



## **MERGED AGENDA REGULAR COUNCIL MEETING**

Monday, June 20, 2022

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

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 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;

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

*Community Charter* Section 90(2):

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

**3. INTRODUCTION OF LATE ITEMS:**

**4. APPROVAL OF THE AGENDA:**

**5. ADOPTION OF THE MINUTES:**

a. Minutes

9 - 18

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-MAY-30, at 4:00 p.m.

6. **MAYOR'S REPORT:**

7. **RISE AND REPORT**

8. **PRESENTATIONS:**

a. Update on City of Nanaimo 2022 Special Events

Darcie Osborne, A/Manager, Culture and Special Events, to provide an update on the City of Nanaimo Special Events for 2022.

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

1. *Add PowerPoint presentation titled "Special Events 2022 Covid Recovery"*

19 - 27

9. **COMMITTEE MINUTES:**

a. Minutes

28 - 34

Minutes of the Environment Committee Meeting held electronically on Wednesday, 2022-MAY-25 at 5:05 p.m.

10. **CONSENT ITEMS:**

a. Environment Committee 2022-MAY-25

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[Note: A link to the 2022-MAY-25 Environment Committee Agenda is provided for information.]

1. Community Watershed Restoration Grant

That Council endorse the Community Watershed Restoration Grant Guidelines and Criteria as included in Attachment A to the 2022-MAY-25 report by David Stewart, Environmental Planner.

b. Governance and Priorities Committee 2022-JUN-13

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[Note: A link to the 2022-JUN-13 Governance and Priorities Committee Agenda is provided for information.]

1. Development of a Transportation Memorandum of Understanding

That Council direct Staff to work with the Regional District of Nanaimo,



Ministry of Transportation and Infrastructure and BC Transit to draft a Memorandum of Understanding for the purpose of planning and executing enhancements to support transit and mobility within the City of Nanaimo.

2. Allocation of Pedestrian Unallocated Funding

That Council allocate \$1,000,000 of Pedestrian Unallocated funds to the projects listed under Option (A) as follows:

- Trans-Canada Highway Corridor Improvements \$350,000
- Improve Crosswalks 2, 3, 4, 7, and 8 \$400,000
- Install Sidewalk (2) – on Departure Bay Road from Highland Boulevard to Highway 19A \$85,000
- Traffic Calming IO Allocation \$165,000

c. Finance and Audit Committee 2022-JUN-15

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[Note: A link to the 2022-JUN-15 Finance and Audit Committee Agenda is provided for information.]

1. Consideration of New Permissive Tax Exemption

That Council award a Permissive Tax exemption for the 2023 taxation year to the Makerspace Nanaimo Association for the portion occupied by the Association (16.80%) at 2221A McGarrigle Road.

2. Purchase of Artwork, *Seabed*, by Peter Achurch

That Council approve the use of existing City funds to purchase the artwork *Seabed*, 2020, by artist Peter Achurch, and the addition of the artwork to the Public Art Inventory in 2022.

3. *Add Consent Item: Lenhart Bridge – Motion Defeated*

That Council direct Staff to increase the budget for the Lenhart Bridge project by \$188,000.

d. *Move Agenda Item 10(b)(1) Development of a Transportation Memorandum of Understanding to Separately Addressed Consent Items and add delegation from Kevan Shaw.*

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11. DELEGATIONS:

a. Joanne Morneau, Janine Hu, and Annette Noble re: Plastic Bag Ban

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To thank Mayor and Council, on behalf of their volunteer sewing group and students in Nanaimo, for implementing the plastic bag ban and to discuss some of

the initiatives they are undertaking.

- b. Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board 40
- Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board, to provide Council with a PowerPoint presentation regarding the Reaching Home: Homelessness Strategy including the history and future of the Nanaimo Community Advisory Board (NCAB), highlighting the importance of elected officials' participation and providing an invitation for membership.

## 12. REPORTS:

- a. Design Commercial Concept and Implementation Plan 41 - 102
- To be introduced by Bill Corsan, Director, Corporate and Business Development.
- [Note: Consultant Ian Lockwood, Professional Engineer, Toole Design in attendance via Zoom]
- Purpose: To provide Council with the final concept plan developed during the Design Commercial project and to seek endorsement of the implementation plan.*
- Presentation:
1. Bill Corsan, Director, Corporate and Business Development
- Recommendation: That Council:
1. Endorse the Design Commercial Concept Plans for an enhanced public realm along the Commercial Street Corridor; and
  2. Direct Staff to include the Design Commercial Street Implementation Plan as part of the 2023-2027 Budget deliberations.
1. *Add delegation from Kevan Shaw* 103
- b. 2021 Annual Municipal Report 104 - 105
- To be introduced by Sheila Gurrie, Director, Legislative Services.
- Purpose: To hear from the public on and receive Council's approval of the 2021 Annual Municipal Report, as required by the Community Charter.*
- Recommendation: That Council approve the 2021 Annual Municipal Report.
- c. General Election Bylaw Amendment - Mail Ballot Provisions 106 - 129
- To be introduced by Sheila Gurrie, Director, Legislative Services.
- Purpose: To present an amendment to General Election Bylaw to bring the mail ballot provisions in line with the new provincial legislation.*

Recommendation:

1. That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" (To bring the mail ballot provisions in line with the new provincial legislation) pass first reading.
  2. That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass second reading.
  3. That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass third reading.
- d. Gender Diversity and Inclusion Recommendations from the Advisory Committee on Accessibility and Inclusiveness 130 - 134

To be introduced by John Van Horne, Director, Human Resources.

*Purpose: To provide staff input, in accordance with a motion of Council, on the recommendations of the Advisory Committee on Accessibility and Inclusiveness.*

Recommendation:

1. That gender and diversity and inclusivity training be offered to Council and staff.
  2. That staff be directed to integrate gender inclusive and gender neutral language (where possible) in key communications and printed and electronic materials.
  3. That staff be encouraged to use personal pronouns, where staff are comfortable making the individual choice to do so.
- e. Consideration of Other Grant Application 135 - 166

To be introduced by Laura Mercer, Director, Finance.

*Purpose: To bring forward the 'Other Grant' application from the Nanaimo Minor Baseball Association to Council for consideration.*

Recommendation: That Council award an 'Other Grant' in the amount of \$5,000 to support the hosting of the 13U AAA Provincials Tournament held in Nanaimo.

- f. Proposed Bylaw Amendments to the Subdivision Control Bylaw 1989 No. 3260 Schedule A - Manual of Engineering Standards and Specifications 167 - 200

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

*Purpose: To introduce "Subdivision Control Amendment Bylaw 2022 No. 3260.06" and update the Manual of Engineering Standards and Specifications from Edition No. 13 to Edition No. 14.*

Recommendation:

1. That "Subdivision Control Amendment Bylaw 2022 No. 3260.06" (Text amendments and drawing replacements to the Manual of Engineering Standards and Specifications) pass first reading;
  2. That "Subdivision Control Amendment Bylaw 2022 No. 3260.06" pass second reading; and,
  3. That "Subdivision Control Amendment Bylaw 2022 No. 3260.06" pass third reading
- g. 24hr Parking Bylaw Exemption 201 - 204
- To be introduced by Bill Sims, General Manager, Engineering and Public Works.
- Purpose: To respond to the November 2, 2020 Council meeting motion regarding options to exempt residents from the 24hr Parking time limit within "Traffic and Highways Regulation Bylaw 1993 No. 5000".*
- Recommendation: That Council direct Staff to maintain "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 4 Article 21 and continue to enforce as needed.
- h. Nanaimo Operations Centre Update and Phase 1 Opportunity 205 - 322
- To be introduced by Bill Sims, General Manager, Engineering and Public Works.
- Purpose: To provide Council with an overview of a potential initial phase for the Nanaimo Operations Centre and provide an opportunity to move the project forward.*
- Presentation:
1. Poul Rosen, Director, Engineering
- Recommendation: That Council direct Staff to undertake Nanaimo Operations Centre Alternative Phase 1 feasibility assessment of an engineered wetland, storm sewer and multiuse trail, and complete the stage 2 environmental by allocating \$120,000 from the General Capital Reserve.
- i. Road Closure - Portion of Lake Road - 4295 Victoria Avenue - Loudon Park 323 - 330
- To be introduced by Bill Corsan, Director, Corporate and Business Development.
- Purpose: To obtain Council approval to close a portion of Lake Road at 4295 Victoria Avenue to support the Loudon Park Boat House Project.*
- Recommendation: That:
1. Council authorize the road closure of a portion of Lake Road at 4295 Victoria Avenue;
  2. "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" (To provide for highway closure and dedication removal of a portion of Lake

Road at 4295 Victoria Avenue) pass first reading;

3. "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" pass second reading; and
4. Council direct Staff to proceed with public notice for the closure of a portion of Lake Road.

j. Community Emergency Preparedness Fund Application 331 - 333

To be introduced by Jeremy Holm, Director, Development Approvals.

*Purpose: To obtain a Council resolution supporting an application to the Community Emergency Preparedness Fund for the "Extreme Heat Risk Mapping, Assessment, and Planning" funding stream.*

Recommendation: That Council direct Staff to submit an application to the Community Emergency Preparedness Fund Extreme Heat Risk Mapping, Assessment, and Planning stream, and that Council commits to Staff providing overall grant management.

k. Development Variance Permit Application No. DVP433 - 5601 Hammond Bay Road 334 - 342

To be introduced by Jeremy Holm, Director, Development Approvals.

*Purpose: To present for Council's consideration, a development variance permit application to reduce the minimum lot depth and rear yard setback requirements for a proposed two-lot subdivision at 5601 Hammond Bay Road.*

Delegation:

1. Brock Williamson

Recommendation: That Council issue Development Variance Permit No. DVP433 at 5601 Hammond Bay Road with the following variances for proposed Lot 2:

- reduce the minimum lot depth requirement from 30.0m to 26.72m; and,
- reduce the minimum rear yard setback from 7.5m to 1.7m.

l. Development Variance Permit Application No. DVP434 - 6135 McGirr Road 343 - 352

To be introduced by Jeremy Holm, Director, Development Approvals.

*Purpose: To present for Council's consideration, a development variance permit to allow a freestanding LED sign at 6135 McGirr Road.*

Recommendation: That Council issue Development Variance Permit No. DVP434 at 6135 McGirr Road with a variance to allow the proposed freestanding LED sign.

m. Development Permit Application No. DP1252 - 515, 529, 635 Terminal Avenue North 353 - 381

To be introduced by Jeremy Holm, Director, Development Approvals.

*Purpose: To present for Council's consideration a development permit application for a multi-family residential development at 515, 529, and 635 Terminal Avenue North.*

Recommendation: That Council issue Development Permit No. DP1252 for a multi-family residential development at 515, 529, and 635 Terminal Avenue North with a variance to increase the maximum permitted building height from 14.0m to 15.5m.

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|----|---|-----|
| 1. | <i>Add delegation from Susan Shultz</i>       | 382 |
| 2. | <i>Add delegation from Dominique Lassonde</i> | 383 |
| 3. | <i>Add delegation from David Croft</i>        | 384 |

**13. BYLAWS:**

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|----|--|-----|
| a. | <u>"Public Notice Bylaw 2022 No. 7325"</u> | 385 |
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That "Public Notice Bylaw 2022 No. 7325" (To provide for alternative means of publication) be adopted.

**14. NOTICE OF MOTION:**

**15. OTHER BUSINESS:**

**16. QUESTION PERIOD:**

**17. ADJOURNMENT:**

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2022-MAY-30, AT 4:00 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: D. Lindsay, General Manager, Development Services/Deputy Chief  
Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
B. Sims, General Manager, Engineering and Public Works  
L. Bhopalsingh, Director, Community Development  
B. Corsan, Director, Corporate and Business Development  
J. Elliot, Director, Public Works  
J. Holm, Director, Development Approvals  
L. Mercer, Director, Finance  
L. Wark, Director, Recreation and Culture (joined electronically)  
L. Brinkman, Manager, Community Planning  
D. Osborne, A/Manager, Culture & Special Events  
L. Stevenson, Active Transportation Project Specialist  
K. Robertson, Deputy City Clerk  
N. Sponaule, Legislative Communications Clerk  
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:00 p.m.

2. PROCEDURAL MOTION TO PROCEED IN CAMERA:

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

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

- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

*Community Charter* Section 90(2):

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

The motion carried unanimously.

Council moved In Camera at 4:00 p.m.

Council moved out of In Camera at 5:06 p.m.

Council recessed the Open Meeting 5:06 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 11(b) Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board – Remove delegation.
- (b) Agenda Item 12(a) City Plan Bylaw 2022 No. 6600 – First and Second Reading – Add PowerPoint presentation.
- (c) Agenda Item 12(d) Development Permit Application No. DP1219 – 2498 Rosstown Road – Add the following delegations:
  - 1. Tyler Hansen
  - 2. Blair Dueck
  - 3. Adam Compton

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 Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-MAY-09, at 12:36 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-MAY-16, at 3:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

The Mayor spoke regarding the following:

- Council is wearing T-shirts in support of GoByBike Week which takes place May 30-June 5. Numerous biking events are planned and everyone is welcome to participate.
- Recruitment of workers for the 2022 General Local Election is underway. Interested applicants can submit an application form to elections@nanaimo.ca. There are a variety of positions available.
- BC Mayors have issued a challenge to each other in the form of the BC Cup. Cities that host West Coast Baseball League teams are encouraging support of their home teams. The BC Cup will be given to the Mayor's office of the team with the most wins this year and the Nanaimo is expected to be the champion.
- 2022 property tax notices have been distributed and the deadline to pay is July 4, 2022. Residents can skip the lineup, pay online and set up pre-authorized withdrawals at Nanaimo.ca.
- There are a number of organizations that include levies on tax bills such as the Regional District of Nanaimo, School District 68 and the Municipal Finance Authority

7. RISE AND REPORT:

The Mayor advised that at the May 30, 2022 In Camera Council meeting, Council appointed Councillor Brown to serve on the Systems Planning Organization Board of Directors for a two year term.

8. PRESENTATIONS:

(a) Children's Health Foundation of Vancouver Island re: Jesse's House

Veronica Carroll, CEO, Children's Health Foundation of Vancouver Island (the Foundation), provided a presentation regarding Jesse's House - a home away from home on the Nanaimo Regional General Hospital campus. Highlights included:

- The mission of the Children's Health Foundation of Vancouver Island is to ensure all Island families have access to the healthcare they need, when and where they need it most
- 100% funded by donors, the Foundation is able to bring supports closer to home and transform lives of children and youth living with physical and health challenges
- The next project is to build Jesse's House, a 24/7 staffed home on the Nanaimo Regional General Hospital campus where families from across the Island can stay when their family members are patients at Nanaimo Regional General Hospital
- The Foundation and Island Health are in negotiations for the site adjacent to the hospital. The proximity to the hospital is an important factor for the success of the home
- Community benefits include improved health outcomes when access to safe affordable accommodation is provided, reduced financial burden for families and providing a friendly, inclusive space
- The functional planning process is complete and next steps include the architect designing the house in an environmentally conscious way with a net zero plan

(b) Mid Island Business Initiative Society Representatives re: Increasing Challenge of Attracting Workers

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Mark Holland and Mike Delves, Mid Island Business Initiative Society, provided a presentation regarding the increasing challenge of attracting workers to Nanaimo and suggestions for the Community Plan. Highlights included:

- The goal of the Mid Island Business Initiative Society is to facilitate and encourage economic activity
- The draft Official Community Plan (OCP) is a great document; however, it also presents a challenge with housing supply
- The OCP is the most powerful cornerstone available to address housing shortages which has become an issue for growing firms obtaining staff
- The City will require 800-900 new units per year to meet current growth projections
- Challenges emerging through the OCP process include some land designated as industrial or other uses, growth areas not in alignment and the majority of growth as redevelopment of parking lots which rarely occurs
- Increased density requires infill and the next 10 years of growth absorbed in existing neighbourhoods
- Additional lands through expanded City boundaries would add more housing capacity

9. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Design Advisory Panel Meeting held electronically on Thursday, 2022-MAR-10 at 5:00 p.m.

- Minutes of the Environment Committee meeting held electronically on Wednesday, 2022-MAR-30, at 5:01 p.m.
- Minutes of the Design Advisory Panel Meeting held electronically on Thursday, 2022-APR-14 at 5:00 p.m.
- Minutes of the Design Advisory Panel Meeting held electronically on Thursday, 2022-APR-28 at 5:00 p.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday 2022-MAY-18 at 9:00 a.m.

10. CONSENT ITEMS:

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

(a) Finance and Audit Committee Meeting 2022-MAY-18

1. 2021 Statements of Financial Information

That Council accept the 2021 Statement of Financial Information for filing with the Ministry of Municipal Affairs and Housing.

2. CleanBC Better Homes Rebate Program Continuation

That Council allocate \$100,000 from the Climate Action Reserve Fund to support the City of Nanaimo's continued participation in the Province of British Columbia's CleanBC Better Homes Rebate Program.

3. Nanaimo Dragon Boat Festival Funding 2022

That Council approve reallocation of \$12,000 in Downtown Event Revitalization grant monies returned by the Nanaimo Dragon Boat Festival Society to the Fairway Gorge Paddling Club Society.

The motion carried unanimously.

11. DELEGATIONS:

(a) John Horn, Nanaimo John Howard Society

John Horn, Executive Director, and Susan Clift, Board President, Nanaimo John Howard Society, provided Council with a PowerPoint presentation regarding services provided. Highlights included:

- The City's investment, including a property tax exemption, in the John Howard Society has yielded many benefits

- The John Howard Society has a strong relationship with funders, social agencies and the community of Nanaimo
- Programs provided by the John Howard Society include Nanaimo rent bank, restorative justice, supportive/shared housing, dental treatment, addiction treatment and urban clean up projects
- The Society has operated for 64 years and has a public safety lens which helps clients through sobriety and wellness to rejoin their community
- In the near future, the John Howard Society will be operating new supportive recovery housing, which is a great example how municipalities and the non-profit sector can do more together

12. REPORTS:

(a) City Plan Bylaw 2022 No. 6600 - First and Second Reading

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

Presentation:

1. Lisa Bhopalsingh, Director, Community Development, provided a PowerPoint presentation. Highlights included:
  - A significant part of the process included Council's direction for public engagement which used methods such as Get Involved Nanaimo and social capital
  - Staff took recommended input and revised the document for readability, restructuring and edits
  - Growth is mainly absorbed in centres and mobility corridors as the community wants to see gentle infill
  - The plan reinforces the commitment to be the regional growth centre for the Regional District of Nanaimo
  - The document is intended to be an efficient way for community to understand what's expected with all information in one document which provides a clear visual framework and speaks to people at all levels
  - The transportation and mobility section achieves many of Council and the community's goals while reconciliation is woven throughout the document
  - There is a focus on economic integration and looking at the development of strong employment centres
  - If the bylaw passes two readings, Staff will proceed to formal referrals, schedule a public hearing on June 22<sup>nd</sup> and third reading and adoption on July 4<sup>th</sup>

It was moved and seconded that Council has considered the consultation opportunities provided during the development of the "City Plan Bylaw 2022 No. 6600", and has determined that those opportunities are appropriate, and satisfy the requirements of Section 475 of the *Local Government Act*. The motion carried unanimously.

It was moved and seconded that “City Plan Bylaw 2022 No. 6600” pass first reading. The motion carried unanimously.

Council noted:

- Safety and security concerns not included in the plan
- Support for environmental aspects of the plan
- Council driven versus community driven
- Significant community participation

It was moved and seconded that “City Plan Bylaw 2022 No. 6600” pass second reading. The motion carried unanimously.

It was moved and seconded that Council:

- a. considers “City Plan Bylaw 2022 No. 6600” in conjunction with the City of Nanaimo’s financial plan;
- b. considers “City Plan Bylaw 2022 No. 6600” in conjunction with the Regional District of Nanaimo Liquid Waste Management Plan (2014) and Regional Solid Waste Management Plan (2018);
- c. direct Staff to refer “City Plan Bylaw 2022 No. 6600” to the Agricultural Land Commission for comment; and,
- d. direct Staff to arrange a public hearing.

The motion carried unanimously.

(b) Development Approval Information Bylaw

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO and Jeremy Holm, Director, Development Approvals.

It was moved and seconded that City of Nanaimo “Development Approval Information Bylaw 2022 No. 7346” (To specify development information requirements) pass first reading. The motion carried unanimously.

It was moved and seconded that City of Nanaimo “Development Approval Information Bylaw 2022 No. 7346” pass second reading. The motion carried unanimously.

It was moved and seconded that City of Nanaimo “Development Approval Information Bylaw 2022 No. 7346” pass third reading. The motion carried unanimously.

(c) Development Permit Areas Guidelines - Amendment to Zoning Bylaw

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that “Zoning Amendment Bylaw 2022 No. 4500.199” (To include development permit area guidelines, exemptions, and related definitions in addition to other amendments for consistency with the proposed Official Community Plan [City Plan]) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2022 No. 4500.199” pass second reading. The motion carried unanimously.

(d) Development Permit Application No. DP1219 – 2498 Rosstown Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegations:

1. Blair Dueck spoke regarding the no net loss policy and considering an open ditch concept but noted challenges having the lots fit the available space. In consultation with the City, it was determined the proposed plan was the best way forward.
2. Tyler Hansen did not speak.
3. Adam Compton did not speak.

It was moved and seconded that Council issue Development Permit No. DP1219 at 2498 Rosstown Road to reduce the minimum required watercourse leave strip from 7.5m to 0m in order to allow the proposed site works, servicing, and restoration within the watercourse leave strip area. The motion carried.

Opposed: *Councillor Geselbracht*

It was moved and seconded that Council continue the Regular Council meeting without a recess. The motion carried unanimously.

(e) Alternative Transportation to Special Events

Bill Sims, General Manager, Engineering and Public Works, and Lainy Stevenson, Active Transportation Project Specialist, advised:

- Today is the first day of GoByBike week
- The purpose of the report is to advise Council that through REIMAGINE Nanaimo, Staff heard that the public want to find alternate forms of transportation within the City
- Staff worked with local partners to provide a bus shuttle and bike parking for at least four days of special events in the City

(f) Strategic Priorities Fund Capital Infrastructure Stream

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that Council:

- a. Direct Staff to submit an application to the Strategic Priorities Fund Capital Infrastructure Stream for the Westwood Lake Phase 2 project and that Council commits staff to providing overall grant management; and

- b. Amend the 2022-2026 Financial Plan to add the Westwood Lake Phase 2 project to 2023/2024 for \$1,800,000 funded from the Strategic Priorities Fund.

The motion carried unanimously.

(g) Public Notice Bylaw

Introduced by Karen Robertson, Deputy City Clerk.

It was moved and seconded that "Public Notice Bylaw 2022 No. 7325" (To provide for alternative means of publication) pass first reading. The motion carried unanimously.

It was moved and seconded that "Public Notice Bylaw 2022 No. 7325" pass second reading. The motion carried unanimously.

It was moved and seconded that "Public Notice Bylaw 2022 No. 7325" pass third reading. The motion carried unanimously.

13. BYLAWS:

(a) "Code of Conduct Bylaw 2022 No. 7348"

It was moved and seconded that "Code of Conduct Bylaw 2022 No. 7348" (To regulate the conduct for Council and Committee Members) be adopted. The motion carried unanimously.

(b) "Ethics Commissioner Establishment Bylaw 2022 No. 7349"

It was moved and seconded that "Ethics Commissioner Establishment Bylaw 2022 No. 7349" (To establish an Ethics Commissioner or ad hoc Commissioner) be adopted. The motion carried unanimously.

(c) "Elected Officials Oath of Office Bylaw 2022 No. 7350"

It was moved and seconded that "Elected Officials Oath of Office Bylaw 2022 No. 7350" (To establish the oath or solemn affirmation of office for Mayor and the office of Councillor) be adopted. The motion carried unanimously.

14. QUESTION PERIOD:

There were no members of the public in attendance to ask questions.

15. ADJOURNMENT:

It was moved and seconded at 9:20 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

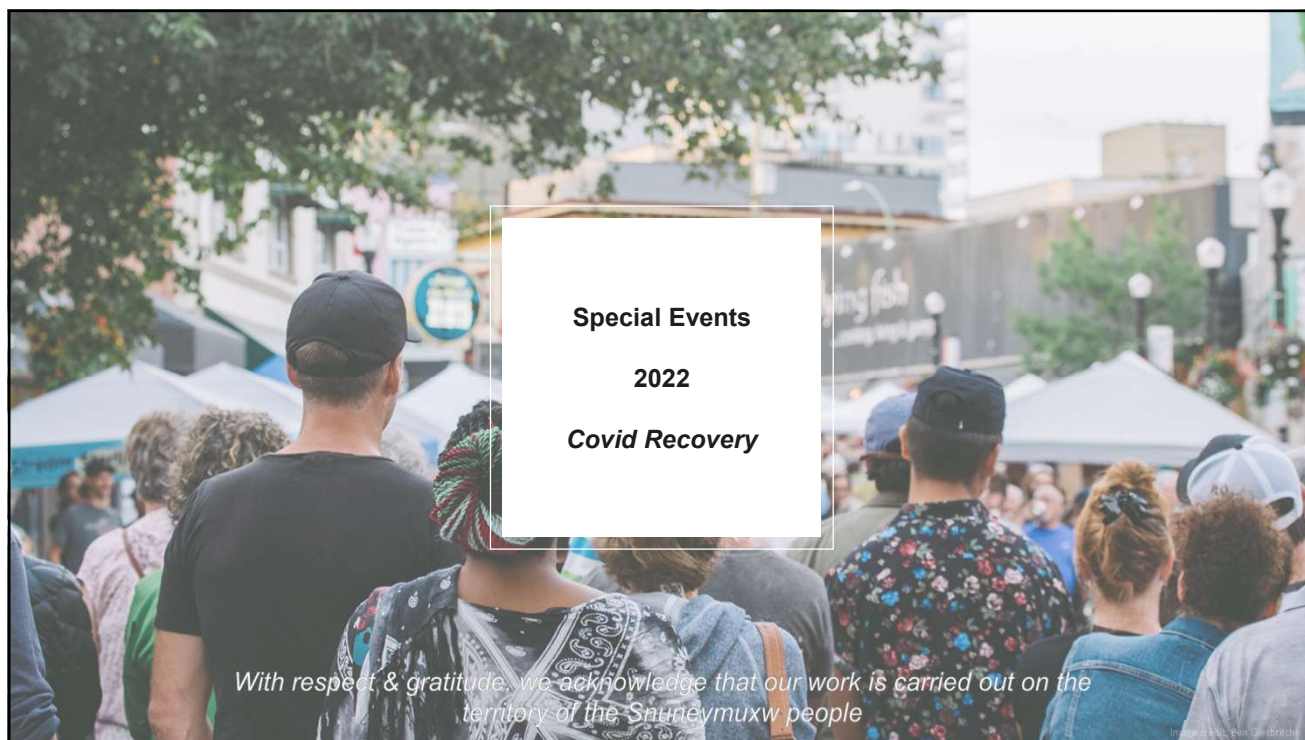
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C H A I R

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DEPUTY CITY CLERK







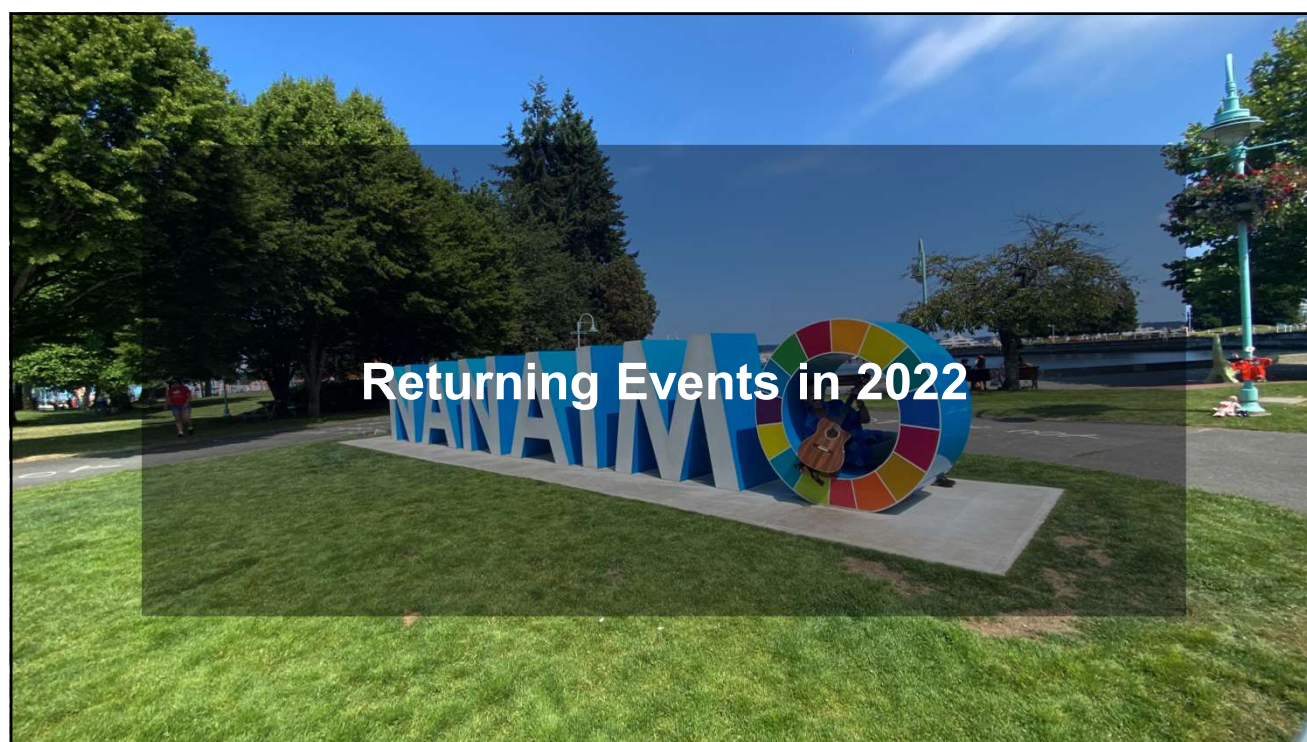
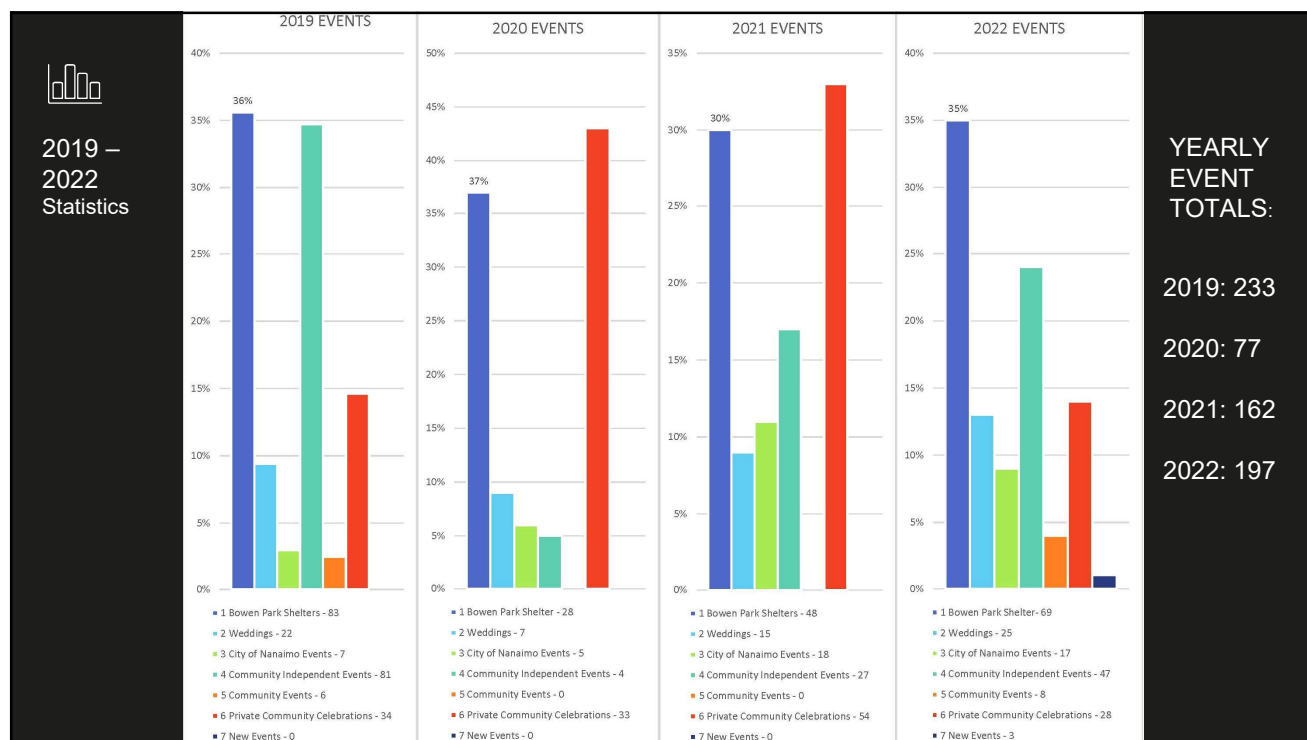
**Events  
and  
Festivals**



**C4.8 COMMUNITY EVENTS, TOURNAMENTS,  
FESTIVALS & GATHERINGS**

Community events and gatherings are an essential part of how we celebrate who we are as a city and a people. Celebrating our diversity and showcasing our local cultural resources, artistic talents, and community pride through events and gatherings to both residents and visitors, builds a higher quality of life, a stronger economy, and a more connected Nanaimo.

Image credit: Vivid Photography







# Canada Day 2020

**COVID RESTRICTIONS**

BACK TO THE DRAWING BOARD...

→ CANADA THEMED VIRTUAL ACTIVITIES!

→ VIDEO FORMAT?

→ SMALL FORMAT < BIG SPIRIT










## Canada Day 2021

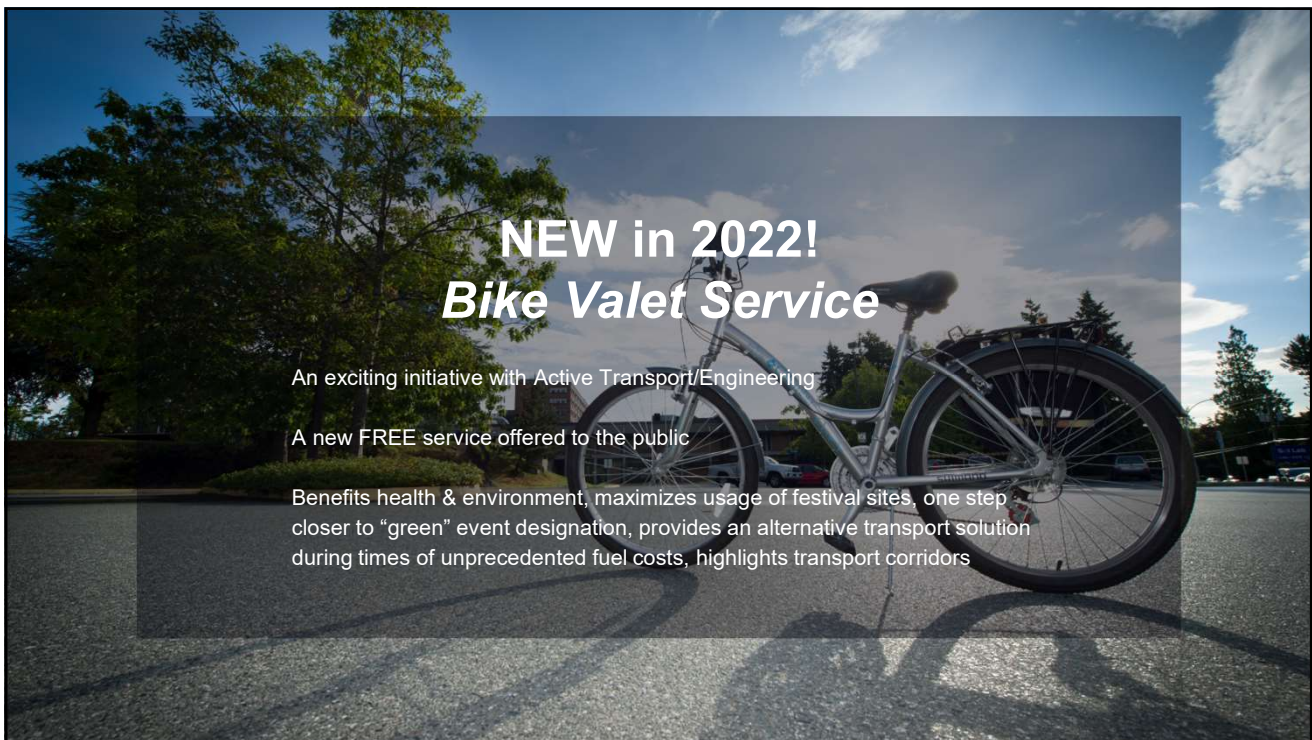










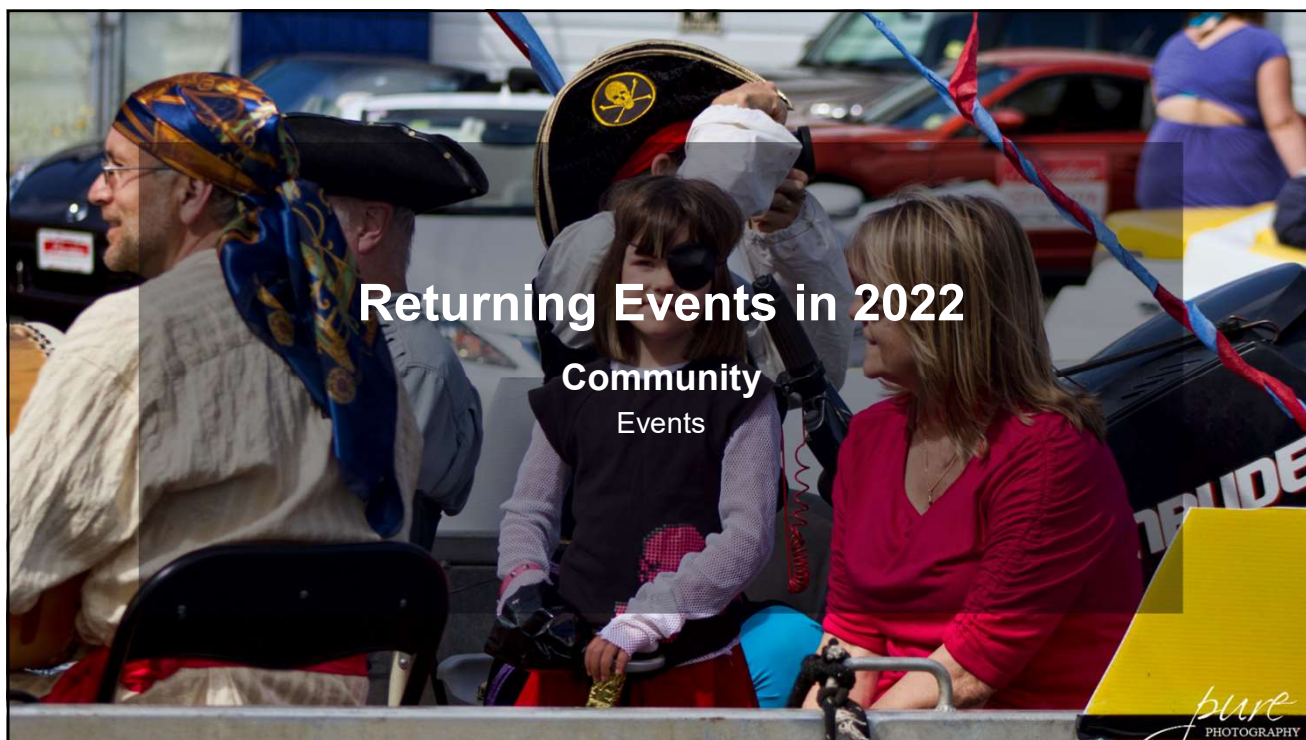
## NEW in 2022! *Bike Valet Service*

An exciting initiative with Active Transport/Engineering

A new FREE service offered to the public

Benefits health & environment, maximizes usage of festival sites, one step closer to "green" event designation, provides an alternative transport solution during times of unprecedented fuel costs, highlights transport corridors







Pride Festival

Dragon Boat Festival

Silly Boat Regatta



Marine Festival

BluesFest

VIEx



### Multi Government - Community Event



- National Day for Truth and Reconciliation
- Thursday Night Market

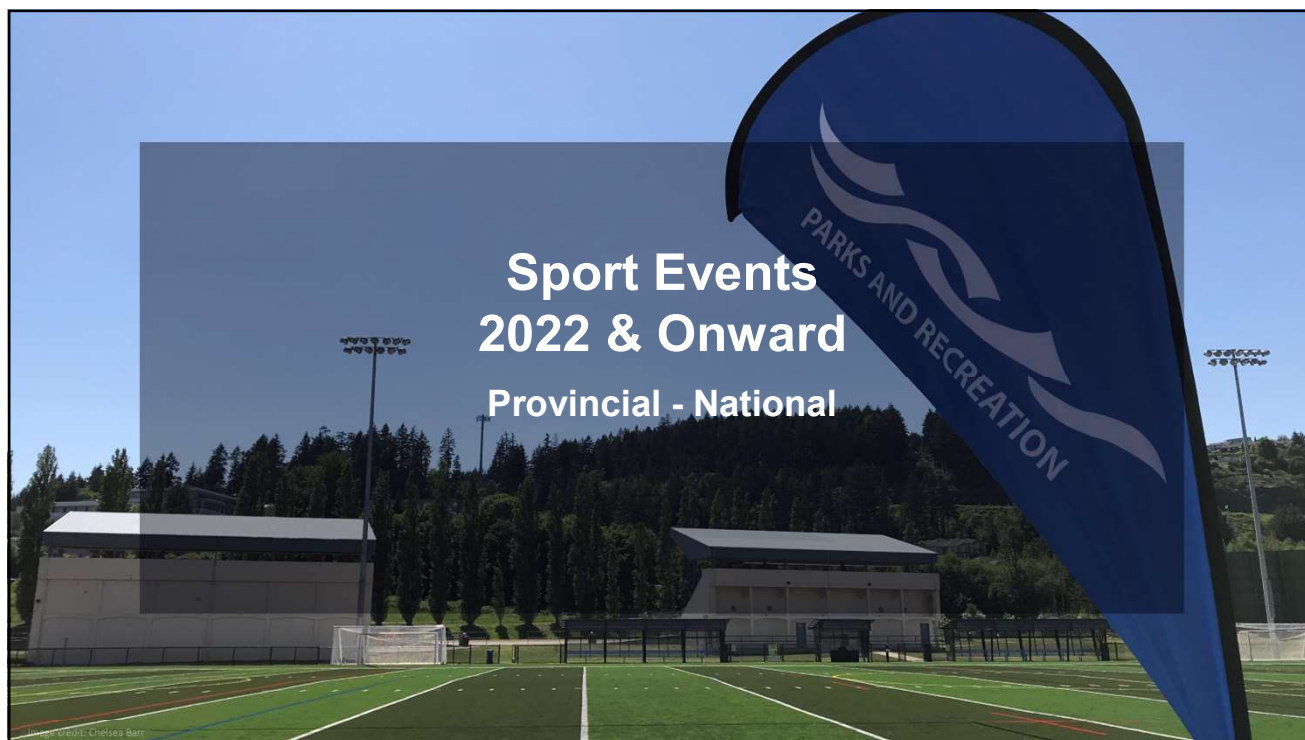


Image credit: Play On! Canada

## Get in on the games near you

We want as many Canadians as possible to have the opportunity to participate, so we're playing in 8 cities across the country from July to September, 2022. Grab your family, friends and neighbours to join in on the fun at the Play On! event closest to you.

