Regulations Bylaw 2018 No. 7266" requires 269 parking stalls for proposed development, and all required parking is provided onsite. The interior surface parking lot will include 134 parking stalls, while each of the proposed buildings will have 45 underground parking stalls. The required long-term bicycle parking will be provided in each building's underground parking level. Two garbage / recycling / organic waste enclosures are proposed: one at the north end of the lot adjacent to Building A's underground parking ramp, and one on the east side of Building B near the drive aisle entry from Eleventh Street.

### *Building Design*

The three proposed buildings are similar in form and character, and reflect the Finnish agrarian heritage of the neighbourhood as outlined by the Chase River Town Centre design guidelines. A rhythm of unique typologies is repeated across all building facades through a mix of different massing forms that provide visual interest. Elements of the façade reflect the community's heritage, with references to agricultural architecture, including farm-building-inspired rooflines.

Individual units will have open balconies, covered balconies, or ground-level patios. An entrance canopy will provide weather protection at the primary entrance of each building. The ends of each building will feature prominent raised pitch roof overhangs.

A mix of exterior materials will add further visual interest to the building façades, including fibre cement panels, fibre cement lap siding, and corrugated metal siding. The siding colour scheme is varied on each building to help distinguish the different buildings.

### *Landscape Design*

The proposed landscape plan includes planting around the perimeter of each building, consisting primarily of English laurel. Significant planting areas are proposed along the north side of Building A facing Tenth Street, at the east ends of Buildings A and B, and to the south and northeast of Building C. Street trees are also proposed along the Junction Avenue and Eleventh Street frontages, along with a seeded grass boulevard. Allan block retaining walls are proposed to support the buildings where there is a grade change onsite.

An outdoor space to the east of Building of C will feature an open lawn for resident use and a stormwater detention pond with perimeter gravel path. To the east of the outdoor area is the protected Wexford Creek right-of-way, which will be rehabilitated as a riparian habitat by the City.

### **Design Advisory Panel**

The Design Advisory Panel (DAP), at its meeting held on 2020-JUN-25, accepted DP1190 as presented and provided the following recommendations:

- Look at ways to create more definition for building entrances and consider facing the courtyard;
- Consider parking variance to increase the amount of landscaping;
- Consider removing parking stalls in front of entrance ways; and
- Consider the addition of trees into the parking area islands.

The applicant subsequently responded to the DAP recommendations with design revisions including the following:

- A second entrance was added to Building B to face the interior parking lot;
- The surface parking lot was broken up with landscape islands; and
- Pedestrian walkways were added across the interior parking lot to connect the buildings and the onsite amenity spaces.

The applicant reviewed options to further reduce the amount of surface parking, but determined that a parking variance was not desirable and that the underground parking levels for each building were already at their maximum feasible amount of stalls.

## **Proposed Variances**

### *Watercourse Setback*

The minimum required watercourse setback from the top of bank for Wexford Creek is 15.0m, as identified in 'Schedule C' of "City of Nanaimo Zoning Bylaw 2011 No. 4500". The requested watercourse setback is 9.7m; a proposed variance of 5.3m.

Wexford Creek is fish-bearing and is currently above-ground for approximately 70m in the northeast portion of the site before entering a culvert under Lawlor Road. Through the previous rezoning for the property, a 30m-wide SRW was secured for a future City project to realign and daylight a portion of Wexford Creek within the subject property and restore its riparian area. The SRW and realignment will create a functional riparian area in the eastern portion of the property and Wexford Creek will be extended above ground to the intersection of Lawlor Road and Eleventh Street.

A small portion of the proposed development will encroach into the watercourse setback for Wexford Creek, as measured from its existing top of bank. The driveway ramp for Building C will encroach 5.3m into the setback at its closest point, while Building C itself will encroach 2.62m into the setback. Upon completion of the City's realignment project for Wexford Creek, which will establish a new top of bank location, it is anticipated that the development will no longer be sited within the watercourse setback.

The existing functional riparian area onsite is presently limited to below the top-of-bank, as the area within the 15m setback has been previously disturbed for historic agricultural purposes. The proposed development is not within the Provincial Streamside Protection and Enhancement Area (SPEA), which is measured at 10m from the high water mark of the creek and will be located outside of the SRW secured for future riparian restoration.

Staff support the proposed watercourse setback variance as the development will not negatively impact the riparian habitat that will be retained, enhanced, and expanded through the realignment and restoration of Wexford Creek.

### **SUMMARY POINTS**

- Development Permit Application No. DP1190 is for three 4-storey multi-family residential buildings with a combined total of 213 dwelling units.
- The property was rezoned from Single Dwelling Residential (R1) to Mixed Used Corridor (COR2) in 2019 (RA400).
- A variance is requested to reduce the watercourse setback for Wexford Creek from 15.0m to 9.7m.
- Wexford Creek will be realigned and its functional riparian area enhanced through a future City of Nanaimo project, and Staff support the proposed variance.

## **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Context Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Site and Parking Plans  
ATTACHMENT E: Building Elevations  
ATTACHMENT F: Building Rendering  
ATTACHMENT G: Landscape Plan and Details  
ATTACHMENT H: Site Survey  
ATTACHMENT I: Aerial Photo |

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning Section |

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services |

# **ATTACHMENT A**

## **PERMIT TERMS AND CONDITIONS**

### **TERMS OF PERMIT**

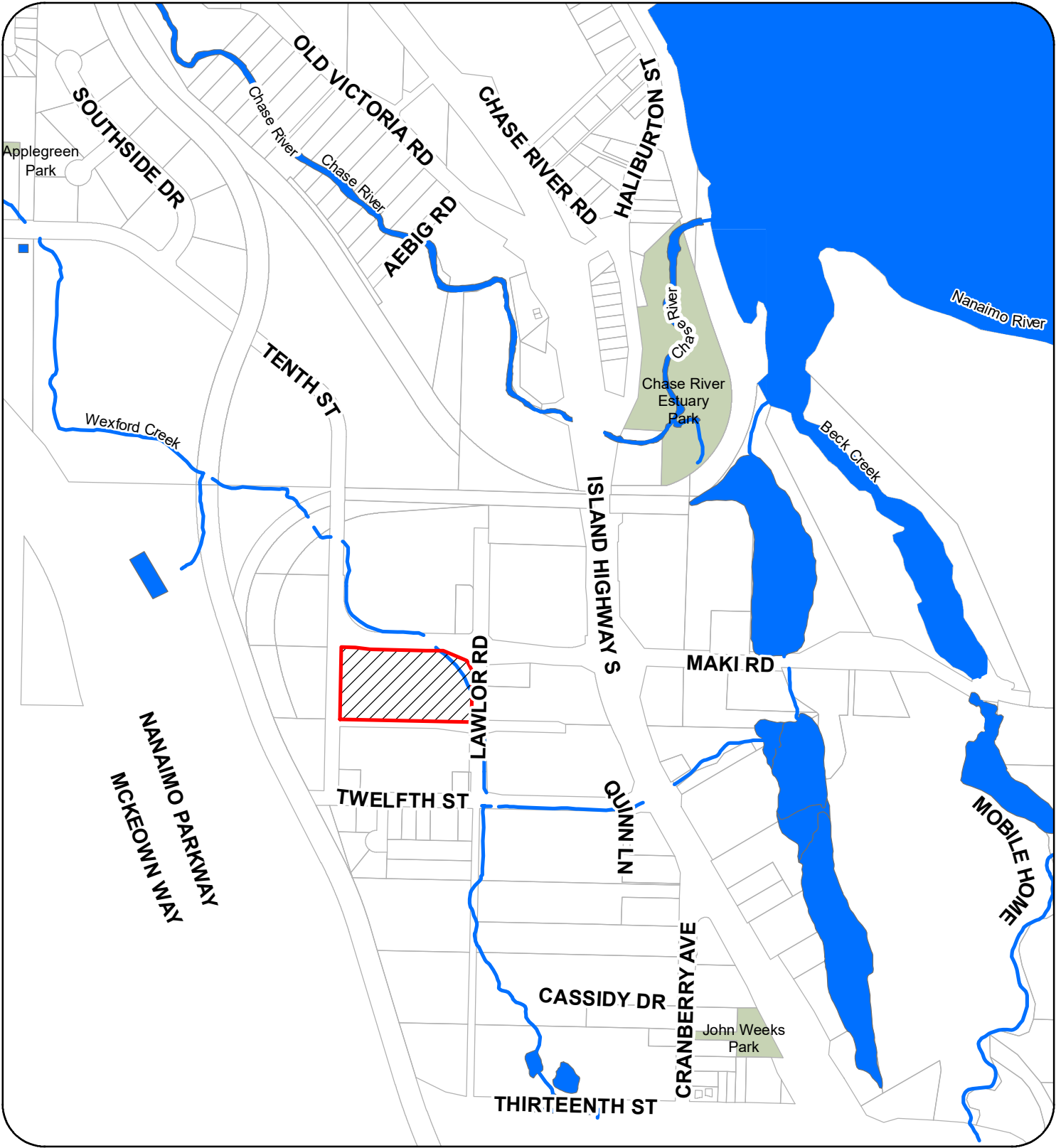
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 6.3.1.5 Location and Siting of Buildings and Structures to Watercourses* – to reduce the minimum watercourse setback as measured from the top of bank of Wexford Creek from 15.0m to 9.7m in accordance with the Site Survey prepared by McElhanney, dated 2021-FEB-24, as shown on Attachment H.