**PLAY ON! HOCKEY NIGHT**

**Nanaimo**  
September 17-18, 2022

Powered by **TOURISM NANAIMO**

[Learn More](#)

## BC High School Track and Field Championship 2024

**Coming up....**  
**BC 55+ Games bid going out this week for 2025 or 2026**

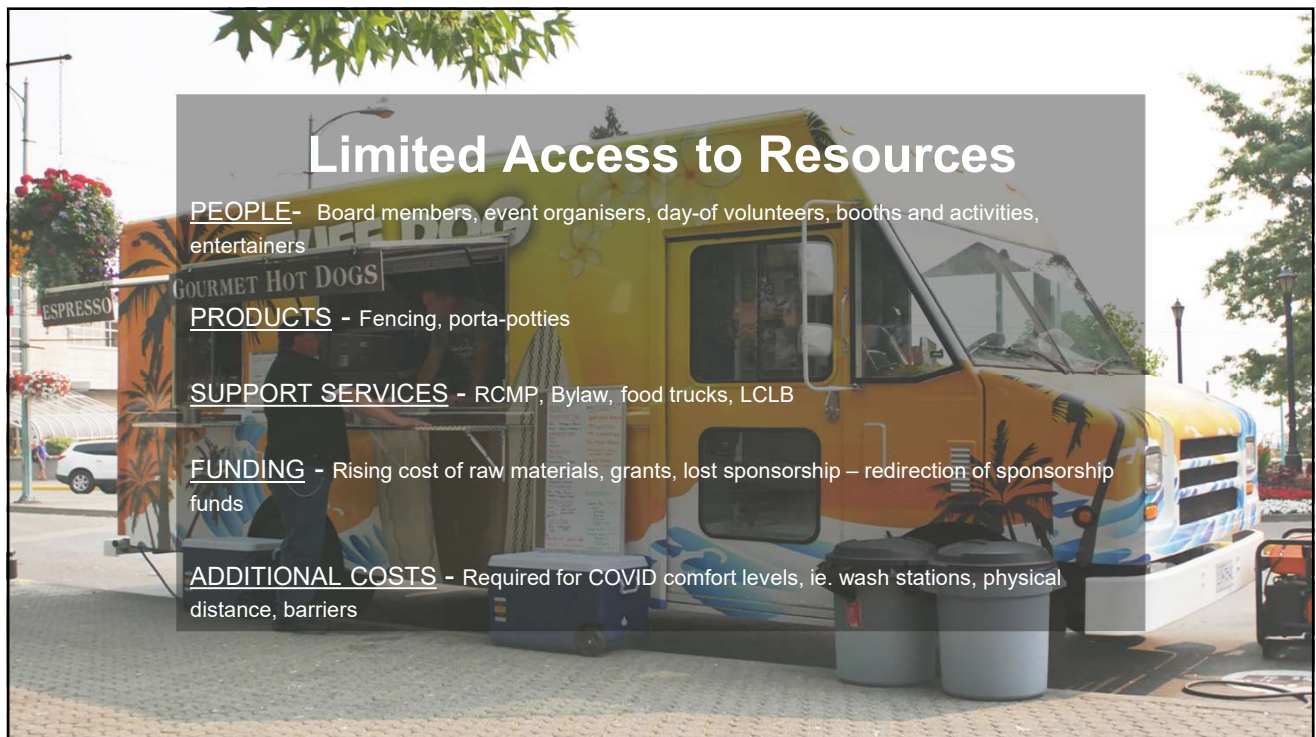
Image credit: Tourism Nanaimo & Cinrabar Vista Productions





## COVID Recovery

Turning Challenges into Opportunities



## Limited Access to Resources

PEOPLE - Board members, event organisers, day-of volunteers, booths and activities, entertainers

PRODUCTS - Fencing, porta-potties

SUPPORT SERVICES - RCMP, Bylaw, food trucks, LCLB

FUNDING - Rising cost of raw materials, grants, lost sponsorship – redirection of sponsorship funds

ADDITIONAL COSTS - Required for COVID comfort levels, ie. wash stations, physical distance, barriers

## Event History & Direction

New board members & changes in board / committee compositions

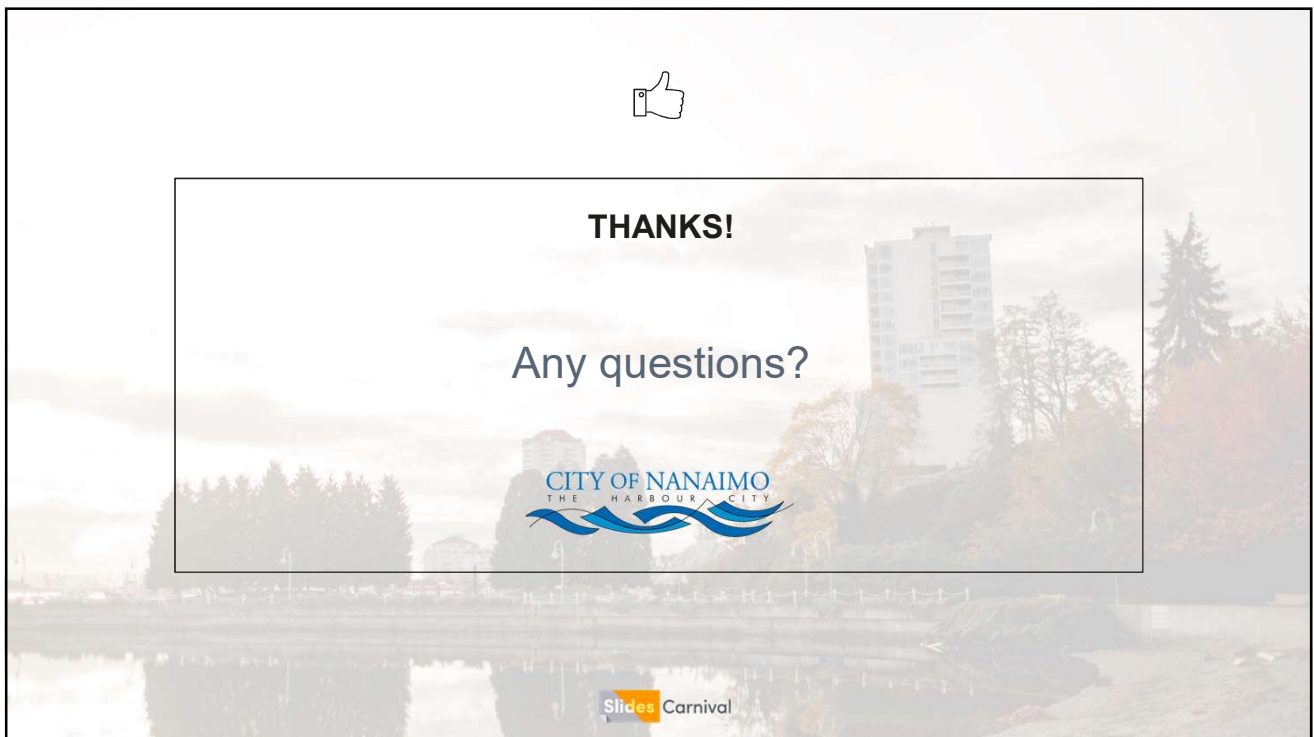
Organizations managing returning events are now often faced with the challenge of intent to slow return, while balancing community expectation

Same as before" VS "Post COVID meaningful events

## Covid Hesitancy







**MINUTES**  
ENVIRONMENT COMMITTEE MEETING  
ELECTRONIC MEETING  
WEDNESDAY, 2022-MAY-25, AT 5:05 P.M.

---

Present: Councillor B. Geselbracht (Chair)  
Councillor D. Bonner  
E. Boulanger, At Large Member (joined electronically 6:32 p.m.)  
H. DesRoches, At Large Member  
L. McCunn, At Large Member  
W. Wells, At Large Member

Absent: D. Chen, At Large Member  
J. Lesemann, At Large Member  
L. Frey, At Large Member

Staff: B. Sims, General Manager, Engineering and Public Works  
L. Bhopalsingh, Director, Community Development  
J. Holm, Director, Development Approvals  
D. Mousseau, Manager, Development Engineering and Environmental Protection  
T. Pan, Manager, Sustainability  
A. Manhas, Economic Development Officer  
J. Eckert, Zero Waste Coordinator  
D. Stewart, Environmental Planner  
S. Snelgrove, Deputy Corporate Officer  
K. Gerard, Recording Secretary

1. CALL THE ENVIRONMENT COMMITTEE MEETING TO ORDER:

The Environment Committee Meeting was called to order at 5:05 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 7(a) – Community Watershed Restoration Grant – Replace recommendation on the report dated 2022-MAY-25 with the recommendation stated on the Addendum.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Environment Committee meeting held electronically on Wednesday, 2022-MAR-30, at 5:01 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

(a) "Management and Protection of Trees Bylaw 2013 No. 7126" - Amendment Process

Dean Mousseau, Manager, Development Engineering and Environmental Protection, provided a PowerPoint presentation. Highlights included:

- The "Management and Protection of Trees Bylaw 2013 No. 7126" (the Bylaw) was first adopted in 2013 and is now under review by Staff
- A phased approach includes:
  - Stage 1 – housekeeping amendments to provide clarity and reflect current bylaw administration are in progress
  - Stage 2 – comprehensive amendments including a benchmark study, and community consultation will take place in Quarter 4 of 2022 and Quarter 1 of 2023
- The benchmark study will measure the City's bylaw, policies and processes against other municipalities in BC
- Stakeholder and community engagement will ensure the bylaw is in line with community expectations

Committee and Staff discussion took place. Highlights included:

- The bylaw in relation to City owned, public and/or private lands and development permitting process in removing trees and replacing them
- Including a section regarding solar panels in the Bylaw
- Suggestion was made to have a Committee meeting focused on the Bylaw for input and feedback
- Stakeholders chosen to review the Bylaw and provide feedback includes, among others, stewardship groups, development community and the community at large
- Challenges applying the Bylaw to areas with differing amounts of tree cover

Jeremy Holm, Director, Development Approvals, and Dean Mousseau, Manager, Development Engineering and Environment Protection, stated that the Committee would be consulted during the engagement process in Stage 2 and this would take place before the 2022 General Election.

Committee suggestions included:

- That Nanaimo and Area Land Trust, insurance companies and the Municipal Insurance Association be included in stakeholder engagement
- Using a proactive approach to dangerous trees to mitigate damage to properties during a windstorm or weather event
- Ensuring a list of administrative changes be brought forward to Council

Dean Mousseau, Manager, Development Engineering and Environment Protection, advised the Committee that administrative amendments will be brought forward to Council for adoption once completed and the benchmark study will include a gap analysis, need for an urban forest inventory, and a process for assessments on areas in need of damage mitigation.

(b) Update re: Tree Voucher Program

Dean Mousseau, Manager, Development Engineering and Environment Protection, provided a PowerPoint presentation. Highlights included:

- The Tree Voucher Program was introduced on Earth Day in 2017
- Available to Nanaimo residents only; however, it is not available to developers going through the development permit process as the permitting process has tree removal requirements
- Promoted twice a year with a limit of two vouchers per person
- The program has a secure funding source as it is funded through cash-in-lieu contributions and fines from developers
- 1,610 vouchers were sold from introduction to the start of COVID-19
- Post COVID-19, an online system for applying for and receiving tree vouchers was implemented with 1339 vouchers sold in 2021
- The program is growing in popularity and trees can be purchased at Green Thumb Nursery
- Staff are currently soliciting interest from other garden centres but there are caveats that must be met such as having the capacity to invoice in real time so the voucher cannot be used again, same day, at another nursery
- No tax dollars are used in the program and the intent is to encourage planting of native trees that provide canopy and environmental benefits

(c) Circular Cities and Regions Initiative Project Update

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

Presentation:

1. Jesse Eckert, Zero Waste Coordinator, and Amrit Manhas, Economic Development Officer, provided a PowerPoint presentation. Highlights included:
  - The purpose of the Circular Cities and Regions Initiative Project (CCRI) is to advance knowledge, sharing and capacity among local governments
  - The City and Regional District of Nanaimo (RDN) are joint applicants along with 14 other municipalities across Canada
  - Through the webinars and workshops a Circular Economy Roadmap (the Roadmap) was created
  - The Roadmap includes two focus areas: 1. Built Environment and 2. Innovation and Economic Diversification
  - Next steps include:
    - Review recommendations and incorporate approved actions into the City Action Plan (already completed)
    - Share Roadmap with Staff that participated in the workshops
    - Consider establishing a multiyear Circular Economy Working Group
    - Schedule an additional workshop to expand on areas of interest

Committee discussion took place regarding the City's target goals of zero waste by 2030, including businesses in the CCRI and updates to Council regarding the Roadmap and recommendations created from the workshops and webinars.

Bill Sims, General Manager, Engineering and Public Works, and Jesse Eckert, Zero Waste Coordinator, advised the Committee that Staff are currently working on an information report to Council but more research is required regarding inclusion of businesses in the project.

Amrit Manhas, Economic Development Officer, continued the presentation. Highlights included:

- The purpose of the Circular Economy Accelerator Project (the Project) is to empower and enable businesses to adopt circular economy practices through education and capacity
- Encouraging innovation within businesses leads to new jobs, new services, supports climate targets and assists in meeting waste diversion goals
- The project is initiated by the Vancouver Island Coast Economic Developers Association (VICEDA), will be managed and delivered by Synergy Foundation and is available to communities north of the Malahat and Sunshine Coast
- Timeline for the project is Spring of 2022 to Spring of 2023 and member communities minimum contribution to participate is \$64,000 with each participating business to pay \$500 to enroll
- For each business participating Synergy Foundation will create specific goals and actions based on the type of business
- Once the pilot project is complete, a final report will be created that will provide key findings, successes, gaps where improvements can be made and provide case studies featuring pilot participants
- Upon completion free resources will be made available to other businesses that will encourage waste diversion and highlight new, innovative opportunities for waste streams

Committee discussion took place regarding ways to reuse waste, partnerships throughout Vancouver Island, procurement practices, communication with Snuneymuxw First Nation (SFN) and sharing information with the Committee on the progress of the pilot project.

Amrit Manhas, Economic Development Officer, advised the Committee that reusing of waste would depend upon the type of business and how the waste they produce could be reused. She stated that Staff would contact SFN to ensure an invitation to participate is provided and procurement practices will be looked at for each participating business. As well, metrics needs to be developed to measure progress.

(d) Update on Community Engagement and Outreach on Climate and Sustainability

Introduced by Lisa Bhopalsingh, Director, Community Development.

Presentation:

1. Ting Pan, Manager, Sustainability, provided a PowerPoint presentation. Highlights included:

- Provided an update regarding community engagement partnerships including Agents of Change, the Cool It! Climate Leadership Program and EcoHack a City initiative
- Provided a recap of committee suggestions for engagement including:
  - Partnering with the School District #68 environmental focused committee to initiate new programs
  - Increased social media messaging showing low-barrier, effective environmental changes
  - City hosted contest to reward residents with good environmental behaviors
- Other engagement and initiatives currently taking place include Earth Day, Water to Earth Month and GoByBike week
- Staff are working on a list of City of Nanaimo environmental accomplishments to share through social media and the City website
- No funding is currently available for the EcoHack initiative, for 2022, but the City is on the list for 2023

Lindsay McCunn, Environment Committee member, stated that a research project has been designed to measure pro-environment behaviour and attitudes to see if the school programs transfer to homes to positively influence household members.

E. Boulanger joined the meeting electronically at 6:32 p.m.

6. REPORTS:

(a) Community Watershed Restoration Grant

Introduced by Ting Pan, Manager, Sustainability.

Dave Stewart, Environmental Planner, advised the Committee that:

- The budget established for the grant is \$20,000/year
- Grant criteria establishes that funding, through the application process, will be awarded to community groups who would like to complete restoration work within a watershed area

Committee discussion took place. Highlights included:

- Individuals applying for the grant compared to community groups or development companies
- SFN support, Staff assistance in the grant process for applicants and approval timelines
- Scope of grant be limited to community restoration

Lisa Bhopalsingh, Director, Community Development, and Dave Stewart, Environmental Planner, advised the Committee that:

- Development companies, using the development permit or variance process are not eligible
- Encourage neighbourhood associations and community groups to work together on projects that promote environmental stewardship and restoration
- Staff will ensure to bring forward this grant opportunity at the next technical working group meeting with SFN
- Staff will be available to assist with applications and answer questions from applicants
- City support is provided in a more informal way for groups that want to do clean-ups

It was moved and seconded that the Environment Committee recommend that Council endorse the Community Watershed Restoration Grant Guidelines and Criteria as included in Attachment A to the 2022-MAY-25 report by David Stewart, Environmental Planner. The motion carried unanimously.

7. OTHER BUSINESS:

(a) Option to Return to In Person Meetings

Sky Snelgrove, Deputy Corporate Officer, advised the Committee that there are three (3) options for meetings going forward. These include:

1. In person meetings – all members present in the Service and Resource Centre Boardroom
2. Virtual meetings – current practice
3. Hybrid meetings – Chair in person in the Service and Resource Centre Boardroom with members in person or virtual

By unanimous consent, the Environment Committee chose to hold meetings using the hybrid meetings model as noted above.

8. QUESTION PERIOD:

No one was in attendance to ask questions.

9. ADJOURNMENT:

It was moved and seconded at 7:00 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

\_\_\_\_\_  
CHAIR

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



Please click on the link below to access the Agenda from the 2022-MAY-25 Environment Committee meeting:

<https://pub-nanaimo.escribemeetings.com/FileStream.ashx?DocumentId=42186>

Please click on the link below to access the Agenda from the 2022-JUN-13 Governance and Priorities Committee meeting:

<https://pub-nanaimo.escribemeetings.com/Meeting.aspx?Id=f2b4dec0-b494-4540-adf1-8ea90bc0eabf&Agenda=Agenda&lang=English>

Please click on the link below to access the Agenda from the 2022-JUN-15 Finance and Audit Committee meeting.

<https://pub-nanaimo.escribemeetings.com/FileStream.ashx?DocumentId=42393>

## Delegation Request

---

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

Kevan Shaw has requested an appearance before Council

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation: Input re: MoU

## Delegation Request

---

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

Joanne Morneau, Janine Hu, and Annette Noble have requested an appearance before the Council 2022-JUN-20.

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation:. On behalf of our volunteer sewing group and students in Nanaimo, we would like to thank the Mayor, City Councillors for the ban on single use plastics. We would like to present them with each a reusable bag from textiles to divert from the landfill.

Positive expression of gratitude. Students want to talk about initiatives they are undertaking. To inspire other to take positive action in their communities.

## Delegation Request

---

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

Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board, have requested an appearance before the Council.

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: Yes

Details of the Presentation:

Reaching Home: Canada's Homelessness Strategy & the Community Advisory Board, (NCAB).

Information regarding the Reaching Home: Homelessness Strategy including the history of the Nanaimo Community Advisory Board (NCAB) and where we are headed. In addition, the delegation will highlight the importance of elected officials' participation & provide an invitation for NCAB membership.

DATE OF MEETING June 20, 2022

AUTHORED BY JAMES KNIGHT, CAPITAL PROJECT MANAGEMENT SPECIALIST

**SUBJECT DESIGN COMMERCIAL CONCEPT AND IMPLEMENTATION PLAN**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with the final concept plan developed during the Design Commercial project and to seek endorsement of the implementation plan.

### **Recommendation**

That Council:

1. Endorse the Design Commercial Concept Plans for an enhanced public realm along the Commercial Street Corridor; and
2. Direct Staff to include the Design Commercial Street Implementation Plan as part of the 2023-2027 Budget deliberations.

## **BACKGROUND**

Council has made a significant commitment to the downtown core during their term. At the 2019-JUL-15 Special Governance and Priorities Committee, Council provided their priorities for the downtown core. This included the need to take action on key vacant/underdeveloped sites, to make investments in the public realm, to improve mobility and to address safety issues.

Since that session, Council has acquired a number of key sites to support redevelopment in the downtown core and to improve mobility. Many smaller beautification projects have taken place to improve wayfinding, lighting and more public art has been introduced. A new Community Safety Officer program was endorsed in the spring of 2022. Public realm improvements are currently being planned, notably around Commercial Street through the Design Commercial Project (the "Project").

In September 2021 Council directed staff to engage the services of a consultant to assist with developing a new vision for Commercial Street. The objective was to re-establish downtown as a destination by enhancing the public realm space for retailers, community events and public art.

The Project area was focused along the Commercial Street corridor from the Wallace/Victoria Street intersection to Dallas Square Park, home of the cenotaph and Remembrance Day ceremonies. It also includes the surrounding area by including Bastion/Wharf/Skinner Street as well as the front portion of Diana Krall Plaza.

Through the City's procurement process, Toole Design Group were selected to lead the study. Their work plan included extensive engagement with the local business improvement associations, businesses, developers, key stakeholders, City staff and the general public. It was also important that Design Commercial build on the feedback and preliminary directions set out through Reimagine Nanaimo and the draft City Plan.

The resulting concept plans for Commercial Street have been well integrated with other projects such as re-envision Diana Krall Plaza, the redevelopment of 1 Commercial Street (former A&B Sound building), 6 Commercial Street (former Jean Burns property) and transit improvements being designed along the 500 block of Terminal Ave. |

## **DISCUSSION**

### **Shared Values, Vision & Principles**

As the main corridor through the historic downtown, Commercial Street represents a key location to bring people together in the City. The Design Commercial project connects with the five goals of the draft City Plan framework (A Green Nanaimo, A Connected Nanaimo, A Healthy Nanaimo, An Empowered Nanaimo and A Prosperous Nanaimo).

#### *Design Commercial Vision Statement*

Through the early engagement sessions and stakeholder meetings, the following Vision Statement was created:

*"Commercial Street is a green, connected, safe and equitable place that reflects the history of Nanaimo while attracting people, investment and vitality."*

#### *Nine Design Principles.*

A set of nine design principles were also established for the street and the public spaces. Each principle plays a role in informing the approach, materials, treatments and overall look and feel of the area.

- Connected – Commercial Street must be well connected to the adjacent streets and public spaces in a mindful way.
- Convenient – visiting downtown needs to remain convenient and inviting in order to remove any barriers that could dissuade people from visiting and spending time on the Commercial Street corridor.
- Comfortable – providing ample room for walking, traffic calming, and spaces for people to stay and play will enhance the comfort of Commercial Street.
- Engaging – Commercial Street needs to inspire people to come and spend time downtown.
- Accessible – There should be as few barriers as possible to come and enjoy Commercial Street. Wider sidewalks, continuous crossings and public spaces combined with places to sit, play or relax create a downtown for all ages and abilities.
- Legible – Important that it remains clear to users how to behave in the space to ensure the enjoyment of everyone.
- Safe – imperative that users feel safe when moving along Commercial Street. Reduce or eliminate conflicts between road users, dark spaces and increased visibility.
- Equitable – Commercial Street must be a welcome space for all members of Nanaimo's community.



- Flexible – the corridor must be designed to be flexible to support a range of users and uses.

## Concept Plan

The Final Concept Plan is contained in Attachment A. The key features include the following elements being introduced to a refreshed Commercial Street:

- Flush Curb Street – to improve accessibility of the corridor, and to permit free movement of people using mobility aids and those on bikes. Deliveries to businesses can be made more easily from either the sides, back or front of vehicles. In addition, flush curbs provide flexibility of space to support tents and market stalls or temporary seating for restaurants or displays for merchants.
- Widened Sidewalks – more space for people to walk side by side, pass other or stop and do some window shopping.
- Contrasting Colours in the Public Realm – the use of colour to help define spaces for clarity and to celebrate elements of diversity in the downtown such as the rainbow cross walk.
- Lighting – improved lighting to enhance safety and enjoyment of Commercial Street.
- Greenery, Street Trees, Natural Elements – the ‘greening’ of the corridor through plants and trees provides a diversity to the landscape in terms of texture and colours while also improving sustainability and resilience of the space.
- Creating an On-Street Flex Zone to support activation and businesses – On Street parking and loading spaces are included in the design as these provide important opportunities to access local business and destinations. The space for parking is also intended to function as a flex zone: a space that can be used for parking and loading but is also a place for trees that provides narrowing at regular intervals to slow motor vehicles speeds and provide shelter.
- Redistribution of space and integration of Plazas and Parks into the Street – Dallas Square Park plays an important role as a memorial for the individuals who have served their country. It was important to maintain the honour of the space while also encouraging year round use. The design of the Park and Plaza include elements to support thought and reflection, space to play for children and families, and space for events, festivals and ceremony.
- Public Art – throughout the corridor, the addition of public art and colour has been carefully considered.

## Implementation Plan

The redevelopment of Commercial Street will be phased over a number of years. Budget is in place for work associated with Phase 1. Subsequent phases will be brought forward for consideration in the 2023-2027 Budget process.

- Phase 1 (2023/2024): Commercial Street from Victoria Crescent to Terminal Ave. In addition, improvements to the Commercial Street & Bastion Intersection.
- Phase 2 (2024/2025): Diana Krall Plaza (including the closure of Wharf Street) and Commercial Street from Diana Krall Plaza to the Great National Land Building.
- Phase 3 (2025/2026): Commercial Street from Terminal Ave to Diana Krall Plaza and Church Street.
- Phase 4 (2026/2027): Dallas Square Park & the Waterfront Upgrades on Front Street.
- Phase 5 (2027/2028): Skinner Street, Bastion Street & Wharf Street.

## Estimated Cost

A high-level cost estimate was developed for the project and broken down by phase of construction. Given the significant inflation occurring in the market for materials from supply chain issues, global geopolitical issues and the COVID-19 pandemic, these cost estimates will need to be revisited at time of construction.

		<b>Cost</b>
Phase 1	Commercial Street from Victoria Crescent to Terminal Ave	\$3.0 TO \$3.7 million
Phase 2	Diana Krall Plaza (including the closure of Wharf Street) and Commercial Street from Diana Krall Plaza to the Great National Land Building	\$2.4 to \$3.0 million
Phase 3	Commercial Street from Terminal Ave to Diana Krall Plaza and Church Street.	\$2.9 to \$3.5 million
Phase 4	Dallas Square Park & the Waterfront Upgrades on Front Street	\$1.0 to \$1.2 million
Phase 5	Skinner Street, Bastion Street & Wharf Street	\$2.4 to \$2.9 million
<b>Total</b>		<b>\$11.8 to \$14.2 million</b>

Funding for Phase 1 of the project is included in the 2022 Budget which includes work at Wallace/Commercial and upgrades to the Commercial/Bastion intersection. Future Phases will be brought forward as part of the 2023-2027 budget deliberations.

## OPTIONS

1. That Council:
  1. Endorse the Design Commercial Concept Plans for an enhanced public realm along the Commercial Street Corridor; and
  2. Direct Staff to include the Design Commercial Street Implementation Plan as part of the 2023-2027 Budget deliberations.
    - The advantages of this option: The Design Commercial project has involved considerable outreach and work with key stakeholders to arrive at a preferred concept. Establishing a clear vision for Commercial Street builds on Council's commitment to the downtown core and support this area as the primary urban node for the City. The investment will help stimulate development, support events such as the Thursday Night Market and attract other cultural events to the heart of the City.
    - The disadvantages of this option: None identified.
    - Financial Implications: Phase 1 of the project has funding secured through the 2022-2026 Financial Plan. Other phases of the project are not budgeted for and will be included as part of future Council deliberations on the 2023-2027 Financial Plan.
2. That Council provide alternate direction.

### **SUMMARY POINTS**

- Council has made a significant commitment to the downtown core during their term.
- In September 2021 Council directed Staff to engage the services of a consultant to assist with developing a new vision for Commercial Street through the Design Commercial process.
- The project was integrated with existing initiatives in the downtown core such as re-envision Diana Krall Plaza, public realm and transit improvements in the 500 Block of Terminal Ave and redevelopment opportunities at 1 and 6 Commercial Street.
- The Design Commercial project included a number of stakeholder consultation opportunities and incorporated feedback from the Reimagine Nanaimo process.
- The vision for Design Commercial is *“a green, connected, safe and equitable place that reflects the history of Nanaimo while attracting people, investment and vitality.”*
- The concept plans are based on nine guiding principles developed through the consultation process.
- The Final Concept Plan introduces a flush curb street, widened sidewalks, contrasting colours in the public realm, lighting, greenery and natural elements, a flex zone to support activation, redistribution of space and more public art.
- Revitalization of Commercial Street will be undertaken in a phased approach, with work in 2023 scheduled to take place at Wallace and Commercial and the Bastion/Commercial Intersection.
- Further Phases of the project will be brought forward for Councils consideration during the 2023-2027 Budget process.

### **ATTACHMENTS:**

Attachment A: Design Commercial Final Plan |

#### **Submitted by:**

Bill Corsan  
Director, Corporate & Business Development

#### **Concurrence by:**

Laura Mercer  
Director, Finance

Bill Sims  
General Manager, Engineering and Public Works

Richard Harding  
General Manager, Parks Recreation and Culture

Dale Lindsay  
General Manager, Development Services/  
Deputy CAO







# Design Commercial

*Downtown Reimagined*

## Draft Final Report

## Territorial / Land Acknowledgment

We respectfully acknowledge that the city boundary lies within the Traditional Territory of Snuneymuxw First Nation who have many significant ancestral village sites throughout the city including in the downtown core, as well as Stiihnup (Departure Bay) and Sxwuyum (Millstone River). We recognize the Snuneymuxw Treaty of 1854, a trade and commerce treaty that forever and always preserves and protects Snuneymuxw villages, waters, enclosed fields, harvesting and gathering sites, and the right to hunt and fish as formerly.

**Published By:**  
City of Nanaimo

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# 1.0 INTRODUCTION: REIMAGINING NANAIMO'S HISTORIC CENTRE





Nanaimo has been in a state of growth, evolution, and change for centuries. Since the Snuneymuxw established themselves on these rich, waterfront lands, the area has been a point of connection to Vancouver Island and the mainland across the Georgia Strait. When the City of Nanaimo was established on these traditional lands in 1874, the city's historic downtown looked slightly different, with the traditional salmon run in place of today's streets and local businesses. One thing, however, has remained consistent: Commercial Street and its connecting streets make up the core of Nanaimo's past, its present, and its sustainable and resilient future. Looking ahead, the goal is to ensure Commercial Street remains connected to that past while adapting and evolving for a vibrant and thriving future for the community and its residents.

### 1.1 Reimagining Nanaimo through a revitalized Commercial Street

The Design Commercial project is one part of the larger Reimagine Nanaimo process launched in the fall of 2019. Reimagine Nanaimo was focused on revitalizing the spaces that connect residents and visitors to this city and the life within it. The result of the process is the City Plan – Nanaimo Reimagined, which integrates and serves as the City's Official Community Plan; Parks, Recreation, and Culture Plan; Transportation Plan; Active Mobility Plan; Climate Action and Resiliency Plan; and Accessibility and Inclusion Plan.

Design Commercial connects to Nanaimo Reimagined through its objectives to improve the quality of the human experience of the Commercial Street corridor and its adjacent plazas. Whether you are moving through the space on foot, by bike, on transit, or in a vehicle, you are participating in community events and activities, or the City of Nanaimo is improving the sustainability and resiliency of the streets and plazas for future climate stresses, Design Commercial will play an important role in creating a central place to be enjoyed by visitors to Nanaimo and the people that call it home.

Commercial Street plays an essential role in the City Plan – Nanaimo Reimagined as a location that combines the five goals of: **A Green Nanaimo; A Connected Nanaimo; A Healthy Nanaimo; An Empowered Nanaimo, and; A Prosperous Nanaimo.** The past few years have been challenging for visitors and residents of Downtown Nanaimo, as well as business owners. The COVID-19 pandemic presented unprecedented challenges for the community, impacting the economic vitality of the business community, limiting the opportunity for social gathering and celebration, and leaving many seeking the opportunity to reconnect with their city and its people. As Nanaimo moves into a period of recovery, it is more important than ever to have a plan that aims to reinvigorate Commercial Street as a place that brings people together.

Downtown is a place to celebrate what Nanaimo is – a diverse and passionate community of residents, visitors, entrepreneurs, artists, and everyone who makes up the cultural past, present and future of this city. Through the reimagination process, the goal is to develop a design for Commercial Street that works for the entire Nanaimo community. The Design Commercial project is focused on supporting economic recovery by creating a more welcoming, flexible downtown and one that allows people of all ages and abilities to come and enjoy downtown, to play in its public spaces, to stay and rest, and connect socially to each other and their community.

## 1.2 A design developed from what we heard

Commercial Street is a central part of the history of Nanaimo and it continues to play a role in bringing people together. As a result, it is imperative that Design Commercial reflects the community's vision of their downtown. Through a process based on consensus and collaboration, the design for Commercial Street honour the values of the community while creating a vision of vibrancy and connection in the heart of Nanaimo. The design process has been guided by a set of principles that link to the goals of Nanaimo ReImagined and includes a fresh and inclusive redesign of Commercial Street and its connecting streets, as well as two of downtown's important public spaces: Diana Krall Plaza and Dallas Square Park.



In particular, Diana Krall Plaza is a point of pride for many Nanaimo residents who want to see the space act as a central gathering location for people of all ages, abilities, and backgrounds. The reimagining of Diana Krall Plaza reflects extensive community feedback and builds on previous efforts by Dr. Dave Witty and the ReEnvision Diana Krall Plaza team, to achieve a vision that reflects the community's need for a place to meet, stay, and enjoy Downtown Nanaimo.

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I think the idea of the hubs in the new City Plan - Nanaimo ReImagined are great because they encourage livability, walkability, and play within small radii. It will mean that people aren't dependent on their cars, that they'll walk more, bike more, getting around in more social ways and ways that are healthier for us and for the planet.

**- James Chamberlain, Nanaimo Resident**

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### 1.3 Design Commercial: Continuing the Legacy

The story of Nanaimo started centuries ago and continues to evolve and adapt to the changing world around it. Like many cities, the challenge is to adapt in a way that honours the past and events that have led to this point in history while also invigorating and reimagining in a way that is bold, exciting, and inspires celebration and pride. Design Commercial integrates with other City of Nanaimo initiatives such as the City Plan - Nanaimo ReImagined, ReEnvision Diana Krall, The Hub – Public Space and Transit Improvements at Terminal and Commercial, and the Downtown Nanaimo Safety Action Plan as well as private development projects such as the redevelopment of the former A&B Sound building into the proposed One Commercial. Design Commercial is part of this complete vision of how downtown Nanaimo can better reflect its historic past while creating a legacy that can be enjoyed by everyone who spends time along the city's vibrant streets.



## 2.0 FROM SHARED VALUES TO VISION AND PRINCIPLES



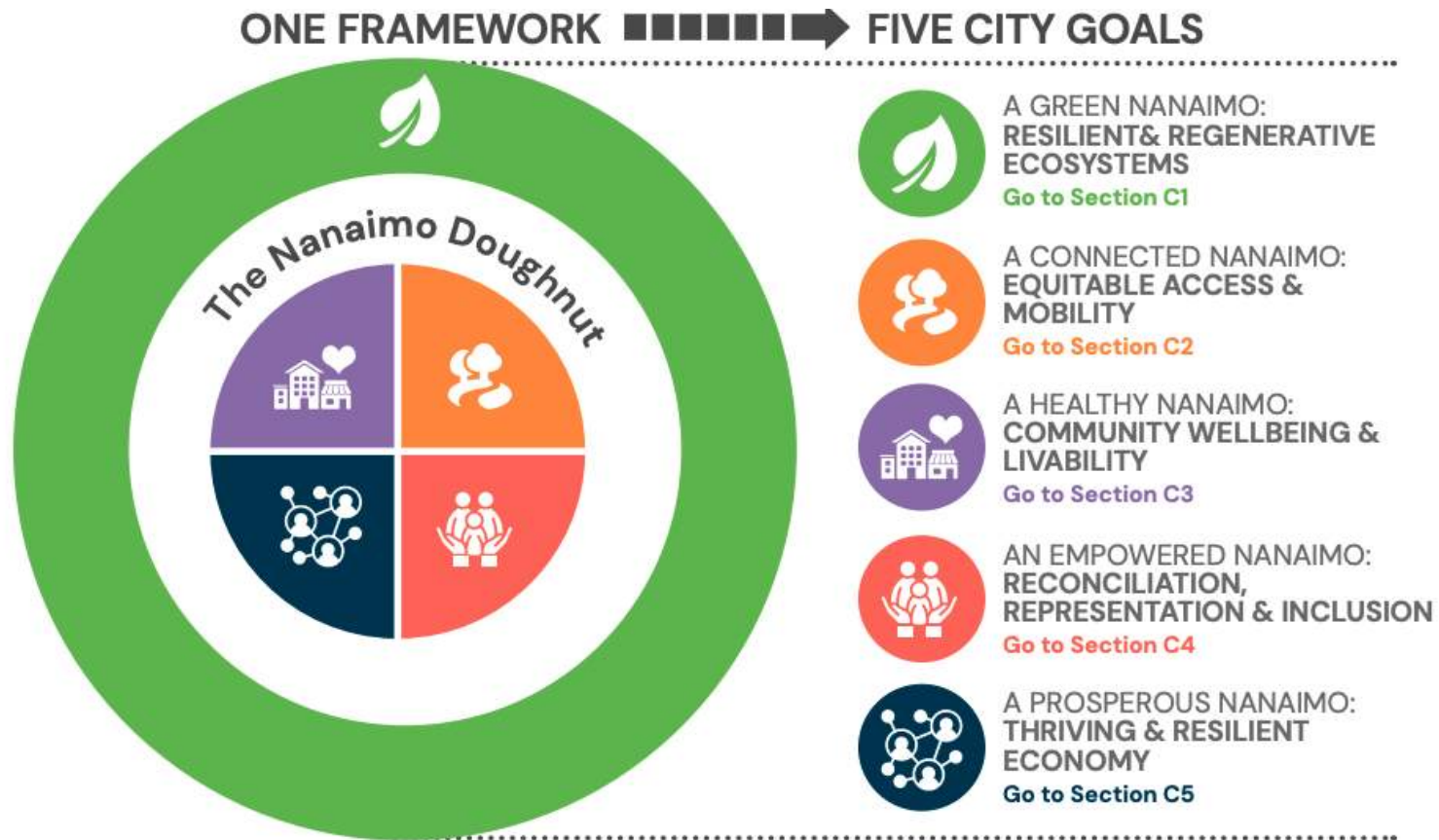
Throughout the development of the plans for Design Commercial Street, a consistent connection has been maintained to the values of what makes Nanaimo a place where people continue to choose to live. These values are why the Commercial Street corridor is so integral to the experience of residents and visitors as identified through engagement on the project and through the Relmagine Nanaimo process, and Design Commercial needs to reflect that. The vision of the corridor has been created in a meaningful way that uses an inclusive approach, matching the principles set out in multiple community engagement sessions, stakeholder meetings, interviews, and feedback from the public. The central idea has been that through an iterative process, the project team, together with City of Nanaimo staff and people from the community, reimagine a truly welcoming and vibrant place.