### **CONDITIONS OF PERMIT**

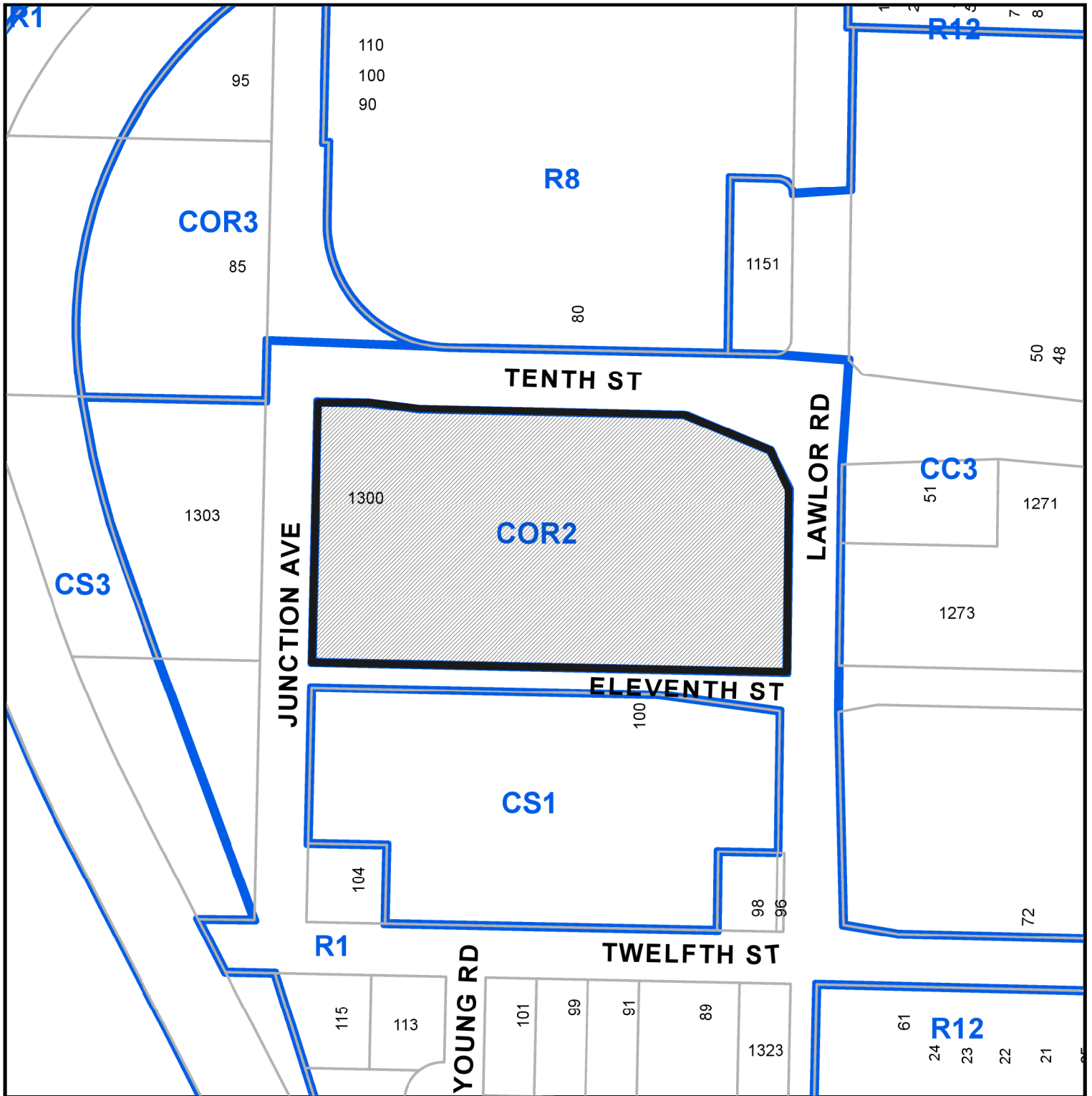
1. The subject property is developed in accordance with the Site and Parking Plans prepared by Thuja Architecture + Design, dated 2021-MAR-15 and 2020-OCT-27, as shown on Attachment D.
2. The development is in substantial compliance with the Building Elevations prepared by Thuja Architecture + Design, dated 2020-OCT-27, as shown on Attachment E.
3. The subject property is in substantial compliance with the Landscape Plan and Details prepared by Lazzarin Svisdahl Landscape Architects, dated 2021-MAR-15, as shown on Attachment G.

ATTACHMENT B  
CONTEXT MAP



1300 JUNCTION AVENUE

# ATTACHMENT C LOCATION PLAN



## DEVELOPMENT PERMIT NO.1190



**Subject Property**

CIVIC: 1300 JUNCTION AVENUE

LEGAL: SECTION 27, RANGE 17 OF SECTION 7, NANAIMO DISTRICT, PLAN 1332 EXCEPT PART IN PLAN 3212 RW AND VIP84370



# ATTACHMENT D SITE and PARKING PLANS

1 of 2

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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**THUJA**  
architecture + design

Tania Schulte Architect AIBC LEED AP  
41289 Horizon Dr. Squamish BC V8B 0Y7  
T: 250.650.7901 E: info@thujaarchitecture.ca

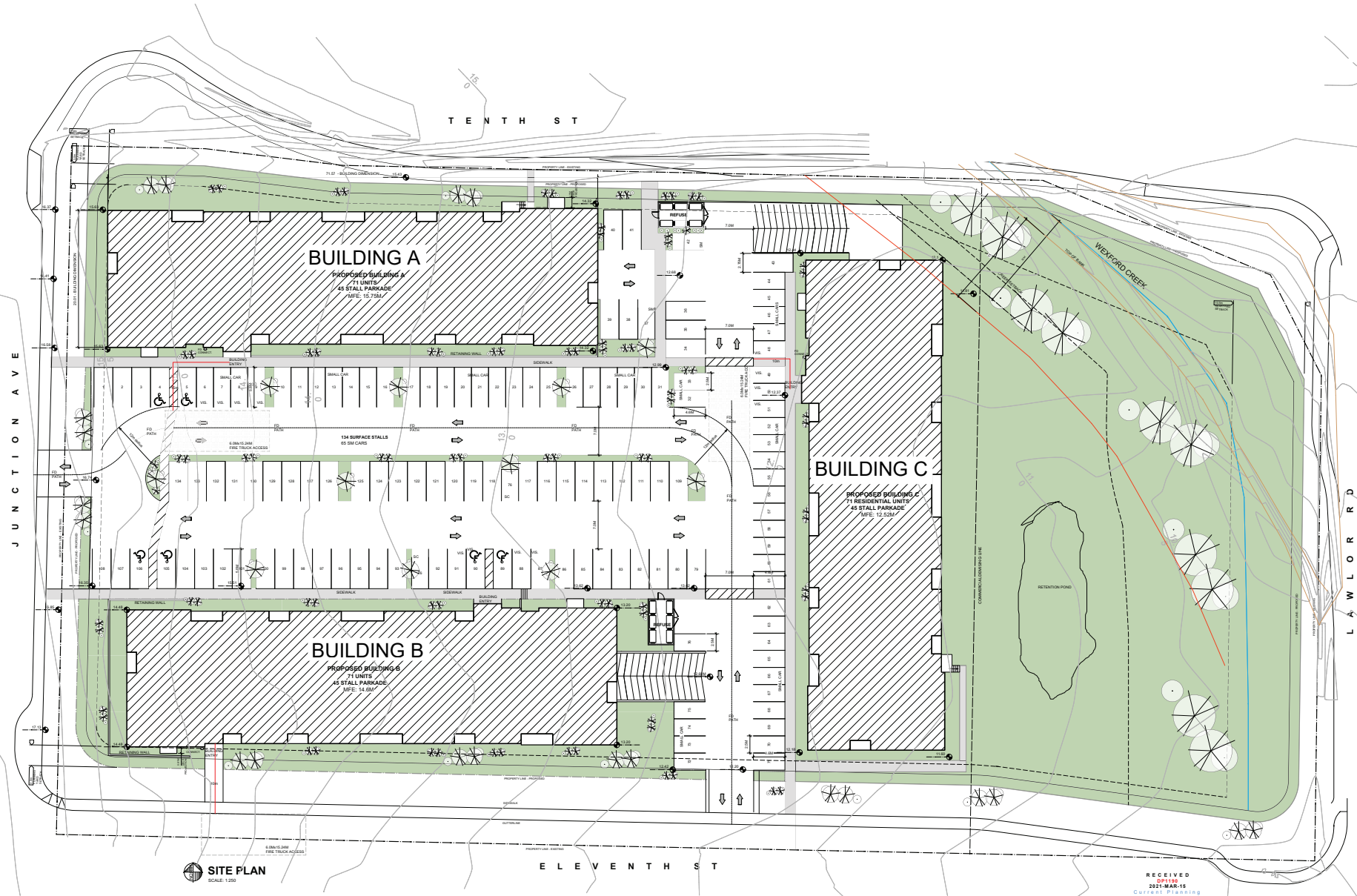
NO.	DATE
ISSUED FOR REVIEW	JUL 31 2019
ISSUED FOR DP	NOV 2019
ISSUED FOR COORD	JAN 02 2020
ISSUED FOR COORD	FEB 19 2020
ISSUED FOR COORD	MAR 05 2020
ISSUED FOR DP	MAR 08 2020
REVISED FOR DP	JULY 15 2020
REVISED FOR DP	OCT 27 2020
REVISED FOR DP	MAR 15 2021

PROJECT  
**1300 JUNCTION MULTI-FAMILY**

DRAWING  
**PROPOSED SITE PLAN**

SCALE	AS NOTED	PROJECT NO.	19--
DATE		DRAWN BY	TS/SJS
SHEET			

**PR2**



**SITE PLAN**  
SCALE: 1:250

RECEIVED  
DPT 130  
2021-MAR-15  
Current Planning



CONTRACTOR TO VERIFY ALL LEVELS, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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Tonia Schulte - Architect AIBC LEED AP  
41-289 Horizon Dr. Squamish BC V8B 0Y7  
T: 250.650.7901 E: info@thujaarchitecture.ca

NO.	DATE
ISSUED FOR REVIEW	JUL 31 2019
ISSUED FOR DP	NOV 2019
ISSUED FOR COORD	JAN 02 2020
ISSUED FOR COORD	FEB 19 2020
ISSUED FOR DP	MAR 05 2020
REVISOR FOR DP	MAR 08 2020
REVISOR FOR DP	JULY 15 2020
REVISOR FOR DP	OCT 27 2020

RECEIVED  
DP1190  
2020-NOV-24  
Current Planning

PROJECT  
1300 JUNCTION MULTI-FAMILY

DRAWING	
PARKADE LEVEL PLAN	
SCALE	AS NOTED
DATE	PROJECT NO. 19--
SHEET	DRAWING TS/55

PR3

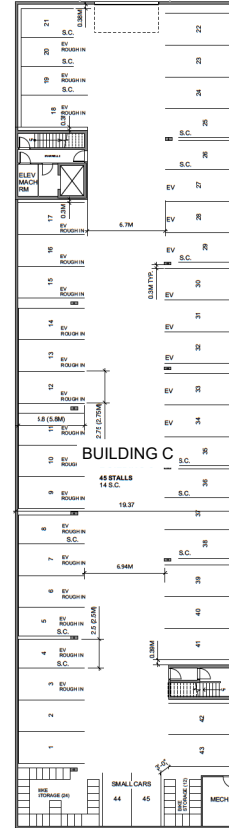
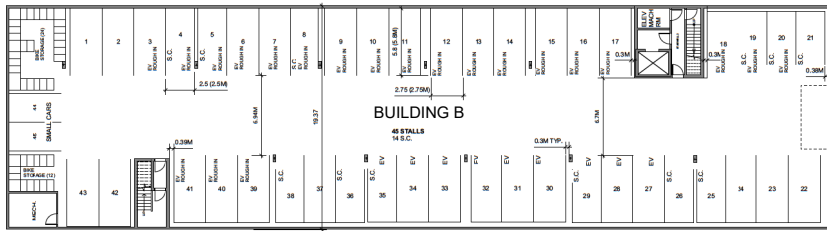
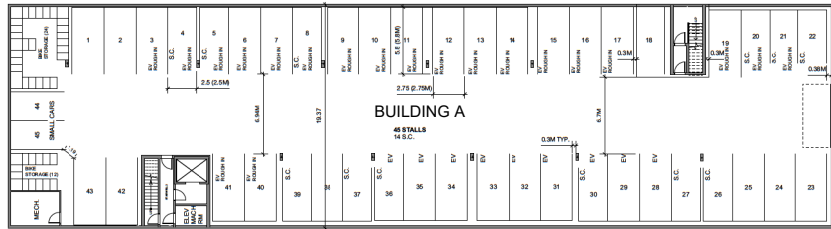
JUNCTION AVE