1881 Map of Nanaimo

## 2.1 Values: Commercial Street as the Heart of the City

Although spread over 91 km<sup>2</sup>, and part of a larger region along the East coast of Vancouver Island, the City of Nanaimo is a cozy community that prides itself on its culture, location, and history. The land on which Commercial Street sits has had many purposes over time; the ancestral lands of the Snuneymuxw, a harbour for trading activities and the coal mining industry, and, more recently, a commercial hub for fishing, forestry, industry, and tourism. Commercial Street, in many ways, has acted and continues to act as the heart of the community – a place for commerce, supporting the livelihood of local merchants, community, as home to cultural landmarks, galleries, and community centres, and connection, a place to come together and celebrate life in this coastal city.



*The Nanaimo Doughnut - Nanaimo Reimagined city goals*

The ReImagine Nanaimo process was focused on realizing the love of the city by reviving underutilized spaces and breathing new energy into the established centres of the community. As the main corridor through the historic downtown, Commercial Street represents a key location to bring people together in the city. Design Commercial must therefore connect the values of the people of

Nanaimo with the five goals of the Nanaimo Reimagined framework. As such, the approach to this project has continually aimed to honour the vision statement set out early in the engagement process of Design Commercial:

*Commercial Street is a green, connected, safe, and equitable place that reflects the history of Nanaimo while attracting people, investment, and vitality.*



## 2.2 Vision: Connecting vibrant people in a vibrant space

A reimagined Commercial Street needs to be a place that encourages residents and visitors of all ages and backgrounds to gather and spend time in the downtown. Some of the most successful city centres inspire the desire to connect with the community, support local business, take part in events, find opportunities for play, or just spend time in a comfortable space and enjoy the vibrant street life.

The Design Commercial project is focused on removing barriers in the built environment that may discourage people from spending time along the corridor. The built environment is the human-made space in which people live, work, and recreate on a day-to-day basis. The current design of Commercial Street and its public spaces are less compatible with a more sustainable, accessible, healthy future. Design Commercial therefore emphasizes a Commercial Street that meets the demands of a growing 21st century city: widened areas for people walking, the creation of flexible spaces that encourage diverse activities, greening and lighting that enhances the experience of spending time and travelling through the space, and public spaces that act as a point of pride, welcoming the community together in a place of enjoyment.

The design plans for Design Commercial are just the beginning; a launching point to find new opportunities for vibrancy. The flexible and adaptive designs, once constructed, enable the continuation of beloved community events like the Night Market and Jazz Festival, as well as a place to establish new events as part of the legacy of Nanaimo. The addition of trees and plants, play elements, and colour creates excitement, hopefully welcoming new businesses into the local economy while supporting established local favourites. Commercial Street should be an inclusive space, and the plan helps reimagine how the Nanaimo downtown can be a place that brings communities together, building compassion and comradery.

## 2.3 Principles: Designing a Nanaimo for everyone

The success of any reimagining of a public space is inextricably linked to how inclusive the space is, and Design Commercial is no different. Inclusive design is not just about accessibility – although that is an important aspect of inclusion. To create a space that meets the needs of everyone regardless of identified gender, race, background, age and/or economic means, a clear and comprehensive set of guiding principles are integral. The approach to developing the design plans for the Commercial Street corridor has been no different.

In the early stages of the Design Commercial process, a set of principles were established for the design of the street, as well as the public spaces. These are based on community feedback gathered during the first set of engagement activities (further outlined in Section 3.1) and in relation to the ReImagine Nanaimo engagement process. Each principle has played a role in informing the approach, materials, treatments, and overall look and feel of the area.

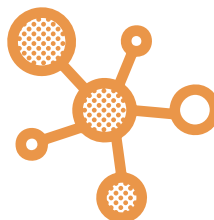
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A key part of rejuvenating a downtown core is establishing commercial spaces which encourage both locals and tourists to spend time in the area, supporting local dining, shops, and other small businesses. Additionally, creating public and green spaces which mesh well with the overall downtown aesthetic is an essential part of encouraging people to engage with the area

### **- Design Commercial Survey Response**

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For Design Commercial, nine principles have guided the vision and visualization of a reimagined Commercial Street corridor.



#### **CONNECTED**

As a central location, Commercial Street must be well connected to the adjacent streets and public spaces in a mindful way. A clear and intuitive pathway from the waterfront, the public transit hub at Commercial and Terminal, and from surrounding neighbourhoods will ensure people are encouraged and enabled to access downtown.



#### **CONVENIENT**

Visiting downtown needs to remain convenient and inviting in order to remove any barriers that could dissuade people from visiting and spending time on the Commercial Street corridor. This includes easy access to walking pathways and the availability of safe and secure parking for cars and bicycles.





## COMFORTABLE

Provision of ample room for walking, traffic calming to reduce high traffic volumes traveling through downtown, as well as ample spaces for people to stay and play will enhance the comfort of Commercial Street for visitors, residents, and businesses.



## ENGAGING

The Commercial Street corridor needs to inspire people to come and spend time downtown, which requires creating a space that is engaging and inviting. This includes adding colour through greening and public art / street painting and enabling public events that bring people downtown.



## ACCESSIBLE

There should be as few barriers to come and enjoy the Commercial Street corridor as possible. Wider sidewalks, flush curbs, and continuous crossings and public spaces, combined with places to sit, play, or relax, create a downtown that can be enjoyed by all ages and abilities.



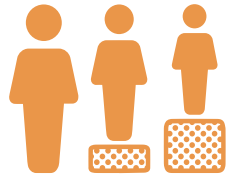
## LEGIBLE

Because the very nature of a downtown is to allow for multiple uses, functions, and activities, it is important that it remains clear to users how to behave in the space to ensure the enjoyment of everyone. Contrasting colours and materials, as well as delineation through use of trees & clearly defined parking bays, help create a space that is legible and easy to navigate in all seasons.



## SAFE

It is imperative that users feel safe when moving through the Commercial Street corridor. Measures that reduce and/or eliminate conflicts between road users, reduce isolated or dark spaces that invite dangerous activity, and increase visibility through lighting create a safer environment for Commercial Street.



### EQUITABLE

The Commercial Street corridor must remain a welcome space for all members of Nanaimo's community. Equitable design encourages visitors of all ages, abilities, backgrounds, and economic means to enjoy the street and its plazas without discrimination or exclusion.



### FLEXIBLE

As the location of numerous events throughout the year, the Commercial Street corridor must be designed for flexibility. Flush curbs, flexible parking areas, and continuous spaces through intersections and plazas allow for flexibility in the use and enjoyment of downtown Nanaimo and support a sustainable and resilient future.

The combination of the guiding principles has ensured that the design plans for Design Commercial reflect a diversity of needs and wants from the Nanaimo community. In this way, the reimagined spaces are more inclusive, and encourage residents and visitors of all ages to come and enjoy the space.






























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When I think of Diana Krall Plaza, I envision a place that could be a destination, it could be somewhere that children could run around and get some steam out and express themselves, where families can visit the library or the museum. Looking at the design, I could imagine a day camp of 12 children and their leaders walking through that space with all these things to see on the way and then walking down to the museum. I thought it was pretty cool.

**- Carolyn Holmes, Executive Director of  
Nanaimo Art Gallery**

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## CITY PLAN - REIMAGINED NANAIMO GOALS

	A Green Nanaimo	A Connected Nanaimo	A Healthy Nanaimo	An Empowered Nanaimo	A Prosperous Nanaimo
CONNECTED					
CONVENIENT					
COMFORTABLE					
ENGAGING					
ACCESSIBLE					
LEGIBLE					
SAFE					
EQUITABLE					
FLEXIBLE					



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The goals of Nanaimo ReImagined are really an examination and evaluation and, hopefully, renewal and re-creation, of all the existing community plans - the Community Plan, Transportation Plan, Parks and Recreation Plans - everything is on the table. We engaged with the community and developed a framework based on the question: “What do people want to see their city be?”

- **Mayor Leonard Krog**

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## 3.0

# A NEW VISION FOR COMMERCIAL STREET





Commercial Street has served as a connecting point for Nanaimo as far back as people can remember. When envisioning a revitalization of this space, including Diana Krall Plaza and Dallas Square Park, it is beneficial to view the space as zones, each connected and integrated to create a cohesive space that welcomes people from the surrounding neighbourhoods, the waterfront, and the Island Highway. However, this could not be done without understanding what the community wants for the space.

If the Commercial Street corridor is to truly become a place for greater commerce, community, and connection, it needs to be a place that reflects who the people of Nanaimo are and how they envision their city.



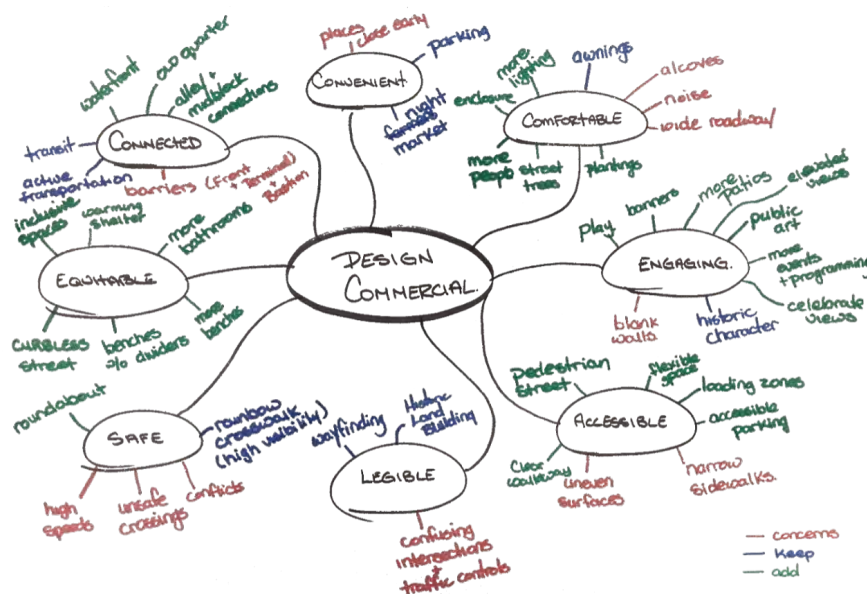
### 3.1 Developing options through consensus

Because of the importance of the Commercial Street corridor in acting as a central point in Nanaimo, the Design Commercial project needed to be informed by the needs and wants of the community. As a result, the process from idea to design has included several opportunities for residents and stakeholders in Nanaimo to provide their valuable insights and feedback. These included a Discovery Charette in late 2021, two online surveys, stakeholder interviews, and a Design Charette in early 2022. The information and responses provided through these activities ensured the final designs reflect the desires of the community for Commercial Street, the connecting corridors, Diana Krall Plaza, and Dallas Square Park.

#### 3.1.1 Discovery Week: Forming the basis for the approach

Early in the process, it was important to fully understand the opportunities and challenges of the Commercial Street corridor and connecting plazas. The Discovery Charette, held November 22-25, 2021, at the Vancouver Island Conference Centre, was a week-long workshop where members of the public, various stakeholders (e.g., Business Improvement Associations, Neighbourhood Associations, project teams), staff from City of Nanaimo departments, and Nanaimo City Council were engaged to understand the local context. Activities included on-site walk-throughs with stakeholders, public Open Studio sessions, and a presentation of the findings.

Through these various opportunities to provide input, some core ideas and themes were identified that became the basis for much of the approach and work that followed. These themes, as previously noted in Section 2.3, can be seen in the mind map illustrated below.



Themes and ideas collected during the Discovery Charette from participants

In addition to the in-person Discovery Charette engagement activities, an online survey was released in the form of an Integrated Place Assessment, allowing respondents from Nanaimo to offer feedback on how they currently use the Commercial Street corridor and connecting plazas, what barriers exist in the use of the space, and how they would like to see the space reimaged. The responses to the survey, combined with the Discovery Week engagement, revealed a number of repeating elements that were clearly integral considerations for a successful design. These include:

1. Wider Sidewalks
2. Accessible Parking
3. Flexible “Parking Row”
4. Outdoor Dining
5. Easy & Flexible Event Set-up
6. Easier Snow Clearing
7. Easier Street Sweeping
8. Fewer Trip Hazards

All the information collected during the Discovery Week and Integrated Place Assessment surveys were summarized in a What We Heard document and used to inform the next stages of the project: developing concept designs.

### 3.1.2 Four Guiding Themes

Based on the information and feedback gathered during the Discovery Week and online survey, four guiding themes were established that would inform the process going forward. Each theme reflects the ideas and elements identified in earlier

engagement. By establishing these four guiding themes, the later stages of the Design Commercial project could be developed in line with public needs and wants. These themes were also integrated into later engagement activities.

#### THE FOUR GUIDING THEMES ESTABLISHED ARE:



Create a flush curb street with wider sidewalks, increased lighting, greenery, and street trees, opportunities for seating, and space for public art.



Expanded and increased commercial opportunities and space for dining, shopping, and supporting local businesses during the daytime as well as in the evenings. Increase offerings of quality housing, community amenities, and law enforcement to support the livability of Downtown.



Continue to support and enhance opportunities for temporary events on Commercial Street, such as markets, music events, and performances.



Improve public and green spaces in Downtown and improve access and connections to the water.



### 3.1.3 Design Charette: Presenting the possibilities for Design Commercial

In February 2022, the project team returned to Nanaimo to run a second engagement session with City staff, local stakeholders, and the public. This Design Charette focused on presenting the starter ideas resulting from what was heard during the Discovery Charette and through the online survey. Held from February 1-3, 2022, engagement activities included a combination of in-person meetings with staff and stakeholders, as well as online public forums due to continued COVID-19 measures.

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It's going to be a fresh look, like somebody put a nice coat of paint on downtown. I think that's going to help downtown merchants and residents feel better about their community. It makes a clear statement when you go out and do something like that.

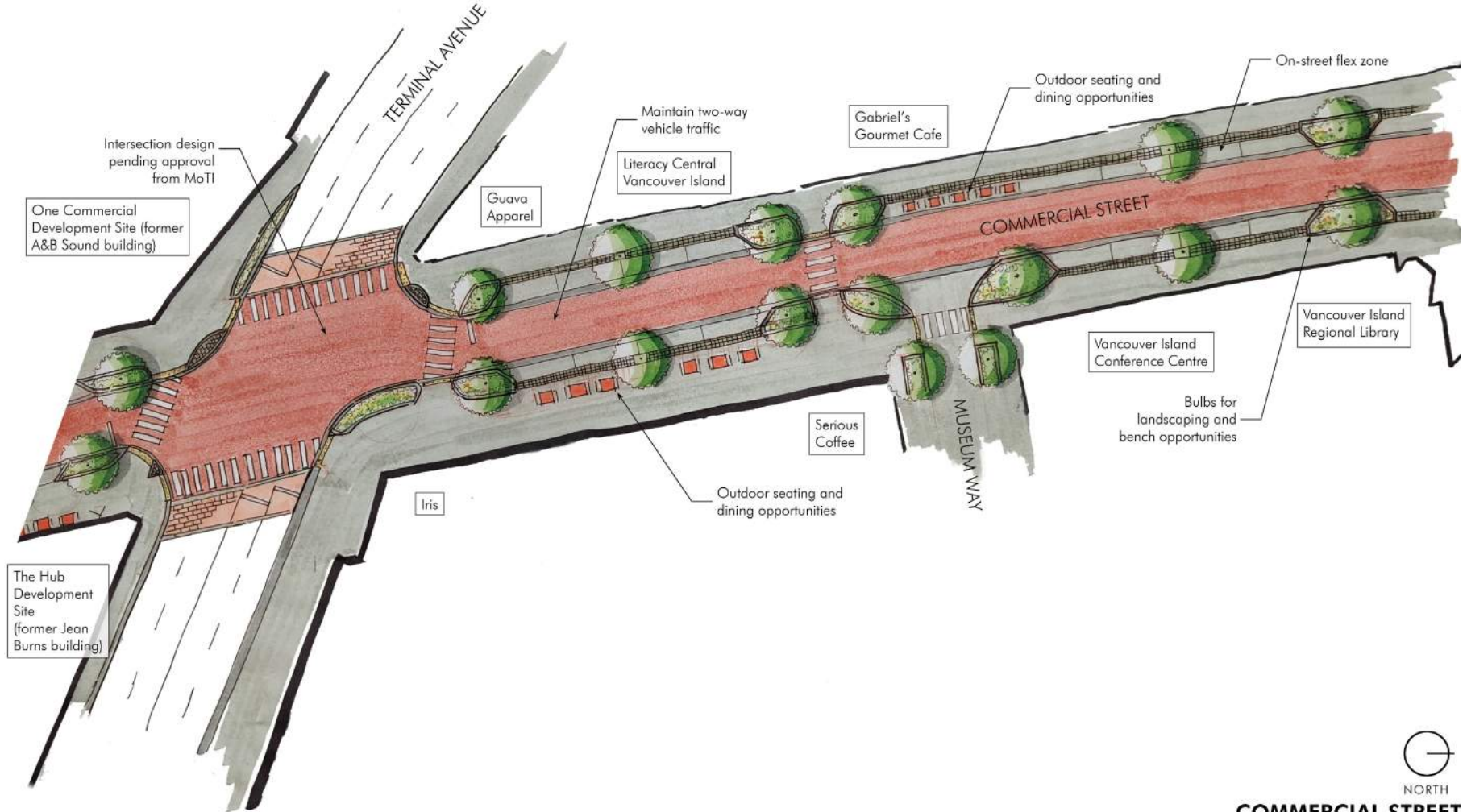
**- Kim Smythe, President and CEO of the Nanaimo Chamber of Commerce and the BIA**

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During these events, the themes and principles developed and defined through the initial engagement activities, as well as the four guiding themes discussed in the previous section, were presented. This information provided the context for the approach taken for the reimagining of the corridor. Additionally, the initial starter ideas were presented to participants, with time allowed for providing constructive feedback to further develop the designs. The Design Week included developing design options and a draft design. Draft designs developed during the Design Week looked like the those shown on the following pages.

Following Design Week, a second online survey was released to collect further feedback from the public about the draft design. The survey provided respondents the opportunity to offer overall feedback and impressions of Design Commercial, as well as provide feedback on the concept designs drafted for the Commercial Street corridor. Feedback received from the survey was used to further refine the designs and address any concerns as best as possible.

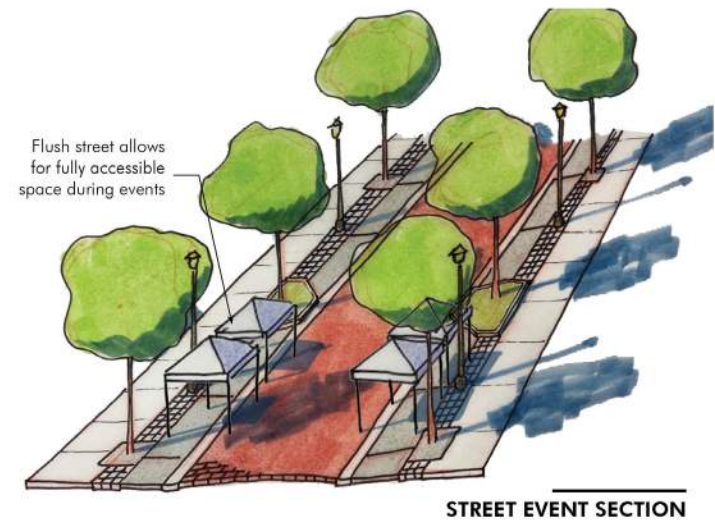
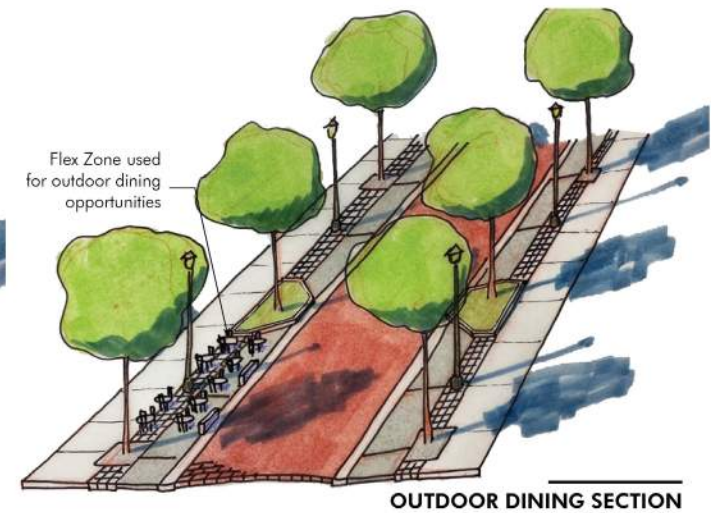
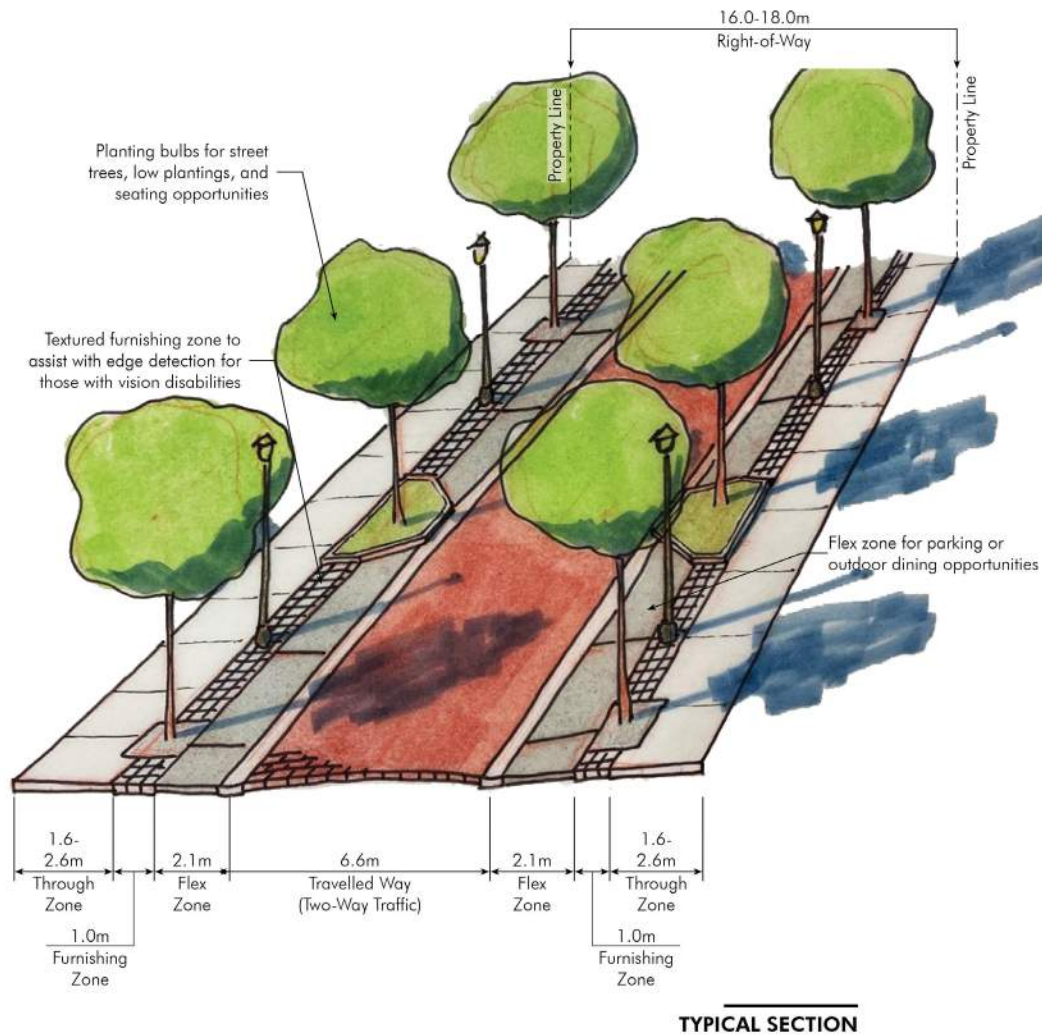
All the information collected during the Design Week and online surveys were summarized in a What We Heard document and used to develop the final concept design plans for the project. The resulting final designs (see Section 3.2) reflect the consensus communicated throughout all engagement activities.



\*GRAPHICS SHOWN ARE CONCEPTUAL.  
EXACT DESIGN FEATURE TO BE DETERMINED.

**COMMERCIAL STREET**  
STREETSCAPE REDEVELOPMENT CONCEPT PLAN  
— TERMINAL AVENUE TO DIANA KRALL PLAZA

Plan view of concept design for Commercial Street from Terminal Avenue to Diana Krall Plaza



**COMMERCIAL STREET**  
STREETSCAPE REDEVELOPMENT  
CROSS SECTIONS

\*GRAPHICS SHOWN ARE CONCEPTUAL.  
EXACT DESIGN FEATURE TO BE DETERMINED.

*Cross section view of concept design for Commercial Street*





Plan view of concept design for Dallas Square Park





**TREE BOSQUE**



**PERMANENT BENCHES WITH PLANTERS**



**WATER FEATURE**



**OUTDOOR DINING AND SEATING**

**DALLAS SQUARE PARK**  
PLAZA REDEVELOPMENT  
FEATURES

*Precedent photos for proposed elements in Dallas Square Park*

### 3.2 The design and its rationale

The resulting designs for Design Commercial aim to reflect what was heard throughout the engagement process. Each decision has been made mindfully, referring back to the vision, the City Plan – Nanaimo ReImagined and its goals, the values of the community, and the principles and themes created through public engagement for the project.

Delving deeper into the designs, the reasoning behind the core elements selected for Commercial Street, Church Street, Wharf Street, Skinner Street, Bastion Street, Diana Krall Plaza, and Dallas Square Park have been made to honour those visions in the following ways. The full Design Commercial concept design plans are included in the Appendices of this report.



*Design Commercial Concept Plan*



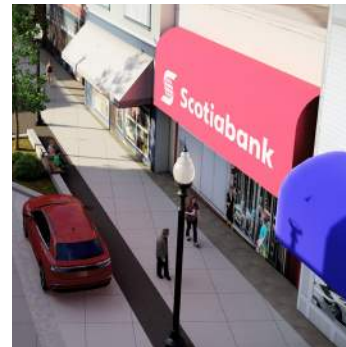




**Flush Curb Street:** Establishing flush curbs serves a number of purposes. The first and most important is to improve accessibility of the corridor. Traditional curb cuts only at intersections limits access. Designing flush curbs allows the free movement

of people using mobility aids such as walkers, rollers, wheelchairs, and mobility scooters. Additionally, caregivers pushing strollers and people with bicycles needing to move from the road space to the walking area (to park their bicycle for example) are not limited due to having to lift heaving equipment up over traditional curb heights. Deliveries to businesses can be made more easily from either the sides, back, or fronts of vehicles or cargo bicycles without having to navigate a curb. By creating an entire corridor with flush curbs, people can move freely through the corridor.

At the same time, the flush curbs promote the flexibility of the space. Tents and market stalls for the night market and other festivals, temporary seating for restaurants, or displays for retailers, are facilitated easily, enabling a more dynamic use of the public realm.



**Widened Sidewalks:** It was repeatedly communicated through the engagement activities that the ease of moving along the corridor on foot, with a stroller, or a mobility aid such as a wheelchair or mobility scooter was important to creating a more welcoming

experience in downtown. By widening the sidewalks, more space to walk side-by-side, pass others, or stop and perhaps do some window shopping is better facilitated. Widening the sidewalks also results in a narrower road space, encouraging people driving to slow down, and improving the quality of the experience downtown while reducing related stresses.



**Contrasting Colours in the Public Realm:** Although one of the principles of Design Commercial is flexibility, it was important to still define the spaces for clarity. The paving materials for the centre area of the street where people driving will operated, the materials for the sidewalk area, and the materials



for the flex zone (used for parking, seating, and landscaping) are different colours to delineate the spaces for their intended function. The use of contrasting elements are also important for improving the experience of the visually impaired, particularly when combined with texture. The scale of visual impairment for each individual is varied, and high colour contrast mixed with selective use of texture improves the ability to safely navigate the street.



**Lighting:** It was heard that lighting along the corridor and in the public spaces needed to be enhanced to improve the safety and enjoyment of the space at darker periods of the day. Nanaimo experiences longer periods of darkness in the winter months and

it is important that lighting encourage a comfortable environment year-round, and not just in lighter summer months. The addition of string lighting in key locations like Diana Krall Plaza also aids in the softening of the hard surfaces along the Commercial Street corridor.



**Greenery, Street Trees, Natural Elements:** The “greening” of the Commercial Street corridor through plants and trees provides a diversity to the landscape in terms of texture and colours, while also improving the sustainability and resilience of the

space. The addition of other natural elements further enhances the experience, creating potential spaces for play, while maintaining a connection to the natural environments (mountains, water) that surround Nanaimo. These elements are located in curb bulbs along with potential seating as well as along the corridor including in the parks and plazas.



### **Creating an On-Street Flex Zone to support Activation and Businesses:**

The vision of Design Commercial is to create a welcome, vibrant public space. On-street parking and loading spaces are included in the design as these provide important opportunities to access local businesses and

destinations. The space for parking is also intended to function as a “flex zone”: a space that can be used for parking and loading, but is also a place for trees that provides narrowing at regular intervals to slow motor vehicle speeds and provide shelter, as well as space that can be used by adjacent businesses for seating and patios. To encourage residents and visitors to come and spend time and money in downtown Nanaimo, it is important to provide opportunities to rest and expanded seating for local restaurants and cafes. The temporary seating in the flex zone and the permanent seating additions in the furnishing zones can provide refuge for elderly visitors or caregivers while children play, flexibility for local eateries to encourage outdoor dining, and inspire social connection by having central meeting spaces.



### **Redistribution of Space and Integration of Plazas and Parks into the Street:**

Dallas Square Park serves a very important purpose as a memorial for the individuals who have served their country, particularly during Remembrance Day ceremonies. It was important to maintain the honour

of the space while also encouraging year-round use. Diana Krall Plaza was created to celebrate a world-famous musician that grew up in the community and has inspired many through her music. The design of the Park and Plaza include elements to support thought and reflection, space to play for children and families, and space for events, festivals, and ceremony. Intergenerational enjoyment is a critical element of successful public space and for building connection between past and future generations, and this was kept in mind when proposing the elements for the park.



**Public Art:** Throughout the corridor, the addition of public art and colour has been carefully considered. The enhancements in Diana Krall Plaza build vibrancy into the space through street art, performance space, and colour. This is continued further along the corridor at the intersection

of Bastion and Commercial with the expanded rainbow crossing. Adding colour and art to the public space improves the diversity of elements in the space, creating interesting areas where people are inspired to stay and discover. There is also flexibility in the future to showcase the work of local artists, beautifying dull surfaces.

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The flush sidewalks and wider the sidewalks will make the downtown more pedestrian-friendly, and it'll bring more people to the businesses in that area. I'm excited because there are new opportunities for events as well as build on the success of the night market.

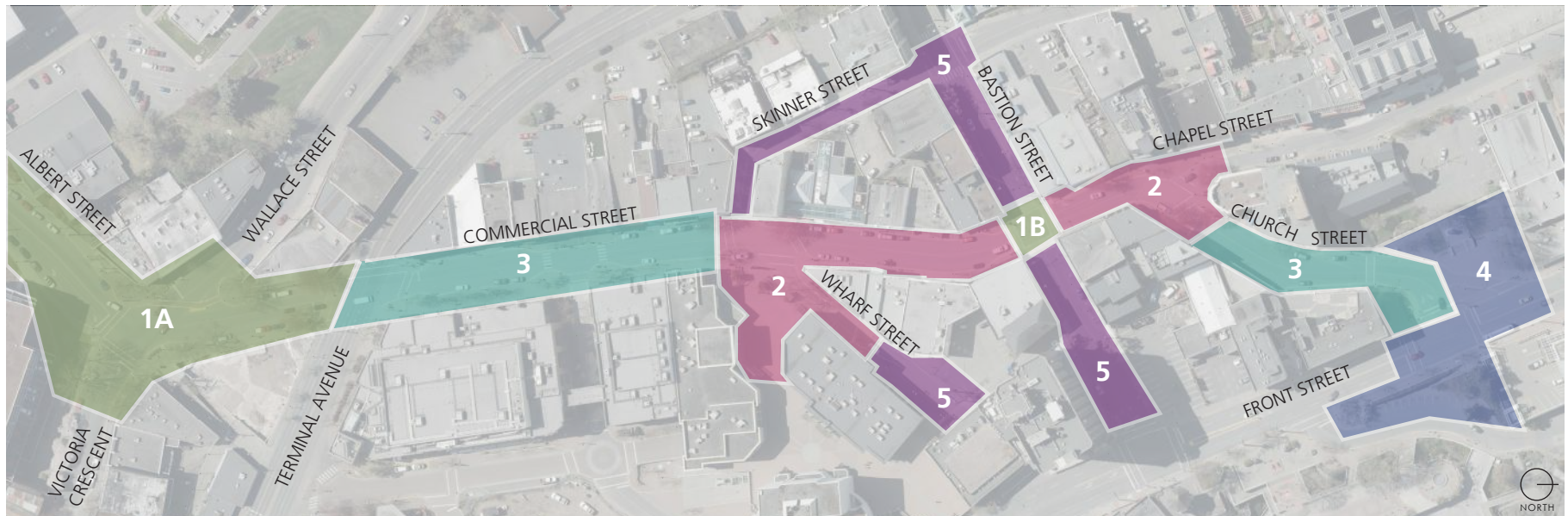
COVID meant we weren't able to host events downtown, so the flexibility of the space will provide an opportunity for more joyful celebrations downtown, and more community engagement.

My hope is that the legacy will be a downtown core that is a vibrant, exciting, joyful place to gather with friends and family.

**- James Chamberlain, Nanaimo Resident**

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# 4.0 REALIZING THE VISION: THE IMPLEMENTATION PLAN



*Design Commercial Implementation Phasing Plan*





## 4.1 Phasing the construction of the design

Based on coordination with other projects and consideration of potential funding allotments for transportation, downtown, and infrastructure projects in Nanaimo, we have identified the following implementation phases to design and construct Design Commercial.

### PHASE 1A 2023/2024

#### COMMERCIAL STREET FROM VICTORIA CRESCENT TO TERMINAL AVENUE:

- With funding in place as part of The Hub project, private development potentially occurring at One Commercial, and the Ministry reconstructing Terminal Avenue, the first phase of building Commercial Street, including the intersections with Victoria Crescent and Albert Street forms, Phase 1 of the implementation.
- Continued coordination will be required with the other projects in the area as the next phase of design for Commercial Street is undertaken.

### PHASE 1B 2022/2023

#### COMMERCIAL STREET AND BASTION STREET INTERSECTION:

- Bastion Street has already been identified for funding for the reconstruction of this intersection with Commercial Street.

### PHASE 2 2024/2025

#### DIANA KRALL PLAZA (INCLUDING THE CLOSURE OF WHARF STREET) AND COMMERCIAL STREET FROM DIANA KRALL PLAZA TO THE LAND BUILDING

- Transformation of Diana Krall Plaza and its integration with the streetscape is a very important early phase of the implementation of Design Commercial as it will shift travel patterns and establish the streetscape for a major portion of the corridor including the and space outside the Land Building.
- Consistent with the ReEnvision Diana Krall implementation plan, including the portion of Diana Krall Plaza adjacent to Commercial Street will allow for the plaza to be integrated with the street and provide a focal point for activation of this important downtown public space.
- Implementation will require additional discussions with the Vancouver Island Regional Library and the Coastal Community Credit Union, including the property owners, during more detailed design of the Diana Krall Plaza.

**PHASE 3**  
**2025/2026**

**COMMERCIAL STREET FROM TERMINAL AVENUE TO DIANA KRALL PLAZA AND CHURCH STREET**

- The third phase of implementation fills in the gaps of construction along Commercial Street and Church Street and will create a continuous street design along Commercial and Church Streets from Victoria Crescent to Front Street.

**PHASE 4**  
**2026/2027**

**DALLAS SQUARE PARK AND THE WATERFRONT UPGRADES**

- Redesigning and reconstructing Dallas Square Park and the interface with the waterfront will require additional time to complete further engagement with stakeholders such as the Royal Canadian Legion, as well as technical studies related to geotechnical items and others.
- Identifying these parts of Design Commercial for Phase 4 will provide the additional time required to complete the engagement and technical investigations.

**PHASE 5**  
**2027/2028**

**SKINNER STREET, BASTION STREET, AND WHARF STREET**

- The final phase of the project will include the reconstruction of Skinner and Wharf Streets into flush streets and shared spaces.
- The Wharf Street shared space was also identified as a later stage of implementation in the ReEnvision Diana Krall plan.
- Bastion Street reconstruction completes the loop from Skinner Street to Front Street and including it in Phase 5 may allow for transit rerouting once Terminal Avenue, The Hub, and the rest of Commercial Street have already been reconstructed.

## 4.2 Opinion of Probable Costs

A high-level cost estimate was developed for the project and aligns with each phase presented above. Given the significant inflation occurring in the market for materials from supply chain issues, global geopolitical issues, and the COVID-19 pandemic, we have attempted to add reasonable contingencies to attempt to account

for price escalations; however, these contingencies may not fully account for price fluctuations in the near term. The following table summarizes the high-level cost estimate for each phase of the project.

PHASE	COST
Phase 1A – Commercial Street from Victoria Crescent to Terminal Avenue	\$2.8 to \$3.4 million
Phase 1B – Commercial and Bastion Street Intersection	\$0.7 to \$0.8 million
Phase 2 – Diana Krall Plaza (including the closure of Wharf Street) and Commercial Street from Diana Krall Plaza to the Land Building	\$3.4 to \$4.0 million
Phase 3 – Commercial Street from Terminal Avenue to Diana Krall Plaza and Church Street	\$3.3 to \$3.9 million
Phase 4 – Dallas Square Park and the Waterfront upgrades	\$3.2 to \$3.8 million
Phase 5 – Skinner Street, Bastion Street, and Wharf Street	\$2.8 to \$3.4 million
<b>TOTAL</b>	<b>\$16.2 TO \$19.3 MILLION</b>

**Disclaimer:** Opinions of probable cost were developed by identifying major pay items and establishing rough quantities to determine a rough order of magnitude cost. Additional pay items have been assigned approximate lump sum prices based on a percentage of the anticipated construction cost. Planning-level cost opinions include a 50% contingency to cover items that are undefined or are typically unknown early in the planning phase of a project. Unit costs are based on 2022 dollars and were assigned based on historical cost data from provided from previous City of Nanaimo projects. Cost opinions do not include easement and right-of-way acquisition; permitting, inspection, or construction management; engineering, surveying, geotechnical investigation, environmental documentation, special site remediation, escalation, or the cost for ongoing maintenance. A cost range has been assigned to certain general categories such as utility relocations; however, these costs can vary widely depending on the exact details and nature of the work. The overall cost opinions are intended to be general and used only for planning purposes. Toole Design makes no guarantees or warranties regarding the cost estimate herein. Construction costs will vary based on the ultimate project scope, actual site conditions and constraints, schedule, and economic conditions at the time of construction.

## 5.0

# CONCLUSION: A REIMAGINED NANAIMO





Reinvigorating Nanaimo's downtown is vital to the continued legacy of Commercial Street and its connecting streets and plazas as central gathering points in the city. The urgency to support the economic recovery of local businesses and tourism, while improving the opportunities to reconnect socially with the diverse community in Nanaimo is palpable, not just to recover from the COVID-19 pandemic, but also to establish resilience in the face of future stresses on the city and surrounding communities. Design Commercial is poised to reinforce the five goals of the City Plan – Nanaimo Relmaged and connect the values of the community to achieve the vision of the plan: *Commercial Street is a green, connected, safe, and equitable place that reflects the history of Nanaimo while attracting people, investment, and vitality.*

A reimagined Commercial Street will encourage vibrant street life in this historically significant place. The design developed throughout this process focuses on respecting the established traditions of downtown Nanaimo while presenting new opportunities to adapt and evolve, creating new traditions future generations will come to celebrate. Design Commercial aims to remove barriers that hinder the enjoyment of downtown by people of all ages, abilities, ethnicities, and economic means, and backgrounds, because it is just that: a space for everyone's enjoyment.

The nine principles for Commercial Street are beacons that guided this process and will continue to do so beyond this project. By creating a community space that is *connected, convenient, comfortable, engaging, accessible, legible, safe, equitable, and flexible*, the corridor and its public spaces can become an inspiration for how to improve the quality of the experience throughout Nanaimo. It will also act as a draw for visitors, who will come to celebrate Nanaimo's culture, creativity, and diversity.

As noted earlier in this document, Design Commercial presents a transition; a launching point to find new opportunities for vibrancy. The **Enhanced Streetscapes** created with improved walking spaces, the addition of greenery and natural elements, and more colour through plants and public art will become a point of pride for residents of downtown and throughout Nanaimo.

The improvements to **Commercial Offerings and Livability** will provide stability and vitality for local businesses and create a home for people looking to live centrally in a place that encourages active and welcoming street life.

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People want photo opportunities, they want little places that they can capture memories, take photos, and share their experiences. For tourism in Nanaimo, it's great to always show the natural beauty, the ocean view or mountains, but it's also great to celebrate the culture, to celebrate the downtown, and let people know when they're visiting this region. There are things to do, and there are reasons to come and stay for a few days.