TENTH ST

ELEVENTH ST



PARKADE LEVEL PLAN - ALL BUILDINGS  
SCALE: 1:200



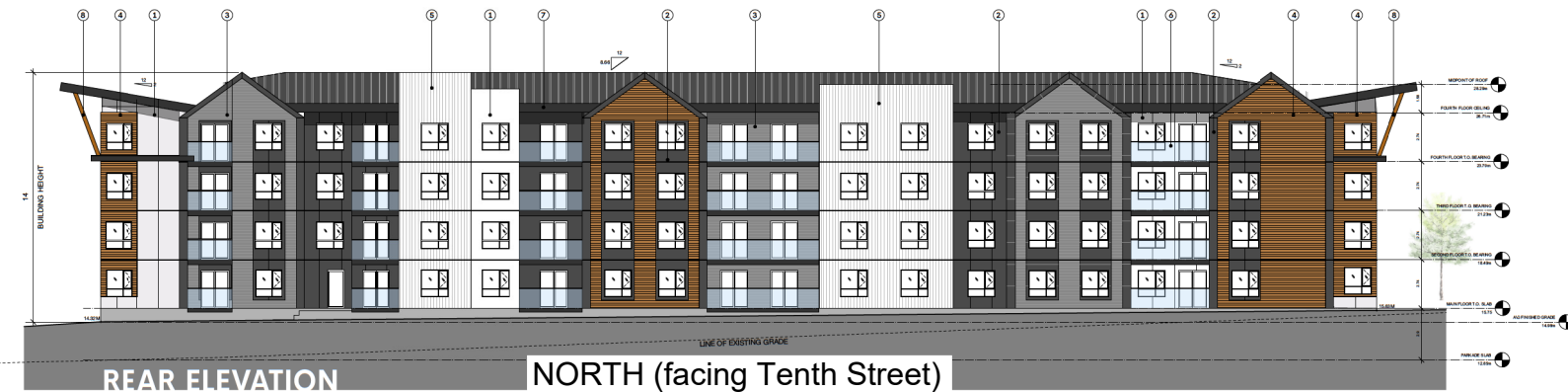
# ATTACHMENT E BUILDING ELEVATIONS

CONTRACTOR TO VERIFY ALL LEVELS, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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- MATERIAL LEGEND**
- ① FIBRE CEMENT PANELS IN "LIGHT MIST"
  - ② FIBRE CEMENT PANELS IN "IRON GREY"
  - ③ FIBRE CEMENT LAP SIDING "NIGHTTRIDER" TRUEGRAIN SERIES 7" EXPOSURE
  - ④ FIBRE CEMENT LAP SIDING "CIBARTON" 7" EXPOSURE
  - ⑤ CORRUGATED METAL SIDING - REGENT GREY
  - ⑥ RAILINGS - PAINTED BLACK WITH GLASS FASCIA - BLACK
  - ⑦ SOFFIT - PERFORATED METAL BLACK
  - ⑧ STEEL COLUMNS - PAINTED
  - ⑨ ROOFING - STANDING SEAM METAL - CHARCOAL GREY



**THUJA**  
architecture + design

Tonia Schulte - Architect AIBC LEED AP  
41289 Horizon Dr. Squamish BC V8B 0Y7  
T: 250.650.7901 E: info@thujaarchitecture.ca

NO.	DATE
ISSUED FOR REVIEW	JUL 31 2019
ISSUED FOR DP	NOV 2019
ISSUED FOR COORD	JAN 02 2020
ISSUED FOR COORD	FEB 19 2020
ISSUED FOR COORD	MAR 05 2020
ISSUED FOR DP	MAR 08 2020
REVISED FOR DP	JULY 15 2020
REVISED FOR DP	OCT 27 2020

RECEIVED  
**DP 1190**  
2020-NOV-24  
CORRY PLANNING

PROJECT  
**1300 JUNCTION MULTI-FAMILY**

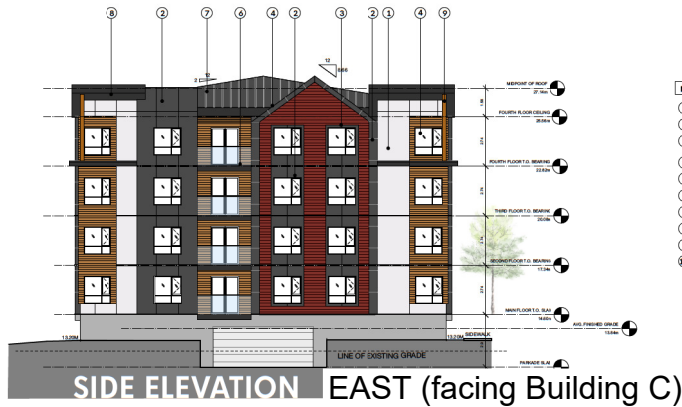
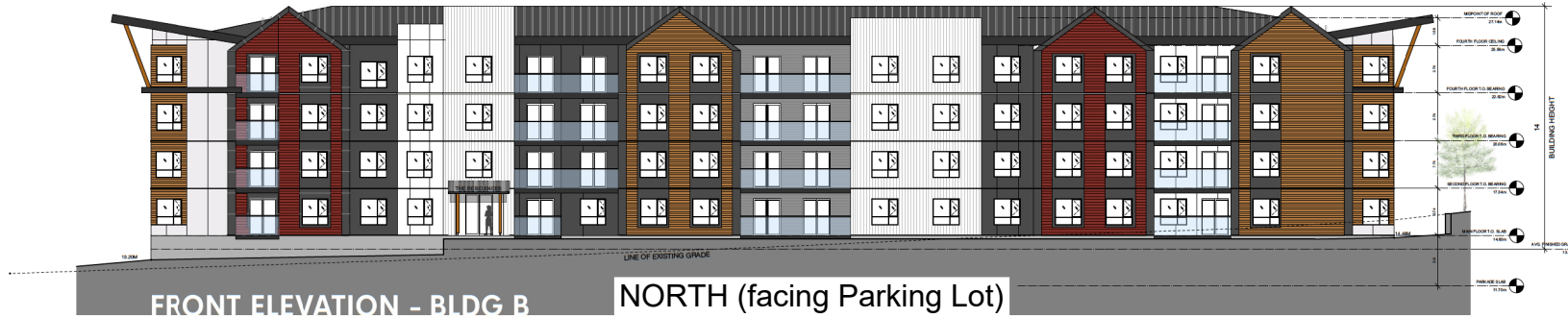
DRAWING  
PROPOSED ELEVATIONS - BUILDING A

SCALE	AS NOTED	PROJECT NO.	19--
DATE		DRAWN BY	TS/SS
SHEET			

**PR7**

CONTRACTOR TO VERIFY ALL LEVELS, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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ISSUED FOR COORD	MAR 05 2020
ISSUED FOR DP	MAR 08 2020
REVISED FOR DP	JULY 15 2020
REVISED FOR DP	OCT 27 2020

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**DP 1190**  
2020-NOV-24  
CITY OF SQUAMISH

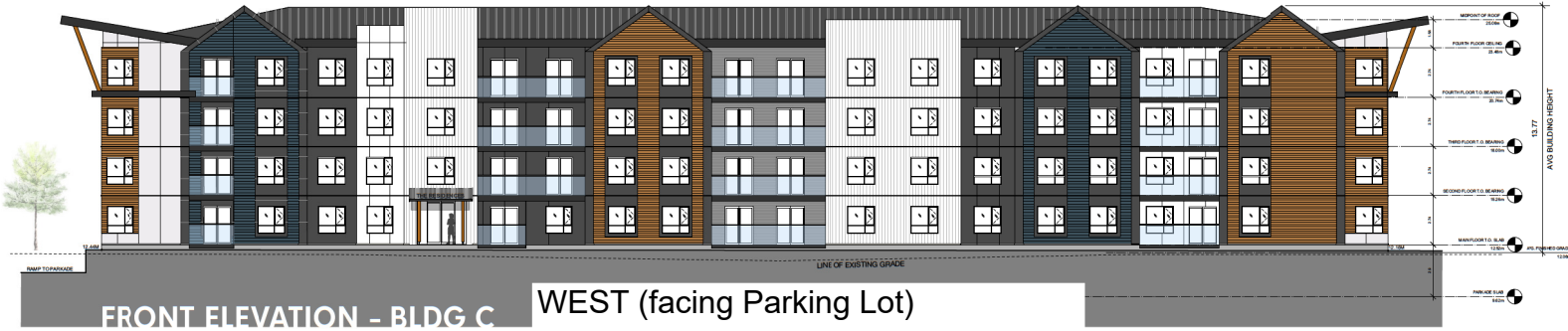
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**1300 JUNCTION MULTI-FAMILY**

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SCALE	AS NOTED	PROJECT NO. 19--
DATE		DRAWN BY TS/SS
SHEET		

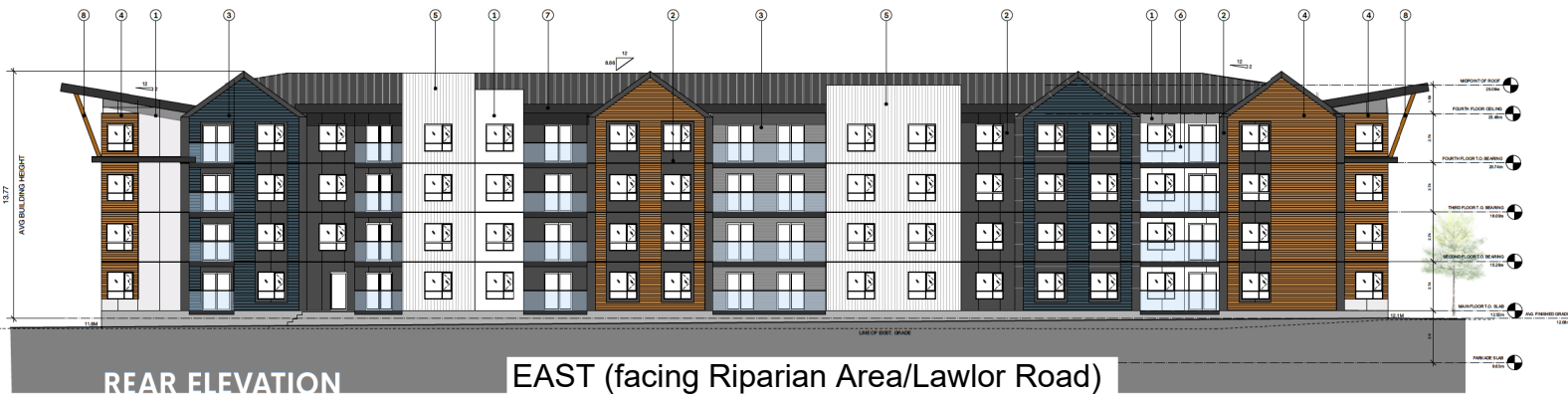
**PR8**

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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REVISED FOR DP	OCT 27 2020

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2020-NOV-24  
Current Planning