- **Carolyn Holmes, Executive Director of  
Nanaimo Art Gallery**

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Nanaimo's established Night Market and Jazz Festival, as well as countless new events, with the support of the Nanaimo Business Improvement Association and the Victoria Crescent Association, will be encouraged through the provision of space for **Temporary Street Activation**.

Finally, by enhancing the **Public and Green Space**, Commercial Street and its connecting streets and plazas will become public spaces connected to the natural landscapes around downtown and Nanaimo, and become spaces residents and visitors will be happy to visit and spend time in.

Downtown Nanaimo has a legacy of being a meeting place and an inclusive space, meant for the use and enjoyment by everyone, and celebrating the diversity of cultures, histories, and landscapes that make Nanaimo a city people continue to visit and choose to make their home. Design Commercial reimagines a downtown Nanaimo that is linked to its past, provides a space for pride today, and will evolve as future generations build upon it as a location for gathering as a community, building compassion and comradery, and supporting the social, economic, and environmental vitality that has established Nanaimo as a beautiful harbour city.

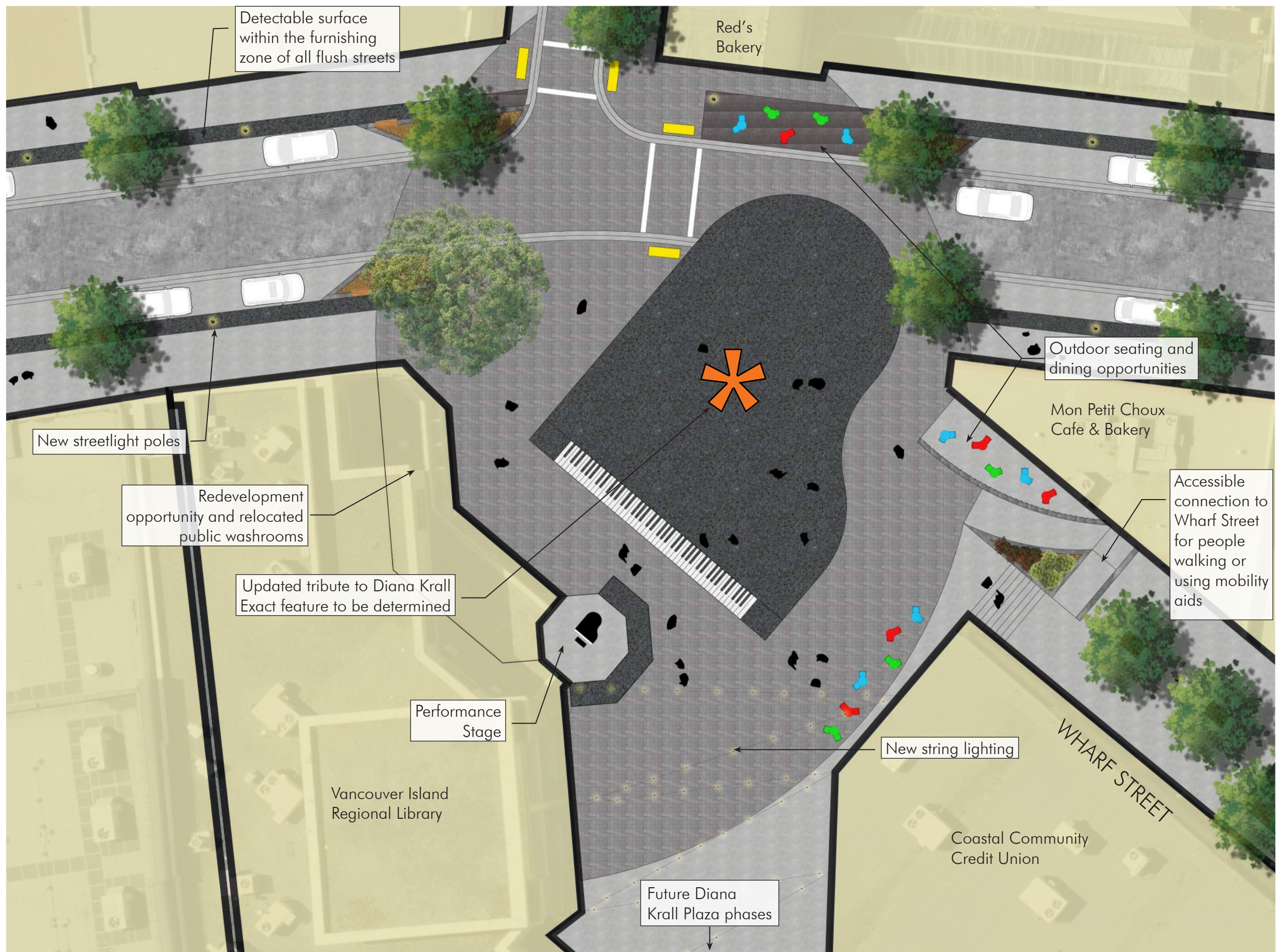
# APPENDICES











\*GRAPHICS SHOWN ARE CONCEPTUAL.  
EXACT DESIGN FEATURE TO BE DETERMINED.







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EXACT DESIGN FEATURE TO BE DETERMINED.





# Design Commercial

*Downtown Reimagined*



[www.nanaimo.ca](http://www.nanaimo.ca)



**T'OOLE**  
DESIGN

[www.tooledesign.com](http://www.tooledesign.com)

  
**MOBYCON**

[www.mobycon.com](http://www.mobycon.com)

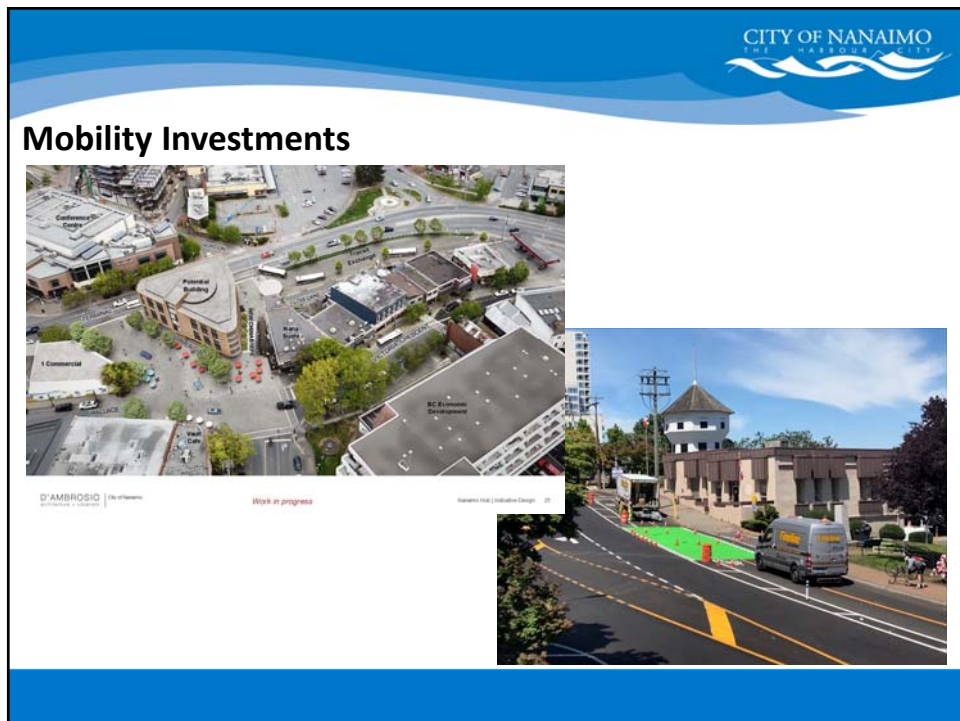
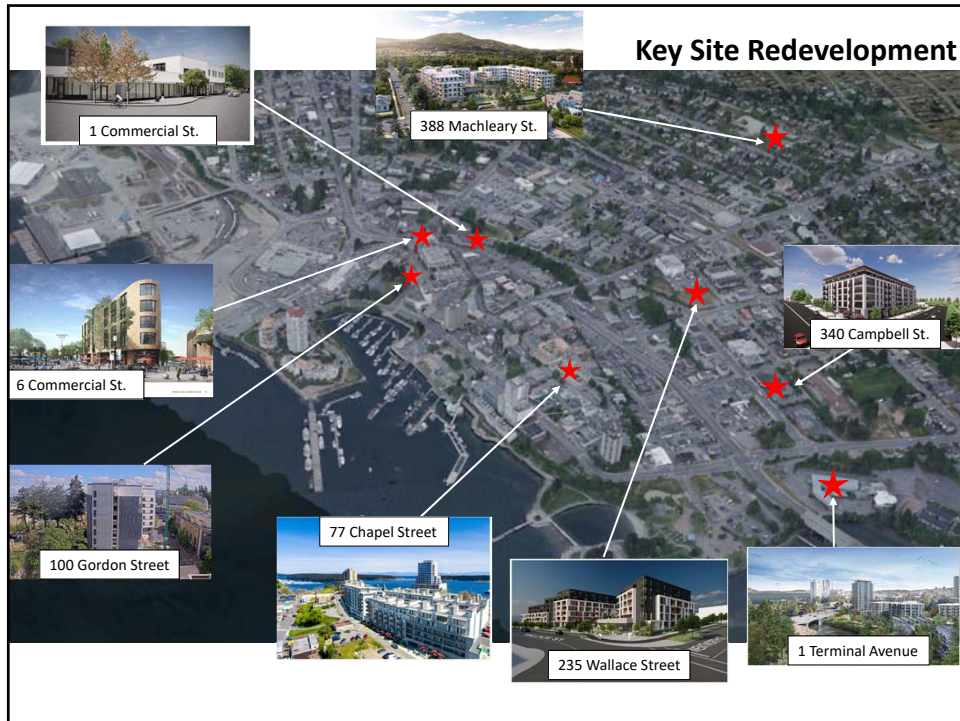


## Downtown Priority Projects Update

2022-JUN-20



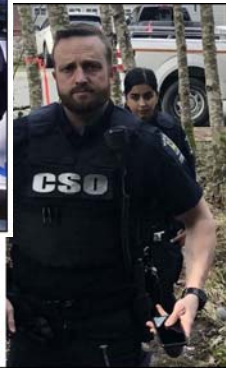




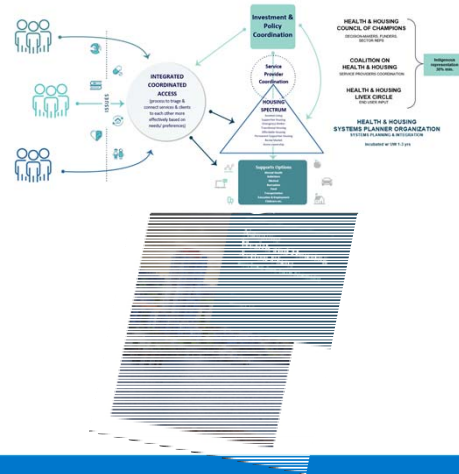
## Downtown Safety



Community  
Safety  
Officers



## Nanaimo Systems Planning Organization Society A SYSTEMS APPROACH



## Downtown Parks (Italian Square)



### Downtown Parks (Italian Square)



### Downtown Parks (Pioneer Square)





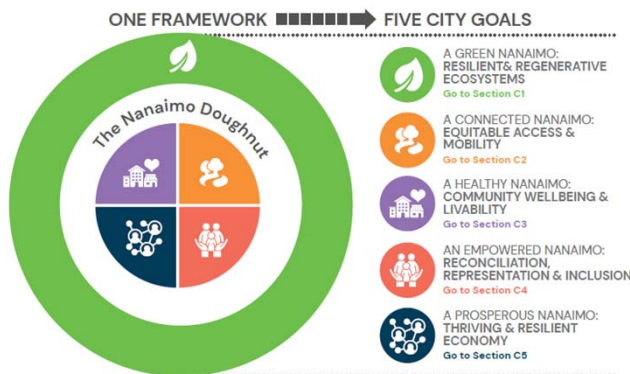
## Design Commercial – Project Background

The Commercial Street Master Plan is one of the projects that will bring Reimagine Nanaimo to life and support implementation of the City Council Strategy Plan 2019-2022. The project will do so by:

- Creating an accessible, healthy, safe, and livable street for people of all ages, abilities, and backgrounds;
- Creating an urban environment that is resilient to climate change and is environmentally responsible;
- Creating a public space that is flexible to adapt to the changing needs of the community;
- Creating a place that celebrates and honours Nanaimo's past and is part of its future to create an inclusive community; and,
- Creating an implementable plan built on a transparent, public decision-making process that is founded on trust, empathy, and equity.



## City Plan – Nanaimo Reimagined



### Commercial Street Vision

- A green, connected, and equitable place that reflects the history of Nanaimo while attracting people, investment, and vitality.

## Street Design Principles



## City Plan Goals vs. Design Principles

	City Plan - Reimagined Nanaimo Goals				
	A Green Nanaimo	A Connected Nanaimo	A Healthy Nanaimo	An Empowered Nanaimo	A Prosperous Nanaimo
CONNECTED					
CONVENIENT					
COMFORTABLE					
ENGAGING					
ACCESSIBLE					
LEGIBLE					
SAFE					
EQUITABLE					
FLEXIBLE					



## The Discovery Charrette Process

TIME	22-Nov	23-Nov		24-Nov		25-Nov	26-Nov
8:00 AM	Consulting Team Arrives	Set-up Design Studio	Stakeholder interviews	Design Studio (open to drop-in)	Stakeholder interviews	Closed Design Studio to complete production prior to public presentation; Additional Stakeholder interviews can be accommodated (if required); Studio breakdown	Consulting Team Departs
9:00 AM							
10:00 AM							
11:00 AM							
12:00 PM							
1:00 PM	Present at Council Committee Mtg	Design Studio (open to drop-in)	Stakeholder interviews	Design Studio (open to drop-in)	Stakeholder interviews		
2:00 PM	City Staff walkthrough & charrette material review						
3:00 PM							
4:00 PM							
5:00 PM	Stakeholder interviews				Closed Studio	Stakeholder interviews	
6:00 PM							
7:00 PM	Dinner	Public Presentation (intro project & early ideas; interactive table sessions)		Dinner		Public Presentation (video taped to be shared online as well)	
8:00 PM		Dinner		Dinner			
9:00 PM		Closed Design Studio (as needed)	Closed Design Studio (as needed)	Dinner with Project Team			
10:00 PM							
	LEGEND						
		Design Studio is open to drop-in by the public, stakeholders					
		Stakeholder Interviews are being held					
		Design Studio is closed to the public and stakeholders; preparation of materials by Consulting Team					
		Workshop event with City Staff					
		Public engagement event					
		Meeting with City Project Team or Steering Committee over food					





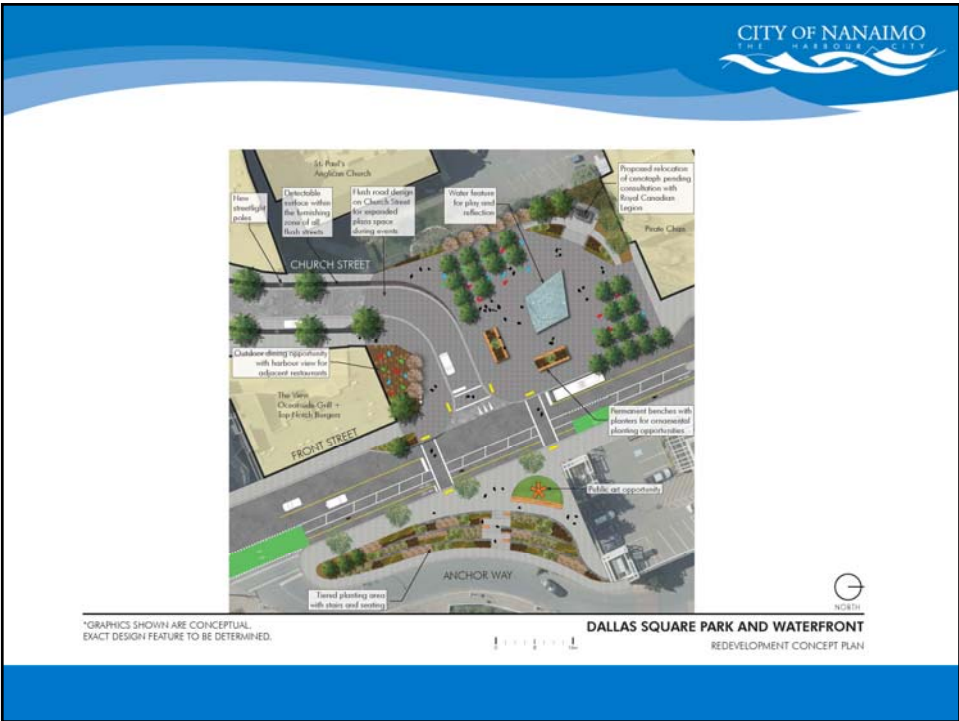


## Commercial Street Themes from Engagement

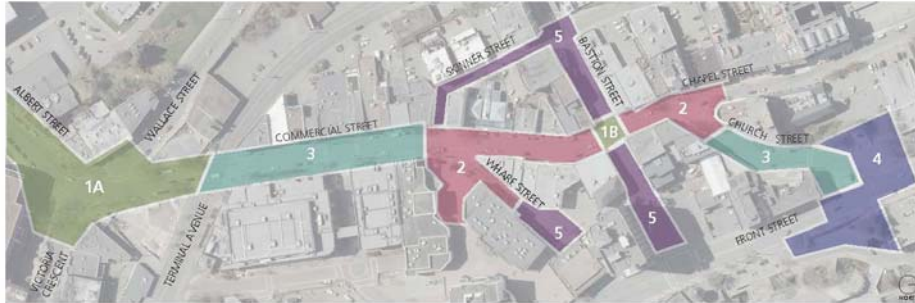
- **Enhanced Streetscapes** – Create a flush curb street with wider sidewalks, increased lighting, greenery and street trees, opportunities for seating and space for public art.
- **Commercial Offerings and Livability** – Expand and increase commercial opportunities and space for dining, shopping and supporting local businesses during the day and in the evenings. Increase offerings of quality housing, community amenities and law enforcement to support the livability of Downtown.
- **Temporary Street Activation** – Continue to support and enhance opportunities for temporary events on Commercial Street, such as markets, music events and performances.
- **Public and Green Spaces** – Improve public and green spaces in Downtown and improve access and connections to the water.







## Timing and Phasing



Design Commercial Implementation Phasing Plan

## Timing and Phasing

PHASE	COST
Phase 1 – Commercial Street from Victoria Crescent to Terminal Avenue and the Commercial and Bastion Street Intersection	\$3.0 to \$3.7 million
Phase 2 – Diana Krall Plaza (including the closure of Wharf Street) and Commercial Street from Diana Krall Plaza to the Land Building	\$2.4 to \$3.0 million
Phase 3 – Commercial Street from Terminal Avenue to Diana Krall Plaza and Church Street	\$2.9 to \$3.5 million
Phase 4 – Dallas Square Park and the Waterfront upgrades	\$1.0 to \$1.2 million
Phase 5 – Skinner Street, Bastion Street, and Wharf Street	\$2.4 to \$2.9 million
<b>TOTAL</b>	<b>\$11.8 TO \$14.2 MILLION</b>



## Delegation Request

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

Kevan Shaw has requested an appearance before Council

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation: Input re: Design/Implementation Plan



DATE OF MEETING JUNE 20, 2022

AUTHORED BY TRACY LOEWEN, COMMUNICATIONS & MARKETING SPECIALIST

**SUBJECT 2021 ANNUAL MUNICIPAL REPORT**

## **OVERVIEW**

### **Purpose of Report**

To hear from the public on and receive Council's approval of the 2021 Annual Municipal Report, as required by the *Community Charter*.

### **Recommendation**

That Council approve the 2021 Annual Municipal Report.

## **BACKGROUND**

Section 98 of the Community Charter requires municipalities in BC to publish an annual report before June 30 of each year and make the report available for public review.

The City was awarded a Canadian Award for Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for its 2020 Annual Municipal Report. This award is given to municipal governments that publish a report that is easily readable, efficiently organized and clearly communicates the municipal government's financial picture.

## **DISCUSSION**

This year marks the 18<sup>th</sup> annual report published by the City of Nanaimo and contains the following components for the year ending 2021-DEC-31:

- Messages from the Mayor and CAO
- Overview of Nanaimo City Council
- Profile of Nanaimo
- City Services and Operations
- Corporate Strategic Plan Progress Report
- Audited Annual Financial Statements
- Financial Statistics

The objectives of a municipality are diverse and complex and there are many ways to present the material contained in this report. The 2021 Annual Municipal Report meets the requirements of the *Community Charter* and provides information to the citizens of Nanaimo. The municipal

objectives and performance measures contained in this report are reviewed and revised annually.

A draft of the 2021 Annual Municipal Report has been advertised and made available to the public on the City's website since 2021-JUNE-01. The *Community Charter* requires that the annual report be considered by Council no later than 2021-JUN-30. As a result, the Annual Municipal Report is now complete and ready to be approved by Council.

### **OPTIONS**

1. That Council approve the 2021 Annual Municipal Report.
  - *Community Charter* Requirements: Two of the three requirements set out by the *Community Charter* pertaining to the creation, and advertising/web posting of a draft annual municipal report have now been met. Council's approval of the report will satisfy the third requirement.
2. That Council request further information pertaining to the 2021 Annual Municipal Report.

### **SUMMARY POINTS**

- In accordance with Section 98 of the *Community Charter*, the City must prepare an annual report each year.
- The annual municipal report must be approved by Council.
- A draft copy of the 2021 Annual Municipal Report has been advertised and made available on the City of Nanaimo's website since 2022-JUNE-01.

### **ATTACHMENTS:**

Attachment A: 2021 Annual Municipal Report

<https://www.nanaimo.ca/docs/your-government/budget-and-finance/2021-annual-report-draft.pdf>

#### **Submitted by:**

Sheila Gurrie  
Director, Legislative Services &  
Communications

#### **Concurrence by:**

Laura Mercer  
Director, Finance

#### **Concurrence by:**

Jake Rudolph  
Chief Administrative Officer

DATE OF MEETING JUNE 20, 2022

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

**SUBJECT GENERAL ELECTION BYLAW AMENDMENT – MAIL BALLOT PROVISIONS**

## **OVERVIEW**

### **Purpose of Report**

To present an amendment to General Election Bylaw to bring the mail ballot provisions in line with the new provincial legislation.

### **Recommendation**

That “General Election Bylaw Amendment Bylaw 2022 No. 7129.04” (a bylaw to bring the mail ballot provisions in line with the new provincial legislation) pass first reading.

That ‘General Election Bylaw Amendment Bylaw 2022 No. 7129.04” pass second reading.

That “General Election Bylaw Amendment Bylaw 2022 No. 7129.04” pass third reading.

## **BACKGROUND**

On May 13, 2021, Bill 10 – 2021: *Municipal Affairs Statutes Amendment Act* was introduced that included several legislative amendments to the *Community Charter* and *Local Government Act* to help support communities through the COVID-19 pandemic and to provide greater flexibility for local governments and the Province to respond to future extraordinary circumstances.

One of the amendments through that Bill that passed on June 17, 2021 was to Section 110 of the *Local Government Act* which removed the legislated limitations for mail ballot voting (for those municipalities that authorize mail ballot voting within their General Election Bylaws) by enabling local governments to expand eligibility to all electors. Previously, only electors who were absent or had an illness, injury or disability could vote by mail.

The City’s General Election Bylaw currently provides the option for mail ballot voting based on the old legislation so in order to comply with the new legislation, a bylaw amendment to portions of section 5 (mail ballot voting) and the procedures for how mail ballots are processed is required (see Attachment 1).

## **DISCUSSION**

As noted in the background section of the report, in order to comply with the new legislation that expands the opportunity for mail ballot voting to all electors, amendments to the City’s General Election Bylaw, along with the procedures for how the mail ballots will be accepted and processed is required.

Given that Elections BC saw almost a 100-fold increase in the number of residents intending to vote by mail in the 2020 provincial election, it is anticipated that more residents will want the ability to vote by mail in the local government election in the fall. Mail ballot voting also helps with efforts to avoid large crowds of people standing in line at the voting location and should COVID cases rise again in the fall, having the option to vote by mail provides electors with another option for casting their vote.

The mail ballot provisions in section 5 were vetted by the City's solicitor who also put forward a few other suggested housekeeping changes to provide clarity in section 9 – voting procedures, section 12 - post-vote procedures, and section 13 recount procedures. For Council's convenience, the consolidated bylaw has the proposed changes highlighted in red and strikethrough (see Attachment 2).

### **OPTIONS**

#### **Option 1:**

That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" (a bylaw to accommodate expanded legislation for mail ballot voting) pass first reading.

That 'General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass second reading.

That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass third reading. As the City's General Election Bylaw provides for the ability to utilize mail ballot voting, changes to the bylaw were required in order to comply with the new legislative requirements as outlined in the *Local Government Act*. Other housekeeping amendments identified will also provide clarity, and as such, there are no disadvantages to supporting this option.

#### **Option 2:**

Council direction is sought.

### **SUMMARY POINTS**

- On June 17, 2021, amendments were made to the *Local Government Act* that removed the legislated limitations for mail ballot voting.
- All electors will now have the option to vote by mail in the local government election in the fall.
- An amendment to the General Election Bylaw was required to bring the City's bylaw in line with the new legislation.

### **ATTACHMENTS:**

Attachment 1 – B7129\_04 – General Election Bylaw Amendment

Attachment 2 – B7129 Consolidated Mark Up

#### **Submitted by:**

Karen Robertson, Deputy City Clerk

#### **Concurrence by:**

Sheila Gurrie, Director of Legislative Services



CITY OF NANAIMO

BYLAW NO. 7129.04

A BYLAW TO AMEND THE GENERAL ELECTION BYLAW MAIL BALLOT PROVISIONS

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The Council of the City of Nanaimo enacts as follows:

1. Title

This Bylaw may be cited for all purposes as the City of Nanaimo “General Election Bylaw Amendment Bylaw 2022 No. 7129.04”.

2. Amendments

“General Election Bylaw 2011 No. 7129” is hereby amended as follows:

2.1 By deleting section 5 in its entirety and replacing it with the following:

“5. Mail Ballot Voting

5.1 As authorized under section 110 of the *Local Government Act* and in accordance with this Bylaw, voting and registration of election may be done by mail.

5.2 The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.

5.3 Mail Ballot Voting Application Procedure

(1) An elector wishing to vote by mail shall apply, between the start of the nomination period and 4:00 p.m. on the Friday prior to general voting day, by giving their Application To Vote By Mail to the Chief Election Officer.

(2) Upon receipt of a request for a mail ballot, the Chief Election Officer will, make available to an elector, either by hand or by mail, a mail ballot package which contains:

- i. the content as specified in section 110 (7) of the *Local Government Act*;
- ii. information advising the applicant elector how to vote by mail ballot; and
- iii. a statement advising the elector that they must meet the eligibility to vote criteria and that the elector must attest to such fact.

- (3) The Chief Election Officer shall keep a register of mail ballots which includes the following:
  - i. the name and address of all electors who request and are issued a mail ballot and elector registration package;
  - ii. the voter identification number of the elector where applicable; and
  - iii. any other information that the Chief Election Officer deems appropriate for maintaining the register of mail ballots; and
  - iv. upon request, the register of mail ballots must be made available for inspection.
- (4) At the elector's option, the Chief Election Officer may distribute the mail ballot package in any of the following ways:
  - i. sending the mail ballot package by Canada Post;
  - ii. sending the mail ballot package by courier at the expense of the elector;
  - iii. having the mail ballot package picked up by the elector at a designated time and location; or
  - iv. having the mail ballot package picked up by a person authorized by the applicant elector on the applicant elector's behalf at a designated time and location.
- (5) The Chief Election Officer may request that the person authorized to pick up a mail ballot package on the elector's behalf show identification and sign a form before being provided the mail ballot package.

#### 5.4 Mail Ballot Voting Procedure

- (1) To vote by mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer.
- (2) After marking the ballot, the elector shall:
  - i. place the ballot in the secrecy envelope provided and seal the secrecy envelope;

- ii. place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
  - iii. place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
  - iv. mail, or have delivered, the outer envelope and its contents to the Chief Election Officer at the address specified so that it is received no later than the close of voting on general voting day.
- (3) In accordance with section 110 (4) of the *Local Government Act*, electors who register by mail are not required to produce to an election official, copies of proof of their identity and place of residence; however, they must attest to such fact in the presence of a witness and record having done so on the certification envelope.

#### 5.5 Mail Ballot Acceptance or Rejection

- (1) Where a mail ballot and its contents are received by the Chief Election Officer before the close of voting on general voting day, the Chief Election Officer shall, upon receiving the returned mail ballot envelope and its contents:
- i. immediately record the date of receiving the returned mail ballot in the register of mail ballots;
  - ii. open the outer envelope and remove and examine the certification envelope and, if applicable, the completed elector registration application and verify the completeness of same as follows:
    - 1. confirm the identity and entitlement to vote of the elector whose ballot is enclosed,
    - 2. determine the fulfillment of the requirements is section 70 of the *Local Government Act* and the completeness of any application to register, if required; and
    - 3. determine the completeness of the certification envelope.
- (2) If the Chief Election Officer is satisfied that the elector has met the requirements in section 5.5 (1) the Chief Election Officer shall:

- i. mark the certification envelope as "accepted" and place the accepted and unopened certification envelope with the other accepted certification envelopes in a designated mail ballot box ("accepted certification envelopes").
- (3) The accepted certification envelopes shall be secured in a mail ballot box marked "accepted certification envelopes" until such time as decided by the Chief Election Officer in subsection (7) below or the close of voting. The Chief Election Officer will retain such mail ballot boxes in their possession.
- (4) If, on receiving a returned mail ballot envelope and its contents, the Chief Election Officer determines that:
  - i. the Chief Election Officer is not satisfied as to the identity of the elector; or
  - ii. the elector has not completed an application for registration in accordance with this Bylaw or the *Local Government Act*; or
  - iii. the returned mail ballot envelope is received by the Chief Election Officer after the close of voting on general voting day, the Chief Election Officer will mark such envelope as "rejected", noting the reasons for the rejection and shall set aside the rejected certification envelope.
- (5) Any certification envelopes and their contents rejected in accordance with this section will remain unopened and will be subject to the provisions of the *Local Government Act* regarding their destruction.
- (6) The Chief Election Officer will retain in their custody all accepted and rejected certification envelopes in order to manage any challenges made in accordance with this Bylaw.
- (7) At a place, date and time decided by the Chief Election Officer and before general voting day, the Chief Election Officer shall invite candidates or candidate representatives to observe the opening of the accepted certification envelopes received up to that point for the purpose of preparing the mail ballots for counting. At such time, the Chief Election Officer shall, in the presence of at least 1 other election official, and any candidate representatives:
  - i. open the accepted certification envelopes;



- ii. remove the secrecy envelopes containing the ballots; and
  - iii. open the secrecy envelope containing the ballot and run the ballot through the vote tabulator.
- (8) Any returned mail ballots received after the date and time set out in section 5.5 (7) and until the close of general voting day, will be handled in accordance with section 5.5 (1) through (6).
- (9) As soon as practicable after the close of voting on general voting day, the unopened accepted certification envelopes received after the date and time set out in section 5.5 (7) will be opened and duly processed by the Chief Election Officer in the presence of at least 1 other election official, and any candidate representatives, and the accepted ballots contained therein will be run through the vote tabulator and counted in accordance with this Bylaw and the *Local Government Act*.

#### 5.6 Challenge of Elector

- (1) a person who qualifies under section 126 of the *Local Government Act* may challenge the right of a person exercising the right to vote by mail ballot on the grounds set out in section 126 up until 4:30 pm two days before general voting day.

#### 5.7 Elector's Name Already Used

- (1) If, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the Chief Election Officer shall comply with section 127 of the *Local Government Act*.

#### 5.8 Spoiled Mail Ballot

- (1) Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by advising the Chief Election Officer of the ballot spoilage and by mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer. The Chief Election Officer will, upon receipt of the spoiled ballot package and request for replacement, record such fact, and proceed in accordance with this section, so far as practicable within the applicable time limitations.

- 5.9 As provided in the *Local Government Act*, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day in order to be counted for an election.”
- 2.2 By adding the words “is complete” after the word “voting” in the last line of section 6(3).
- 2.3 By deleting section 8(9) in its entirety and replacing it with the following:
- “(9) If a ballot is returned by the vote tabulator, the election official at the ballot box must advise the elector that they may request another ballot. If the elector refuses the opportunity to request another ballot, the election official will, using the ballot return override procedure, reinsert the returned ballot into the vote tabulator to count any acceptable marks which may have been made acceptably.”
- 2.4 By deleting section 12 (1) and (2) in their entirety and replacing them with the following:
- “12. Post-vote Procedures:
- (1) Immediately after the close of voting on general voting day, the presiding election official must undertake the following, generally in the order stipulated:
- (a) Direct that all unopened portable ballot boxes be opened;
  - (b) Ensure that any remaining ballots in the portable ballot boxes are inserted into the vote tabulator;
  - (c) Secure the vote tabulator so that no more ballots can be inserted;
  - (d) Generate two copies of the results tape from the vote tabulator;
  - (e) Complete the ballot account, attaching one copy of the results tape;
  - (f) Seal all voted ballots in the ballot box;
  - (g) Count the unused ballots, spoiled and rejected ballots and place them, packaged separately and sealed, in a ballot box along with the voting books, a copy of the results tape, a copy of the ballot account and all statements and voters lists;
  - (h) Seal and initial the box and deliver it to the election office; and
  - (i) Deliver the vote tabulator, the sealed ballot box, one copy of the results tape and the ballot account to the Chief Election Officer as soon as possible.
- (2) The results tapes from the vote tabulators, used at the advance voting opportunities, mail ballots and any special voting opportunities will be generated by the Chief Election Officer or designate after 8:00 p.m. on the general voting day in accordance with subsection (1) above.”

2.5 By deleting section 13 in its entirety and replacing it with the following:

“13. Recount Procedure:

If in order to determine the results, in the Chief Election Officer's sole discretion, it is necessary or desirable to conduct a recount of the votes for any position or question, the Chief Election Officer may conduct a recount generally in accordance with the following procedure and that as set out in section 8 [Voting Procedure] in this Bylaw:

- a) The recount shall be conducted using the vote tabulators;
- b) The memory cards of all vote tabulators to be used will be cleared;
- c) Vote tabulators will be designated for each voting place;
- d) All voted ballots will be removed from the sealed ballot boxes, except spoiled or rejected ballots, and re-inserted in the vote tabulators under the supervision of the Chief Election Officer; and
- e) Any ballots returned by the vote tabulator during the recount process shall, through the use of the ballot return override procedure, be reinserted in the vote tabulator to ensure that any acceptable marks are counted; and
- f) To obtain the election results, the Chief Election Officer shall tally the votes and communicate the total election results.”

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

\_\_\_\_\_  
MAYOR

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

# **“GENERAL ELECTION BYLAW 2011 NO. 7129”**

*Consolidated Version with Mark Up*

CITY OF NANAIMO

BYLAW NO. 7129

A BYLAW TO PROVIDE FOR THE USE OF AN AUTOMATIC VOTING SYSTEM AND  
ESTABLISH VARIOUS PROCEDURES FOR THE CONDUCT OF LOCAL GOVERNMENT  
ELECTIONS AND OTHER VOTING

---

WHEREAS under the *Local Government Act*, the Council of the City of Nanaimo, may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting; and

WHEREAS the Council of the City of Nanaimo, may, by bylaw, provide for the use of automated voting machines, voting recorders or other devices for voting in an election; and,

WHEREAS Council wishes to establish various procedures and requirements under that authority, and use automated voting machines in local government elections;

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

1. Title:

This Bylaw may be cited for all purposes as the City Of Nanaimo “GENERAL ELECTION BYLAW 2011 NO. 7129”.

2. Definitions:

In this bylaw:

“AUTOMATED  
VOTING  
SYSTEM”

means an automated system that records and counts votes and processes and stores election results. The system is housed in two hardware components, the vote tabulator and the ballot box and a number of portable ballot boxes into which voted ballots are deposited, where a vote tabulator is not functioning or being used and where the ballots will be counted after the close of voting on general voting day.



"BALLOT"	means a ballot card which may be a composite ballot for two or more elections to be voted for, and/or bylaws or other matters on which the assent of the electors is sought, including all choices available to the electors and containing spaces in which the electors mark their votes.
"BALLOT ACCOUNT"	means an account of ballots prepared in accordance with Section 141 of the <i>Local Government Act</i> . (Bylaw 7129.03)
"BALLOT BOX"	means the container for ballots that have been marked by electors.
"CHIEF ELECTION OFFICER"	means the election official appointed under Section 58 of the <i>Local Government Act</i> to conduct the election. (Bylaw 7129.03)
"DEPUTY CHIEF ELECTION OFFICER"	means the election official appointed under Section 58 of the <i>Local Government Act</i> to assist the Chief Election Officer in administering the conduct of the election. (Bylaw 7129.03)
"ELECTOR"	means a resident elector or a non-resident property elector of the City of Nanaimo as defined under the <i>Local Government Act</i> .
"ELECTION OFFICIALS"	means individuals appointed by the Chief Election Officer to assist the presiding election official at election proceedings and act as alternate presiding election official.
"GENERAL LOCAL ELECTION"	means the elections held for the mayor and all councillors of the municipality which must be held in the year 2014 and in every fourth year after that. (Bylaw No. 7129.01)
"GENERAL VOTING DAY"	means: <ul style="list-style-type: none"><li>a) for a general local election, the 3rd Saturday of October in the year of the election,</li><li>b) for other elections, the date set under Sections 54(5), 55(1) or (3), or 152(5) of the <i>Local Government Act</i>, and</li><li>c) for other voting, the date set under Section 174 of the <i>Local Government Act</i>. (Bylaw 7129.03)</li></ul>
"LEGIBLE MARK"	means a mark which fills in the oval provided on the ballot opposite a candidate's name or opposite a question with either a "yes" or "no" oval, that the vote tabulator is able to read and count.
"LOCAL GOVERNMENT"	means, in relation to a municipality, the council.

“MEMORY CARD”	means a cartridge unit that plugs into the vote tabulator that contains: a) the names of the candidates or questions being voted on; b) the alternative “yes” and “no” for each bylaw or other matter on which the assent of the electors is being sought; and a mechanism to recover and retain information on the number of acceptable marks made for each.
“PORTABLE BALLOT BOX”	means a ballot box which is used at a voting place where a vote tabulator is not being used at the time of voting.
“PRESIDING ELECTION OFFICIAL”	means the election official appointed by the Chief Election Officer to conduct election proceedings where the Chief Election Officer is not acting as presiding election official.
“RESULTS TAPE”	means the printed record generated from a vote tabulator at the close of voting on general voting day which shows: a) the number of ballots received; b) the number of ballots accepted; c) the number of ballots rejected; d) the number of votes for each candidate; and e) if applicable, the number of votes for and against each bylaw or other matter on which the assent of the electors is sought.
“SECRECY SLEEVE”	means an open-ended folder or envelope used to cover ballots to conceal the choices made by each elector.
“VOTE TABULATOR”	means the part of an automated voting system into which the ballots are inserted, scanned, and the number of votes for each candidate and for each referendum question are recorded.
“VOTING BOOK”	means the book for recording the names of electors.

3. Use of Provincial List of Voters as the Register of Resident Electors:

- (1) For the purposes of all local elections and submissions to the electors under Parts 3 and 4 of the *Local Government Act*, the most current available Provincial list of voters prepared under the *Election Act*, shall become the register of resident electors on the 52<sup>nd</sup> day prior to the general voting day for such elections and submissions to the electors.
- (2) As authorized under section 71 of the *Local Government Act*, advance registration is available in the City of Nanaimo in accordance with section 71 of the *Local Government Act*. (Bylaw 7129.03)
- (3) Subsection (2) does not apply in the case of Assent Voting or other voting under Part 4 of the *Local Government Act* in which case registration of electors is limited to registration at the time of voting. (Bylaw 7129.02)

4. Access to Nomination Documents

As authorized by section 89 of the *Local Government Act* and in addition to access under section 89(7)(a), public access to nomination documents will be provided by posting the documents on the City website as soon as practicable after the time of delivery to the Chief Election Officer until 30 days after the declaration of the election results under section 146 of the *Local Government Act*. (Bylaw 7129.03)

4.1 Nomination Matters - Mayor Nomination Deposit (Bylaw No. 7129.03)

- (a) A person who submits nomination documents for mayor, must at the same time make a nomination deposit of \$100.00.
- (b) Nomination deposits will be returned or forfeited in accordance with section 88 of the Local Government Act, R.S.B.C. 2015, c.1, as amended from time to time.

4.2 Nomination Matters - Councillor Nomination Deposit (Bylaw No. 7129.03)

- (1) A person who submits nomination documents for councillor, must at the same time make a nomination deposit of \$100.00.
- (2) Nomination deposits will be returned or forfeited in accordance with section 88 of the Local Government Act, R.S.B.C. 2015, c.1, as amended from time to time.

4.3 Number of Nominators (Bylaw No. 7129.03)

- (1) The minimum number of qualified nominators for Mayor or Councillor is 10.