PROJECT  
**1300 JUNCTION MULTI-FAMILY**

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DATE		DRAWN BY TS/SS
SHEET		

**PR9**



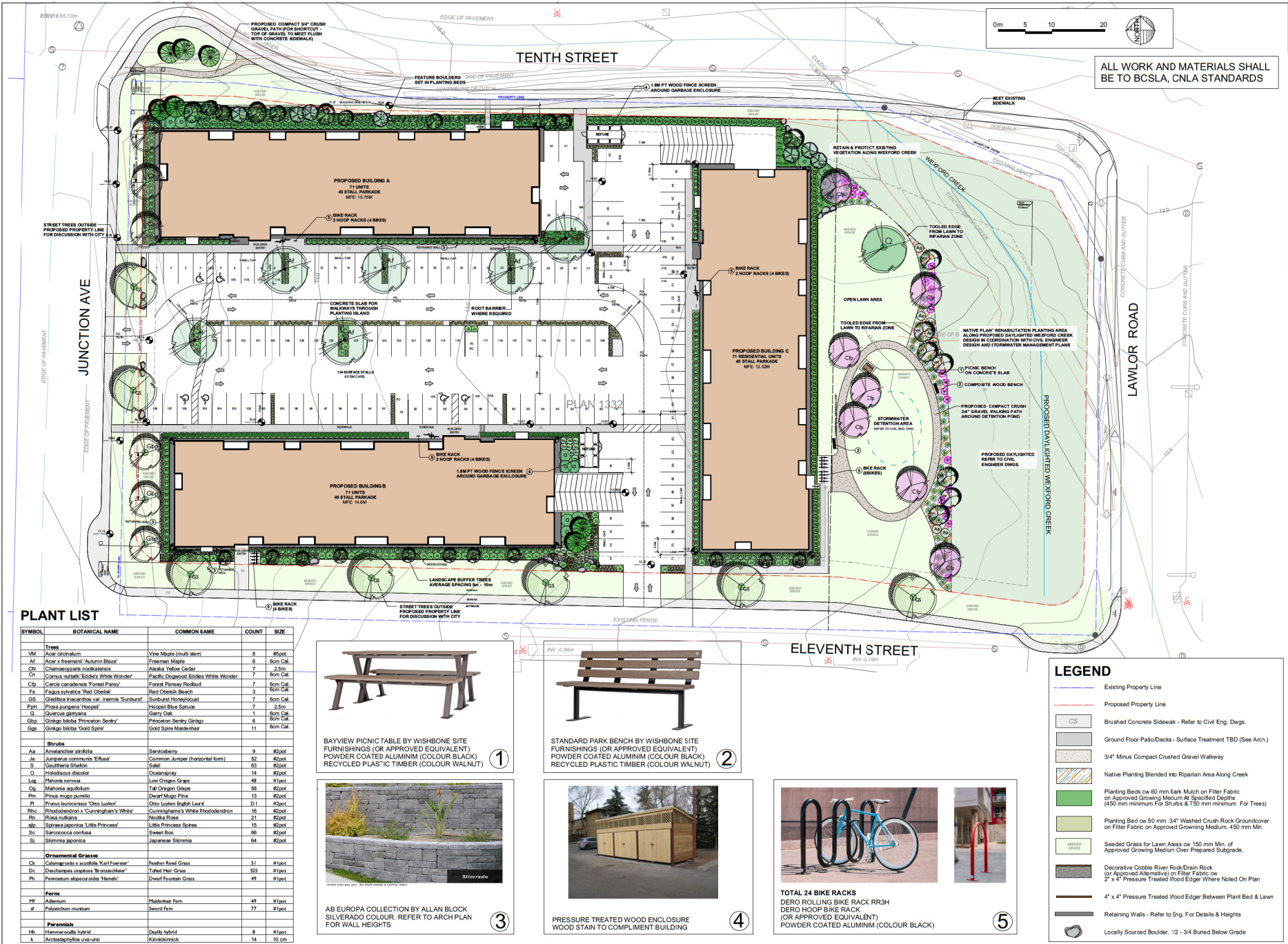
## ATTACHMENT F BUILDING RENDERING



**ELEVENTH STREET**



# ATTACHMENT G LANDSCAPE PLAN and DETAILS



ALL WORK AND MATERIALS SHALL BE TO BCSLA, CNLA STANDARDS

Date	Revisions	By
August 20, 2016	ISSUE FOR REZONING	LS
Dec. 18, 2019	FOR DISCUSSION	LS
FEB. 10, 2020	UPDATE FOR DISCUSSION	LS
MAR. 13, 2020	ISSUE FOR DP SUBMISSION	LS
AUG. 18, 2020	PARKING REVISION	80
OCT. 21, 2020	CITY COMMENT REVISION	80
NOV. 23, 2020	SITE PLAN UPDATE & REUBMIT	80
MARCH 15, 2021	REUBMIT DP	LS

**LAZZARIN SVISDAHL**  
LANDSCAPE ARCHITECTS  
203-1300 1st Avenue Prince George B.C. V2Y 2Y3  
250-563-6158 www.lsl-landarch.com

Project  
1300 Junction Avenue  
Nanaimo, BC

Sheet Title  
Landscape Plan

Date  
August 13, 2018  
Scale  
1:300  
Drawn By  
LS  
Project No.

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Drawing No.

**L 1**

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2021 MAR-16  
CITY OF PRINCE GEORGE

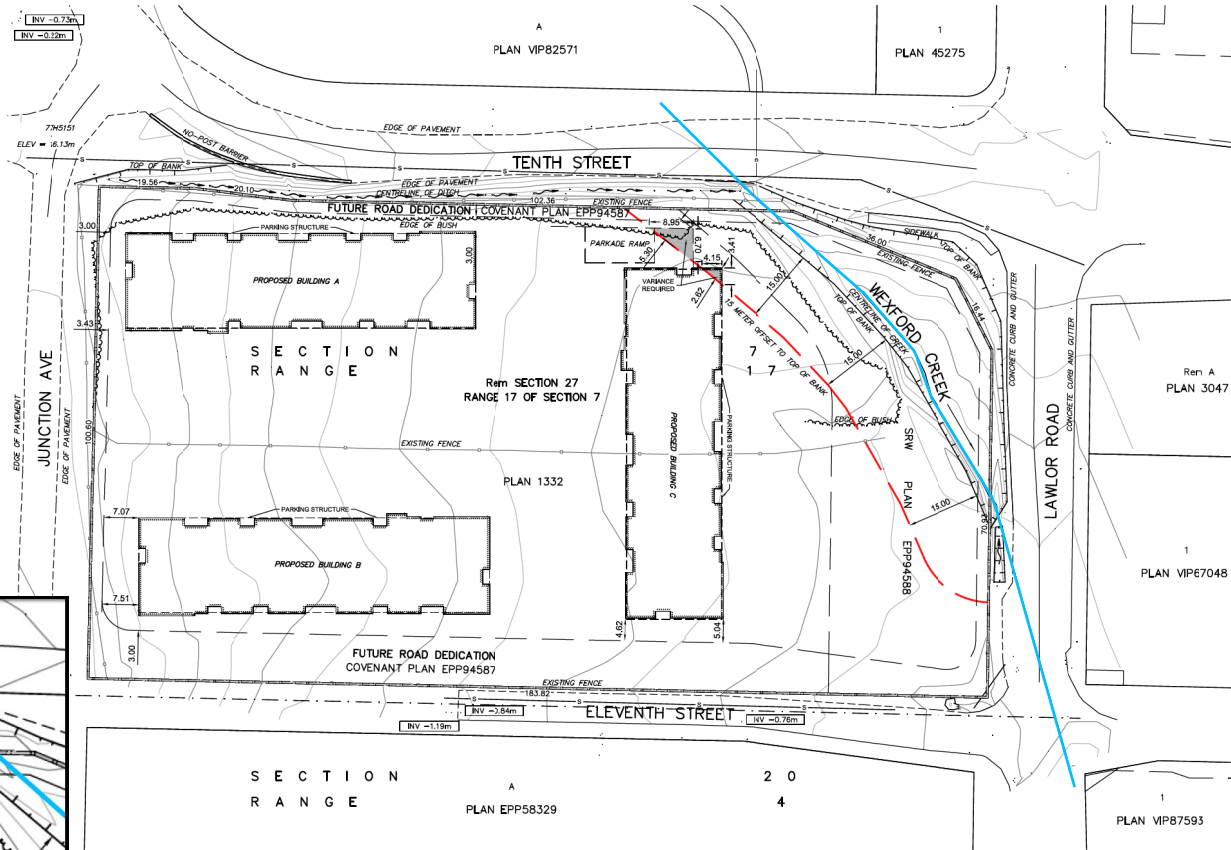
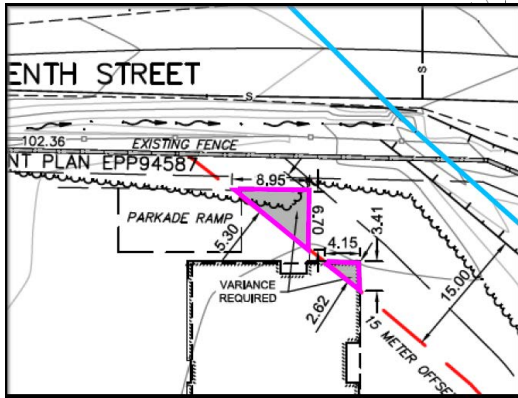
# ATTACHMENT H SITE SURVEY

**LEGAL DESCRIPTION:**  
SECTION 27, RANGE 17 OF SECTION 7, NANAIMO DISTRICT,  
PLAN 1332 EXCEPT PART IN PLAN 3212 RW AND VPP8470  
B.C. 007-593-601  
QVC ADDRESS: 1300 JUNCTION AVE, NANAIMO, BC  
ZONING: CITY OF NANAIMO ZONING BYLAW NO. 4500  
R1 SINGLE DWELLING RESIDENTIAL  
SURVEY DATE: SEPTEMBER 5, 2017 AND AUGUST 2, 2018  
PARCEL DIMENSIONS ARE IN METERS AND ARE DERIVED  
FROM FIELD SURVEYS AND LAND TITLE AND SURVEY  
AUTHORITY RECORDS BEING PLAN 1332, EPP94588,  
EPP94588  
BEARINGS ARE GRID DERIVED FROM OBSERVATIONS TO  
GEODETIC CONTROL MONUMENTS 7705151 AND 7705153.  
THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES  
UNLESS OTHERWISE SPECIFIED.  
NOTE: CONTOUR INTERVAL IS 0.50 METERS.  
NOTE: ELEVATIONS ARE GEODETIC (CVD288C) BASED ON  
MARSOT GEODETIC CONTROL MONUMENT 7705151  
BUILDING LOCATIONS SHOWN AS PER TRILIA ARCHITECTURE  
AND DESIGN DRAWING DATED OCTOBER 27, 2020.

**LEGEND:**

SYMBOLS	DESCRIPTION
FOUND PLACED	
△	TRAVERSE HUB
—	STANDARD IRON POST
—	EXISTING STORM MANHOLE
—	EXISTING SANITARY MANHOLE
—	EXISTING CATCHBASIN
—	EXISTING WATER MANHOLE
—	EXISTING WATER VALVE
—	EXISTING HYDROTEL POLE
—	EXISTING ANCHOR
—	EXISTING SANITARY INSPECTION CHAMBER
—	EXISTING SANITARY MAIN
—	EXISTING STORM MAIN
—	EXISTING FENCE

## Detail



CERTIFIED CORRECT THIS 24th DAY OF FEBRUARY, 2021.  
Tyson  
Quocksister  
RPCUG1  
THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

Rev	Date	Description	Drawn	Design	App'd
1	2021-02-04	PARKING STRUCTURE ADDED	TQ	TQ	
2	2021-02-18	SITE PLAN FOR DEVELOPMENT PERMIT	TQ	TQ	

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LIABLE FOR THE LOCATION OF ANY UNDERGROUND CONDUITS, PIPES, CABLES OR  
OTHER FACILITIES WHETHER SHOWN OR OMITTED FROM THIS PLAN. PRIOR TO  
CONSTRUCTION CONTRACTOR SHALL EXPOSE LOCATIONS OF ALL EXISTING FACILITIES  
BY HAND DIGGING OR HYDROVAC AND ADVISE THE ENGINEER OF POTENTIAL CONFLICTS.

Sub 1  
1301 Estevan Road  
Nanaimo BC  
Canada V9S 3Y1  
T 250 716 3336

Approved Sealed

WESTURBAN DEVELOPMENTS LTD.

SITE PLAN  
1300 JUNCTION AVE  
NANAIMO, BC

Drawing No.  
**00330-6-V-4**

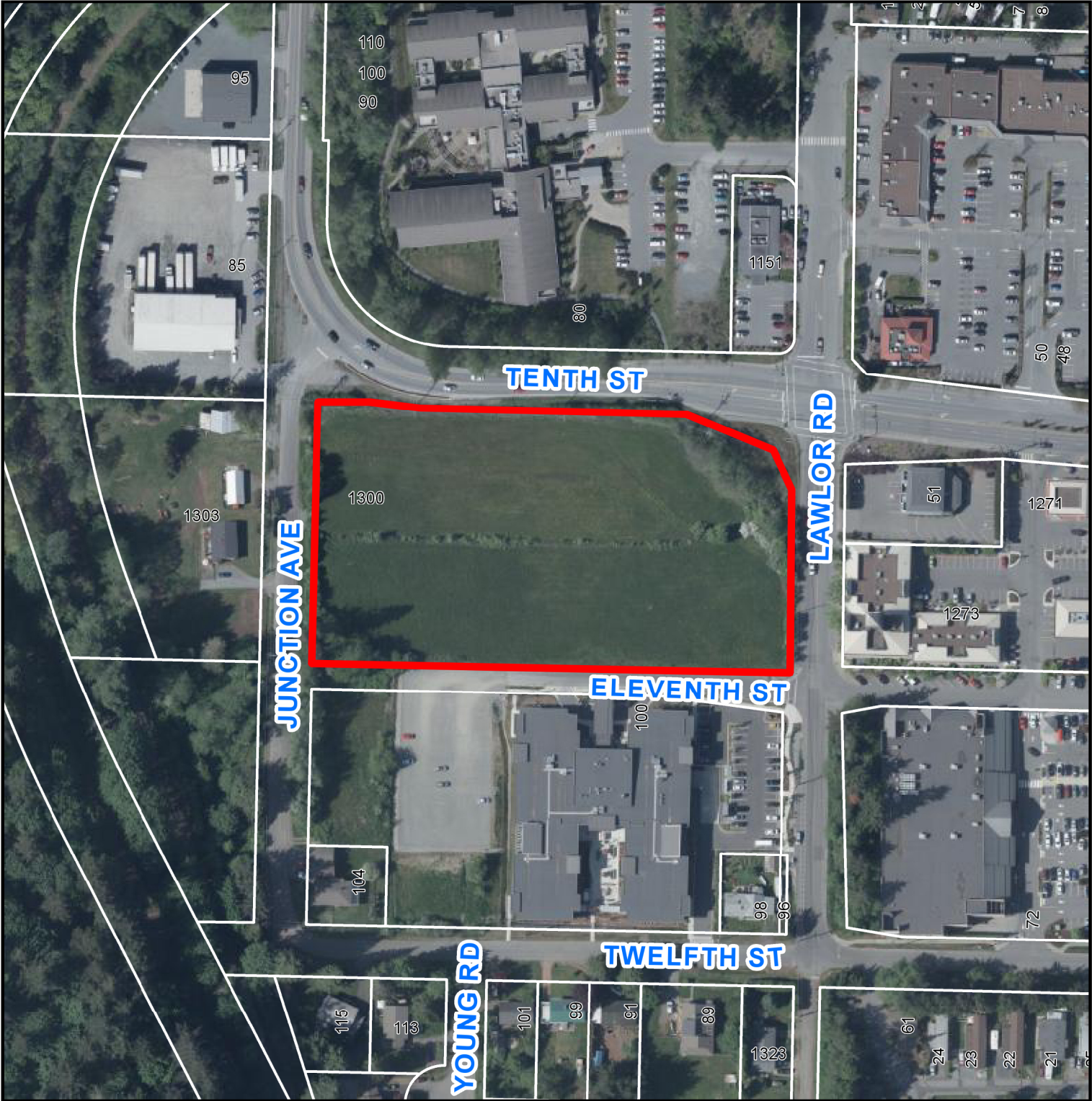
Project Number  
2232-0033-06

Rev.  
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DP1190  
2021-MAR-09  
Current Planning



ATTACHMENT I  
AERIAL PHOTO



**DEVELOPMENT PERMIT NO.1190**



1300 JUNCTION AVENUE



## Delegation Request

---

### **Delegation's Information:**

Sarah Alexander has requested an appearance before Council.

City: Campbell River  
Province: BC

### **Delegation Details:**

The requested date is March 29, 2021.

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation: I am not preparing a presentation, but was asked to be available for questions related to DEVELOPMENT PERMIT APPLICATION NO. DP001190 – 1300 JUNCTION AVENUE. Thank you.

DATE OF MEETING MARCH 29, 2021

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR AND DEPUTY CORPORATE OFFICER AND BRIAN MACKAY, DIRECTOR, INFORMATION TECHNOLOGY

SUBJECT INTERIM TRANSITION TO VIRTUAL MEETINGS

## **OVERVIEW**

### **Purpose of Report**

To advise Council of the need to transition to hybrid or virtual meetings during the Shaw Auditorium renovation period and present options to facilitate the change.

### **Recommendation**

That Council direct Staff to schedule meetings during the Shaw Auditorium renovation period virtually, with all members of Council and Staff attending through Zoom.

## **BACKGROUND**

In January 2021 a contract for audio and visual technology upgrades for the Shaw Auditorium and Douglas Rispin Room of the Vancouver Island Conference Centre (VICC) was awarded to PJS Systems.

This project is part of an overall technology modernization project for the VICC. A key challenge with the current space is the inflexibility of the furniture and technology to allow for dynamic events and room configurations for various events. The current analog audiovisual connections are complicated and fragile, and there is limited opportunity to reposition the furniture to capitalize on the space. The new audiovisual systems will address these concerns by migrating the audiovisual equipment from complicated analog connections to a network-based solution (AV over IP) with single ruggedized connection points for each major furniture piece as well as mounting all displays and cameras to the existing mobile furniture or securely to the walls and ceiling.

A draperies solution is proposed to allow for the space to be configured as a theatre with wings and a backdrop.

A further challenge with the existing audiovisual technology is that it is not easily reconfigurable to meet challenges such as the COVID-19 pandemic. Physical distancing requirements and mandatory self isolation require different seating layouts and remote participation on an ever-changing basis.

The new audiovisual systems will leverage the City's existing badging (ID cards) technology to allow for participants to sit at any technology enabled seat and tap their ID badge to login to that

position. The system will recognize them and assign the functions and features to that position that are assigned to them such as Request to Speak (RTS) and Voting functions.

Digital Voting has been identified as a desired feature of the new system. Once implemented at a later date, this will allow Council to digitally register in “favour” or “opposed” from any logged in technology enabled seat, or from a secure interface on a PC from a remote location. These voting results would be certified and transmitted digitally to a City database for record keeping. The Request to Speak Queue will be refreshed and updated, and it will also be possible to participate in this system using the same secure interface as the voting system from a remote location. |

## **DISCUSSION**

The proponent and staff aim to ensure the disruption to in-person meetings of Council are as minimal as possible. The proponent has provided their timeline with the understanding that it may be extended due to the worldwide challenge of sourcing goods during the ongoing pandemic. The period where the Shaw Auditorium and Douglas Rispin Room are unavailable is May 3, 2021 to May 25, 2021 inclusive.

In order to facilitate a smooth transition for Mayor and Council, staff are recommending that Regular and Special Council, In Camera Council, Governance and Priorities Committee, Finance and Audit Committee and Public Hearings be held through a virtual meeting method. Staff will facilitate this change by holding meetings over Zoom, a platform Council is already using. Ministerial Order 192 from the Minister of Public Safety and Solicitor General permits electronic Council member participation. Committee meetings with external membership are unaffected and will continue to meet through a hybrid method with staff and chairs based in the Service and Resource Centre boardroom.

### **Virtual Meetings:**

Virtual meetings require all members of Council and staff to participate over Zoom. Virtual meetings provide the best audio quality and from a technical standpoint are the easiest meeting type to manage and set up. In order to improve audio quality staff will supply Council with headsets containing built in microphones to be used during meetings. The accuracy of closed captioning is expected to increase with the use of headsets. Staff recognize it can be challenging to chair a meeting electronically. Additional support will be provided to members of Council who chair meetings during this time period. Virtual meetings allow for the option to have a limited number of staff and the chair in the same room, using their own tablets, headsets and microphones. Staff anticipate that the CAO, Corporate Officer and Chair would be in the same room using this method. The benefit of being in the same room is that communication between the Chair and corporate officer is more immediate. Food service would continue to be provided for staff and the Chair participating in the same City meeting room during virtual Council meetings.

### **Hybrid Meetings:**

Hybrid meetings require the Chair to attend meetings in person in the boardroom, Service and Resource Centre, while the remainder of Council participates virtually over Zoom. The Corporate Officer would attend in person to provide procedural advice to the Chair. The only

other staff members present would be the CAO, recording secretary and IT support staff. The majority of staff would participate and present virtually. During Regular Council meetings food service will continue to be provided for the members of Council and staff who are required to participate in person. Hybrid meetings provide the lowest audio quality and are the most complex option to manage.

### **Other Considerations:**

In order for virtual meetings to be successful, Council and staff participating in the meeting must have a reliable high-speed internet connection. Participants must also be in a quiet location and be muted when not speaking.

The ability for delegations to participate electronically will not be hindered with the move to virtual or hybrid meetings. Currently members of the public are able to participate in public hearings by telephoning into the meeting. This service will continue to be available if meetings are held over either method. The boardroom in the Service and Resource Centre will be booked regardless of what meeting method is selected as the recording stream will be picked up from the eScribe encoder run through the boardroom computer.

Regular Council Meetings will continue to be live streamed on Shaw TV.

A number of other meeting locations were considered as options for meetings. One of the challenges with holding meetings in a different location, such as the Regional District of Nanaimo Board Chambers, or another room in the Vancouver Island Conference Centre is that an Escribe encoder, specific to the City of Nanaimo, is required to be installed in each meeting room. Encoders are used to stream and convert the audio and video content into a format that can be streamed through the internet on the City's publishing portal. The cost to purchase, license and install an additional encoder in another meeting room is approximately \$18,500. Additional time is also required to test the equipment. Once an encoder is installed it cannot be easily moved to another location. If an encoder is purchased it cannot be returned after the renovation period and would become surplus. Technology such as microphones, speakers and delegation speaking timers would also need to be implemented and tested if an additional room was used.