5. Mail-in Ballots

- ~~(1) As authorized under section 110 of the *Local Government Act*, voting and registration may be done by mail for those electors who meet the criteria in Section 5(2) for each election or other voting. (Bylaw 7129.03)~~
- ~~(2) The following electors are permitted to register to vote by mail and to vote by mail ballot:
  - ~~(a) those persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;~~
  - ~~(b) persons who expect to be absent from the City of Nanaimo on general voting day and at the times of all advance voting opportunities.~~~~
- ~~(3) The following procedures for voting and registration must apply:
  - ~~(a) sufficient record will be kept by the Chief Election Officer so that challenges of the elector's right to vote may be made in accordance with the intent of section 126 of the *Local Government Act*; (Bylaw 7129.03)~~
  - ~~(b) a person exercising the right to vote by mail under the provisions of section 110 may be challenged in accordance with, and on the grounds specified~~~~

~~in section 126 of the *Local Government Act*, until 4:30 p.m. two days before general voting day. (Bylaw 7129.03)~~

- ~~(4) The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.~~
- ~~(5) As provided in the *Local Government Act*, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day in order to be counted for an election.~~
- ~~(6) The Chief Election Officer will insert the mail-in ballots into a portable ballot box and at the close of voting, ensure that the portable ballot box is sealed.~~

## 5. Mail Ballot Voting

5.1 As authorized under section 110 of the *Local Government Act* and in accordance with this Bylaw, voting and registration of election may be done by mail.

5.2 The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.

### 5.3 Mail Ballot Voting Application Procedure

- (1) An elector wishing to vote by mail shall apply, between the start of the nomination period and 4:00 p.m. on the Friday prior to general voting day, by giving their Application To Vote By Mail to the Chief Election Officer.
- (2) Upon receipt of a request for a mail ballot, the Chief Election Officer will, make available to an elector, either by hand or by mail, a mail ballot package which contains:
  - i. the content as specified in section 110 (7) of the *Local Government Act*;
  - ii. information advising the applicant elector how to vote by mail ballot; and
  - iii. a statement advising the elector that they must meet the eligibility to vote criteria and that the elector must attest to such fact.
- (3) The Chief Election Officer shall keep a register of mail ballots which includes the following:
  - i. the name and address of all electors who request and are issued a mail ballot and elector registration package;
  - ii. the voter identification number of the elector where applicable; and
  - iii. any other information that the Chief Election Officer deems appropriate for maintaining the register of mail ballots; and



- iv. upon request, the register of mail ballots must be made available for inspection.
- (4) At the elector's option, the Chief Election Officer may distribute the mail ballot package in any of the following ways:
- i. sending the mail ballot package by Canada Post;
  - ii. sending the mail ballot package by courier at the expense of the elector;
  - iii. having the mail ballot package picked up by the elector at a designated time and location; or
  - iv. having the mail ballot package picked up by a person authorized by the applicant elector on the applicant elector's behalf at a designated time and location.
- (5) The Chief Election Officer may request that the person authorized to pick up a mail ballot package on the elector's behalf show identification and sign a form before being provided the mail ballot package.

#### 5.4 Mail Ballot Voting Procedure

- (1) To vote by mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer.
- (2) After marking the ballot, the elector shall:
- i. place the ballot in the secrecy envelope provided and seal the secrecy envelope;
  - ii. place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
  - iii. place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
  - iv. mail, or have delivered, the outer envelope and its contents to the Chief Election Officer at the address specified so that it is received no later than the close of voting on general voting day.
- (3) In accordance with section 110 (4) of the *Local Government Act*, electors who register by mail are not required to produce to an election official, copies of proof of their identity and place of residence; however, they must attest to such fact in the presence of a witness and record having done so on the certification envelope.

5.5 Mail Ballot Acceptance or Rejection

- (1) Where a mail ballot and its contents are received by the Chief Election Officer before the close of voting on general voting day, the Chief Election Officer shall, upon receiving the returned mail ballot envelope and its contents:
  - i. immediately record the date of receiving the returned mail ballot in the register of mail ballots;
  - ii. open the outer envelope and remove and examine the certification envelope and, if applicable, the completed elector registration application and verify the completeness of same as follows:
    1. confirm the identity and entitlement to vote of the elector whose ballot is enclosed,
    2. determine the fulfillment of the requirements in section 70 of the *Local Government Act* and the completeness of any application to register, if required; and
    3. determine the completeness of the certification envelope.
- (2) If the Chief Election Officer is satisfied that the elector has met the requirements in section 5.5 (1), the Chief Election Officer shall:
  - i. mark the certification envelope as "accepted" and place the accepted and unopened certification envelope with the other accepted certification envelopes in a designated mail ballot box ("accepted certification envelopes").
- (3) The accepted certification envelopes shall be secured in a mail ballot box marked "accepted certification envelopes" until such time as decided by the Chief Election Officer in subsection (7) below or the close of voting. The Chief Election Officer will retain such mail ballot boxes in their possession.
- (4) If, on receiving a returned mail ballot envelope and its contents, the Chief Election Officer determines that:
  - i. the Chief Election Officer is not satisfied as to the identity of the elector; or
  - ii. the elector has not completed an application for registration in accordance with this Bylaw or the *Local Government Act*; or
  - iii. the returned mail ballot envelope is received by the Chief Election Officer after the close of voting on general voting day, the Chief Election Officer will mark such envelope as "rejected", noting the reasons for the rejection and shall set aside the rejected certification envelope.

- (5) Any certification envelopes and their contents rejected in accordance with this section will remain unopened and will be subject to the provisions of the *Local Government Act* regarding their destruction.
- (6) The Chief Election Officer will retain in their custody all accepted and rejected certification envelopes in order to manage any challenges made in accordance with this Bylaw.
- (7) At a place, date and time decided by the Chief Election Officer and before general voting day, the Chief Election Officer shall invite candidates or candidate representatives to observe the opening of the accepted certification envelopes received up to that point for the purpose of preparing the mail ballots for counting. At such time, the Chief Election Officer shall, in the presence of at least 1 other election official, and any candidate representatives:
  - i. open the accepted certification envelopes;
  - ii. remove the secrecy envelopes containing the ballots; and
  - iii. open the secrecy envelope containing the ballot and run the ballot through the vote tabulator.
- (8) Any returned mail ballots received after the date and time set out in section 5.5 (7) and until the close of general voting day, will be handled in accordance with section 5.5 (1) through (6).
- (9) As soon as practicable after the close of voting on general voting day, the unopened accepted certification envelopes received after the date and time set out in section 5.5 (7) will be opened and duly processed by the Chief Election Officer in the presence of at least 1 other election official, and any candidate representatives, and the accepted ballots contained therein will be run through the vote tabulator and counted in accordance with this Bylaw and the *Local Government Act*.

#### 5.6 Challenge of Elector

- (1) a person who qualifies under section 126 of the *Local Government Act* may challenge the right of a person exercising the right to vote by mail ballot on the grounds set out in section 126 up until 4:30 pm two days before general voting day.

#### 5.7 Elector's Name Already Used

- (1) If, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the Chief Election Officer shall comply with section 127 of the *Local Government Act*.

5.8 Spoiled Mail Ballot

- (1) Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by advising the Chief Election Officer of the ballot spoilage and by mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer. The Chief Election Officer will, upon receipt of the spoiled ballot package and request for replacement, record such fact, and proceed in accordance with this section, so far as practicable within the applicable time limitations.

5.9 As provided in the *Local Government Act*, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day in order to be counted for an election.”

6. Use of Automated Voting System

- (1) The Chief Election Officer is hereby authorized to conduct any local government election or other voting using an automated voting system.
- (2) The Chief Election Officer must conduct a test of the automated voting system before each local government election or other voting and must be satisfied that it is in good working order.
- (3) As soon as the test of the automated voting system is completed, the Chief Election Officer must secure the memory cards and ensure that they will remain secured until the election or other voting is complete.

7. Form of Ballot:

- (1) The Chief Election Officer may provide for use of composite ballots on which an elector's votes on two or more elections or other voting may be indicated.
- (2) If a ballot is in the form of a composite ballot, each portion of the ballot that deals with a single election is to be considered a separate ballot.
- (3) Each ballot shall contain a space for a “legible mark” opposite each candidate's name, or opposite “yes” or “no” when the vote is on a bylaw or other matter on which the assent of the electors is sought.

8. Voting Procedures:

- (1) The Chief Election Officer will select a presiding election official for each voting place whose duties are to ensure election officials demonstrate voting procedures, issue ballots and accept marked ballots at the vote tabulator and ballot box, in addition to other general responsibilities for the supervision and control of the voting place.
- (2) Each elector is entitled to a demonstration of voting procedures from an election official assigned to perform such demonstrations.



- (3) Upon completion of the voting demonstration, if any, the elector shall proceed as instructed, to the election official responsible for issuing ballots, who, upon fulfillment of the requirements of the *Local Government Act*, shall then provide a ballot to the elector, a secrecy sleeve if requested by the elector, and any further instructions the elector requests.
- (4) Immediately after receiving the ballot, the elector must proceed to a voting compartment to vote, or if the elector is unable to mark a ballot because of a physical disability or difficulties in reading or writing or is unable to enter the voting place because of physical disability or impaired mobility, he may vote in accordance with the procedures outlined in Sections 131 and 132 of the *Local Government Act*. (Bylaw 7129.03)
- (5) The elector shall vote by making a legible mark on each ballot beside the chosen candidate (or candidates, where there is more than one vacancy), or beside the "yes" or "no" when the vote is in relation to a bylaw or other matter on which the assent of the electors is sought. An elector may mark only up to the same number of spaces on the ballot as the number of vacancies in office and may not mark more than one space on a ballot in relation to a bylaw or other matter on which the assent of the electors is sought.
- (6) Once the elector has finished marking the ballot, the elector must either place the ballot into the secrecy sleeve, if one has been requested, or otherwise conceal the markings on the ballot and proceed to the vote tabulator.
- (7) Under the supervision of the election official in attendance, the elector must insert the ballot directly from the secrecy sleeve, if applicable, into the vote tabulator without the acceptable marks on the ballot being exposed.
- (8) If an elector has:
  - a) unintentionally spoiled a ballot or made a mistake before it is deposited in a ballot box; or
  - b) if the vote tabulator will not accept the ballot;

the presiding election official must issue a new ballot to the elector and mark the returned ballot "spoiled". Spoiled ballots must be retained and kept separately from all other ballots and must not be counted in the election results.

- ~~(9) If a ballot is rejected by the vote tabulator, the election official at the ballot box must advise the elector that he or she may request another ballot. If the elector refuses the opportunity to request another ballot, the election official will instruct the vote tabulator to accept the rejected ballot.~~
- (9) If a ballot is returned by the vote tabulator, the election official at the ballot box must advise the elector that they may request another ballot. If the elector refuses the opportunity to request another ballot, the election official will, using the ballot return override procedure, reinsert the returned ballot into the vote tabulator to count any acceptable marks which may have been made acceptably.

- (10) Any ballot counted by the vote tabulator is valid and will be counted in the election results, subject to any determination made by the Chief Election Officer on a recount.
- (11) Once the ballot has been inserted into the ballot box, the elector must immediately leave the voting place.
- (12) If the vote tabulator stops functioning, the election official at the ballot box must insert all ballots delivered by the electors while the vote tabulator is not working into the portable ballot box for inserting once a vote tabulator is available or counting at a later time.

9. Advance Voting Opportunities and Procedures:

- (1) As authorized under Section 107 of the *Local Government Act*, the following required advance voting opportunities are established for each election, to be held in advance of general voting day for each election: (*Bylaw 7129.03*)
  - (a) one on the tenth day before general voting day from 8:00 a.m. to 8:00 p.m.
  - (b) one on the third day before general voting day from 8:00 a.m. to 8:00 p.m.
- (2) As authorized under Section 108 of the *Local Government Act*, the Chief Election Officer is hereby authorized to establish dates for additional voting opportunities in advance of general voting day and designate the voting places and set the voting hours for these voting opportunities. (*Bylaw 7129.03*)
- (3) The vote tabulators and ballot boxes will be used to conduct advance voting opportunities unless the Chief Election Officer directs that portable ballot boxes be used.
- (4) The voting procedures at the advance vote will follow, as closely as possible, the procedures described in Section 8 of this Bylaw.
- (5) At the close of the advance voting opportunity, the presiding election official must ensure:
  - (a) that any portable ballot boxes are sealed;
  - (b) that no additional ballots are inserted in the vote tabulator;
  - (c) that the ballot boxes used are sealed to prevent insertion of additional ballots;
  - (d) that the results tapes for the advance voting opportunity are not generated;
  - (e) that the automated voting system, including the sealed memory cards and ballot boxes, and any portable ballot boxes are delivered to the Chief Election Officer for securing until general voting day.
- (6) The Chief Election Officer must ensure:
  - (a) that the ballot boxes and any portable ballot boxes used for the advance voting opportunity, remain sealed until 8:00 p.m. on general voting day;
  - (b) that the memory cards remain secure until 8:00 p.m. on general voting day; and

- (c) that the results tapes for the advance voting opportunity are not generated until 8:00 p.m. on general voting day.

10. Additional Voting Opportunities and Procedures

- (1) As authorized under Section 106 of the *Local Government Act*, the Chief Election Officer is hereby authorized to establish additional voting opportunities for general voting day to designate the voting places and set the voting hours for these voting opportunities for each election. (*Bylaw 7129.03*)
- (2) The vote tabulators and ballot boxes will be used to conduct additional voting opportunities unless the Chief Election Officer directs that portable ballot boxes be used.
- (3) The voting procedures at the additional voting opportunity will follow, as closely as possible, the procedures described in Section 8 and Sections 9(5) and 9(6) of this Bylaw.

11. Special Voting Opportunities and Procedures:

- (1) Pursuant to Section 109 of the *Local Government Act*, the Council establishes special voting opportunities and hereby authorizes the Chief Election Officer to establish the date, time and place of the special voting opportunities in order to give electors who may otherwise be unable to vote, an opportunity to do so. (*Bylaw 7129.03*)
- (2) Special voting opportunities will be restricted to only residents, patients, visitors or staff of the location where the special voting opportunity has been established by the Chief Election Officer.
- (3) A presiding election official may attend at locations established under subsection (1) to take the elector's vote.
- (4) Portable ballot boxes will be used by the presiding election officials in which the ballots containing the votes at the pre-approved special opportunity voting places will be placed.
- (5) The presiding election officials appointed to attend at the special voting opportunity locations shall conduct the voting in accordance with the following:
  - (a) attending at those specific locations within the facility as determined to be reasonable after consultation with the facility staff;
  - (b) explain and demonstrate the voting procedures;
  - (c) have the elector sign the voting book;
  - (d) provide a ballot to the elector, along with a secrecy sleeve, if one has been requested, and any further instructions the elector requests;
  - (e) allow the elector to mark the ballot in private and place it into the secrecy sleeve, if applicable; and

- (f) ensure that the ballot moves directly from the secrecy sleeve, if one has been requested, or otherwise conceal the markings on the ballot and deposit into the portable ballot box.
- (6) The presiding election official will ensure that the portable ballot box is secured. As soon as the presiding election official has attended all institutions as directed by the Chief Election Officer, the presiding election official must seal the portable ballot box and return it to the Chief Election Officer or designate.
- (7) The portable ballot box will be opened at a time determined by the Chief Election Officer and all ballots will be removed and inserted into the vote tabulator.

12. Post-vote Procedures:

- ~~(1) Immediately after the voting place is closed, the presiding election official must:~~
  - ~~(a) direct that all unopened portable ballot boxes be opened;~~
  - ~~(b) ensure that any ballots in the portable ballot boxes are inserted into the vote tabulating unit;~~
  - ~~(c) secure the vote tabulator so that no more ballots can be inserted;~~
  - ~~(d) generate two copies of the results tape from the vote tabulator;~~
  - ~~(e) complete the ballot account, attaching one copy of the results tape;~~
  - ~~(f) seal all voted ballots in the ballot box;~~
  - ~~(g) count the unused ballots, spoiled and rejected ballots and place them, packaged separately and sealed, in the ballot box along with the voting book, a copy of the results tape, a copy of the ballot account and all statements and voters lists;~~
  - ~~(h) seal and initial the ballot box and deliver it to the election office; and~~
  - ~~(i) deliver the vote tabulator, one copy of the results tape and the ballot account to the Chief Election Officer as soon as possible.~~
- ~~(2) The results tapes from the vote tabulators used at the advance voting opportunities and at any special voting opportunities will be generated by the Chief Election Officer or designate after 8:00 p.m. on the general voting day.~~

12. Post-vote Procedures:

- (1) Immediately after the close of voting on general voting day, the presiding election official must undertake the following, generally in the order stipulated:
  - (a) Direct that all unopened portable ballot boxes be opened;
  - (b) Ensure that any remaining ballots in the portable ballot boxes are inserted into the vote tabulator;
  - (c) Secure the vote tabulator so that no more ballots can be inserted;
  - (d) Generate two copies of the results tape from the vote tabulator;
  - (e) Complete the ballot account, attaching one copy of the results tape;
  - (f) Seal all voted ballots in the ballot box;
  - (g) Count the unused ballots, spoiled and rejected ballots and place them, packaged separately and sealed, in a box along with the voting books, a copy of the results tape, a copy of the ballot account and all statements and voters lists;



- (h) Seal and initial the box and deliver it to the election office; and
  - (i) Deliver the vote tabulator, the sealed ballot box, one copy of the results tape and the ballot account to the Chief Election Officer as soon as possible.
- (2) The results tapes from the vote tabulators, used at the advance voting opportunities, mail ballots and any special voting opportunities will be generated by the Chief Election Officer or designate after 8:00 p.m. on the general voting day in accordance with subsection (1) above.

13. ~~Recount Procedure:~~

~~If a recount is required:~~

- ~~a) the memory card of all vote tabulators will be cleared;~~
- ~~b) vote tabulators will be designated for each voting place;~~
- ~~c) all ballots will be removed from the sealed ballot boxes; and~~
- ~~d) all ballots, except spoiled or rejected ballots, will be re-inserted in the appropriate vote tabulators under the supervision of the Chief Election Officer.~~

13. Recount Procedure:

If in order to determine the results, in the Chief Election Officer's sole discretion, it is necessary or desirable to conduct a recount of the votes for any position or question, the Chief Election Officer may conduct a recount generally in accordance with the following procedure and that as set out in section 8 [Voting Procedure] in this Bylaw:

- a) The recount shall be conducted using the vote tabulators;
- b) The memory cards of all vote tabulators to be used will be cleared;
- c) Vote tabulators will be designated for each voting place;
- d) All voted ballots will be removed from the sealed ballot boxes, except spoiled or rejected ballots, and re-inserted in the vote tabulators under the supervision of the Chief Election Officer; and
- e) Any ballots returned by the vote tabulator during the recount process shall, through the use of the ballot return override procedure, be reinserted in the vote tabulator to ensure that any acceptable marks are counted; and
- f) To obtain the election results, the Chief Election Officer shall tally the votes and communicate the total election results.

14. Resolution of Tie Votes after Judicial Recount:

In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with section 151 of the *Local Government Act*. (Bylaw 7129.03)

15. Severance

If any section, subsection, paragraph or clause is found to be invalid by a Court of competent jurisdiction, it may be severed from the remainder of the Bylaw. (Bylaw No. 7129.01)

16. Repeal:

The City of Nanaimo "GENERAL ELECTION BYLAW 2008 NO. 7074 is hereby repealed.  
(*Bylaw No. 7129.01*)

PASSED FIRST READING 2011-JUN-27  
PASSED SECOND READING 2011-JUN-27  
PASSED THIRD READING 2011-JUN-27  
ADOPTED 2011-JUL-11

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J. R. RUTTAN  
MAYOR

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J. E. HARRISON  
MANAGER  
LEGISLATIVE SERVICES

# Staff Report for Decision

DATE OF MEETING June 20, 2022

AUTHORED BY JOHN VAN HORNE, DIRECTOR OF HUMAN RESOURCES

**SUBJECT GENDER DIVERSITY AND INCLUSION RECOMMENDATIONS  
FROM THE ADVISORY COMMITTEE ON ACCESSIBILITY AND  
INCLUSIVENESS**

## **OVERVIEW**

### **Purpose of Report**

To provide staff input, in accordance with a motion of Council, on the recommendations of the Advisory Committee on Accessibility and Inclusiveness.

### **Recommendation**

1. That gender and diversity and inclusivity training be offered to Council and staff.
2. That staff be directed to integrate gender inclusive and gender neutral language (where possible) in key communications and printed and electronic materials.
3. That staff be encouraged to use personal pronouns, where staff are comfortable making the individual choice to do so.

## **BACKGROUND**

At its 2021-MAY-26 meeting, the Advisory Committee on Accessibility and Inclusiveness (ACAI) voted unanimously to recommend to Council:

1. That Council and municipal staff adopt the use of pronouns in all written and electronic communications; ("Recommendation 1")
2. That the City of Nanaimo use gender-inclusive and gender-neutral language, including communications, print and electronic materials; ("Recommendation 2")
3. That the City of Nanaimo update and revise all print and electronic materials to include the use of gender-inclusive and gender-neutral language; ("Recommendation 3") and
4. That the City of Nanaimo arrange for the availability of diversity and inclusion training for Council members and City Staff. This would include both LGBTQIA2+ and gender competency training, either online or in-person workshops, or both. ("Recommendation 4")

At its 2021-JUN-07 meeting, Council referred the recommendations of the ACAI to staff for a report.

## **DISCUSSION**

Staff have considered the recommendations and have the following input to provide.

**Recommendation 1 - That Council and municipal staff adopt the use of pronouns in all written and electronic communications**

Workplace initiatives generally gain support over time because people *choose* to affiliate themselves with these initiatives. No doubt they are aided significantly by supporters who champion the cause and raise awareness, but people are given the option whether to support these initiatives or not. Those who may not support an initiative may have a number of personal reasons for this, including just not wanting to publicly express their views one way or another.

Staff believe that a key to gaining support for any initiative is creating an environment where it is safe for people to support the initiative, recognizing that there may be a number of different viewpoints. This is usually an incremental process that builds on previous successes. The experience among employees at the City of Nanaimo has been that initiatives are supported by those who *choose* to support them, and neither they, nor those who choose *not* to support an initiative, face any consequence for their choice. Generally, the initiatives are employee-driven, or supported and encouraged by the Senior Leadership Team.

In mandating that employees abide by this particular initiative, we are depriving them of their freedom of choice. We are paying them for their work product and to represent the City in a number of different ways, but staff do not believe this extends so far as to require employees to express their own gender identity to each other or to the outside world. Forcing employees to comply with such a policy would be contrary to the idea of providing a supportive environment for employees to express their identity.

In implementing any workplace rule, there are a number of issues for an organization to consider. In a unionized workplace, unilateral workplace rules introduced by the employer have to meet a number of criteria, including one that policy must not be unreasonable. What is reasonable or not can be exceedingly difficult to define with any degree of certainty, so the City is left to decide whether a manager would actually discipline, or even terminate, an employee for not abiding by the rule. The use of pronouns in written and electronic communication is not directly related to any core function of any role at the City, which could place the City in a challenging position with respect to the reasonableness of the rule if discipline or termination related to the rule were to be challenged.

Employees may not want to identify in accordance with the policy, for a variety of reasons. If their gender identity did not accord with their gender assignment at birth, but they were not ready to express this to the outside world, they would be forced to do so or to lie. We could unwittingly be creating a very awkward and uncomfortable situation for the employee, and for a reason entirely unrelated to their core work duties.

As an alternative, taking steps to raise awareness of this issue, providing some resources for employees to learn more about it and encouraging (but not requiring) employees to implement the use of pronouns in their communications would begin to build that supportive environment. It would also help us avoid some of the more negative possible outcomes that could come from creating and enforcing a rule that the City might ultimately have to defend to an arbitrator or the Human Rights Tribunal.

### **Recommendation 2 - That the City of Nanaimo use gender-inclusive and gender-neutral language, including communications, print and electronic materials**

Much of the public-facing material the City produces already is created using gender-inclusive and gender-neutral terminology. This recommendation could be implemented without considerable difficulty, following implementation of Recommendation 4 as discussed below.



Employees would need to be properly trained in the appropriate terminology, or risk the potential frustration and embarrassment of “getting it wrong”, not to mention the added costs of having to complete the work a second time.

It would be impossible and inappropriate to monitor the large volume of internal communications (e.g., emails) that flow throughout the organization for adherence to a directive from Council in this regard. However, for community-facing communications, which tend to flow through a much-reduced number of employees, this would be much easier to achieve. Through repeated use and growing familiarity, on top of training and education, it would be expected that gender-inclusive and gender-neutral language would become the norm over time even without monitoring and enforcement.

**Recommendation 3 - That the City of Nanaimo update and revise all print and electronic materials to include the use of gender-inclusive and gender-neutral language**

Following any implementation of Recommendation 4 this could be implemented on a going-forward basis, as materials are refreshed (e.g., Recreation Program Guides) or negotiated (e.g., contracts and agreements). However, rescinding, revising and re-issuing all existing materials would carry a significant cost in terms of staff time and, in the case of print materials, environmental impact.

**Recommendation 4 - That the City of Nanaimo arrange for the availability of diversity and inclusion training for Council members and City Staff. This would include both LGBTQIA2+ and gender competency training, either online, in-person, or both.**

Diversity and inclusion training has occurred at the City prior to this recommendation, both at a department level and as an offering in the City’s annual training calendar. As with all important training initiatives the issue comes down to cost and the time available for professional development. However, more training offerings in this regard could be identified and made available, focussing initially on Council and those staff who have a direct interface with the public.

Previous training sessions in recreation centres have been very well received. This training has included mandatory training for all recreation staff (front desk staff, lifeguards, custodians, recreation coordinators and managers) who worked during the All Inclusive swim sessions, which was a partnership between the City, the Nanaimo Pride Society, the VIU Positive Space Alliance and others. There have also been training sessions at Summer Leader Training for day camp leaders, playground leaders and recreation coordinators. While these sessions have not gone into a great deal of depth on the issue of inclusiveness, they did provide an introduction to the topic of gender diversity and bring more awareness to it. Future training for staff and Council could be more tailored to each particular audience where we have different levels of understanding on gender diversity, in order to ensure the training enhances each trainee’s awareness and understanding.

**FINANCIAL CONSIDERATIONS**

The recommendation to use gender-inclusive and gender-neutral language in print and electronic communications on a go-forward basis can be accomplished with little to no cost. If

materials were to be recalled, revised and re-issued, the costs would obviously be much more significant.

Developing and implementing training for Council and staff will have a cost that will vary depending on the amount of training provided and the number of staff who receive the training. The amount of training would likely vary depending on the individual's role in the organization.

## **OPTIONS**

### Option 1:

1. That gender and diversity and inclusivity training be offered to Council and staff.
2. That staff be directed to integrate gender inclusive and gender neutral language (where possible) in key communications and printed and electronic materials.
3. That staff be encouraged to use personal pronouns, where staff are comfortable making the individual choice to do so.
4.
  - The advantages of this option: Allows for a quick implementation and promotes awareness of this initiative within the organization, in a cost-effective way. Some areas of the organization (e.g., recreation) already have done a considerable amount in this area, and could help the rest of the organization catch up.
  - The disadvantages of this option: It may take a while for the changes to really be noticeable; this is particularly the case when recreation comprises such a significant portion of our communications, and has been implementing gender-inclusive and gender-neutral terminology for some time in many of its materials.
  - Financial Implications: The training costs for staff and Council will be the only measurable costs. Producing the communications materials may take a bit more time, allowing for errors and revisions as the appropriate terminology is adopted, but these too would diminish and disappear over time, through practice.

### Option 2:

That Council adopt the recommendations of the Advisory Committee on Accessibility and Inclusiveness.

- The advantages of this option: Fully supports the recommendations of the Advisory Committee on Accessibility and Inclusiveness.
- The disadvantages of this option: Does not take into account the concerns and challenges identified by staff, which as noted, may work against this worthy initiative.
- Financial Implications: The costs of recalling, revising and re-issuing communications materials would be significant, on top of the training costs identified in Option 1.

### Option 3:

That Council provide some other direction to staff. |

- The advantages of this option: Allows Council the opportunity to consider the information in front of it, and seek further clarification or direct staff to gather additional information on other possible alternatives.
- The disadvantages of this option: May lead to duplication of work, as both the Advisory Committee on Accessibility and Inclusiveness as well as staff have canvassed this issue already.
- Financial Implications: Could be determined after direction is provided.

#### **SUMMARY POINTS**

- A key to gaining support for any initiative is creating an environment where it is safe for people to support the initiative, recognizing that there may be a number of different viewpoints.
- Adoption of gender-inclusive and gender-neutral terminology can be accomplished, once Council and staff receive training.

#### **Submitted by:**

John Van Horne  
Director of Human Resources

DATE OF MEETING JUNE 20, 2022

AUTHORED BY JAMIE SLATER, MANAGER, REVENUE SERVICES

**SUBJECT CONSIDERATION OF OTHER GRANT APPLICATION**

## **OVERVIEW**

### **Purpose of Report**

To bring forward the 'Other Grant' application from the Nanaimo Minor Baseball Association to Council for consideration.

### **Recommendation**

That Council award an 'Other Grant' in the amount of \$5,000 to support the hosting of the 13U AAA Provincials Tournament held in Nanaimo.

## **BACKGROUND**

The City of Nanaimo has been chosen to host the 13U AAA Baseball Provincials, which will take place from 2022-JUL-28 to 2022-AUG-01. The tournament will be hosted by the Nanaimo Minor Baseball Association (NMBA).

Hosting a Provincial tournament takes a large number of volunteers, many hours of organization and planning, and can create significant economic benefits for the Community. The tournament would take place at the Serauxmen fields on Third Street and would have a direct positive impact on Downtown Nanaimo businesses.

Through discussions with the NMBA, it was noted that they have contacted Tourism Nanaimo and the Nanaimo Hospitality Association to inquire about sport event hosting funding. Funding is not available for events that happen in July and August under these programs.

NMBA also reached out to ViaSport, which is funded by the Province of BC and encourages regional, provincial, national and international sport event hosting across the Province. Unfortunately the most recent round of grant applications were taken during January 2022, and NMBA did not know that they would be hosting the Provincials at that time. There are no current funding streams open through ViaSport.

Without funding, the hosting of a large Provincial tournament would be detrimental to the organization's financial health, and could have an impact on whether Nanaimo would be chosen as a future location for Provincial tournaments.

As such, the NMBA is applying under the 'other grants' application as outlined on the City of Nanaimo's website, under the emergency funding category.



## **DISCUSSION**

Usually this type of grant application would go directly to the Finance & Audit Committee for consideration. However, given the urgency of the timeline (because the event would take place within a short time frame), this has been brought to a regular meeting of Council.

In terms of the application and awarding criteria, the 'other grant' criteria are outlined in Attachment A: Grants Policy and Guidelines.

The criteria for awarding other grants includes:

1. Large number of volunteers
2. Registered non-profit society
3. Sound financial and administrative management
4. Demonstrated financial need
5. Accessible to a large portion of the community
6. Broad base of support
7. Other source of financial support
8. Must be local in focus and comply with City of Nanaimo bylaws and policies

The NMBA is primarily a volunteer-run organization. They serve an estimated 650-700 players with approximately 18 volunteer spots on the Board of Directors and 130 community volunteers. They are a registered non-profit society that aims to make baseball accessible to the entire Nanaimo community.

As such, they meet the criteria outlined in City of Nanaimo policy documents.

The grant application has requested \$6,000 of event funding, which is broken down as follows:

- |                                   |                       |
|-----------------------------------|-----------------------|
| • Baseball BC Umpires             | \$3,000               |
| • Programs/Team Supplies/Medals   | \$1,500               |
| • Field Supplies                  | \$500                 |
| • Scorekeepers/concession/workers | <u>\$1,000</u>        |
| • <b>Total</b>                    | <b><u>\$6,000</u></b> |

There is currently \$7,000 of 'other grant' funding available for the 2022 calendar year. The existing request would utilize almost all of the 'other grant' budget.

Council does have the ability to award a portion of the costs requested. For example, Council could support the Provincial tournament by covering the required fees for Baseball BC Umpires and field supplies, and programs, etc...but not covering other expenses that could be considered discretionary like fees for scorekeepers and concession workers. |

## **OPTIONS**

1. That Council award an 'Other Grant' in the amount of \$5,000 to support the hosting of the 13U AAA Provincials Tournament held in Nanaimo.
  - **Advantages:**
    - i. The City of Nanaimo could partially support the hosting of a significant Provincial baseball tournament to be held in Nanaimo
    - ii. The Provincials tournament would be held at the Serauxmen Fields located in downtown Nanaimo and would provide economic stimulation for downtown businesses of all types
    - iii. This would utilize \$5,000 of the 'other grants' budget, leaving \$2,000 for other potential future requests for funding
  - **Disadvantages:** This would utilize \$5,000 of \$7,000 of the 'Other Grants' budget.
  - **Financial Implications:** There would be no impact to the financial plan as there are funds currently available in the budget.
2. That Council award an 'Other Grant' in the amount of \$6,000 to support the hosting of the 13U AAA Provincials Tournament held in Nanaimo.
  - **Advantages:**
    - i. The City of Nanaimo would fully support the hosting of a significant Provincial baseball tournament to be held in Nanaimo
    - ii. The Provincials tournament would be held at the Gyro fields located in downtown Nanaimo and would provide economic stimulation for downtown businesses of all types
  - **Disadvantages:** This would utilize \$6,000 of \$7,000 of the 'other grants' budget.
  - **Financial Implications:** There would be no impact to the financial plan as there are funds currently available in the budget.
3. That Council does not award an 'Other Grant' to the Nanaimo Minor Baseball Association.
  - **Advantages:**
    - i. None of the 'Other Grant' funds would be expended, leaving funds available for future applications
  - **Disadvantages:**
    - i. The City would not be supporting the hosting of a Provincial baseball tournament to be held in Nanaimo
    - ii. The Nanaimo Minor Baseball Association would need to reduce the support and activities provided at the Provincials tournament, which could determine whether Nanaimo is chosen as a future location for Provincial tournaments (if there is no support for the events).
  - **Financial Implications:** None
4. That Council provide alternate direction.)

### **SUMMARY POINTS**

- The Nanaimo Minor Baseball Association is seeking \$6,000 of funding support for the 13U AAA Baseball Provincials
- The Provincials Event would take place from 2022-JUL-28 to 2022-AUG-01
- The application from the Nanaimo Minor Baseball Association is under the 'Other Grants' funding category under emergency funding

### **ATTACHMENTS:**

ATTACHMENT A: Grants Policy and Guidelines

ATTACHMENT B: Application from Nanaimo Minor Baseball Association |

#### **Submitted by:**

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Manager, Revenue Services |

#### **Concurrence by:**

Laura Mercer  
Director, Finance |



# CITY OF NANAIMO

## COUNCIL POLICY MANUAL

Pages: 1 of 12  
Approval Date: 2003-APR-14

**SECTION:** FINANCIAL ADMINISTRATION  
**SUBJECT:** Grants Policy and Guidelines

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## **GRANTS POLICY AND GUIDELINES**

### **1. COMPOSITION AND TERM**

The Grants Advisory Committee shall be appointed by Council and shall be comprised of:

- ☐ 1 member recommended by the Parks, Recreation and Culture Commission
- ☐ 1 member recommended by the United Way
- ☐ 1 Council member as appointed by Council and that member serve as Chair of the Committee (Rev. 2003-APR-14)
- ☐ 1 member recommended by the Nanaimo Alcohol and Drug Action Committee (Rev. 2000-FEB-03)
- ☐ 1 member recommended by the Social Planning Advisory Committee (Rev. 1990-OCT-22)
- ☐ 2 members of the general public appointed by Council
- ☐ 1 non-voting Staff liaison recommended by the City Manager

The bodies recommending appointees shall be requested to ensure that the recommended representatives provide a good balance of knowledge in their respective areas of service, and to ensure the commitment and attendance of their recommended representatives.

The maximum term for any member shall be three years.

### **2. TERMS OF REFERENCE**

The Terms of Reference of the Grants Advisory Committee shall be:

- (a) to advise Council on the amount of financial assistance which the municipality should grant to all applicants for financial assistance. Organizations that are "cultural" in nature shall be reviewed by the Cultural Committee (Rev. 1994-DEC-05). Recommendations shall be made in accordance with the guidelines and criteria defined in this Policy;
- (b) to carry out an evaluation of the effectiveness of the service being provided in relation to the needs of the community;
- (c) to recommend policies to Council with regard to non-statutory tax exemption (Permissive Tax Exemptions under Sections 224, 225, 226, 227 of the *Community Charter*);
- (d) to make recommendations on requests for the subsidized use of civic facilities and resources as if they were requests for financial assistance ("in-kind" grants);

- (e) to hold all meetings in "In Camera" sessions, out of consideration to the sensitive nature of the matters discussed;
- (f) to maintain the confidentiality of all matters reviewed by the Committee;
- (g) to provide all applicants with observations, recommendations and/or reasons for the recommendations of the Committee;
- (h) to ensure that civic grant funding does not subsidize activities that are the responsibility of senior governments, as this would represent a downloading of senior government costs to local taxpayers;
- (i) to ensure that priority of funding in all categories shall be given to small organizations, rather than larger ones;
- (j) to ensure that grants from the City will be awarded on the basis of demonstrated need for the service within the community and the financial end of the organization (Rev. 1993-FEB-08).

### 3. CATEGORIES OF GRANT FUNDING

Grant funding will be divided into the following categories:

- ☐ Community Services
- ☐ Travel Assistance
- ☐ Security Checks
- ☐ Social Impacts of Gaming (Rev. 2000-MAY-08)
- ☐ Other Grants
- ☐ Permissive Tax Exemptions (Cash Grants)

Recommendations on the amount of grant funding any applicant will be awarded from these categories shall be made in accordance with the guidelines that are outlined in this Policy.

### 4. YEARLY ALLOCATION FOR GRANT FUNDING

The amount of money available in each category shall be determined by Council during the Provisional Budget process each year.

### 5. COORDINATION OF GRANTS-IN-AID PROCEDURES (with the Regional District of Nanaimo)

Funding: The amount raised from the Regional District levy on the City of Nanaimo shall be returned to the City each year on the condition that the funds are used as either basic or supplementary grants to those organizations which have a primary base of operations within the city, but also provide services which are of a benefit to residents outside the City.

6. GUIDELINES FOR MAKING GRANT RECOMMENDATIONS (by category)

(a) COMMUNITY SERVICES

Statement of Purpose: "Community service grants are given to social agencies providing advocacy, preventative and self-help services to residents of Nanaimo. Grants are given to fund services required by significant segments of the population and that are not funded exclusively by other levels of government. Agencies funded by the City should provide service to people who are in some way disadvantaged and need assistance in maximizing their quality of life (Rev. 1993-FEB-15). Community service grants will not be available to organizations whose main purpose is to provide day care. The scope and nature of these organizations falls within the area of responsibility of senior governments. Only social services are eligible for Community Service Grants."

Criteria for Awarding Grants:

- ☐ large number of volunteers
- ☐ registered nonprofit society
- ☐ sound financial and administrative management
- ☐ demonstrated financial need
- ☐ accessible to a large portion of the community
- ☐ number of people served in the community
- ☐ must have a broad base of support
- ☐ must have other source of financial support
- ☐ must be able to identify services provided to residents of Nanaimo
- ☐ must adhere to all City of Nanaimo bylaws and policies (Rev. 1998-OCT-19)
- ☐ cash grants will not be provided if the organization receives a Permissive Tax Exemption, or where the facility is provided by the City of Nanaimo free of charge or at a substantially reduced rate. Notwithstanding the above statement, organizations facing critical financial difficulties are eligible to apply for emergency funding (1997-JUN-16)

Kind of Funding:

- ☐ operating grants
- ☐ emergency funding
- ☐ capital grants on a matching basis up to a maximum of \$5,000. (Rev. 1998-OCT-19)
- ☐ in-kind funding for facility rental
- ☐ the maximum of all funding awarded to any one group will not exceed \$5,000. (excluding security check grants) (Rev. 1998-OCT-19).

(b) TRAVEL ASSISTANCE

Statement of Purpose: "Travel grants are awarded in recognition that representatives of local organizations traveling outside the Province to attend championships become ambassadors for the City of Nanaimo. It is also recognized that funding for in-Province travel is available from the Provincial Government."

Criteria for Awarding Grants:

- ☐ winner of Provincial, Regional, or National championship (or equivalent)
- ☐ must be attending a Regional, National or International championship
- ☐ must be traveling out of Province
- ☐ maximum \$100. per person up to \$2,000. per group
- ☐ there must be other sources of funding
- ☐ must be from Nanaimo
- ☐ the application must be made by a local organization
- ☐ payments will only be made to the organization applying for the grant, not to individuals
- ☐ must adhere to all City of Nanaimo bylaws and policies (Rev. 1998-OCT-19)
- ☐ grants to participants only, not coaches or chaperones (Rev. 1998-OCT-19)
- ☐ cash grants will not be provided if the organization receives a Permissive Tax Exemption, or where the facility is provided by the City of Nanaimo free of charge or at a substantially reduced rate. Notwithstanding the above statement, organizations facing critical financial difficulties are eligible to apply for emergency funding
- ☐ application may be made retroactively
- ☐ demonstrated financial need (Rev. 2002-FEB-25)

Kind of Funding:

- ☐ Travel Assistance only

(c) SECURITY CHECKS (Rev. 1998-OCT-19)

Statement of Purpose: Security Check grants are awarded to organizations that must have security checks performed by the R.C.M.P. on their employees and/or volunteers and meet the criteria specified below.

Criteria for Awarding Grants:

- ☐ must be able to identify services provided to residents of Nanaimo
- ☐ nonprofit organization
- ☐ sound financial and administrative management
- ☐ demonstrated financial need
- ☐ \$300./year maximum award to any organization from this category
- ☐ eligible organizations can only apply for financial support from this category once a calendar year (applications reviewed in November)
- ☐ applications for this category must be received by October 31st
- ☐ must adhere to all City of Nanaimo's bylaws and policies (Rev. 1998-OCT-19)
- ☐ awards from this category are exclusive of awards from the other categories

Kind of Funding:

- ☐ Security Check Fee Reimbursement



(d) SOCIAL IMPACTS OF GAMING (Rev. 2000-MAY-08)

Statement of Purpose: "Social Impacts of Gaming Category grants are provided to social agencies that clearly address one or more of the following four areas of need. The areas of need are listed in order of priority, therefore, proposals that address the top priorities will be given preference:

- (1) education/prevention on the impacts of gaming;
- (2) sensitization and training of existing family and youth agency staff with respect to 3 gaming addiction;
- (3) support for families dealing with the symptoms associated with gaming addiction and related personal problems;
- (4) research into impacts of gaming identifying indicators and monitoring systems."

Additional Criteria for Awarding Grants:

- ☐ registered non-profit society
- ☐ sound financial and administrative management
- ☐ demonstrated financial need
- ☐ accessible to a large portion of the community
- ☐ other source(s) of funding
- ☐ able to identify services provided to residents of Nanaimo

Kind of Funding:

- ☐ Program Funding

(e) OTHER GRANTS

Criteria for Awarding Grants:

- ☐ large number of volunteers
- ☐ registered nonprofit society
- ☐ sound financial and administrative management
- ☐ financial need
- ☐ accessible to a large portion of the community
- ☐ must have a broad base of support
- ☐ must have another source of financial support
- ☐ must be local in focus must adhere to all City of Nanaimo's bylaws and policies (Rev. 1998-OCT-19)
- ☐ cash grants will not be provided if the organization receives a Permissive Tax Exemption, or where the facility is provided by the City of Nanaimo free of charge or at a substantially reduced rate. Notwithstanding the above statement, organizations facing critical financial difficulties are eligible to apply for emergency funding

Kind of Funding:

- ☐ educational funding
- ☐ emergency funding
- ☐ capital grants on a matching basis up to a maximum of \$5,000.
- ☐ in-kind funding for facility rental

(f) PERMISSIVE TAX EXEMPTIONS (Cash Grants)

Statement of Purpose: "An organization may only be added to the Permissive Tax Exemption roll for the following year. In some cases it may be appropriate to give an organization a cash grant during the current year."

Criteria for Awarding Grants:

- ☐ the property must be recommended for a Permissive Tax Exemption in the following year; and
  - (1) the property qualifies for Permissive Tax Exemption as a Church, Public Hospital, Community Care Facility, or Private School; or
  - (2) the organization can demonstrate a financial need.
  - (3) must adhere to all City of Nanaimo's bylaws and policies (Rev. 1998-OCT-19)

Application Deadline: Will be considered at the time of application for Permissive Tax Exemption.

7. PERMISSIVE TAX EXEMPTIONS

Section 220 of the *Community Charter* identifies certain properties which are exempt from taxation. This section includes property owned and occupied by Her Majesty, the municipality, School Boards, hospitals and churches. As Section 220 exemptions are specifically provided for, Council's discretion is restricted, except in determining the extent of the exemption in certain cases.

Sections 224, 225, 226 of the *Community Charter* identify situations in which Council may exercise discretion in granting full or partial exemptions from taxation. These exemptions must be adopted by bylaw, by the 31st of October of the year preceding exemption, and passed with a two-third's majority.

All buildings and properties that receive a permissive tax exemption must be reviewed every three years to ensure that they continue to meet the specific criteria set out in their applicable category.

In making recommendations to Council, the Grants Advisory Committee should ensure that:

- (a) the goals, policies, and general operating principles of the municipality as a whole are reflected in the organizations that receive municipal support;

- (b) exemptions are not given to services that are otherwise provided on a private, for profit basis, this would provide an unfair competitive advantage;
- (c) the services provided by the organizations should be an extension of municipal services and programs and must fall under the responsibility of local government, senior government program costs must not be transferred to property taxpayers, as this would represent a downloading of senior government costs to local taxpayers;
- (d) the taxation burden resulting from the exemption must be a justifiable expense to the taxpayers of the municipality, the sources of municipal revenue are limited and requests for exemption must be considered in concert with the other needs of the municipality;
- (e) the services should be used primarily by residents of the City of Nanaimo, and the organization's regulations must allow all Nanaimo residents to participate.
- (f) the organization is adhering to all City of Nanaimo's bylaws and policies.

In order to more clearly specify criteria, Permissive Tax Exemptions will be divided into the following categories:

- ☐ Churches
- ☐ Public Hospital
- ☐ Senior Citizens' Housing Facilities
- ☐ Community Care Facilities
- ☐ Private Schools
- ☐ Recreation
- ☐ Community Services
- ☐ Heritage Properties (Rev. 1998-OCT-19)
- ☐ Other Permissive Exemptions

## 8. GUIDELINES FOR MAKING RECOMMENDATIONS ON PERMISSIVE TAX EXEMPTION BY CATEGORY

### (a) CHURCHES

General: The buildings set apart for public worship and the land upon which they stand are exempt from taxation under Section 220(1)(h) of the *Community Charter*. Church halls and such lands as Council considers necessary to support the statutory exemption may be considered as an extension of the exemption under Section 224(2)(f).

Policy: The maximum area of land to be exempted from taxation shall be 2 acres of the land upon which the buildings for public worship stand plus the footprint of the building(s) used for public worship (Rev. 1986-AUG-25). This exempted area will not exceed the land area of the legal parcel(s) upon which these buildings stand. Church properties which are currently on the PTE roll and do not conform are to be removed (Rev. 1995-OCT-16).

Buildings for public worship shall be those established by the Area Assessor and will not include a church manse.

(b) PUBLIC HOSPITALS

General: Buildings set apart and used as a hospital under the *Hospital Act*, except a private hospital under that *Act*, and the land upon which they stand are exempt from taxation under Sections 220(1)(j) and 220(1)(k) of the *Community Charter*. Council may, by bylaw, under section 224(2)(h) of the *Community Charter*, exempt any area of land surrounding the exempted building under Sections 220(1)(j) and 220(1)(k).

Policy: Where a building has been identified as a hospital under the *Hospital Act* (except a private hospital) by the Area Assessor, Council will exempt the legal parcel(s) upon which the hospital building stands and any adjoining parcel that Council finds to be necessary to the operation of the hospital.

(c) SENIOR CITIZENS' HOUSING FACILITIES

General: Section 220(1)(i) of the *Community Charter* exempts from taxation a building that was constructed or reconstructed with the assistance of aid granted by the Province after 1947-JAN-01, but before 1974-APR-01, and that is owned and used exclusively without profit by a corporation to provide homes for elderly citizens, together with the land on which the building stands. It also allows Council to exempt, by bylaw, any area of land surrounding the exempted building.

Policy: Where a building has been identified as meeting the above criteria by the Area Assessor, Council will exempt the legal parcel(s) upon which the building stands. As it is impossible for any new building to meet this criteria, this section will apply to only three existing properties: The Mt. Benson Sr. Citizens' Housing Society (tax folio 01315.000), the Rebekah Housing Society (C16006.006), and George R. Pearkes Sr. Citizens Housing Society (C16006.051).

(d) COMMUNITY CARE FACILITIES

General: Section 224(2)(a) of the *Community Charter*, allows Council to exempt from taxation land and improvements owned or held by a person or organization and operated as a private hospital licensed under the *Hospital Act* or an institution licensed under the *Community Care Facility Act*.

Policy: Council will exempt property that meets the above criteria and is owned and operated by a registered non-profit society.

(e) PRIVATE SCHOOLS

General: Section 220(1)(l) of the *Community Charter* with certain restrictions, exempts private schools from taxation. It also allows Council, by bylaw, under Section 224(2)(h) of the *Community Charter*, to exempt from taxation any area of land surrounding the exempted building that Council deems as being reasonably necessary in connection with that building.

Policy: Where a building has been identified as meeting the above criteria by the Area Assessor, Council will exempt the legal parcel(s) upon which the building stands and any adjoining parcel that Council finds to be necessary to the operation of the school.

(f) RECREATION

General: Section 224(2)(a) of the *Community Charter* permits Council, by bylaw, adopted by two-thirds of its members, to exempt from taxation, certain organizations using property as a public park or recreation ground, or for public athletic or recreational purposes.

Policy: Permissive Tax Exemptions will be given to organizations that own property that is maintained and used as a public park if they:

- (1) provide full financial and operating information as requested by the Grants Advisory Committee;
- (2) meet the conditions of Sections 224, 225, 226, 227 of the *Community Charter*;
- (3) meet the general guidelines outlined in 7(a) to 7(f) of this Policy;
- (4) are registered non-profit societies; and,
- (5) allow their facilities to be used by all members of the public. If admission fees are charged, they must be within the ability of average citizens to pay.

Other organizations with public athletic or recreational purposes will be considered for Permissive Tax Exemption if they meet the above requirements and:

- (6) have a long-term financial need. A windfall profit in a single year will not exclude an organization from permissive exemption.

(g) COMMUNITY SERVICES

General: Section 224(2)(a) of the *Community Charter* permits Council, by bylaw adopted by two-thirds of its members, to exempt from taxation, property not being operated for profit or gain and owned by a charitable or philanthropic organization supported by public funds and used exclusively for charitable or philanthropic purposes. This has been historically interpreted to include social service agencies.

Policy: Permissive Tax Exemptions may be given to organizations that:

- (1) provide full financial and operating information as requested by the Grants Advisory Committee;
- (2) meet the conditions of Sections 224, 225, 226, 227 of the *Community Charter*;
- (3) meet the general guidelines outlined in 7(a) to 7(f) of this Policy;
- (4) are registered non-profit societies;
- (5) have a long-term financial need. A windfall profit in a single year will not exclude an organization from permissive exemption.



(h) HERITAGE PROPERTY

General: Council may with at least a two-third's majority exempt from taxation "eligible heritage property" as defined in Section 225 of the *Community Charter* in whole or in part including an area of land surrounding the exempted property, limit the exemption to a specified portion of the net taxable value of the property, and subject the property to specific conditions.

Policy: Permissive Tax Exemptions may be awarded to eligible heritage properties that meet the general criteria in Sections 225, 226, 227 of the *Community Charter* and the specific criteria outlined in this Policy:

- (1) provide full financial and operating information as requested by the Grants Advisory Committee;
- (2) meet the conditions of Sections 224, 225, 226, 227 of the *Community Charter*;
- (3) property must be included on the Downtown Heritage Conservation Area schedule of buildings.
- (4) property must be on the Nanaimo Community Heritage Register.
- (5) Council approval must occur prior to the commencement of any work on the proposed project.
- (6) the applicant must agree to enter into a Maintenance Agreement with the City.
- (7) the applicant must agree to have the Designation Bylaw and Maintenance agreement registered on the title of the designated property.
- (8) no abatement of delinquent taxes will be provided.
- (9) all heritage properties that are added to the tax exemption roll must be reviewed with the other properties receiving a tax exemption every three years.

(i) OTHER PERMISSIVE EXEMPTIONS

General: Sections 224, 225, 226, 227 of the *Community Charter* permit Council, by bylaw adopted by two-thirds of its members, to exempt from taxation, certain organizations using property for specified purposes other than profit purposes.

Policy: Permissive Tax Exemptions may be given to organizations that:

- (1) provide full financial and operating information as requested by the Grants Advisory Committee;
- (2) meet the conditions of Sections 224, 225, 226, 227 of the *Community Charter*;
- (3) meet the general guidelines outlined in 7(a) to 7(f) of this Policy;
- (4) are registered non-profit societies;
- (5) allow their facilities to be used by all members of the public. If admission fees are charged, they must be within the ability of average citizens to pay;
- (6) have a long-term financial need. A windfall profit in a single year will not exclude an organization from permissive exemption.

Previous Revision/s: 2002-FEB-25, 2000-MAY-08, 2000-FEB-02, 2000-JAN-13,  
1998-OCT-19, 1998-JUN-29, 1998-JUN-15, 1998-APR-17, 1997-JUN-16, 1997-APR-28,  
1996-DEC-11, 1995-OCT-16, 1994-DEC-05, 1994-FEB-14, 1993-FEB-15, 1993-FEB-08,  
1991-OCT-28, 1991-MAY-27, 1991-MAR-18, 1991-FEB-18, 1990-OCT-22, 1990-OCT-22,  
1989-APR-06, 1986-AUG-25, 1986-JUL-28, 1985-MAY-09, 1985-JAN-21, 1985-JAN-21,  
1984-JUN-18, 1984-FEB-13, 1982-JUN-28



# CITY OF NANAIMO APPLICATION FOR GRANT OTHER GRANTS

**ATTACHMENT B:**  
Application from  
Nanaimo Minor Baseball  
Association

ORGANIZATION: <b>NANAIMO MINOR BASEBALL ASSOCIATION (NMBA)</b>	DATE: JUNE 9 2022
ADDRESS: 30 FRONT STREET, NANAIMO, BRITISH COLUMBIA	PRESIDENT: EHREN MADILL
	SENIOR STAFF MEMBER: MIKE PETERS
TELEPHONE: 250-802-5920 (PRESIDENT PHONE)	POSITION: 1 <sup>ST</sup> VICE PRESIDENT
FAX:	CONTACT: FIRSTVP@NMBA.CA
EMAIL: PRESIDENT@NMBA.CA	TELEPHONE: 250-713-1224

OVERVIEW OF YOUR ORGANIZATION'S PROGRAMS AND SERVICES OFFERED IN THE COMMUNITY:

**NMBA'S MISSION IS TO HELP YOUNG PLAYERS IN OUR COMMUNITY HAVE FUN AND DEVELOP BASEBALL SKILLS WHILE PROVIDING THEM A PLATFORM OF SUCCESS THAT WILL GO BEYOND THEIR BASEBALL EXPERIENCE. OUR PROGRAMMING SERVES APPROX 620 BOYS AND GIRLS AGED 5-18 AT DIFFERENT SKILL LEVELS. ADDITIONALLY, WE OFFER DEVELOPMENT PROGRAMS FOR COACHES AND UMPIRES TO LEARN THE BASIC SKILLS OF THE ROLE OR TO REFINE THEIR SKILLS. SOME OF OUR MORE COMPETITIVE TEAMS TRAVEL OUTSIDE OUR COMMUNITY TO COMPETE AGAINST TEAMS FROM AROUND THE PROVINCE.**

GEOGRAPHIC AREA SERVED BY THE ORGANIZATION: GREATER NANAIMO AREA

NO. OF FULL TIME STAFF: 0	NO. OF PART TIME STAFF: 0
NO. OF COMMUNITY VOLUNTEERS: APPROX 130	NO. OF VOLUNTEER HOURS PER YEAR: 50 (x130) = 6500
NO. OF MEMBERS: 650-700	MEMBERSHIP FEE: \$85-\$305, DEPENDING
CLIENTS SERVED, LAST YEAR: 620 PLAYERS BETWEEN AGES 5-18	CLIENTS SERVED, THIS YEAR (PROJECTED): BETWEEN 650-700 PLAYERS.
B.C. SOCIETY ACT REG. NO.: S/5094	REVENUE CANADA CHARITABLE REG. NO.:
CURRENT BUDGET:	DO YOU REQUIRE A RENTAL SUBSIDY? IF SO, HOW MUCH?
INCOME \$264,000	
EXPENSES: \$263,225	DO YOU REQUIRE A CASH GRANT? IF SO, HOW MUCH? \$6000
NEXT YEAR PROJECTED:	
INCOME: SIMILAR TO THIS YEAR	TOTAL GRANT REQUESTED: \$6000
EXPENSES: SIMILAR TO THIS YEAR	
SIGNATURE: DAVID WELLS	TITLE/POSITION: 13UAAA PARENT REP(VOLUNTEER)
	DATE: JUNE 9 2022

**NOTE:** YOUR ORGANIZATION'S MOST RECENT YEAR-END FINANCIAL STATEMENTS AND CURRENT YEAR-TO-DATE FINANCIAL STATEMENTS MUST BE ATTACHED TO THE APPLICATION FORM (INCLUDING A BALANCE SHEET AND INCOME STATEMENT), AS WELL AS THE MOST RECENT SOCIETY ACT ANNUAL REPORT (FORM 11).

## CITY OF NANAIMO GRANT QUESTIONNAIRE

1. What is the main purpose or mandate of your organization in this community?

The mission of Nanaimo Minor Baseball Association (NMBA) is to help young players in our community have fun and develop baseball skills while providing them a platform of success that will go beyond their baseball experience.

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2. Describe the programs and services provided by your organization in this community.

NMBA has historically provided youth baseball programming in greater Nanaimo since 1956 to approx. 620 boys and girls aged 5-18 years old. This programming provides year-round baseball opportunities (Spring Ball, Fall Ball, Winter Ball and Summer All-Stars). In addition, NMBA provides opportunities for coach development and umpire development through training and programs.

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3. What other agencies provide similar services?

NMBA, under the guidance of BC Minor Baseball is the only minor baseball league serving organized baseball for youth in the community of Nanaimo.

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4. How is your organization different than those organizations providing similar services in question 3 above?

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5. Are you planning to change or add to current programs and services in the future?

Given interest and enrollment at different age groups and levels of baseball, there are opportunities for further refinement or new programs to be added to NMBA's program offerings. For example, in seeking to foster further opportunities for Nanaimo baseball players to showcase themselves, the NMBA is hosting the 2022 Provincial Tournament for the 13AAA division.

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6. Describe the role of volunteers in your organization.

NMBA typically has 8 divisions (age groups). Programs are delivered in seven different locations in greater Nanaimo. The program is delivered mostly by volunteer coaches; we have approximately 100 volunteer coaches in the lower levels. Beyond coaching, parent volunteers help to organize and run team events and serve in capacities to ensure a successful game day and enjoyable atmosphere for all players and teams. Board members of NMBA who oversee the organizational functioning and coordination are also volunteers.

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7. Describe who your clients are.

Our clients are the community members who play and support youth baseball in greater Nanaimo. The number of youth who participate is approx. 620 boys and girls aged 5-18 years old.

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8. Where do your clients live?

Our clients live in the community of greater Nanaimo.

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9. Describe the needs of your clients.

The programs are intended to provide our clients physical literacy and activity while allowing them to learn teamwork, fair play and leadership in a structured, safe and fun environment. This program is needed for our clients to promote skills development, outdoor activity and athletic endeavours.

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10. What are your organization's specific priorities for the coming year?

Beyond continuing to provide regular youth baseball programming and opportunities as we have since 1956, the 13U AAA division will be hosting the Provincial tournament from July 28-August 1. This is an opportunity to showcase Nanaimo to 10 teams (120+ players and families) and the baseball development in the community.

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11. How does your organization ensure that its services address continuing and emerging community needs?

NMBA has a transparent and open governing structure, with an elected Board of Directors of volunteers. Every year this Board is up for reelection at our Annual General Meeting, which is open to all community members. Any suggested changes and emerging community needs can be raised and discussed at this open forum, allowing for regular feedback and to make sure NMBA is serving the community needs.

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12. Describe your organization's community support.

Community members serve as volunteers in many of the programs and services that are offered from NMBA. From parent volunteers who support their children's team activities and help organize events to the approximately 100 volunteer coaches who serve the 600+ boys and girls who participate in our regular programming, we rely on community support.

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13. Describe the role of volunteers in your organization.

Answered above

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14. If your organization is a branch of a larger organization, indicate how this affects the financial and other information provided.

NMBA falls under BC Minor Baseball, which provides some support for our programs. For example, during the 13U AAA Provincials tournament scheduled from July 28-August 1<sup>st</sup>, BC Minor Baseball will supply the baseballs and some administrative functions for the games. However, other aspects of the logistics, preparation and day-to-day operation of the tournament are left to the host team (13U AAA team) to coordinate and organize.

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15. If you lease or rent out a part of your premises, note the amount of space rented (sq. ft.), total square feet of the premises, name of organization renting the space, and the annual rent received.

n/a

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16. What are your organization's problems and how are they being addressed?

Ongoing challenges with NMBA, like many other volunteer-run organizations, is recruiting and supporting volunteers (such as coaches) to fulfill the tasks to provide a successful and positive experience for the community we serve. We address these challenges by supporting our volunteers and providing them with guidance and resources (such as equipment if needed, training, mentoring, etc) as needed to be successful.

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17. Provide details of fees for service in your organization, and how costs and fees are determined. There is a cost to participate in programs, depending on age and the level of the program. Affordable costs range from \$85 to \$305 for the season depending on age. Kids who cannot afford this can apply for help. We encourage clear communication for any community clients who feel that they cannot afford the fees to help find a solution. Fees are based on budgeting forecasts and previous years fee levels.

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18. Provide details of any funds that are controlled by your organization that are not part of your operating income. Also, provide details of any capital, special purpose bequests, endowments or reserve funds.

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Please see attached financial statements and budget for details.

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19. Describe your policy and treatment of year-end surpluses or deficits.

We forecast and monitor our budgets closely, so if we have a surplus we would anticipate this and try to make improvements to the experience of our clients and community members. For example, purchasing new equipment, such as shared catcher's gear so that community members do not need to buy their own.

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20. Detail current and/or planned revenue-generating activities of your organization.

As an organization, NMBA does not conduct organization-wide revenue-generating activities. Some teams within NMBA generate revenue to support their team activities (for example, paid coaches or travel to the mainland for games) through activities such as bottle drives or sponsorship-solicitation.

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21. What do you plan to use the City grant for this year?

This grant would be dedicated to supporting the Provincial Tournament, hosted by the 13U AAA team this year from July 28-August 1. This is a showcase event that is being organized and run by a group of volunteer parents and will involve 10 teams traveling to Nanaimo to play in a competitive tournament. Specifically, grant funds will be used for: Umpires (\$3000), Programs/Team supplies/Medals (\$1500), Scorekeepers/Concession/workers x3 days 40+ games (\$1000), Field Supplies (\$500). Total (\$6000)

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22. What will the effect be if you do not receive a Grant from the City of Nanaimo?

The 13U AAA Nanaimo team (host) will reduce the support and activities provided to traveling teams during the 13U AAA Provincials Tournament held in Nanaimo. The quality of our hosting capability will be reduced and the host team may be required to fund some activities & logistical support themselves from the parent volunteer group.

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23. List all grants received from the City of Nanaimo, Regional District of Nanaimo, and other governments or service clubs.

Gaming Grant (\$45000). Please see attached 2022 budget for details.

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24. In what ways would you recognize the City's support, should you receive an Other Grant?

Information about the support of the city can be placed in a tournament program, as well as broadcast during opening ceremonies and during announcements prior to games during the tournament.

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Is there any other information about your organization that you would like to provide to support your application?

Previous to this grant, we reached out to grant options for sport hosting funding, including through Tourism and the Nanaimo Hospitality Association. We were informed that a grant would not be forthcoming due to the fact that our event would take place during the summer months (July 28-Aug 1). We have also inquired as to the ViaSport Hosting BC grant, but their application window has closed for events during summer months. The host team (13U AAA Nanaimo Pirates) was able to secure some corporate funding at the start of the season, but this funding covers team coaching and travel and did not anticipate the costs of hosting the Provincial Tournament.

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**If you have any questions, call Barbara Wardill at 250-755-4413.**

***"Freedom of Information and Protection of Privacy Act (FOIPPA)*** Information collected on this form is done so under the general authority of the ~~City~~ Community Charter and FOIPPA, and is protected



in accordance with FOIPPA. Personal information will only be used by authorized staff to fulfill the purpose for which it was originally collected, or for a use consistent with that purpose.”

Revised 2021-AUG-25

[G:\ADMINISTRATION\Committees\Grants Advisory Sub-Committee\Grants Application Forms\Applications, Instructions, Info\Other Grant Application.docx](#)



## 2020 BC SOCIETY ANNUAL REPORT

BC Society • Societies Act

NAME OF SOCIETY: **NANAIMO MINOR BASEBALL ASSOCIATION**

Incorporation Number: S0005094

Business Number: 86225 5908 BC0001

Filed Date and Time: January 19, 2021 08:17 PM Pacific Time

Annual General Meeting (AGM) Date: October 25, 2020

### REGISTERED OFFICE ADDRESS INFORMATION

**Delivery Address:**

850 3RD STREET  
NANAIMO BC V9R 7B2

**Mailing Address:**

850 3RD STREET  
NANAIMO BC V9R 7B2

### DIRECTOR INFORMATION AS OF October 25, 2020

**Last Name, First Name Middle Name:**

BAUCK, LARSON

**Delivery Address:**

850 THIRD ST  
NANAIMO BC V9R 7B2

**Last Name, First Name Middle Name:**

DORNAN, BRANDON

**Delivery Address:**

850 THIRD ST  
NANAIMO BC V9R 7B2

**Last Name, First Name Middle Name:**

SCHULSON, GEOFF

**Delivery Address:**

850 THIRD ST  
NANAIMO BC V9R 7B2

### CERTIFICATION

I, Diana Laukkanen, certify that I have relevant knowledge of the society, and that I am authorized to make this filing.

**NANAIMO MINOR BASEBALL ASSOCIATION**

**FINANCIAL STATEMENTS**

(Unaudited - see Notice to Reader)

**SEPTEMBER 30, 2021**



#### NOTICE TO READER

On the basis of information provided by the Board of Directors, we have compiled the statement of financial position of the Nanaimo Minor Baseball Association as at September 30, 2021 and the statement of operations and fund balances for the year then ended.

We have not performed an audit or a review engagement in respect of these financial statements and, accordingly, we express no assurance thereon.

Readers are cautioned that these statements may not be appropriate for their purposes.

Nanaimo, BC  
November 29, 2021

CHARTERED PROFESSIONAL ACCOUNTANTS

**NANAIMO MINOR BASEBALL ASSOCIATION**  
**STATEMENT OF FINANCIAL POSITION**  
(unaudited - see Notice to Reader)  
**SEPTEMBER 30, 2021**

	<u>Operating</u>	<u>Gaming</u>	<u>2021</u>	<u>2020</u>
<b>ASSETS</b>				
<b>CURRENT ASSETS</b>				
Funds on deposit	\$ 25,196	\$ 19,396	\$ 44,592	\$ 43,841
<b>EQUIPMENT (Note 2)</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>\$ 25,196</u>	<u>\$ 19,396</u>	<u>\$ 44,592</u>	<u>\$ 43,841</u>
<b>LIABILITIES</b>				
<b>CURRENT LIABILITIES</b>				
Accounts payable and accrued liabilities	\$ 1,200	\$ -	\$ 1,200	\$ 1,200
<b>NET ASSETS</b>				
<b>FUND BALANCES</b>				
Operating -- Statement 2	23,996	-	23,996	5,445
Gaming -- Statement 2	<u>-</u>	<u>19,396</u>	<u>19,396</u>	<u>37,196</u>
	<u>23,996</u>	<u>19,396</u>	<u>43,392</u>	<u>42,641</u>
	<u>\$ 25,196</u>	<u>\$ 19,396</u>	<u>\$ 44,592</u>	<u>\$ 43,841</u>

See accompanying notes to the financial statements



**NANAIMO MINOR BASEBALL ASSOCIATION**  
**STATEMENT OF OPERATIONS AND FUND BALANCES**  
(unaudited - see Notice to Reader)  
**FOR THE YEAR ENDED SEPTEMBER 30, 2021**

	<u>Operating</u>	<u>Gaming</u>	<u>2021</u>	<u>2020</u>
<b>REVENUES</b>				
Registration	\$183,601	\$ 35,000	\$ 218,601	\$ 156,654
Sponsorships	2,250	-	2,250	-
Miscellaneous income	6,243	1	6,244	9
Interest income	<u>- 1</u>	<u>-</u>	<u>- 1</u>	<u>-</u>
	<u>192,095</u>	<u>35,001</u>	<u>227,096</u>	<u>156,663</u>
<b>EXPENSES</b>				
Technical Director	4,000	47,000	51,000	43,999
Batting cage expenses	4,483	5,788	10,271	-
Accounting fee	1,474	-	1,474	2,072
Advertising	3,569	-	3,569	-
League registration	11,448	-	11,448	9,438
Coaching development and clinics	33,115	-	33,115	11,368
Park rental	28,392	-	28,392	13,386
Equipment and uniforms	47,593	-	47,593	29,467
Umpires	6,195	-	6,195	630
Administrative expenses	14,870	13	14,883	3,107
Field maintenance	3,401	-	3,401	1,408
Pictures and trophies	5,886	-	5,886	-
Miscellaneous	5,099	-	13,699	-
Bursary	500	-	500	500
Tournament entry fees	2,285	-	2,285	2,550
Travel	-	-	-	2,539
Utilities	<u>1,234</u>	<u>-</u>	<u>1,234</u>	<u>171</u>
	<u>173,544</u>	<u>52,801</u>	<u>226,345</u>	<u>120,635</u>
<b>DEFICIENCY OF REVENUE OVER EXPENSES</b>	18,551	(17,800)	751	36,028
<b>FUND BALANCES, beginning</b>	5,445	37,196	42,641	6,616
<b>TRANSFER OF FUNDS</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>FUND BALANCES, ending – Statement 1</b>	<u>\$ 23,996</u>	<u>\$ 19,396</u>	<u>\$ 43,392</u>	<u>\$ 42,641</u>

See accompanying notes to the financial statements

**NANAIMO MINOR BASEBALL ASSOCIATION**  
**NOTES TO THE FINANCIAL STATEMENTS**  
(unaudited – see Notice to Reader)  
**SEPTEMBER 30, 2021**

**1. PURPOSE OF THE ORGANIZATION**

The Society was incorporated as a not-for-profit entity under the Societies Act of British Columbia on December 20, 1956 and is tax exempt under the Income Tax Act. The purpose of the Society is to promote and organize leagues for baseball activities and training of children and adolescents in the Nanaimo area.

**2. EQUIPMENT**

	<u>2021</u>			<u>2020</u>
	<u>Cost</u>	<u>Accumulated Amortization</u>	<u>Net Book Value</u>	<u>Net Book Value</u>
Tractors	\$ 11,572	\$ 11,572	\$ -	\$ -
Equipment	9,030	9,030	-	-
Scoreboard	10,992	10,992	-	-
Computer	1,504	1,504	-	-
	<u>\$ 33,098</u>	<u>\$ 33,098</u>	<u>\$ -</u>	<u>\$ -</u>

2022

## Revenue

Registration Fees:

\$ 135,000
\$ 27,000
\$ 29,000
\$ 7,000
<b>\$ 198,000</b>

Gaming Grant

\$ 45,000

Sponsorships

\$ 20,000

Consession / Food

Tournament Revenue

Batting Cage Rental

\$ 1,000

Miscellaneous

Transfer

**TOTAL REVENUE**

**\$ 264,000**

## Expenses

Accounting

\$ 1,475

Administration

\$ 15,000

Advertising / Signs

\$ 5,000

Banking Fees

\$ 150

Batting Cage Expenses

\$ 6,000

BC Minor Fees

\$ 12,500

Bursary & Scholarships

\$ 1,000

Paid Coaching

\$ 33,000

Development Clinics

\$ 1,000

Baseball Equipment

\$ 15,000

Field Fees

\$ 30,500

Field Maingenance

\$ 10,000

Locks & Keys

\$ 800

Pictures & Trophies

\$ 6,300

Technical Director

\$ 51,000

Travel

\$ 1,000

Tournament Fees

\$ 4,000

Umpires

\$ 20,000

Uniforms

\$ 37,000

Utilities

\$ 1,500

Website & Software

\$ 6,000

Miscellaneous

\$ 5,000

**TOTAL EXPENSES**

**263225**

**Surplus / (Deficit)**

**775**

DATE OF MEETING JUNE 20, 2022

AUTHORED BY ANDREW FRASER, ENGINEERING SERVICES TECHNOLOGIST

**SUBJECT PROPOSED BYLAW AMENDMENTS TO SUBDIVISION CONTROL  
BYLAW 1989 NO. 3260 SCHEDULE A – MANUAL OF  
ENGINEERING STANDARDS AND SPECIFICATIONS**

## **OVERVIEW**

### **Purpose of Report**

To introduce “Subdivision Control Amendment Bylaw 2022 No. 3260.06” and update the Manual of Engineering Standards and Specifications from Edition No. 13 to Edition No. 14.

### **Recommendation**

1. That “Subdivision Control Amendment Bylaw 2022 No. 3260.06” (Text amendments and drawing replacements to the Manual of Engineering Standards and Specifications) pass first reading.
2. That “Subdivision Control Amendment Bylaw 2022 No. 3260.06” pass second reading.
3. That “Subdivision Control Amendment Bylaw 2022 No. 3260.06” pass third reading.

## **BACKGROUND**

The Manual of Engineering Standards and Specifications (MoESS) forms part of the Subdivision Control Bylaw 1989 No.3260 as Schedule “A”. The Manual provides the direction and requirements for transportation, utility and other infrastructure that is built within the City of Nanaimo.

The amendment process for the MoESS is critical and enables the City to adapt to change. The MoESS undergoes regular review and updating to reflect current best practices, changes to regulations, adoption of new technology, recommendations from the public, Staff and engineering consultants, and to reflect Council policy. Typically, the bylaw is amended every few years, the last time was in 2020 with Edition No. 13, which was a major update.

Staff have been developing changes to the MoESS as proposed Edition No.14. This edition has a small number of important adjustments to some critical aspects, in particular geotechnical requirements. A future update to Edition No. 15, is planned to take place in 2023 and is expected to be more comprehensive.

As part of the update with Edition No. 14 there is some new wording related to geotechnical requirements and seismic considerations. Both are complex topics and require professional specialist involvement; however, there needs to be guidance from the City on reporting and performance expectations, and risk tolerance.

To provide that, Staff have developed the two documents “Seismic Design Guidelines for Water, Sewer Utilities and Roads”, and “Guidelines for Geotechnical Reports”. While these documents are important for reference, they do not form part of the MoESS bylaw. They are attached for information.

The update process for the proposed Edition No. 14 involved collaboration, research and review, supported by internal and external resources, stakeholders and Manual users. This includes Staff, engineering consultants, contractors and local developers.

## **DISCUSSION**

The proposed Edition No. 14 includes the following key aspects:

- Added some clarity around the geotechnical requirements in Section 3:
  - To ensure assessment and reporting as per City guidelines.
  - To provide standard reporting requirements.
  - To ensure seismic considerations.
  - To conform with standard industry practice.
- Minor adjustments to refine some of the transportation elements and revised for clarity in Section 8 adopted with the last Edition No. 13.

See Attachment A for a copy of the Amendment Record of all Changes in the MoESS Edition No.14. The most significant change is the addition of new Section 3.70 Geotechnical Assessment and Reporting.

## **Engagement**

In April and May of 2022, Staff undertook engagement with MoESS manual holders, developers, engineers and Staff. This consisted of providing letters to all manual holders and notification on the City website with review packages of the proposed changes. No comments were received.

## **OPTIONS**

1.

1. That “Subdivision Control Amendment Bylaw 2022 No. 3260.06” (Text amendments and drawing replacements to the Manual of Engineering Standards and Specifications) pass first reading.
2. That “Subdivision Control Amendment Bylaw 2022 No. 3260.06” pass second reading.
3. That “Subdivision Control Amendment Bylaw 2022 No. 3260.06” pass third reading.
  - Advantages: This option will update the City’s standards and specifications. The manual is the way Council affects the balance of infrastructure quality, reliability, durability and cost.
  - Financial Implications: The changes proposed in Edition No. 14, reflect current best practices and modest community expectations around infrastructure performance and risk. While this may add cost to some infrastructure built by the development community, it will make it more durable and able to reliably provide the community with the services.



2. That Council provide Staff with alternate direction.]

### **SUMMARY POINTS**

- The City has a regular process to maintain and update infrastructure standards to keep up with industry best practices and community requirements.
- The proposed amendments to the Manual of Engineering Standards and Specifications Edition No. 14 are small but important and have broad implications for infrastructure durability and risk.
- The proposed "Subdivision Control Amendment Bylaw 2022 No. 3260.06" is attached for Council consideration of first three readings.

### **ATTACHMENTS**

Attachment A – Amendment Record of all Changes in the MoESS Edition No. 14  
Attachment B – Seismic Design Guidelines for Water, Sewer Utilities, and Roads 2022  
Attachment C – Guidelines for the Completion of Geotechnical Reports – DRAFT  
Attachment D – "Subdivision Control Amendment Bylaw 2022 No. 3260.06"

#### **Submitted by:**

Andrew Fraser  
Engineering Services Technologist,  
Engineering

#### **Concurrence by:**

Poul Rosen  
Director, Engineering

Bill Sims  
General Manager, Engineering and Public Works

# ATTACHMENT A

## ATTACHMENT 'A' AMENDMENT RECORD OF ALL CHANGES INCLUDED IN THE MANUAL OF ENGINEERING STANDARDS AND SPECIFICATIONS EDITION No. 14

### CITY OF NANAIMO MANUAL OF ENGINEERING STANDARDS AND SPECIFICATIONS AMENDMENT RECORD

#### Manual Revision # 14

Revision Date: 2022

The Revision No.14 Edition of the Manual of Engineering Standards and Specifications (MoESS) was re-published in its entirety.

The footer for these sections has been revised to represents this revision 'May 2022 Edition'. This represents the most current edition of the manual.

In addition to the footer, the manual text continues to include the revision date in (*BOLD ITALICS*) at the end of the paragraph affected by the technical amendment. This represents the technical amendments that are incorporated into the MoESS for this revision year.

The sub-sections that had revisions within Edition No.14 are noted with the manual text in (*BOLD ITALICS*)

The standard drawings include a footer that reads;

Engineering Standards and Specifications  
May 2022 Edition

Each Manual holder is responsible for determining implementation dates of the Manual of Engineering Standards and Specifications revisions. Therefore, manual holders are cautioned about immediately discarding superseded and cancelled standards.

Superseded / Added / Cancelled / Removed	Page Revised / New Insert / New Dwg No.	Section No. / Dwg No. / Affected	Remarks
Title Page	Title Page	Title Page	Updated to June 2022.
Added	All	Contents and Introduction	Section 3.70 title changed to Geotechnical Assessment and Reporting (new section). New section titles and the section content regarding Sections 3.71, 3.72, 3.73 and 3.74.
Added	All	3.00	General Requirements: Entire section is superseded in MoESS due to updating and formatting of the information and the update of the identifier footer. Added the standards to support the Geotechnical Assessment and Reporting bylaw.
Added	3-10	3.71	Geotechnical Assessment and Reporting: Design process to be supported by Geotechnical Engineering Assessment.
Added	3-10	3.72	Geotechnical Assessment and Reporting: Standard Reporting Expectations to include Geotechnical Engineering Assessment.
Added	3-10	3.73	Geotechnical Assessment and Reporting: Seismic considerations to be consistent with CoN Seismic Design Guidelines.
Added	3-10	3.74	Geotechnical Assessment and Reporting: Geotechnical Engineering Design, Engineering, Analysis, & Field Review to conform with Industry Standard Practice.
Added	8 - 18	8.10.4.b.ii	Pedestrian Facilities: Add "or cyclists" after the word "vehicles".
Removed	8 - 18	8.10.4.b.iii	Pedestrian Facilities: Delete iii text.
Added	8 - 23	8.22.1c	Tactile Warning Surface Indicators: Add "or cyclists" after the word "vehicles".
-	IC-XS1	-	Street Types & Cross Sections - Industrial Collector: Clarification edits to drawing. Added to manual with revised note 1 "PAVED SURFACE - 125mm ASPHALT (COMPACTED THICKNESS)"
-	IL-XS1	-	Street Types & Cross Sections - Industrial Local: Clarification edits to drawing. Added to manual with revised note 1 "PAVED SURFACE - 125mm ASPHALT (COMPACTED THICKNESS)"
-	R-PI	-	Intersection Protected: Clarification edits to drawing. Edit note 4 and removing note 7. Add "or cyclists" after the word "vehicles" in note 6.
-	R-PRI	-	Intersections Protected Roundabout: Clarification edits to drawing. Edit note 4 and removing note 7. Add "or cyclists" after the word "vehicles" in note 6.
-	R-RLI	-	Intersections Raised Local: Clarification edits to drawing. Adding note 3, edit note 6 and removing note 9. Add "or cyclists" after the word "vehicles" in note 8.
-	R-II	-	Intersections Industrial: Clarification edits to drawing. Edit note 5 and removing note 8. Add "or cyclists" after the word "vehicles" in note 7.
-	CS-2	-	Curbs Drop Curb and Gutter: Clarification edits to drawing. Add revised Note 4: REINFORCING BARS OR CONCRETE FOOTING REQUIRED FOR LANE ACCESSES, COMMERCIAL & INDUSTRIAL DRIVEWAY ACCESSES, AND RAISED LOCALS ROAD CROSSINGS.



## **Seismic Design Guidelines for Water, Sewer Utilities and Roads 2022**

### **Preamble:**

The City of Nanaimo is situated on the East Coast of Vancouver Island approximately 200km from an active and major subduction zone. According to the BC Building Code, the City of Nanaimo is located in a "High Seismic Region". There is no doubt that Nanaimo will eventually experience significant seismic events.