Prior to reconvening meetings in the Shaw Auditorium, training on the new technology will be provided to Mayor and Council. In order to allow for contingencies, the May 31, 2021 Council meeting will also be held over Zoom.

### **OPTIONS**

1. That Council direct Staff to schedule meetings during the Shaw Auditorium renovation period virtually, with all members of Council and Staff attending through Zoom.
  - The advantages of this option: All members would attend virtually and limit their in-person interactions. This option provides for the best audio quality.
  - The disadvantages of this option: The success of a virtual meeting depends on each participant having a high quality internet connection and muting themselves when

- they are not speaking. Communication between Council can be difficult during a virtual meeting.
- Financial Implications: Catering costs for virtual Council meetings would be reduced from current costs for all of Council and staff. A budget is available for headsets.
2. That Council direct Staff to schedule meetings during the Shaw Auditorium renovation period using a hybrid meeting method, with the Chair attending meetings in person and all other members of Council attending virtually.
- The advantages of this option: The Corporate Officer would be in the same room as the Chair to assist with meeting governance.
  - The disadvantages of this option: The hybrid meeting type is the most technical to manage. The Chair would be required to attend the meeting in person, increasing in person interactions.
  - Financial Implications: Food service would be provided for the Chair and staff required to meet in person for Council meetings. A budget is available for headsets.
3. That Council direct Staff to schedule meetings during the Shaw Auditorium renovation period as in person meetings in the boardroom, Service and Resource Centre.
- The advantages of this option: Council would continue to meet in person.
  - The disadvantages of this option: There is a limited number of people permitted in the boardroom, Service and Resource Centre. Due to the limited capacity and requirements for physical distancing, if room capacity is reached, in order to comply with public health orders those present in the boardroom will be required to wear masks. There are no plexiglas dividers between seats. Due to limited capacity, staff would participate via Zoom. This option does not adhere to the public health order which recommends that virtual meetings be held as much as possible.
  - Financial Implications: Catering costs would increase with all of Council attending meetings in person as individual meals would need to be provided for Council meetings.

#### **SUMMARY POINTS**

- The Shaw Auditorium and Douglas Rispin Room of the Vancouver Island Conference Centre will undergo audio and visual upgrades from May 3 – 25, 2021 and will be unavailable.
- During the renovation period it is recommended that meetings be held over Zoom via virtual method.
- Meetings will continue to be livestreamed, recorded and available on the City's website.

**Submitted by:**

Sheila Gurrie  
Director, Legislative Services.

**Concurrence by:**

Shelley Legin  
General Manager, Corporate Services

Jake Rudolph,  
CAO

## **2021 City of Nanaimo Resolution**

### **Resolution Title: Call for Immediate Protection of all at-risk Old-growth Forests in BC**

---

**Submitted by: Ben Geselbracht**

WHEREAS ancient high productivity (big tree) old growth ecosystems are globally one of the most valuable climate mitigation and resiliency assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and bank of biodiversity;

AND WHEREAS, of the 2.7% of the original high productivity (big tree) old-growth forests (less than 1% of BC's total current forested area), 75% are still slated to be eliminated through logging; BE IT RESOLVED

THAT the City of Nanaimo call on the provincial government to immediately defer logging in all high productivity, rare, oldest, and most intact old-growth forests as recommended by the Old-Growth Strategic Review, until all 14 of the panel's recommendations have been implemented; including deferrals in such at-risk old-growth forests as, the head waters of Fairy Creek, the Upper Walbran Valley, Nahmint Valley, Eden Grove, Edinburgh Mountain, Upper Tsitika Valley, East Creek, Klaskish Valley, Nimpkish Lake and the Inland Old-Growth Temperate Rainforest.

AND THAT the City of Nanaimo formally oppose the logging of at-risk old-growth forests;

AND THAT the City of Nanaimo call on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner, in the full spirit of reconciliation and to support the economic transition of affected First Nations and non-First Nation communities from unsustainable old-growth logging for the development of long-term sustainable local economies.

AND THAT the following resolution be sent to the Union of BC Municipalities and as a late submission to AVICC

#### **Immediate Protection for all at-risk Old-growth Forests in BC**

WHEREAS ancient high productivity (big tree) old growth ecosystems are globally one of the most valuable climate mitigation and resiliency assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and bank of biodiversity;

AND WHEREAS, of the 2.7% of the original high productivity (big tree) old-growth forests (less than 1% of BC's total current forested area), 75% are still slated to be eliminated through logging; BE IT RESOLVED

THAT the UBCM and AVICC call on the provincial government to immediately defer logging in all high productivity, rare, oldest, and most intact old-growth forests as recommended by the Old-Growth Strategic Review, until all 14 of the panel's recommendations have been implemented; including deferrals in such at-risk old-growth forests as the head waters of Fairy Creek, the Upper Walbran Valley, Nahmint Valley, Eden Grove, Edinburgh Mountain, Upper Tsitika Valley, East Creek, Klaskish Valley, Nimpkish Lake and the Inland Old-Growth Temperate Rainforest.

AND THAT the UBCM and AVICC call on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner, in the full spirit of reconciliation and to support the economic transition of affected First Nations and non-First Nation communities from unsustainable old-growth logging for the development of long-term sustainable local economies.



## **BRIEFING NOTE:**

### **Resolution on the Call for Immediate Protection of all at-risk Old-growth Forests in BC**

#### **Background**

As the earth's population nears 8 billion people, consumption of the planets' resources are exceeding the limits of its capacity to sustain the conditions necessary to support human settlement<sup>1</sup>. Of the 9 planetary boundaries, researchers report that four of these have been crossed: extinction rate, nitrogen and phosphorus loading, deforestation and atmospheric carbon dioxide. Of these four boundaries, three are inextricably linked to the health of forest ecosystems exemplified in primary old growth forests.

On Vancouver Island and in B.C, our communities thrive and depend on the health of our forests, for lively hoods, recreation, water supply and spiritual well-being. When considering the forested groundcover on planet Earth, it is estimated that less than 30% of it has been spared from human interference<sup>2</sup>. Much of this miniscule share is found in our Old-growth forests here in British Columbia, and of that, only a small proportion is granted the protection that such a precious global resource deserves. It is our collective responsibility to use whatever tools at our disposal to do what we can to protect the health of our primary forests, and by extension our planet, and prioritize action to support a more sustainable future.

#### **Climate Change and BC Forest Practices**

The International Panel on Climate Change (IPCC) October 2018 special report provided a grave global warning of the need for massive emissions reduction within the next 11 years to avoid irreversible catastrophic changes to climate<sup>3</sup>. In response, many local governments have declared a climate emergency and, along with the provincial and federal government, have mobilized enormous amounts of resources to reduce emissions and adapt to a changing climate through a wide range of programs and initiatives.

Despite the increased efforts to address emissions within urban areas, these actions may be inconsequential if the emissions from BC forest land management practices are not properly addressed. According to BC government data, British Columbia's forests are now releasing more carbon dioxide per year than *all* other provincial sectors combined – and depending on the year, by more than double<sup>4</sup>. Forest emissions are largely ignored because they are not counted as part of B.C's official emissions in provincial greenhouse gas inventories<sup>5</sup>.

B.C.'s forests transitioned from a sink of carbon to a source in the early 2000's through a process of unsustainable logging and forest management practices that continues today. These practices

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<sup>1</sup> [https://ec.europa.eu/environment/integration/research/newsalert/pdf/four\\_out\\_of\\_nine\\_planetary\\_boundaries\\_exceeded\\_410na1\\_en.pdf](https://ec.europa.eu/environment/integration/research/newsalert/pdf/four_out_of_nine_planetary_boundaries_exceeded_410na1_en.pdf)

<sup>2</sup> [https://www.ipcc.ch/site/assets/uploads/sites/4/2020/02/SPM\\_Updated-Jan20.pdf](https://www.ipcc.ch/site/assets/uploads/sites/4/2020/02/SPM_Updated-Jan20.pdf)

<sup>3</sup> [https://www.ipcc.ch/site/assets/uploads/sites/4/2020/02/SPM\\_Updated-Jan20.pdf](https://www.ipcc.ch/site/assets/uploads/sites/4/2020/02/SPM_Updated-Jan20.pdf)

<sup>4</sup> <https://www2.gov.bc.ca/gov/content/environment/climate-change/data/provincial-inventory>

<sup>5</sup> <https://sierraclub.bc.ca/wp-content/uploads/Pojar-7mythsfinal-2019.pdf>

have had a cumulative effect of weakening the ability of BC's forests to store and sequester carbon, regenerate, store water, withstand forest fire and insect infestations. This degradation with the continued pressure of over-harvesting has created a self-reinforcing feedback loop of worsening conditions.

In 1990, BC forests sequestered 89 Million tons of CO<sub>2</sub>, which after the carbon released by forests fires is factored in, still made all other economic activity in the province almost carbon neutral. Since 1990 the ability of BC forests to absorb carbon progressively diminished to only 7 million tons of CO<sub>2</sub> sequestered in 2018<sup>6</sup>. Forest emissions are unfortunately no longer published publicly by the BC government, however, since no real large changes to forest practices has occurred since 2018, the net carbon sequestration of BC's forest is most likely at zero when CO<sub>2</sub> from fires is not factored in.

In terms of forest fires, since 1990 as the carbon sequestration capacity of BC's forest's diminished, the average size and severity of forest fires increased releasing increasingly large amounts of CO<sub>2</sub> into the atmosphere. 2017 and 2018 were particularly bad wildfire years back to back, burning more than 1.2 million hectares of the province, eight times more than the ten-year average. From these two fires, 163 and 199 million tons of CO<sub>2</sub> were released into the atmosphere respectively compared to the 60 million tons released from all other emission sources in BC. This is not even counting the emissions released from the practice of slash pile burning which releases a similar quantity of carbon annually as all industrial processes and product use.

### **Climate Resiliency and Old-growth Forest**

The urgency of the climate crisis requires that actions are prioritized that have immediate benefits. Stopping forestry practices that have been leading to the alarming trend of increasing forest emissions must be a priority. The continued clear cutting of high productivity old-growth is one particular forestry practice that has severe negative impacts on BC's ability to lower emissions and adapt to changing climatic conditions. Still to date about 55,000 hectares of old-growth forests – an area the size of about 5 cities of Vancouver are being logged every year in BC<sup>7</sup>. This is devastating, not only from the perspective of the elimination of some of the most complex webs of ecological relationships housing some of the largest most magnificent organisms in the planet, but also from the loss of the capacity of these ancient ecosystems incredible capacity to store and sequester carbon.

High productivity old-growth forests can store over 1,000 tonnes of carbon per hectare, one of the highest rates on earth. They are like a carbon bank, accumulating carbon in soil, trees, and organic matter over millennia<sup>8</sup>. Research increasingly shows that old trees store more carbon than young trees and in proportion to their size so that a single valley bottom old growth tree can absorb far more carbon in a year than an acre of seedlings. Almost 70 per cent of the carbon stored in a tree is accumulated in the second half of its life. Logging primary, mature and old

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<sup>6</sup> <https://www2.gov.bc.ca/gov/content/environment/climate-change/data/provincial-inventory>

<sup>7</sup> <https://veridianecological.files.wordpress.com/2020/05/bcs-old-growth-forest-report-web.pdf>

<sup>8</sup> <https://sierraclub.bc.ca/wp-content/uploads/Pojar-7mythsfinal-2019.pdf>

forests and converting them to secondary, managed forests can reduce total carbon storage by 40-50% or more, even when off-site storage of carbon in wood products in buildings is factored in<sup>9</sup>.