When earthquakes occur they can cause damage to many aspects of a community including critical infrastructure such as, water supply networks, sewers, and roads.

Many of the systems that provide essential services are buried and out of sight. These buried systems can experience considerable stress during a seismic event. If the systems are not designed to withstand or accommodate the stresses, they may fail and this failure could be widespread.

The widespread nature of a seismic event can make it difficult for crews to repair or deal with the number of problems. As such, services or transportation networks could be interrupted or unavailable for long periods of time. Lack of critical services such as water and sewer for long periods of time can have catastrophic consequences to the well-being of individuals, businesses, property, and the community.

Having a reliable supply of clean water is critical to the City. In fact, from a physiological standpoint, there is very little that is more important. Water is also critical for firefighting which is vital during the aftermath of an earthquake.

Sanitary sewers are important because they go hand in hand with the provision of water. If we provide water, and the sewers are not able to convey the waste away, a health and environmental disaster could arise as well as damage or destruction to property and other infrastructure.

Transportation routes will be critical for the response during an emergency, and for crews to repair damaged areas.

The focus of these guidelines is on the municipal water supply, sanitary sewer systems, and roads or right-of-ways that house them.

It is the goal of the City of Nanaimo to adopt policies and practices that minimize the disruption that would be caused by a seismic event. These policies and practices will not provide immediate protection;

however, over the long term (50-100 years), as changes are made to infrastructure, they will be made more robust in areas and situations where it is warranted.

This design guideline is expected to be a living document that will, in the future, be updated as better information becomes available, and as our understanding of seismic design for utilities improves.

### **Intent of Guideline:**

The intent of these guidelines is to define the City's performance expectations for municipal infrastructure and to clarify the City's expectations related to the design approaches to be taken to satisfy these expectations.

Much of the infrastructure that exists within the City has been built up over many decades and was designed to the standards and practices of the time. The understanding of seismicity in the area has increased greatly in recent years, and as such, much of the existing infrastructure was not designed with seismic considerations. This guideline does not define what would trigger an upgrade to an existing system; the intent is to provide a benchmark or performance objective for a capacity upgrade, asset renewal, or new installation. To determine the risk to existing systems, a site specific evaluation should be considered with a review of the consequences from a failure during a seismic event. If the decision is made to upgrade, then these guidelines would come into play. In other words, this guideline takes the point of view that the decision to upgrade something or expand the system, has already been made and the question remains as to how to design and install it. This is an important point since many of the older pipes (AC watermains for instance) are not expected to perform well under elastic ground conditions during a seismic event. This means that even in areas without adverse ground conditions, there could be problems with existing older infrastructure.

Key outcomes expected from this guideline include:

- a) For the engineer of record/s, utility designers, and City Staff to determine the importance level of the asset in question and to assess the soil conditions of the site with a view to seismic performance.
- b) To develop an approach to utility and road design to mitigate potential adverse outcomes resulting from a seismic event.
- c) For typical (normal pipelines that are the majority of the system) utilities or roads on firm ground, no special requirements are expected.
- d) For typical (normal pipelines that are the majority of the system) utilities or roads on seismically adverse ground, to take steps to improve seismic resilience during a seismic event. For routine projects, the steps taken are intended to be prescriptive in nature or best practices and not to overwhelm the designer.
- e) For infrastructure of exceptional importance, take measures to specifically assess seismic ground response and take specific steps to improve seismic resilience.
- f) Over the long term, as the infrastructure in the City is replaced through normal asset renewal processes, more and more will be capable of remaining functional during and after a seismic event.
- g) The incremental cost of improving seismic resilience should be commensurate with the value of the asset and its importance in the network. In other words, we should always ask ourselves the question, does it make sense to increase the cost of the asset to add a level of protection?

## **Use of the Guideline:**

It is expected that City Staff, consultants, and any organization or individual undertaking design of infrastructure that will become the responsibility of the City of Nanaimo will meet the intent of these guidelines.

This guideline is not a standard or a policy; it is intended to provide a description of the level of seismic resilience and functionality the City of Nanaimo expects from new and upgraded systems. Where designers propose to deviate from these guidelines they should submit a written request to the City representative with an explanation as to how the objectives will be maintained.

This document does not supersede statutory requirements (such as requirements for dams or structures under statutory building codes). It is intended to clarify expectations for the minimum level of seismic performance where there is an absence of regulation or oversight by a higher level of government.

## **Geotechnical Seismic Hazards:**

Subsurface conditions across Nanaimo are highly variable as a result of a complex history of glaciation, isotactic uplift, and subsequent down-cutting. Conditions range from areas of exposed strong bedrock to thick deposits of poorly consolidated alluvial and deltaic soils. Large areas of Nanaimo are dominated by shallow dense glacial soils that are generally resistant to permanent earthquake induced ground movements and liquefaction. However, there are areas of geologically recent deposits in which seismic ground response may be adverse in terms of liquefaction and permanent earthquake-induced ground movements. The response of steep slopes to strong earthquake shaking is a consideration in the more rugged areas of Nanaimo as well as portions of the coastline and the banks of stream systems.

The geotechnical hazards associated with seismic activity that are of concern, can be attributed to transient ground deformation (TGD), or permanent ground deformation (PGD), or both. TGD occurs as a result of seismic waves; often referred to as seismic shaking. PGD occurs as a result of liquefaction, surface faulting, landsliding, and differential settlement from the densification of loose soils. The relative magnitude of TGD and PGD determine which reaction will be of influence to the pipeline response. TGD generally induces much smaller levels of pipeline strain and deformation than PGD, but can cause soil cracks and fissures triggered by pulses of strong motion<sup>1</sup>. While TGD can be of concern in older brittle pipes and those susceptible to corrosion, it is widely accepted that the most serious pipeline damage during earthquakes is caused by PGD<sup>2</sup>.

A seismic hazard map has been created for the purpose of guiding decisions on seismic soil risk for infrastructure, principally from the viewpoint of identifying deposits with a higher potential of PGD (See Appendix A and B). Although the map indicates areas of low, medium, and high risk, the coarseness of the information only serves as a planning level tool. Localized changes in soil conditions and topography can dominate seismic ground response. Therefore, it is expected that the designer will consider if the site specific soils present a seismic hazard risk (regardless of the designation on the map) and undertake a geotechnical assessment to characterize subsurface conditions and seismic ground response pertinent to the infrastructure design. For areas that are designated as medium or high seismic hazard risk on the map where there is judged to be an elevated potential for PGD, it is expected that projects within these

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<sup>1</sup> Toprak, S. and Taskin, F (2006) Estimation of Earthquake Damage to buried Pipelines Caused by Ground Shaking. Natural Hazards, 2007.

<sup>2</sup> O'Rourke, T and Bonneau, A. (2007) Lifeline Performance under Extreme Loading during Earthquakes. Springer.



areas would undertake an assessment to quantify seismic ground response to enable the design engineer to develop a system appropriate to the City's performance expectations.

In terms of general screening, areas that are known or expected to be underlain by fills, post glacial alluvial, marine, and other normally consolidated soils shall be treated as potentially high risk unless otherwise confirmed by site specific investigation.

Example soils in which the seismic hazard of PGD is considered to be "low" include: glacial till and bedrock.

From a screening viewpoint, the definition of low seismic risk of PGD is as follows:

- a) For liquefaction, less than 2% probability of exceedance in 50 years.
- b) For slope hazard, the slope must be less than 20% as determined by the City Steep Slope Guidelines.

### **Seismic Performance Objectives:**

Assets have varying degrees of importance. For the purposes of this guideline, the following levels have been designated:

<b>Importance Level</b>	<b>Potential examples</b>
Exceptional	The main water supply lines that bring water from the watershed. Treatment plants, pump stations, or primary reservoirs. Arterial roads and emergency response.
High	Water supply trunk mains or Sanitary trunk sewers larger than 600mm diameter, pump stations, etc. Collector roads.
Moderate	Normal or ordinary water distribution pipelines. Water pipes with limited or no redundancy. Sanitary sewer pipes greater than 500mm diameter.
Low	Pipelines that represent a very low hazard to human life in the event of a failure. Not needed for post earthquake system performance, response, or recovery.

The examples listed do not constitute a definition of each level; they merely serve as a guide to consider when designating the level of a particular asset.

Note: The designation for importance level for a particular project will be developed by the Engineer of Record, Geotechnical Engineer, Utility Designer and City Staff; however, the final determination of the importance class will be at the discretion of the Director of Engineering or delegate.

Asset importance level	Design Earthquake (return period years) <sup>1</sup>	Performance Objectives	Example design approach
Exceptional	1:975	Remains serviceable, minor damage easily repaired. No interruption to service.	Comprehensive geotechnical assessment to characterize site conditions and determine anticipated seismic ground response.
	1:2475	Structurally intact, may have moderate damage but is serviceable. Can still perform its intended function.	Comprehensive structural evaluation with specific design measures to meet performance objectives.
High	1:975	Structurally intact, minor localized damage acceptable. Serviceability may be interrupted for short periods of time (several hours) to complete repairs.	Comprehensive geotechnical assessment to characterize site conditions and determine anticipated seismic response. Comprehensive structural evaluation with specific design measures to meet the performance objectives.
Moderate	1:475	Minimal damage. Some interruptions to service might occur; however, they are to be minimized as far as reasonably possible. No joint separation or flotation of the pipe.	<p>To use BMPs for design (restrained joints, flexible connections, materials, etc). Seismic structural analysis may not be required. When in areas identified through investigation to contain seismically poor soils.</p> <p>Water: restrain all joints, provide flexible connections to rigid structures, extra isolation valves, pipe material choice, etc.</p> <p>Sewers: design pipe and manholes so they are neutrally buoyant or anchored, pipe material choice to accommodate permanent ground deformations.</p>
Low	none	No seismic design requirements.	Nothing specific.

<sup>1</sup> As determined from the most recent Building Code.

For assets that are designated as High or Exceptional, a comprehensive geotechnical investigation shall be conducted in support of the design including considerations of alignment and the potential and magnitude of TGD and PGD under the specified design earthquake. For assets that are designated as moderate importance level, the site specific geotechnical investigation shall include a scope of work to assess earthquake ground response under a 1:475 year design earthquake when near or in an area known or suspected to have soils that present a risk greater than “low” in accordance with the seismic hazard map or known site conditions.

The potential and magnitude for collateral damage may be considered in the designation of a project’s importance level classification.

### **Where These Guidelines Apply:**

These guidelines shall apply to municipal buried pipes, structures, and roads that are not covered under the BC Building Code. For example:

- a) Water supply and distribution pipelines.
- b) Sanitary sewer pipelines, manholes, pump stations, etc.
- c) Aspects of water or sewer pump stations, pressure reducing valves, valve chambers, etc, where the BC Building Code does not apply.
- d) Roads.

## **Water Supply and Distribution System:**

The City's goal is to maintain the integrity of the water supply system following an earthquake and ensure the safe provision of water. This is to be achieved through reduced failure probability, reduced consequences from failures, and a reduced time to attain recovery.

For "Exceptional" or "High" ranked infrastructure, the design process shall include a comprehensive geotechnical assessment in which seismic ground response will be assessed and the findings incorporated in the design.

For ordinary or typical pipelines (moderate or low importance level), a greater emphasis will be placed on pragmatic steps to enhance seismic resilience, including pipe material selection and the use of special provisions for items such as fixtures, restraints, and connection details. This section will describe typical measures that can be considered for pipelines ranked "moderate", or low and are situated in an area having a soil risk greater than "low":

Evaluation of water utility damage from earthquakes around the world indicates that many of the failures occur as a result of straining at pipeline joints. Either the joints are pulled apart or are forced together beyond the structural capacity of the material, typically as a result of PGD.

The watermain materials that typically perform well in earthquakes (for pipes in this general size range) are:

- a) HDPE with butt fused joints.
- b) Ductile Iron with joint restraints (any joint restraints shall be protected from corrosion so as to last as long as the main pipeline).
- c) PVC with locking joints (any joint restraints shall be made to last as long as the main pipeline).

Redundant looping and isolation valves are critical to minimize disruption of service in the event of failure.

## **Sanitary Sewer:**

It is common for important or large diameter sewers to be located in low lying areas that frequently contain loose and normally-consolidated soils with the potential for poor seismic ground response. In a conventional gravity sewer, the flow is downhill, which tends to follow the natural topography and river valley bottoms. This combination of important sewers and poor soils can make it particularly challenging for some of the larger important pipelines.

One of the biggest risks of seismically induced damage for gravity sewers are PGD caused by soil liquefaction, lateral spread, and differential settlement through densification. Gravity sewers and manholes are essentially open structures which can become buoyant if the surrounding soils liquefy. When they become buoyant, they can float or lift up creating a high point or even a break in the pipe. This uplift problem can be an issue for both the pipe and any manholes or other structures.

Given that gravity sewers rely on grade (slope) to convey their contents, any disruption to the grade can have adverse consequences ranging from breaks, to complete blockages, to requiring increased maintenance. When blockages occur, the sewage takes the path of least resistance which can include overland flooding and often enters nearby watercourses. The consequences, ultimately, can lead to property damage, environmental contamination, and public health issues.

For new sewers, it may be possible to avoid areas prone to large PGD, or liquefaction, or to implement ground improvement measures to mitigate the likelihood of liquefaction (to the level consistent with the importance classification of the facility).

For upgrades to existing infrastructure, the design philosophy should investigate the feasibility of re-routing through areas of favourable ground, providing appropriate ground improvement, or introducing redundancy (this can be challenging or impractical in a gravity sewer) into the overall system.

Joint integrity is an important factor for segmented pipelines since it is a common mode of failure during earthquakes. Pipeline joints can either separate or be crushed as a result of axial forces exerted on the pipeline.

Materials that have historically performed well in earthquakes include:

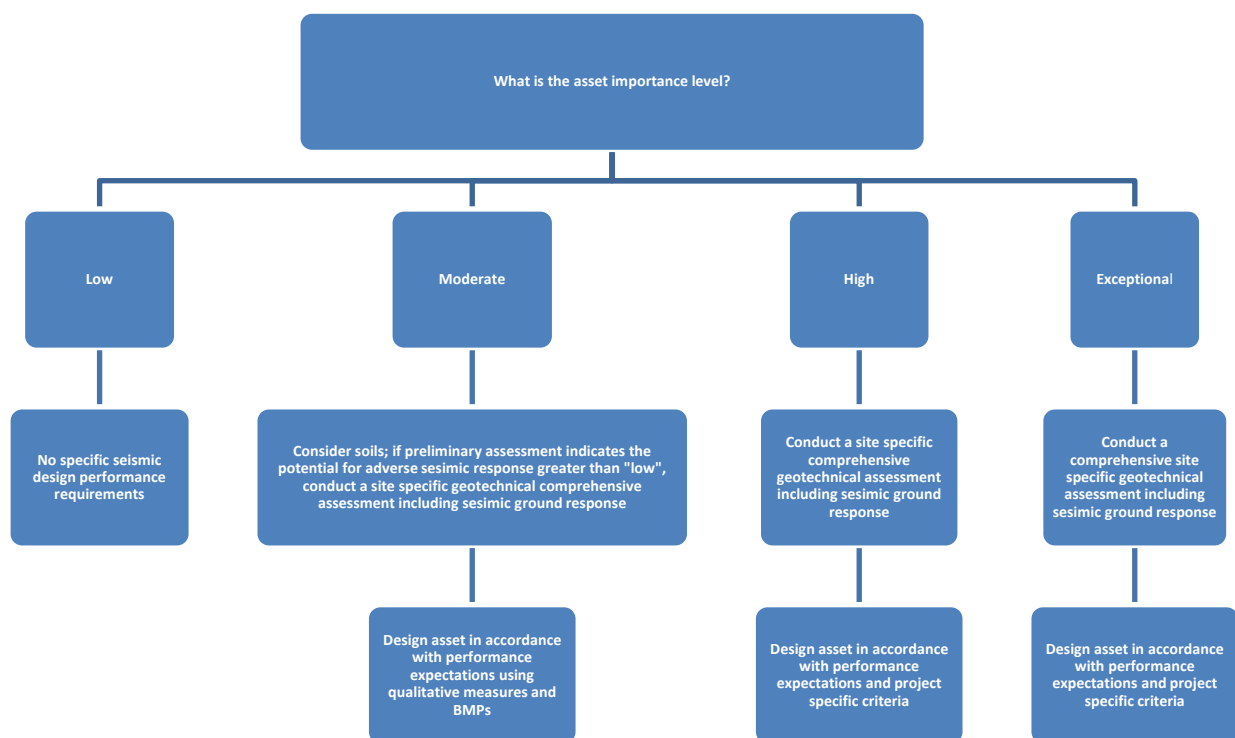
- a) HDPE with butt fused joints.
- b) PVC with restrained joints (made to last as long as the rest of the pipeline).

Manhole floatation is an issue that needs to be addressed specifically for each location and condition.

### **Use of this Guideline:**

The following decision flow chart is provided to assist designers to satisfy the City's performance expectations with seismic design for a given asset.

### **Decision Flow Chart**



## Examples:

The following hypothetical examples are provided to demonstrate an acceptable approach for a given set of circumstances. The Engineer of Record shall be responsible for developing the design to meet the seismic performance expectations regardless of these examples. They are intended to provide clarification. They are not intended to provide all the possible solutions for mitigating seismic risk; they merely provide a snap shot for a given situation. Furthermore, these examples outline situations where new or replacement infrastructure is contemplated; they are not intended to provide guidance in evaluating the performance of older or existing systems.

### Example 1: Northfield Road (near Industrial area) Watermain and Sewer Replacement

- a) The terrain in this area has slope of less than 3%, as such, there is no slope hazard concern.
- b) The soils in this area have been confirmed by geotechnical evaluation to be seismically favorable to new infrastructure.
- c) The watermain will be 250mm diameter and looped.
- d) The sewer will be 300mm diameter.

Result: The importance level of this infrastructure is declared moderate and there are no particular design actions required with respect to further seismic ground assessment. In this case, no special seismic considerations are required for this infrastructure.

### Example 2: North Nanaimo Area (between Lost Lake Road and Hammond Bay Road) Residential Development Project

- a) The terrain in this example area meets the criteria for “steep slope” development. The land generally has an overall slope of 32% (18°).
- b) The soils have been evaluated and generally consist of sand/silty sand, dense glacial till then bedrock. The soils in this area have been confirmed by geotechnical evaluation to not be at risk of liquefaction during a seismic event (2% probability of exceedance in 50 years).
- c) The watermains are proposed to be 200mm diameter, non looped.
- d) The sewers will be 200mm diameter and only serve the development.

Result: The importance level of this infrastructure is declared moderate. The seismic soil risk for liquefaction is low. The slope hazard rating based on liquefaction potential is also low since the terrain is less than 30°. Overall the seismic hazard rating is low, no special seismic design is required unless there are localized alignments through steeper sections.

### Example 3: Millstone Trunk Sewer Replacement

- a) 750mm diameter gravity sanitary sewer crossing the Millstone River with multibarrel siphon.
- b) Soils on the bank of the river have been determined to be susceptible to liquefaction during 1:475 year return period earthquake (10% probability of exceedance in 50 years).

Result: The importance level of this asset is determined to be high given the large population served (+15,000) and the environmentally sensitive location. The soils have been determined to be susceptible to liquefaction with a high potential for PGD. The design for this shall include provisions to protect the sewer from catastrophic failure (the inability to convey the contents of the sewer) as a result of a 1:975



year return period earthquake. Some repairs and additional maintenance may be required; however, the sewer is intended to be functional after the seismic event.

#### Example 4: Harewood Area Sanitary Pump Station

- a) Based on the seismic hazard map, the liquefaction potential is low-medium.
- b) Scope includes sanitary pump station and associated gravity and forcemain piping.
- c) Pump station flow rate 130 l/sec.
- d) There are no service connections on the proposed works.
- e) The alignment of the pipes cannot be routed around the poor soils.

Result: The asset importance level assigned for this, is moderate. The soils are suspected to be susceptible to liquefaction with a potential for PGD. A site specific geotechnical investigation shall be required. The design will require the station and piping to withstand (remain functional after, but some repairs might be needed) a 1:475 year return period earthquake. Assuming the soils have a moderate risk level; to achieve the performance target, the designer might choose HDPE forcemain piping, and conduct ground improvement for the pump station site. Address the flexibility requirements of the forcemain connection and the gravity sewer connection to the station structure. The gravity sewer should be designed to avoid floatation, and the joints protected from separation or over compression. For example, the pipe might be HDPE butt fused gravity sewer with concrete cap or bedding for neutral buoyancy. Manholes may have a ballast slab.

#### Example 5: 400mm diameter Watermain Replacement near Hwy 19A and Aulds Road

- a) Suspected liquefaction risk based on planning level seismic hazard map.
- b) Terrain overall slope is less than 2%.
- c) Site specific soils investigation completed and determined that there is risk of liquefaction and a potential for PGD.
- d) Static water pressure is about 100 psi in this location.
- e) There are no service connections on this pipe.

Result: Given this watermain is the main supply for the north end of town, the importance level is assigned “high”. The soils are known to be susceptible to liquefaction. Geotechnical assessment should characterize potential post seismic ground strains and differential settlement. Design of this watermain shall include provision for joint integrity during a seismic event. The design might be HDPE with butt fused joints or welded joint steel pipe. Counter-buoyancy provisions should be reviewed.

#### Example 6: Proposed new 1200mm diameter Water Supply Transmission Main

- a) New pipe alignment through undeveloped area.
- b) Will provide water to large portion of the City.
- c) The ground along the proposed route is unknown.

Result: Given the large portion of the City this pipeline will provide water for, the asset importance level would be “exceptional”. A comprehensive geotechnical assessment of the soils and terrain along the route would be required to characterize potential seismic ground response. An emphasis would be placed on route selection to avoid any terrain other than “low” risk. Once the route has been selected, the designer would undertake design giving special consideration to the performance goals and expectations of the pipe during a seismic event. It would be expected that for the design of an

exceptionally important asset such as this one, the seismic assessment would be quantitative in nature and the team would interact in the detailed structural assessment. For a pipe of this nature it is expected that there would be no service interruptions resulting from a 1:2475 year return period event. At a minimum, the designer would need to verify seismic resilience and performance requirements which would include the selection of pipeline material, the performance of the joints during an event, and flexibility of any connections to rigid structures.

# APPENDIX A

## City of Nanaimo Slope Hazard

### Rating

H

M

L

### Bedrock

N



Published: March 15, 2022

0 0.75 1.5 3

Kilometers

1:40,000

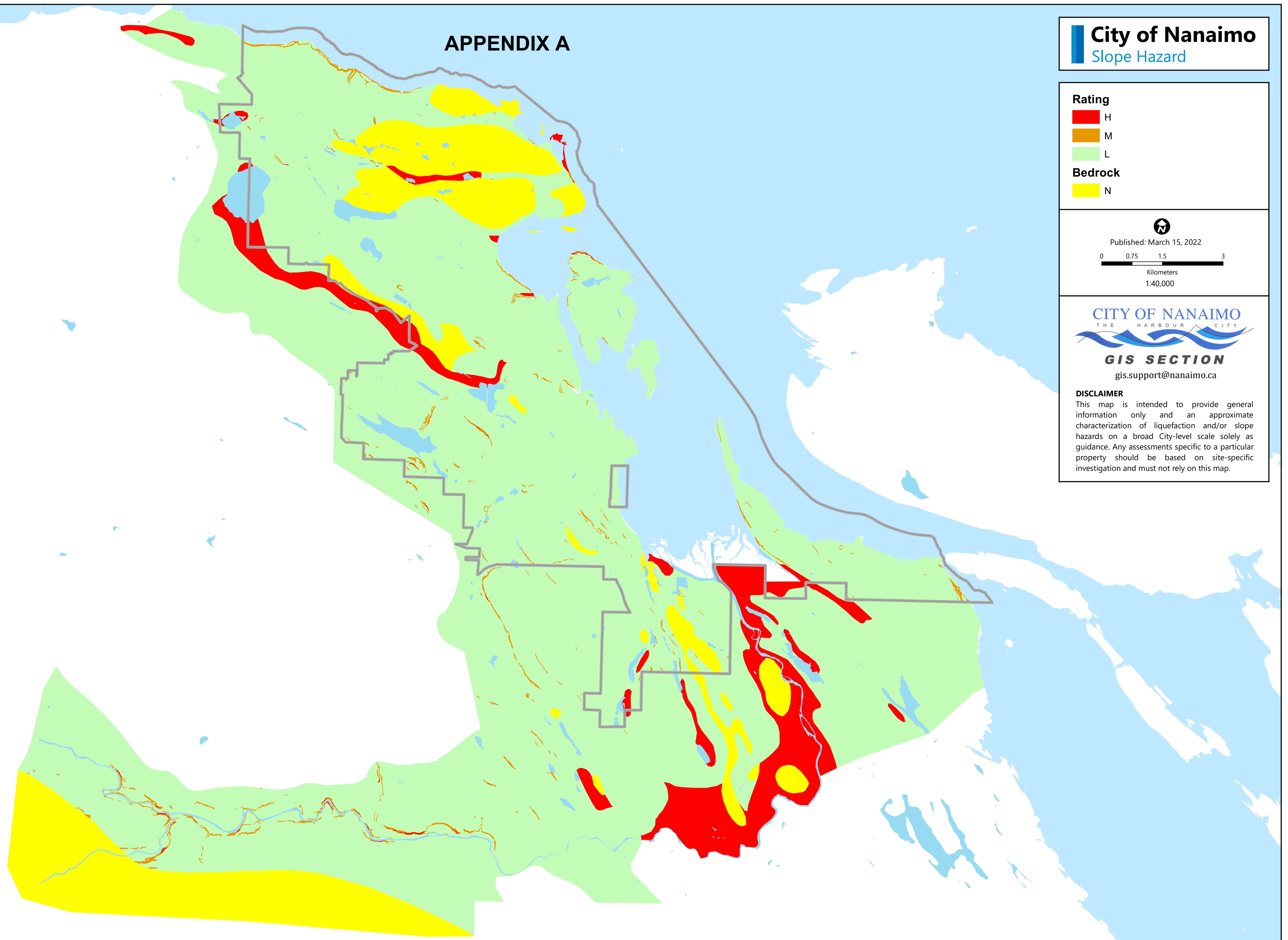


**GIS SECTION**

[gis.support@nanaimo.ca](mailto:gis.support@nanaimo.ca)

### DISCLAIMER

This map is intended to provide general information only and an approximate characterization of liquefaction and/or slope hazards on a broad City-level scale solely as guidance. Any assessments specific to a particular property should be based on site-specific investigation and must not rely on this map.



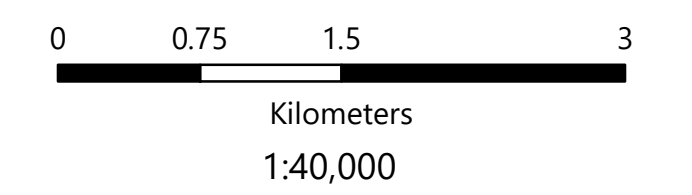
# APPENDIX B

## City of Nanaimo Liquefaction Potential

### Rating



Published: March 15, 2022

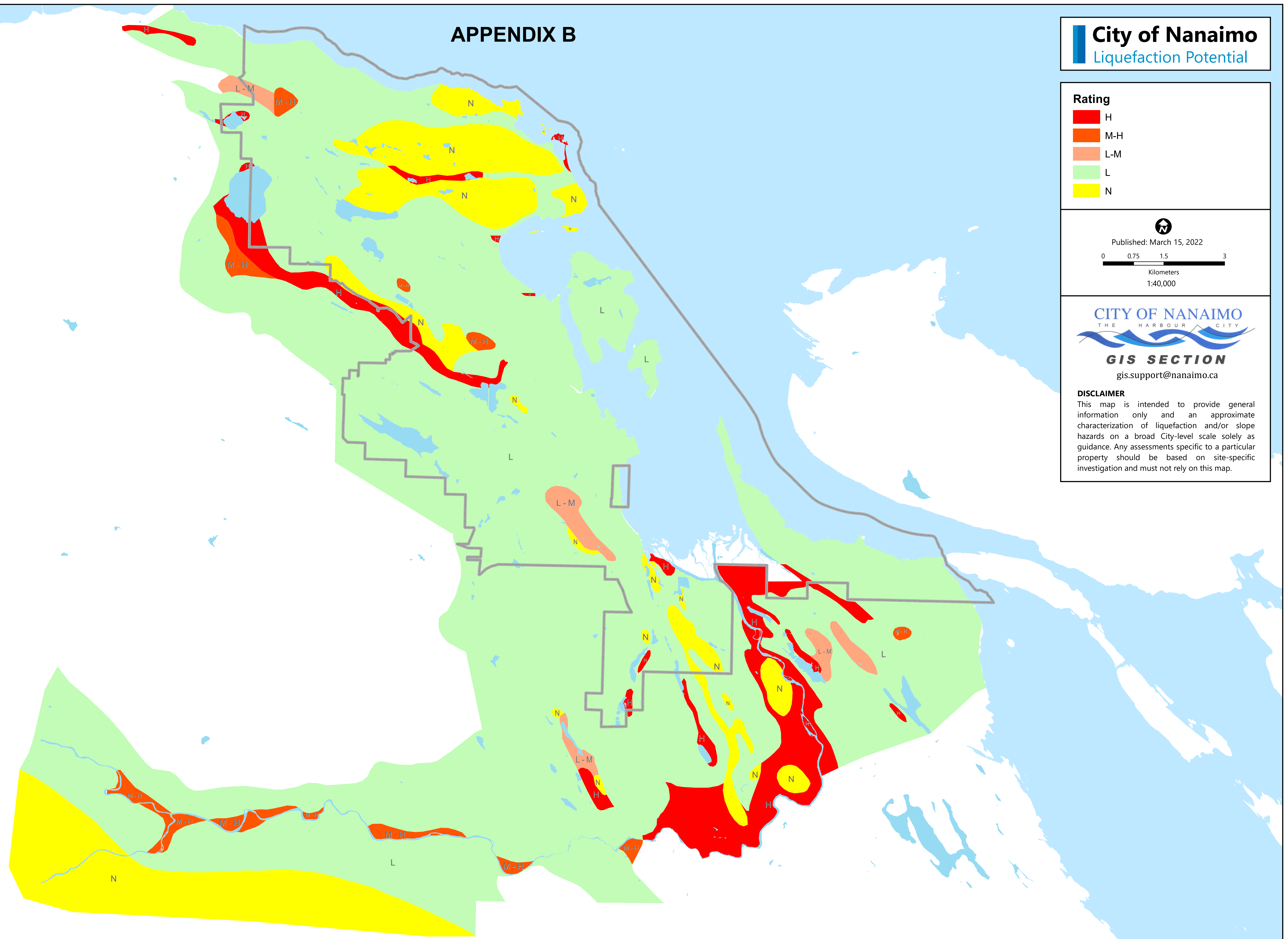


### GIS SECTION

gis.support@nanaimo.ca

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## CITY OF NANAIMO GUIDELINES FOR THE COMPLETION OF GEOTECHNICAL REPORTS

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### 1. INTRODUCTION

These Guidelines present the City of Nanaimo's (City) expectations for geotechnical assessments and reports related to the development of private lands within the City. The Guidelines identify the City's standard geotechnical design criteria in relation to natural hazards, seismic design, slope stability and timeframe considerations. Background information is provided to outline the local geotechnical setting. Geotechnical reporting expectations and requirements are provided for Geotechnical Reporting Documents (GRD) that are submitted in support of development and permit applications.

The City, in discharging its duties as the Approving Officer and/or Building Official, must be authorized by the Qualified Professional or Engineer of Record to rely on the particular GRD when making a decision on a development or building permit application. It is acknowledged that ground and groundwater conditions can vary from those expected and that changes may be required to the design and construction recommendations given in the GRD. Provision is made in the Guidelines for the City to require a Completion Report at the end of construction to document significant changes and/or geotechnical improvements that may have been undertaken to mitigate potential hazards.

These Guidelines are not intended to be prescriptive nor are they intended to serve as a substitute for engineering judgement and experience. It is anticipated that variations in the application of the Guidelines may be required for certain specific projects.

### 2. SCOPE OF GUIDELINES

These Guidelines apply to the practice of geotechnical engineering in relation to the legislated Geotechnical Reporting Documents (GRD) that the City may require in support of development and permit applications for private land within the City of Nanaimo, including:

- Rezoning Amendment Applications;
- Development Permits;
- Development Variance Permits;
- Subdivision Applications; and,
- Building Permits.

The authority for the City to require a GRD may be found in a variety of statutes, bylaws, and regulations. In addition to these Guidelines, the reader should be aware of the following documents:



- Guidelines for Geotechnical Assessments above Abandoned Mine Workings, 2022. These relatively specific guidelines relate to the City's expectations for assessment and reporting for lands that lie within the City's Development Permit Area 4: Abandoned Mine Workings Hazards;
- Manual of Engineering Standards & Specifications (MOESS): Section 3.7. Geotechnical Assessment and Reporting. This document describes requirements for geotechnical assessment and reporting in relation to the design process for new roads and underground utilities; and,
- Seismic Design Guidelines for Water, Sewer Utilities and Road 2022. These guidelines are referenced in the Manual of Engineering Standards & Specifications: Section 3.7. and outline the City's expectations for seismic design for components of City-owned infrastructure that are not covered under the BC Building Code.

### 3. DEFINITIONS AND RESPONSIBILITIES

Qualified Professional: means a professional engineer or geoscientist who is registered or licenced in good standing with Engineers and Geoscientists BC (EGBC). The Qualified Professional will have the appropriate level of education, training, and experience to complete the assessment required in support of the particular application.

Geotechnical Engineer of Record (GER): means the Professional Geotechnical Engineer responsible for a specific portion of the project design. The GER, who will be a Qualified Professional, is responsible to ascertain that the GER's final design (including any changes made during construction) meets applicable design standards, criteria and guidelines. The GER's responsibilities during construction include conducting Field Reviews for the geotechnical aspects of construction being installed by the contractor. The GER is primarily responsible for evaluating whether the geotechnical aspects of construction are performed in general accordance with the geotechnical aspects of project plans and specifications, and the geotechnical design recommendations prepared by the GER.

Geotechnical Reporting Document (GRD): Reports and other documents that communicate geotechnical data, analysis and recommendations. GRD's can be of many types and formats including Geotechnical Design Reports; Geotechnical Baseline Reports; Geotechnical Design Memos; Geotechnical Field Memos; and Geotechnical Completion Reports. Multiple GRD's may be required by the City as a project moves through the development process from Rezoning and/or Development Permit; to Subdivision and Building Permit; and from preliminary design to detailed design to construction and operation.

Approving Officer (AO): means the City of Nanaimo's municipal Approving Officer as defined in the *Land Title Act*. The Approving Officer is the statutory official responsible for ensuring that subdivisions applications comply with provincial statutes, regulations, and local government bylaws regulated to subdivision.

Building Official: means a qualified City of Nanaimo employee who is responsible for the administration and enforcement of Building Regulations and includes, but is not limited to, a Building Inspector, Plumbing Official, Plan Reviewer, and/or Manager.

The Client: means an individual or company who engages a Qualified Professional or Engineer of Record to provide geotechnical services in support of the land development or building permit application. The client is typically the landowner or a third party who has been contracted to oversee the process on behalf of the owner.

Letters of Assurance: means standard forms of the *British Columbia Building Code* informing authorities having jurisdiction which aspects of a project design and Field Reviews are the responsibility of the Engineer of Record.

#### **4. GEOTECHNICAL DESIGN CRITERIA**

##### Natural and Mining Induced Geological Hazard Risk:

It is most important that natural and mining induced geological hazards (Hazards) be identified on land that is about to be subdivided or, in the case of a Building Permit application, developed. These hazards may include but are not limited to, flooding; debris torrent; landslide; rockfall; erosion; subsidence; and mining induced geological hazard. Pursuant to Section 86 of the *Land Title Act*, the Approving Officer may refuse to approve the subdivision application if the officer considers that the land in question may be subject to a hazard. Similar provisions apply under Section 56 of the *Community Charter*, the *Strata Property Act* and the *Bare Land Strata Regulations* BC Reg. 75/78.

For assessing landslide hazards, the most recent version of the EGBC “Guidelines for Legislated Landslide Assessment for Proposed Residential Developments in BC” must be followed. The Qualified Professional is required to fully execute the Landslide Assessment Assurance Statement in Appendix D.

The most recent version of the City’s Guidelines for Geotechnical Assessments above Abandoned Mine Workings is to be used in the geotechnical assessment or development of lands within the City’s DPA 4: Abandoned Mine Workings Hazards.

For assessing flood hazards, the most recent version of the EGBC “Professional Practice Guidelines - Legislated Flood Assessments in a Changing Climate in BC” shall be followed. The Qualified Professional is required to fully execute the Flood Assurance Statement in Appendix I.

##### Seismic Design:

Seismic design objectives and expected performance of buildings are described in Commentary J of the Structural Commentaries (User’s Guide – NBC 2015: Part 4 of Division B or latest version thereof). These relate to the protection of life and safety of building occupants and the general public as the building responds to strong ground shaking, as well as requirements to limit building damage during low to moderate levels of ground shaking.

For subdivisions, seismic design is required on all structures and slopes that form the lot grading plan. This includes retaining walls greater than 1.2 m in height that support a roadway or walls that support a cut above the roadway where failure of the wall or cut will enter the City's right-of-way. The most recent version of the EGBC Professional Practice Guidelines for Retaining Wall Design shall be used in wall design and in defining minimum performance requirements. The City may require the GER to complete the Appendix A: Engineer of Record Retaining Wall Assurance Statement. The City requires the Owner to obtain a Building Permit for all walls greater than 1.5 m in height and for the GER to provide Letters of Assurance for the wall design and subsequent completion of Field Reviews.

For preliminary screening of seismic stability of slopes in relation to residential development, the seismic coefficient used in the pseudo-static limit equilibrium slope stability analysis should be equal to the 2% in 50 year Peak Ground Acceleration (PGA) (i.e.  $k=1.0(PGA)$ ). If the Factor of Safety (FOS) is  $> 1$ , when  $k=1.0(PGA)$  is used no further stability analyses are required. However, if the FOS is  $< 1$ , then the further stability analyses are required as outlined in the most recent version of the EGBC "Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia." For site specific numerical analyses of site response and soil structure interaction, a site specific seismic hazard value can be obtained from the Geological Survey of Canada. Liquefaction potential of the subsoil shall be evaluated for structures, walls and embankments and the design will incorporate ground improvements and other methods of addressing potential liquefaction to meet the performance expectations described herein.

Seismic considerations and performance for new roads and underground utilities are presented in the Manual of Engineering Standards and Specifications Section 3.7 with further guidance presented in the latest version of the City's Seismic Design Guidelines for Water, Sewer Utilities, and Roads.

### Level of Landslide Safety

The City will assess the suitability of land for new development with respect to rotational and translational landslides on the basis of the following minimum Factors of Safety (FOS):

Table 1 – Minimum Factor for Safety for Slope Stability Hazard from Rotational and Translational Landslides

<u>Type of Application</u>	<u>FOS &gt; 1.3 (static)</u> <u>FOS &gt; 1.0 (non-static, with</u> <u>D &lt; 0.15 m with 1:475)</u>	<u>FOS &gt; 1.5 (static)</u> <u>FOS &gt; 1.0 (non-static, with</u> <u>D &lt; 0.15 m with 1:2475)</u>
<u>Building Permit (&lt; 25 % increase to gross floor area)</u>	<u>X</u>	
<u>Building Permit (&gt; 25 % increase to gross floor area and/or retaining walls &gt; 1.2 m)</u>		<u>X</u>
<u>Re-zoning</u>		<u>X</u>
<u>Subdivision</u>		<u>X</u>
<u>New Development (Development Permit)</u>		<u>X</u>

Where: 1:475 and 1:2,475 are annual probabilities of seismic hazard based on the latest version of the building code.

D is ground displacement calculated in accordance with the procedures of the most recent version of the EGBC Guidelines for Legislated Landslide Assessment for Residential Developments in BC.

Where the potential for high velocity flow type landslides or rockfall hazard is identified, the assessment shall identify the mitigation measures necessary to verify that the land may be used safely for the use intended in accordance with the reporting requirements given below. The mitigation measures, maintenance, and surveillance requirements shall comply with the requirements below.

#### Considerations of Changed Conditions, Maintenance and Surveillance

In completing their geotechnical assessment, the Qualified Professional and GER should consider the potential for changes to existing conditions resulting from natural processes such as sea level rise, erosion, wildfire, repeated freeze thaw, and from human activities and urban development. In the absence of a project specific agreement with the City, the assessment and geotechnical reporting for building and subdivision projects should consider the influence of potential changes over a period of 100 years. The GRD should include discussion and recommendations for geotechnically related maintenance and surveillance requirements to satisfy project performance expectations over this time period, including where the responsibility lies for such actions. The professional's report together with a Section 219 covenant may be required to be registered on the title of the property pursuant to the *Land Title Act*.

Specific guidance related to civil and transportation infrastructure retaining walls is provided in the EGBC Professional Practice Guidelines for Retaining Wall Design, Version 1.1 25 February 2020.