Although forests can eventually regenerate, standing old-growth is even more precious in the current context of a climate crisis as their stored carbon has much greater time value now and in the crucial next three decades than the anticipated, post-logging carbon storage recouped over the ensuing seven or more decades of replanted forests. In a climate crisis it does not make sense to cut down carbon-storing older trees when there are large expenditures of resources to reduce carbon emissions and invent carbon-capture technology.

In addition to carbon storage and sequestration, the unique conditions and processes within ancient old-growth ecosystems are vital to BC's forest cover's ability to adapt to a changing climate. Old growth forests are critical to the conservation of biodiversity akin to banks of genetic material for future use and adaptation to changing climatic conditions. In addition, these forests are very resistant to fire and have an incredible ability to intercept and store water, which are critical attributes necessary to withstand the self-reinforcing cycle of increasing temperature, drying landscapes, and large forest fires<sup>10</sup>. When taking into account that old-growth forest products are often shipped across the world, to be used in products such as roofing shingles, exterior cladding, paper and pulp and pellets, the senselessness of the elimination of the ecosystem services these incredibly valuable natural assets provide can not be ignored.

## **BC Government Commitments and Old-growth Protection**

Sept, 11 2020, the BC government released the much anticipated report of the Old Growth Strategic Review<sup>11</sup> conducted by an independent two person panel comprised of Garry Merkel (professional forester, natural resource expert and member of the Tahltan Nation) and Al Gorley (professional forester and former chair of the Forest Practices Board). The Old-growth strategic review had one of the highest ever Engage BC responses with 200 meetings in 45 communities, 300 written submissions, 400 published articles and papers, 9000 emails and 18,500 completed surveys<sup>12</sup>. The Review concluded that "BC's overall system of forest management has not supported the effective implementation or achievement of the stated and legislated public objectives for old growth forests." The authors, Gorley and Merkel, called for a "paradigm shift," saying old forests have intrinsic value for all living things and should be managed for ecosystem health, not for timber supply.

Since the reports release, many were hopeful that the BC government would spare no time in implementing the recommendations, and thus, protecting some of the most incredible natural spaces on the face of the earth. Statements made by Premier John Horgan during the previous

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<sup>9</sup> <https://sierraclub.bc.ca/wp-content/uploads/Pojar-7mythsfinal-2019.pdf>

<sup>10</sup> <https://engage.gov.bc.ca/app/uploads/sites/563/2020/09/STRATEGIC-REVIEW-20200430.pdf>

<sup>11</sup> <https://engage.gov.bc.ca/app/uploads/sites/563/2020/09/STRATEGIC-REVIEW-20200430.pdf>

<sup>12</sup> <https://news.gov.bc.ca/releases/2020FLNR0058-001711>

Provincial election bolstered this sentiment. The Prince George Citizen captured the Premier's campaign sentiments in an October 15 2020 article<sup>13</sup>:

*"We're committed to implementing the report in its totality," said Horgan when asked about it during a campaign stop.*

Since winning the election, Premier Horgan further backed this up with his mandate letter to the current Minister of Forests, Lands, Natural Resource Operations and Rural Development, Katrine Conroy. In it, he includes a mandate to *"implement the recommendations of the Old Growth Strategic Review in collaboration with Indigenous leaders, labour, industry, and environmental groups to protect more old-growth stands"*, and further comments about indigenous reconciliation and the importance of addressing climate change through forestry policy are scattered throughout the document.

Since that time, however, a coalition of environmental organizations including the Wilderness Committee, Sierra Club BC, and Ancient Forest Alliance reviewed the government's actions, and issued a scathing report card<sup>14</sup> outlining that many commitments remain un-actioned. The report card gives the current government one D grade, followed by several "F"s in relation to its commitments to old growth protection.

March 11<sup>th</sup>, 2020 marked the six month deadline for the provincial government to begin implementing the recommendations of the report. For immediate action was recommendation #6 which recommended that, "Until a new strategy is implemented, defer development in old forests where ecosystems are very high and near term risk of irreversible biodiversity loss."<sup>15</sup>

Of the most high and near term risk of irreversible biodiversity loss are the high productivity – valley bottom old growth that contains the largest and most majestic trees. These forests represent 0.7% of the total forest cover in BC. (57 Million Hectares). These high-productivity ecosystems have the greatest values for carbon storage, sequestration and biodiversity. 97.3% of the original high productivity valley bottom old-growth forests have been eliminated in BC, with only 0.7% permanently protected and sadly, the remaining 2% (representing 415,000 hectares) slated to be logged.

To date only 3,800 hectares of the remaining 415, 000 hectares of unprotected high productivity old-growth has been deferred from logging by the BC government (1 hectare = 1.4 Soccer fields). The numbers released September 20<sup>th</sup>, by the BC government of the 352,739 hectares of old forests that would be deferred from harvesting in response to the Old-growth Strategic Review recommendations is misleading in terms of the protection afforded to the most at risk and endangered Old-growth forests in BC. The numbers announced by the BC government contains some forest lands that are already under protection, some 2<sup>nd</sup> growth forest and a large portion of less endangered small tree old-growth forest found in less productive environments

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<sup>13</sup> <https://www.princegeorgecitizen.com/news/local-news/horgan-commits-to-paradigm-shift-in-old-growth-forest-management-1.24220819>

<sup>14</sup> <https://www.ancientforestalliance.org/wp-content/uploads/2014/10/bcs-old-growth-forest-report-web.pdf>

<sup>15</sup> <https://engage.gov.bc.ca/app/uploads/sites/563/2020/09/STRATEGIC-REVIEW-20200430.pdf>

like higher elevations and the outer coast<sup>16</sup>. This reflects the flaws in BC's accounting system for old-growth which lacks critical distinctions in forest productivity and ecosystem types<sup>17</sup>.

High productivity-old growth forests are the vision of what the general public understand to be old growth and provide the unique habitats, structures, and spiritual values associated with large trees. The lack of distinction in government reporting provides opportunity to protect the less economically valuable sites with small trees instead of the more at risk big tree ecosystems. This results in flawed policies with loopholes in forest reserve selection and misleading figures of the actual protection afforded to BC's endangered forests.

For example, on Vancouver Island, the official BC Government reporting on old-growth forests states that there are over 840,00 hectares considered old-growth on the island with over half (520,000 hectares) of these forests protected and never to be logged. If only the big-tree old-growth that the majority of the public understands as old-growth were counted, an independent research group using government data found that only 31,000 hectares remain on Vancouver Island<sup>18</sup>. This represents 9% of the original 360,000 hectares that existed. Of this remaining 9% or 31,000 hectares, only 9,400 hectares are protected, leaving 21,600 hectares (60 Soccer fields) or 70% of the minuscule fraction of the last high productivity forests to be logged. This is alarming as harvest rates of old-growth forest on Vancouver Island are around 10,000 hectares a year. Currently threatened by imminent clear cutting includes the head waters of Fairy Creek, the last unprotected intact old-growth watershed in southern Vancouver Island.

## Current Conflict

One of the current battles for Old-Growth protection is currently taking place in Southern Vancouver Island which includes the Fairy Creek watershed in Pacheedaht First Nation territory near Port Renfrew. Fairy Creek is known locally as the last remaining unprotected, intact watershed on southern Vancouver Island. It is home to giant red cedars, douglas fir and hemlock and 1500 year old plus high elevation yellow cedars.

One creek away stands *Big Lonely Doug*, pictured below, which is Canada's second-largest Douglas-fir tree and is known as one of the most famous trees in Canada. Lonely Doug is estimated to be between 750 and 1200 years old<sup>19</sup>, and is the last remaining member of his grove, which was logged in 2014. It is estimated that 99% of the old-growth Douglas firs in British Colombia have been cut down<sup>20</sup>.

If the image below is *after* logging, one need not use imagination to conceptualize what existed there *before*.

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<sup>16</sup> <https://www.ancientforestalliance.org/wp-content/uploads/2014/10/bcs-old-growth-forest-report-web.pdf>

<sup>17</sup> <https://veridianecological.files.wordpress.com/2020/05/bcs-old-growth-forest-report-web.pdf>

<sup>18</sup> <https://veridianecological.files.wordpress.com/2020/05/bcs-old-growth-forest-report-web.pdf>

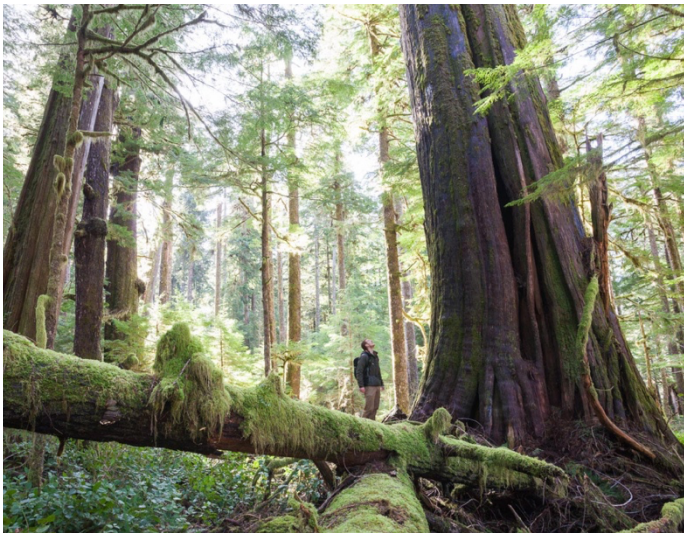
<sup>19</sup> <https://www.atlasobscura.com/places/big-lonely-doug>

<sup>20</sup> <https://veridianecological.files.wordpress.com/2020/05/bcs-old-growth-forest-report-web.pdf>

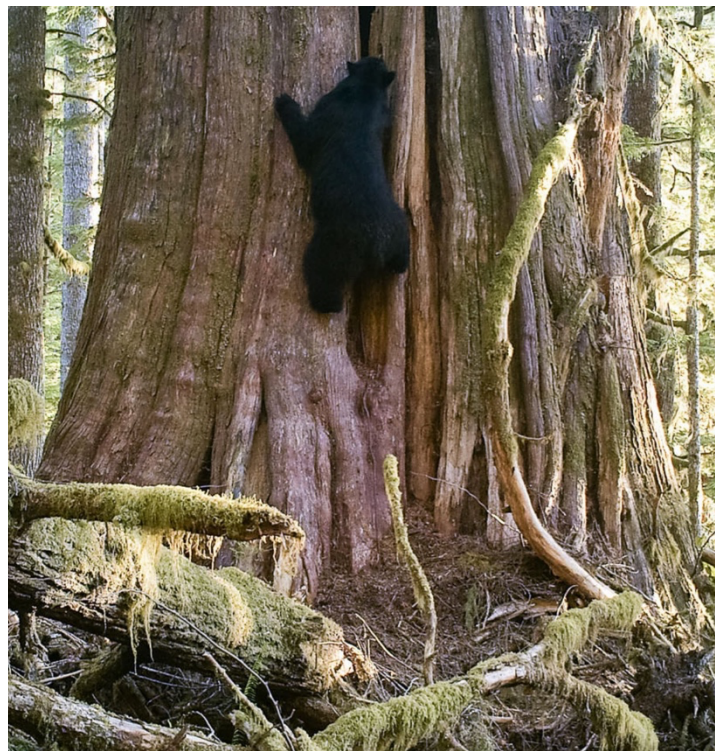




Only a few hundred meters away is Eden Grove, another section of forest slated for annihilation. Its contents are nothing short of breathtaking, offering a glimpse into what Lonely Doug's neighbourhood used to look like:



Recently, logging interest in the area has rung the alarm bells loudly in local communities, and indeed, across the province. In response, local environmentalists, First Nation members, and others concerned about the impending doom of



Fairy Creek, Eden Grove, and other surrounding high-value ecosystems have blockaded forest service roads leading to the magnificent and irreplaceable old growth Forests that are slated for destruction. These groups are joined by Bill Jones, elder from Pacheedaht First Nation, who has been calling on Premier John Horgan to protect the forests of his lands, and other forests like it. An injunction has been applied for to clear the way for logging, and hearings are set for the end of March.

Those who have followed the history of similar conflicts over unsustainable old growth logging are sure to draw parallels between this localized situation, and one that sparked the single largest act of civil disobedience in Canadian History - the *War of the Woods*, over Clayoquot Sound on Vancouver Island. Following a similar injunction granted in the 1990s, thousands flocked to protect the rainforests of Vancouver Island near Tofino. Hundreds of arrests took place before much of the area was finally protected, and in 2000, it was added to the UNESCO World Biosphere Reserve, rightfully acknowledging the area for its global environmental value.

The recommendations of this report specific to Fairy Creek seek to prevent such a large-scale conflict from taking place again, by urging the provincial government to immediately protect these last remaining lands from human interference.

## **Jobs and Economic Transitions**

Currently, about 54,000 hectares of old-growth forests – an area about 5x the size of Vancouver – are being logged every year in BC.<sup>21</sup> At current logging rates, BC will eventually run out of High productivity old growth forests. On Vancouver Island, there is roughly 31,000 hectares of High productivity old-growth and harvest rates for this forest type can be up to 10,000 hectares per year<sup>22</sup>. This means that jobs tied directly to these incredible giants will very soon come to an end, if no protective measures are taken now. In short, any jobs tied to old growth logging are fundamentally doomed simply due to the fact that there is a quickly dwindling finite supply.

Old growth trees, on the other hand, possess a significantly longer economic viability profile, simply by their tourism allure alone in many cases. In their 2016 submission to the BC Chamber of Commerce, the Port Renfrew Chamber noted one anecdote from a 2012 financial analysis done by a kayaking company in the Discovery Islands:

*It was determined that the value of the 60 hectares of timber was worth about \$3,600,000. Since the regeneration cycle meant the area could be cut only once every 60 years, the yearly economic value of the timber was \$60,000. The economic value to the kayaking company, however, was \$416,000 per year, or \$24,960,000 for the same 60-year period. In stark contrast to the approximately 300 person-days employment from logging the 60 hectares just once, the kayaking company provided 20,160 person-days of employment during the 60-year cycle. And this simple economic analysis didn't include the employment and earnings for the 40 other ecotourism businesses using the same area.*

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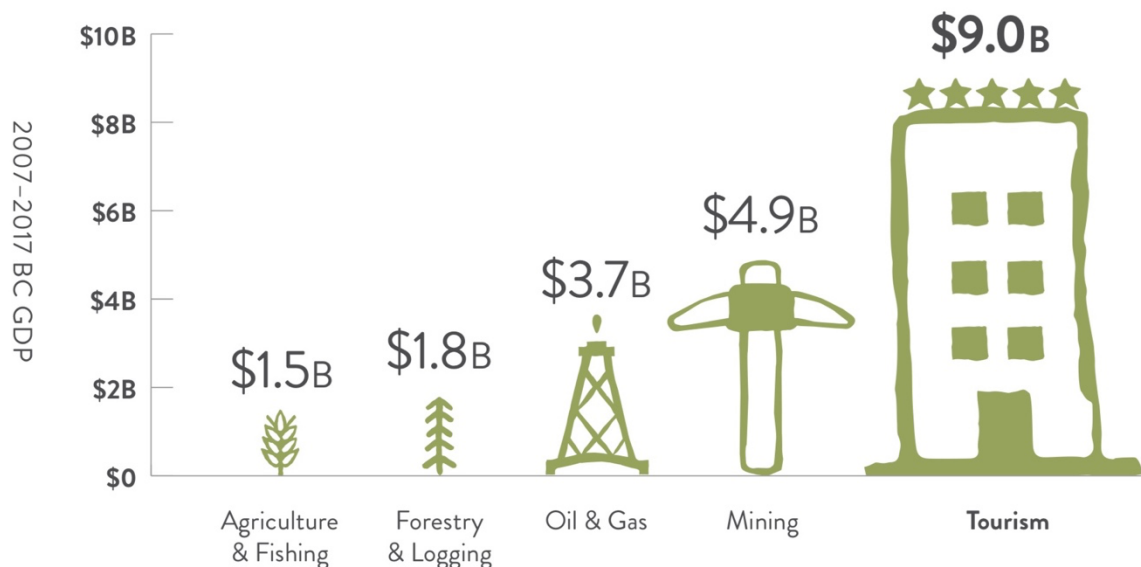
<sup>21</sup> <https://www.theglobeandmail.com/canada/british-columbia/article-while-government-consults-and-consults-some-more-logging-in-bcs/>

<sup>22</sup> <https://veridianecological.files.wordpress.com/2020/05/bcs-old-growth-forest-report-web.pdf>



This one simple analysis uncovers the true value of these incredible trees, not as pathetic roof shingles to be shipped to Florida, nor (even more disrespectfully) as fuel pellets for generating electricity in Europe. According to the Government of British Columbia, “*tourism contributed more to GDP than any other primary resource industry*”<sup>23</sup>.

#### GDP BY PRIMARY RESOURCE INDUSTRY



The BC Chamber of Commerce carried the following resolution in 2016, and renewed it again in 2019<sup>24</sup>:

#### THE CHAMBER RECOMMENDS that the Provincial Government:

1. Support the increased protection of old-growth forests in areas of the province where they have or can likely have a greater net economic value for communities if they are left standing for the next generation and beyond.
2. Protect endangered old-growth forests by enacting new regulations such as an Old-Growth Management Area, Wildlife Habitat Area, or Land Use Order, with the intent to eventually legislate permanent protection for areas through provincial park or conservancies.

The economic case for keeping these trees standing is clear, and the effects of encouraging tourism instead have already been tested across North America’s west coast – just imagine requesting to purchase California’s Redwoods and converting them to pellets or shingles – the very thought would be laughable in a jurisdiction that was once as comparatively abundant in old growth assets as BC is today.

<sup>23</sup> [https://www2.gov.bc.ca/assets/gov/tourism-and-immigration/tourism-industry-resources/statistics-figures/2018\\_value\\_of\\_tourism\\_final\\_feb2020.pdf](https://www2.gov.bc.ca/assets/gov/tourism-and-immigration/tourism-industry-resources/statistics-figures/2018_value_of_tourism_final_feb2020.pdf)

<sup>24</sup> <https://bcchamber.org/policy/protecting-old-growth-rainforest-to-the-economic-benefit-of-tourism-based-communities-2019/>



There are good examples of economic development around Old-Growth Conservation. Many international NGOs have acknowledged this reality, and have begun pouring money into conservation and eco-tourism initiatives. Conservation financing that allowed for the protection of the Great Bear rainforest highlights the many opportunities that are possible<sup>25</sup>.

## **First Nations / Reconciliation**

In British Columbia, virtually all old-growth forests are on the unceded territories of diverse First Nations, and successive court rulings have affirmed that all land use decisions - whether logging plans or new protected areas - must include the consent of local First Nations governments.

This report does not seek to speak for First Nations communities, only to note that to date, First Nations have yet to be paid any semblance of fair-re-compensation for the historical wealth extracted from the original forests on unceded lands.

On September 29<sup>th</sup> 2020, the The Union of B.C. Indian Chiefs passed a resolution calling on the province to implement all 14 of BC's Old Growth Strategic Review Recommendations<sup>26</sup>. The Union's resolutions best summarizes what the BC Government must do to preserve the last of the high-productive ancient forest ecosystems, and make right on their public commitments to true reconciliation:

***"THEREFORE BE IT RESOLVED*** the UBCIC Chiefs-in-Assembly fully support the First Nations and allies who are protesting the negligent logging and clear-cutting practices enabled by the BC government that have undermined First Nations Title and Rights and pushed Vancouver Island's old-growth forests to the brink of collapse;

***THEREFORE BE IT FURTHER RESOLVED*** the UBCIC Chiefs-in-Assembly fully support the Old Growth Strategic Review Panel's report and recommendations that are vital to creating a new, sustainable old growth strategy, and call upon the provincial government to take immediate and sustained action to ensure that the report's recommendations are carried out, with First Nations included and consulted every step of the way;

***THEREFORE BE IT FURTHER RESOLVED*** the UBCIC Chiefs-in-Assembly call upon the BC government to provide more details on its plan to shift logging deferrals to permanent protection, and working in partnership with impacted First Nations, to engage in discussions on expanding these deferrals to include all threatened old-growth forests, including areas like the Walbran Valley, Nahmint, Fairy Creek, Tsitika Valley, Mt. Elphinstone, Argonaut Creek.

***THEREFORE BE IT FURTHER RESOLVED*** the UBCIC Chiefs-in-Assembly direct the UBCIC Executive and staff to work with other like-minded organizations to urge the provincial and federal governments to provide dedicated funding for First Nations Indigenous Protected and Conserved Areas (IPCAs) and First Nations land use plans, as well as financial support for First Nations communities to manage and steward IPCAs, purchase and protect private

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<sup>25</sup> <https://www.dfo-mpo.gc.ca/oceans/documents/conservation/advisorypanel-comiteconseil/submissions-soumises/Coast-Funds-Submission-to-MPA-Advisory-Panel-July-26-2018.pdf>

<sup>26</sup> [UBCIC Old-growth Protection Resolution: https://www.endangeredecosystemsalliance.org/news/2020/10/8/union-of-bc-indian-chiefs-ubcic-resolution-on-old-growth-forests-in-bc](https://www.endangeredecosystemsalliance.org/news/2020/10/8/union-of-bc-indian-chiefs-ubcic-resolution-on-old-growth-forests-in-bc)

*lands with old-growth, and pursue conservation- based businesses and economies, including cultural and eco-tourism businesses, clean energy, and second-growth forestry;*

***THEREFORE BE IT FINALLY RESOLVED*** *the UBCIC Chiefs-in-Assembly urge the Ministry of FLNRORD to consult and engage with First Nation communities and organizations, including the First Nations Forestry Council and the First Nations Leadership Council, to develop and implement a renewed old-growth strategy that entrenches Indigenous consent into its processes; is aligned with the principles of the UN Declaration, the Old Growth Strategic Review recommendations, and the BC First Nations Forestry Strategy; is supported by strong enforcement and compliance standards; and is intended to support sustainable old-growth cultural harvesting as an important First Nations livelihood and source of culture."*

The recommendations put forward within the proposed City of Nanaimo Council resolution seek to include the intent of the above UBCIC resolution.