## **5. GEOTECHNICAL SETTING**

Nanaimo has a complex geological history that includes several regimes of glaciation along with deposition and erosion during the wasting of the last ice sheet. The area was home to commercial coal mining and large areas of the City are underlain by abandoned underground mine workings. The area is also prone to hazards from strong seismic shaking, and steeper areas to landslide, rockfall, and erosion. The eastern boundary of the City is formed by the Strait of Georgia and is subject to changing conditions and active erosion as a result of tidal effects and long-term sea level change. A general description of the local geotechnical setting is provided in Appendix 1.

## 6. GEOTECHNICAL REPORTING WITHIN THE APPROVAL PROCESS

### 6.1 GENERAL

GRDs take many forms, have many titles and can be prepared at various levels of detail commensurate to the various stage of a project; from feasibility to detailed design to construction. GRDs can vary from comprehensive design reports to focused interpretive reports dealing with one phase of a design or one design element. GRDs also include baseline geotechnical reports that are limited to the presentation of factual data, as well as forensic reports addressing some form of failure. At the construction stage of a project, GRDs include field memos and site instructions that can contain recommendations or instructions that may substantially alter the recommendations given in the original geotechnical design report that formed the basis of approval.

The City operates within a development approval process with a legislative framework that, dependent on the project, may include requirements from bylaws covering rezoning applications, the *Local Government Act* (Development Permits), the *Land Title Act* (Subdivisions), *Community Charter* (Building Permits), *Local Government Act* (Flood Plain Bylaw) and *BC Building Code*. The reporting requirements in this Guideline relate to the GRDs submitted in support of those applications. City Council, or its delegate, the City's AO and/or Building Official in discharging their responsibilities must have reliance on the GRD submitted for the particular development application.

The attached **Figure 1** is a flowchart that summarizes the legislated development approval process followed by the City and identifies the City's general expectations in terms of supporting GRDs. Specific wording requirements for GRD's are presented below.

### 6.2 GEOTECHNICAL REPORT REQUIREMENTS

Geotechnical Reports provided in support of a development application must address the following requirements:

#### Property Identification

The report must identify the subject property by providing the legal description and civic address of the subject property as well as a plan showing the location of the property. Any existing restrictive covenants relative to land use or natural hazards shall be identified and attached to the report, with relevant zoning or geotechnical setbacks or easements marked on the plan, where applicable.

#### Reason for Report

Description of the intended use of the subject property that corresponds to the development application(s) being considered by the City.



## Reliance of City Council or its delegate, the Approving Officer and/or Building Official on the Report

The applicable example statement shall be used in the case of:

- Rezoning:  
“Notwithstanding any other statement in this report, this report may be relied upon by the City of Nanaimo in considering a zoning amendment application to rezone the subject property from *(insert existing zoning)* to *(insert proposed zoning)* as regulated by City of Nanaimo Zoning Bylaw No. 4500.”
- Development Variance:  
“Notwithstanding any other statement in this report, this report may be relied upon by the City of Nanaimo in considering an application to vary the City of Nanaimo Bylaw No. 4500 "section to vary *(insert section of the bylaw being varied)*.”
- Development Permit:  
“Notwithstanding any other statement in this report, this report may be relied upon by the City of Nanaimo in considering a development permit application under section *(insert section)* of the *Local Government Act* for lands within DPA *(name DPA)*.”
- Subdivision:  
“Notwithstanding any other statement in this report, this report may be relied upon by the Approving Officer in considering a subdivision application under Section 86(1) (d) of the *Land Title Act*.”
- Building Permit:  
“Notwithstanding any other statement in this report, this report may be relied upon by the City of Nanaimo in considering a building permit application under Section 56 of the *Community Charter*.”

## Safe Use of the Land

The following statement on safety and suitability shall be included:

- “The land identified as *(insert property legal address)* may be used safely for the use intended.” or;
- “The land identified as *(insert property legal address)* may be used safely for the use intended, provided that the recommendations presented herein are followed.” or;
- “The land identified as *(insert property legal address)* is not safe nor suitable for the use intended.”

## Format for Submission

An original, signed, and stamped copy of the report to be completed by the GER is required to be submitted to the City.

## 7. REFERENCES

Associated Engineering. City of Nanaimo Sea Level Rise Study, December 2018.

Canadian Foundation Engineering Manual 4<sup>th</sup> Edition, 2006.

CIRIA Abandoned Mine Workings Manual C758D 2019.

City of Nanaimo: Guidelines for Geotechnical Assessments above Abandoned Mine Workings, 2022.

City of Nanaimo: Manual of Engineering Standards & Specifications, 2022.

City of Nanaimo: Seismic Design Guidelines for Water, Sewer Utilities, and Roads, 2022.

Commentary J of the Structural Commentaries (User's Guide – NBC 2015: Part 4 of Division B).

Engineers and Geoscientists BC Guidelines for Geotechnical Engineering Services for Building Projects.

Engineers and Geoscientists BC Professional Practice Guidelines, Retaining Wall Design, November 2019.

Engineers and Geoscientists BC Professional Practice Guidelines, Legislated Flood Assessments in a Changing Climate in BC, August 2018.

Engineers and Geoscientists BC Professional Practice Guidelines, Legislated Landslide Assessments for Proposed Residential Development in BC, May 2010.

Geological Survey of Canada Surficial Geology Nanaimo Map 27-1963.

HBT Agra Ltd. North Slope Stability Study, Report prepared for the City of Nanaimo, 1993.

Ministry of Energy and Mines, Geological Survey Branch, Geology of the Wellington Area Nanaimo Coalfield, Open File 1998-07.

The City's guidelines for legislated geotechnical reports will be updated from time to time and the latest version on the City's website should always be consulted. If you have any questions on these Guidelines, please contact the City Development Services Division at 250-755-4429.

Attachments:      Figure 1: Legislated Development Approval Process  
                             Appendix 1: City of Nanaimo Geotechnical Setting

## APPENDIX 1

### CITY OF NANAIMO GEOTECHNICAL SETTING

The City is located within the Nanaimo Lowlands on the east side of Vancouver Island. The topography is characterized by gently rolling hills with an elevation of no more than about 250m that give way to flatter plains bordering the Strait of Georgia. West of the Nanaimo Lowlands, and beyond the limits of the City, are the more mountainous Southern Vancouver Island Ranges.

The nature and distribution of soils across the City is related to the several regimes of glaciation that overrode the area and the subsequent wasting of the last major ice sheet (the Wisconsin Glaciation) which ended about 10,000 years ago. Heavily over-consolidated pre-Wisconsin glacial and inter-glacial soils are exposed in the sea cliffs (the North Slope) along the northern coastline of the City. A blanket of glacial till deposited after the retreat of the last major ice sheet is found across much of the City. During the retreat and melting of this ice, the sea level was considerably higher than present. Heavily loaded streams issuing from the valley glaciers in the Nanaimo River and Haslam Creek valleys deposited sand and gravel as deltas into a sea that was approximately 150 m higher than the present sea level. Marine and glacio-marine soils were deposited in the seas that overlapped the lowlands. During the period of lowering of sea level to the present, streams deposited gravel and sand and cut terraces in older deposits while clays and silts continued to be deposited in the deeper waters. During the last century several low lying coastal areas within and adjacent to Nanaimo's downtown were infilled and reclaimed. The surficial geology of Nanaimo is shown on the Geological Survey of Canada Map 27-1963.

Aside from the volcanic rocks (Karmutsen Formation of Upper Triassic Period) that are exposed in the upland areas between Long Lake, Cottle Hill and Sugar Loaf Mountain, the bedrock that underlies the Nanaimo Lowland in the City is predominantly sedimentary in origin; belonging to the Nanaimo Group of the Upper Cretaceous Period. Principal rock types include sandstone, conglomerate, shale and coal. Coal was commercially extracted from the Nanaimo Coalfield from the mid-nineteenth century to the early 1960's. Coal was taken primarily from three major seams; the Douglas, Newcastle and Wellington Seams using a variety of methods including room and pillar, retreat and longwall mining. Approximately 15 percent of the land area of the City is underlain by abandoned coal mine workings. The local structural geology is dominated by strong faults that cross the area from southeast to northwest. In many cases these strong faults define the lateral extent of mining. The bedrock geology of Nanaimo is shown on the Ministry of Energy and Mines, Geological Survey Branch, Open File 1998-07.

Areas of Nanaimo are susceptible to natural hazards and mining induced geological hazards (hazards). A critical part of the land development process is the identification of such hazards and the determination as to whether they can be avoided or suitably mitigated to the satisfaction of the City to enable development approvals to be provided. An important component of the hazard assessment is the determination of ground response to strong seismic shaking. The City of Nanaimo's Official Community Plan (OCP) provides discussion on known hazards and designates Development Permit Area 3 (DPA3) as Natural Hazard Lands. The City's published

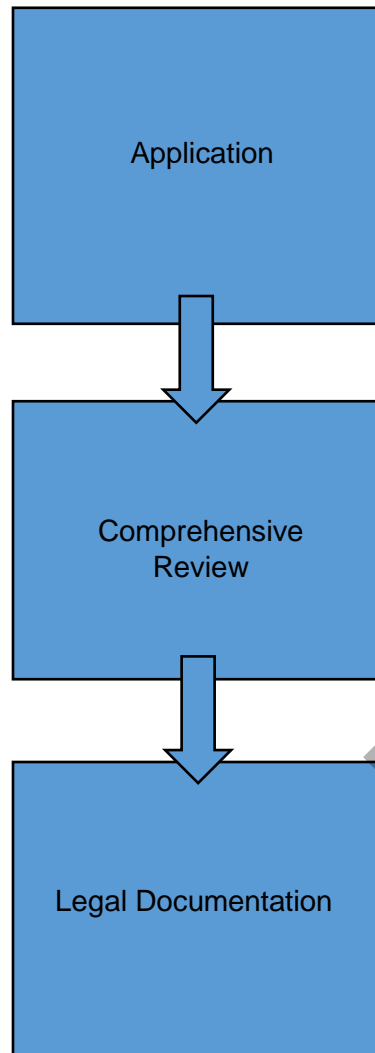
mapping of DPA3 areas includes areas of steep slopes prone to landslide and/or erosion adjacent to coastal waters and inland watercourses. It is noted that the City will consider the recommendations contained in the AGRA (1993) North Slope Study and subsequent follow-up studies when reviewing proposed development within DPA3 along the North Slope (coastal slopes from Departure Bay to Lantzville). The City's published mapping of DPA 4 includes known lands that are underlain by abandoned underground mine workings. The OCP and DPA 4 includes discussion on the legacy risks associated with abandoned underground mine workings and the need for site specific geotechnical assessment in accordance with the City's guidelines for geotechnical assessments above abandoned mine workings.

The eastern boundary of the City is formed by the Strait of Georgia and is subject to changing conditions and active erosion as a result of tidal effects and long-term sea level change. The City's study on sea level change provides guidance to the qualified professional on future anticipated changes in sea level.

**FIGURE 1**

**LEGISLATED DEVELOPMENT APPROVAL PROCESS**

**REZONING**



Submission of Geotechnical Reporting Documents (GRD) to identify and quantify hazards and to provide recommendations to address the hazards identified, and to certify that the land may be used safely for the use intended.

The scope of work and extent of reporting to satisfy approval may be significant if a hazard is present that precludes the qualified professional from forming an opinion based on a preliminary scope of work. Along with a review of hazards, the report is expected to contain general guidance on geotechnical design and construction considerations, such as appropriate foundation systems and anticipated site preparation activities.

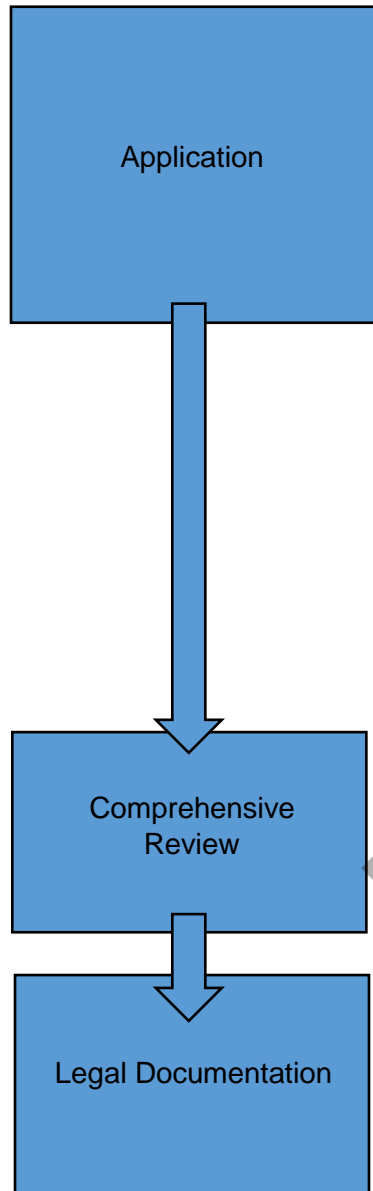
The City may require the Owner to fund a third-party geotechnical peer review for sites or projects of complexity.

City staff will complete a review of the GRD and provide comment or accept.

If the project advances, prior to fourth reading by Council a Geotechnical Covenant that has the GRD as an appendix may be required to be prepared, reviewed by City staff and registered against the title of the property.



## DEVELOPMENT PERMIT



Submission of Geotechnical Reporting Documents (GRD) to identify and quantify hazards and to provide recommendations to address the hazards identified, and to certify that the land may be used safely for the use intended.

The focus of the geotechnical assessment will be to identify potential hazards; determine the risks posed to the proposed development; and develop recommendations to avoid or otherwise mitigate the risk. In the case of landslide and flooding hazards, the City will expect the pertinent EGBC professional practice guidelines to be followed. In the case of legacy mining issues, the City will expect the Guidelines for Geotechnical Assessments above Abandoned Mine Workings to be followed. Sufficient assessment is required to support the statement that the land may be used safely for the use intended. Recommendations may be provided for further detailed geotechnical assessment required in support of a subsequent stage of the development process.

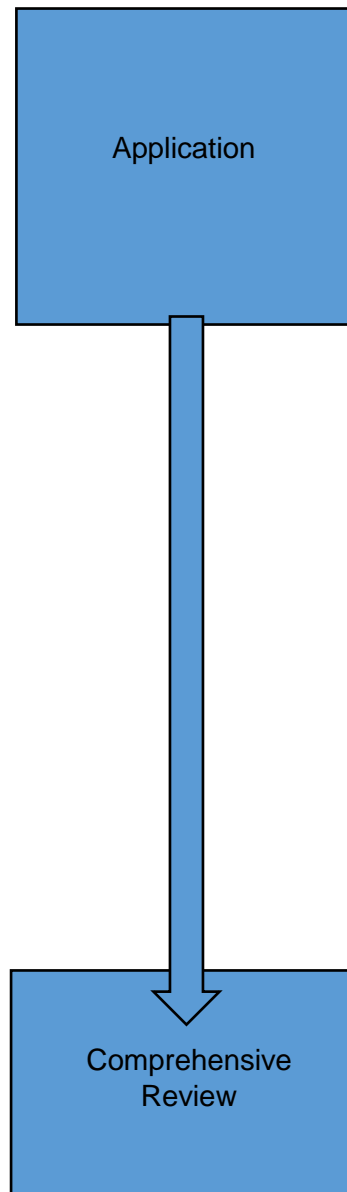
A separate GRD Geotechnical Completion Report may be required by the City at the end of construction in the event that it was necessary to implement geotechnical works to mitigate a hazard or improve ground conditions, as a condition of approval. Examples may include the implementation of long term slope stabilisation measures, ground densification to mitigate liquefaction and grouting/improvement of lands underlain by abandoned mine workings. The GRD Geotechnical Completion Report will serve as a record of “as-constructed” conditions and will include a statement that provides reliance to City that the land may be used safely for the use intended.

The City may require the Owner to fund a third-party geotechnical peer review for sites or projects of complexity.

City staff will complete a review of the GRD and provide comment or accept.

A Geotechnical Covenant that has the GRD as an appendix may be required to be prepared, reviewed by City staff and registered against the title of the property.

## SUBDIVISION



Submission of Geotechnical Reporting Documents (GRD) to certify that the land may be used safely for the use intended.

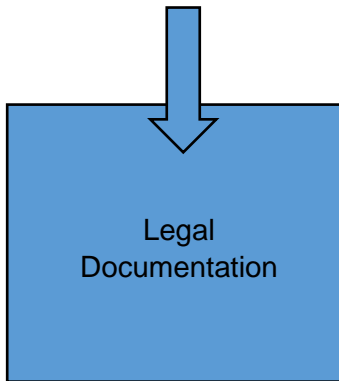
The scope and detail included in a GRD submitted in support of an application to subdivide can vary widely dependent on the nature of the development and complexity of ground conditions. At a minimum, the GRD geotechnical assessment will identify potential hazards and, if present, provide recommendations to address the site conditions with a view to certifying that the land may be used safely for the intended usage.

The scope of work and extent of reporting to satisfy approval will depend on the complexity and scale of the development and the nature of the ground conditions. In addition to an assessment of hazards, the report is expected to contain geotechnical discussion and recommendations for design and construction considerations related to foundation systems, and anticipated site preparation activities. The GRD geotechnical report should be prepared in conjunction with the civil lot grading plan and should contain recommendations in support of civil infrastructure including buried utilities and retaining walls. Recommendations may be provided for further detailed geotechnical assessment required in support of Building Permit requirements for structures and retaining walls. Discussion and recommendations should be provided for geotechnically required aspects of maintenance or surveillance required to meet the City's performance requirements over the lifetime of the project.

Supplemental GRDs may be required to document the design and construction of ground improvement activities or special measures. Examples where further documentation should be expected include projects involving the implementation of long term slope stabilization measures, deep ground densification and grouting/improvement of lands underlain by abandoned mine workings. The Geotechnical Completion Report may serve as a record of "as-constructed" conditions and will identify any maintenance of works and measures that will be required in the future. The report will include a statement that provides reliance that the land may be used safely for the use intended.

The Owner may be required to fund a third-party geotechnical peer review for sites or projects of complexity.

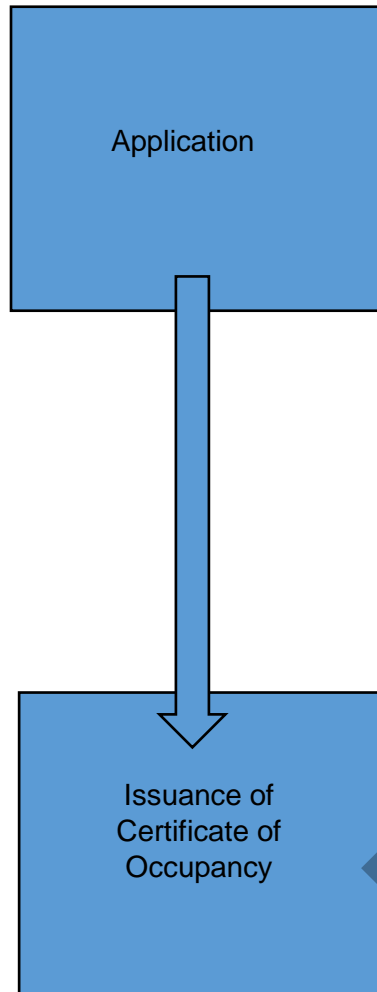
The City's Approving Officer will complete a review of the GRD and provide comment or accept.



If the original GRD concluded that “the land may be used safely for the use intended” without any mitigative works or measures, prior to approval Final Approval of the subdivision by the Approving Officer or issuance of Substantial Completion by the City Engineer, a Geotechnical Covenant that has the GRD as an appendix is to be prepared, reviewed by the Approving Officer and registered against the title of the property.

DRAFT

## BUILDING PERMIT



Submission of Geotechnical Reporting Documents (GRD) to certify that the land may be used safely for the use intended.

A GRD geotechnical assessment and report prepared in support of a Building Permit application will address in detail the specific needs of the project. In developing those details, the Geotechnical Engineer of Record (GER) is expected to interact with the Structural and/or Civil Engineer of Record, other design team members or contractors with a scope of work and process, as outlined in the EGBC Professional Practice Guidelines for Geotechnical Engineering Services for Building Projects. Dependent on the project, recommendations may be required for matters such as stability of slopes, utility support, storm water facilities, temporary support and construction and long term dewatering among other subsurface related matters such as ground improvement.

During construction, the GER will complete the necessary field reviews required to satisfy their obligations under the BCBC Letters of Assurance. Dependent on the nature of the work required, the City may require a Geotechnical Completion Report at the end of construction to serve as a record of “as-constructed” conditions and to identify any maintenance of works, and measures, that will be required in the future. The report will include a statement that provides reliance to City that the land may be used safely for the use intended.

The City may require the Owner to fund a third party geotechnical peer review for sites or projects of complexity.

If the original GRD concluded that the property was “safe & suitable” without any mitigative works or measures, prior to issuance of a Certificate of Occupancy by the Building Official, a Geotechnical Covenant that has the GRD as an appendix is to be prepared, reviewed by City staff and registered against the title of the property.

If supplemental GRDs such a Geotechnical Completion Report were required, a Geotechnical Covenant that appends both the original, any supplemental design reports and the Geotechnical Completion Report, is to be prepared; reviewed by City staff; and registered against the title of the property.

CITY OF NANAIMO

BYLAW NO. 3260.06

A BYLAW TO AMEND THE SUBDIVISION CONTROL BYLAW

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WHEREAS the Council of the City of Nanaimo may by bylaw, under Sections 506, 507 and 509 of the *Local Government Act*, regulate the subdivision of land.

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

1. Title

This Bylaw may be cited as “Subdivision Control Amendment Bylaw 2022, No. 3260.06”.

2. Amendments

The City of Nanaimo “Subdivision Control Bylaw 1989 No. 3260.06” is hereby amended as follows:

- 2.1 By inserting the following title after Section 3.60.7 to Schedule ‘A’ - Engineering Standards and Specifications :

“SECTION 3 – GENERAL REQUIREMENTS – GEOTECHNICAL REQUIREMENTS”.

- 2.2 By adding the following text to “SECTION 3 – GENERAL REQUIREMENTS – GEOTECHNICAL REQUIREMENTS”:

..

“3.70 Geotechnical Assessment and Reporting

1. The design process for new roads and underground utilities shall be supported by geotechnical engineering assessment and input. The scope of geotechnical assessment and engineering input shall be commensurate with the nature of the project, the complexity of ground conditions, and project specific performance requirements identified by the City or lead professional. The assessment and reporting shall confirm to the most recent version of the City’s Guidelines for Geotechnical Reports. In the absence of project specific design criteria provided by the City, the geotechnical assessment shall consider a functional design life under normal loading conditions of 100 years for new or upgraded underground utilities or road base, and 20 years for pavement design.
2. Standard reporting expectations for projects involving new roads and underground utilities include an assessment of geohazards; the characterization of soil and groundwater conditions pertinent to the



project; subgrade conditions relative to the City's standard pavement sections and pipe bedding requirements, and trench backfill including the re-use potential of native backfill. Where appropriate, reporting shall include construction recommendations related to site preparation, excavation, temporary trench stability, requirements for shoring, dewatering, and erosion and siltation control.

3. Seismic considerations and performance shall be consistent with the latest version of the City's Seismic Design Guidelines for Water, Sewer Utilities, and Roads.
  4. The City expects geotechnical engineering, analysis, design and field reviews to conform with standard industry practice, including pertinent Professional Practice Guidelines and Advisories issued by the Engineers and Geoscientists of BC."
- 2.3 By making the following adjustments to text within Section 8 of Schedule 'A' - Engineering Standards and Specifications:
- 2.3.1 By adding "or cyclists" after the word "vehicles" in Section 8.10.4.b.ii.
  - 2.3.2 By deleting 8.10.4.b.iii.
  - 2.3.3 By adding "or cyclists" after the word "vehicles" in Section 8.22.1c.
- 2.4 By making the following adjustments to drawings within Section 8 of Schedule 'A' - Engineering Standards and Specifications:
- 2.4.1 By deleting Drawing No. IC-XS1 (Street Types & Cross Sections Industrial Collector) in Section 8 and replacing it with the new Drawing No. IC-XS1 updated May of 2022 as attached to and forming part of this Bylaw.
  - 2.4.2 By deleting Drawing IL-XS1 (Street Types & Cross Sections Industrial Local) in Section 8 and replacing it with the new Drawing IL-XS1 updated May of 2022 as attached to and forming part of this Bylaw.
  - 2.4.3 By deleting Drawing R-PI (Intersections Protected) in Section 8 and replacing it with the new Drawing R-PI (Intersections Protected) updated May of 2022 as attached to and forming part of this Bylaw.
  - 2.4.4 By deleting Drawing R-PRI (Intersections Protected Roundabout) in Section 8 and replacing it with the new Drawing R-PRI (Intersections Protected Roundabout) updated May of 2022 as attached to and forming part of this Bylaw.
  - 2.4.5 By deleting Drawing R-RLI (Intersections Raised Local) in Section 8 and replacing it with the new Drawing R-RLI (Intersections Raised Local) updated May of 2022 as attached to and forming part of this Bylaw.

- 2.4.6 By deleting Drawing R-II (Intersections Industrial) in Section 8 and replacing it with the new Drawing R-II (Interesections Industrial) updated May of 2022 as attached to and forming part of this Bylaw.
- 2.4.7 By deleting Drawing CS-2 (Curbs, Drop Curb and Gutter) in Section 8 and replacing it with the new drawing CS-2 updated May of 2022 as attached to and forming part of this Bylaw.

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

\_\_\_\_\_  
MAYOR

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

DATE OF MEETING JUNE 20<sup>th</sup> , 2022

AUTHORED BY JAMIE ROSE, MANAGER, TRANSPORTATION  
DAVE LABERGE, MANAGER, BYLAW SERVICES

**SUBJECT 24 HOUR PARKING BYLAW EXEMPTION**

## **OVERVIEW**

### **Purpose of Report**

To respond to the November 2, 2020 Council meeting motion regarding options to exempt residents from the 24hr Parking time limit within “Traffic and Highways Regulation Bylaw 1993 No. 5000”.

### **Recommendation**

That Council direct Staff to maintain “Traffic and Highways Regulation Bylaw 1993 No. 5000” Section 4 Article 21 and continue to enforce as needed.

## **BACKGROUND**

As part of maintaining the safe and efficient operation of the transportation system, the City regulates and enforces on-street parking. To achieve this, the City has two regulatory tools:

1. “Traffic and Highways Regulation Bylaw 1993 No. 5000” (Bylaw 5000), which is predominantly a reflection of the Motor Vehicle Act; and,
2. Traffic control devices: signs, road markings, etc.

Generally, safety issues are managed through Bylaw 5000 and Bylaw Enforcement Officers. This includes maintaining:

- clear travel paths for cars, bikes, and pedestrians,
- access to fire hydrants, and
- visibility at intersections, driveways, and crosswalks.

For the most part, parking demand (or excess demand) is managed by some form of traffic control device, such as, signage, parking meters, etc. The one exception to this is Section 4, Article 21 of Bylaw 5000.

## **Section 4**

### **Article 21:**

**Parking Regulations:** Except when necessary to avoid conflicts with traffic, or to comply with the directions of a Peace Officer or traffic control device or Traffic Patrol, and except while operating a government vehicle or vehicles of a public utility corporation while engaged in their duties, or except an emergency vehicle which is in actual use for official duties, no person shall stop, stand, or park a vehicle: **24 HOURS MAXIMUM (21) on any highway for a continuous period exceeding 24 hours, without first obtaining the written permission of the Director.**

At the November 2, 2020 Council meeting, a delegation expressed concerns that Section 4, Article 21 creates a barrier for people with physical and financial limitations who own, and are reliant on a personal vehicle, and whose dwelling does not have adequate on-site vehicle storage. While this delegation represented a specific location, other members of the community have expressed similar concerns. Council passed the motion: "It was moved and seconded that Council direct Staff to prepare a report outlining options for Council to consider, in order to permit residents to park on residential streets for more than twenty-four hours without having to move their vehicles." |

## **DISCUSSION**

Based on the motion, Staff undertook a review of Article 21, and considered:

- the purpose,
- how other municipalities approach this issue, and
- the consequence of removing or altering this Article.

The impact of a vehicle parked on a public road for an extended period of time can have varying degrees of consequence. In a predominantly residential area, vehicles parked for extended periods of time can create frustration from residents and property owners. In mixed use, or predominantly business oriented areas, such as Urban Centres, the perception is often that vehicles parked for long periods of time impede customer access to businesses or services. Each of these scenarios are highlighted by the 270 calls Bylaw Services received in 2021 requesting enforcement of Article 21. This represents approximately 31% of all calls for service for parking violations.

Article 21 also ensures that vehicles parked in a public right-of-way do not impede municipal work such as refuse collection, snow and ice control, catch basin cleaning, or other regular operational tasks.

Ultimately, Article 21 is a valuable tool to manage on-street vehicle storage across the entire community.

Staff surveyed other municipalities to gain an understanding of how they approach the need to manage demand for on-street vehicle storage. Staff found that all municipalities contacted include a 24hr maximum time limit restriction within their traffic bylaws with two exceptions:

1. Richmond allows for on-street storage of vehicles for up to 72hrs; and,

2. Victoria does not have a time limit restriction for on-street storage.

Reflecting on the purpose and demonstrated need Section 4 Article 21 fulfills, Staff do not recommend eliminating a maximum time limit from Bylaw 5000.

Staff further considered the motion and contemplated increasing the time limit from 24hrs to 72hrs. This strategy would not enable the storage of vehicles in a City right-of-way indefinitely; however, it would provide a longer window of time for a car to be left before needing to be moved, prior to a violation being issued. This option does have two potential drawbacks that staff foresee.

1. Under the current bylaw, the process to enforce the 24hr time limit actually takes between 36hrs and 48hrs. Staff need to confirm the vehicle's location and then return more than 24hrs later to ensure that it has not in fact been moved. Increasing the permitted window to 72hrs would extend this response time to a minimum of 36hrs and more likely one week.
2. The combination of increasing the permitted time period and the additional time required to issue a violation (as noted in item 1) is not only frustrating for home owners, but could have significant negative impacts on businesses located in mixed use areas.

Noting the significant number of calls for service under the existing time restriction and the high likelihood of increased community frustration if the time limit were increased, Staff do not recommend this option.

Should it wish to proceed with an alternate solution, Council could trial a 24 month pilot to provide a temporary exemption from the Bylaw for up to 72 hours. This would enable some time to analyze community acceptance of a longer time duration and report back prior to making a permanent change. If staff observed a dramatic increase in calls for service, a report would be brought before Council to seek guidance on whether or not the pilot should remain in place for the full 24 months.

## **OPTIONS**

1. That Council direct Staff to maintain "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 4 Article 21 and continue to enforce as needed.
  1. The advantage of this option is that Staff will be able to continue to manage on-street vehicle storage to ensure fair and equitable access for all, as well as maintaining access for regular municipal operations.
  2. The disadvantage of this option is that on-street vehicle storage will continue to be limited to 24 hours, which has been identified as a barrier for some.
  3. Financial Implications: None.
2. That Council direct Staff to undertake a 24 month pilot project to temporarily extend the time limit restriction in the "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 4 Article 21 from 24hrs to 72hrs, and to provide a follow up report summarizing the findings at the completion.
  1. The advantages of this option:
    - a. All residents will have greater flexibility with respect to duration of vehicle storage on public streets.



- b. Staff will have the ability to monitor the situation and report back prior to making any formal changes to Bylaw Services or staffing.
  2. The disadvantages of this option:
    - a. The issue raised regarding the challenges of vehicle storage, for people with physical or financial limitations, may not be fully addressed.
    - b. Response to vehicles parked for long periods of time (exceeding the time limit) will be further delayed creating further frustration.
  3. Financial Implications: None.
3. That Council provide alternate direction. |

### **SUMMARY POINTS**

- Article 21 of “Traffic and Highways Regulation Bylaw 1993 No. 5000” provides Bylaw Enforcement Officers with an important tool to fairly and equitably manage on-street vehicle storage.
- Bylaw Services receives a significant number of calls for service for enforcement of Section 4 Article 21. Increasing the time limit from 24hrs to 72hrs, will likely generate more frustration for residents and businesses which will result in more calls for service.

#### **Submitted by:**

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Dave LaBerge  
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#### **Concurrence by:**

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Poul Rosen  
Director, Engineering

Bill Sims  
General Manager, Engineering and Public Works  
|

DATE OF MEETING JUNE 20, 2022

AUTHORED BY POUL ROSEN, DIRECTOR, ENGINEERING

**SUBJECT NANAIMO OPERATIONS CENTRE UPDATE AND PHASE 1 OPPORTUNITY**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with an overview of a potential initial phase for the Nanaimo Operations Centre and provide an opportunity to move the project forward.

### **Recommendation**

That Council direct Staff to undertake Nanaimo Operations Centre Alternative Phase 1 feasibility assessment of an engineered wetland, storm sewer and multiuse trail, and complete the stage 2 environmental by allocating \$120,000 from the General Capital Reserve.

## **BACKGROUND**

At the September 22, 2021 Finance and Audit Committee meeting, Staff presented a master plan vision for the Nanaimo Operations Centre (NOC) and a supporting business case. The report included architectural renderings for the site, split into multiple phases. For reference, that report is Attachment A.

The need for the project is driven by several factors, including:

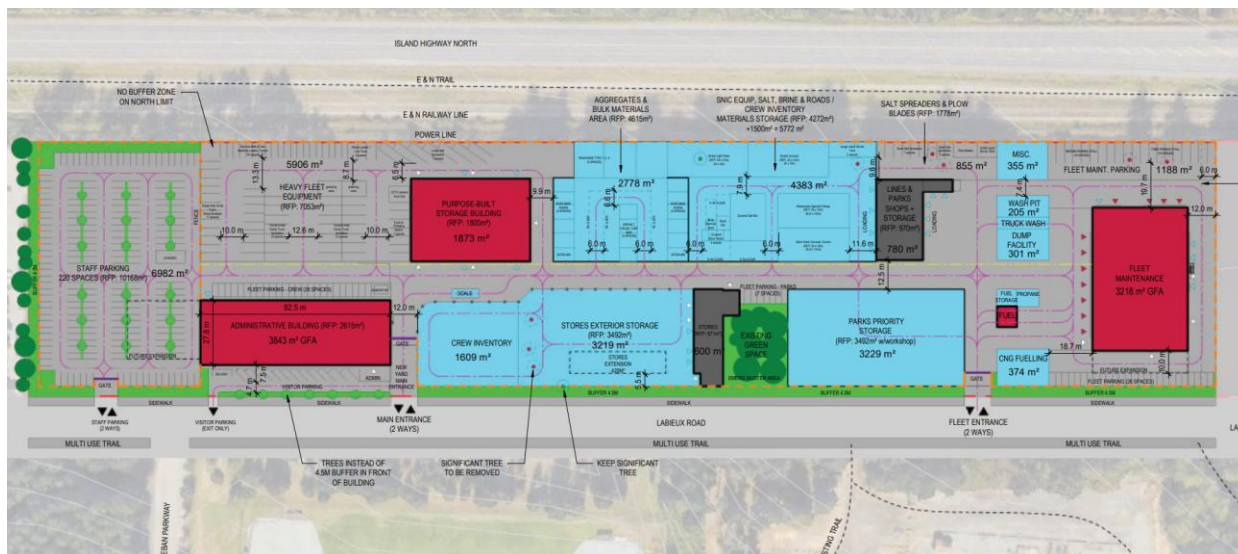
- 1) The age and condition of the existing buildings
- 2) The lack of space and capacity for Staff to provide City services in a growing community
- 3) Shortcomings in seismic, environmental, accessibility, gender equity and other considerations
- 4) Opportunity to optimize operations across the City, drive efficiency, and resilience.

The mission statement for the project is as follows:

*To address the long-standing and increasingly unsustainable health, safety, environmental and operational shortcomings of the site in a fiscally responsible manner.*

The master plan and architectural concepts focused on meeting the utilitarian needs of the organization. While the building concepts may appear simple and utilitarian, they are expected to be durable and able to withstand a modest earthquake allowing for the City to respond in a post disaster scenario.

## Overall Master Plan developed in 2021



In 2021, the recommended budget to move the project forward in optimal sequence was \$125 million, with an uncertainty of +30% to -20%. Given the strong inflationary pressure over the past year, and the predicted future escalation over the 5-6 years of the project, staff expect the actual cost to be closer to the upper end of that estimate (i.e. +30%).

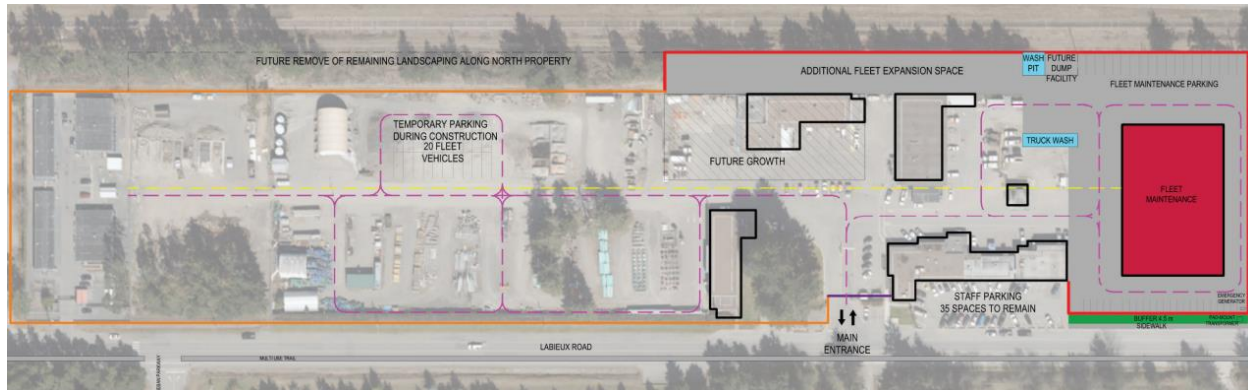
Given inflation and the volatility in supply chains, it is making prediction of project costs particularly challenging. This is especially true for projects with long timelines or that require complex budget setting processes, such as is required for borrowing. Considering the broad financial picture, it may not be prudent to undertake a project of this magnitude at this time. It may not be wise to commit such a large portion of the City's borrowing capacity to one project, although the need is clear and present, and set a budget that is likely to require adjustment as it proceeds. In an effort to balance operational needs of the organization with fiscal and asset reality, an alternative Phase 1 was developed that could allow for a break to occur after completion. In other words, a Phase 1 was developed that could be completed as a stand alone project allowing the City to balance other priorities in the future as needed.

This report puts forward the details of the alternative Phase 1 and sets out next steps.

## DISCUSSION

The scope of the alternative Phase 1 generally includes the fleet maintenance facility as well as essential aspects required for support, such as utility upgrades, road frontage upgrades, and temporary adjustments to the operation. The building concepts are the same as previous, the only change is to the timing and some ancillary elements.

## Alternative Phase 1 Layout



There are changes and trade-offs necessary to allow the alternative Phase 1 to be a stand alone project. For example, the electrical service would need to be permanent and the location and details of items like the vehicle wash and cleaning area adjusted.

The downside to only moving forward with the alternative Phase 1 is that it doesn't solve many of the long standing and ongoing issues that are driving the overall project; however, it would resolve some of the highest priority operational, capacity and risk issues within the fleet maintenance facility – a critical component for the City's operations along with response and recovery in an emergency event.

If Phase 1 were to move forward in the foreseeable future, the recommended budget is \$40 million. While this amount may appear high relative to scope of the project, a large portion of the budget is allocated to escalation and risk contingency which may or may not materialize. There is also considerable utility installation to be completed that would ultimately support future phases, but must be constructed first. There are no feasible grant funding opportunities for a project like this, and it would require the City to undertake borrowing.

With large projects involving borrowing, it can be very difficult to adjust the budget later on, which is why it is important to complete suitable due diligence prior to setting a budget. Recently with global inflation and unpredictable pricing, it can add an extra layer of difficulty in setting budgets. The development of the recommended budget has included the following:

- Detailed programming and forecasting for space needs
- Preparation of an architectural concept focused on utilitarian needs
- Creation of a risk register to assist with setting contingency amounts and the completion of due diligence such as environmental investigations to mitigate risk
- A professional quantity surveyor preparation of a Class D construction cost estimate
- Budget setting in accordance with the City's project management framework and best practices

While the recommended budget is not a guarantee, and there are a number of unforeseeable factors that could influence future costs, it has been prepared with a well thought out plan and appropriate due diligence.

Borrowing of this magnitude would require assent of the electorate, either through a referendum or an Alternative Approval Process (AAP). Given the criticality and non discretionary nature of City Operations, an AAP could be a preferable process, however this can be determined later.

While the scope of the Phase 1 project is generally well known, there are several key areas where we can improve our understanding of the risk and feasibility to assist in future budget setting. The existing storm sewer at Public Works and downstream requires renewal. It will be necessary to replace this pipe as part of Phase 1, as well as provide enhanced storm water retention and water quality improvements. There is a possibility that both of these objectives can be met with an engineered wetland at the south east corner of Beban Park near the side of Labieux Road at Dorman Road. A concept design and feasibility assessment of the engineered wetland would provide clarity to the project moving forward.

Labieux Road adjacent to Beban Park and Public Works does not have sidewalk. As part of the development of the NOC, there will be a need to consider what improvements should be made to the streetscape. There is an opportunity to consider extending the Beban multiuse trail along the west side of Labieux Road to provide walking and cycling connections through that stretch of the road. Confirming the feasibility and cost of this option would provide clarity to the overall project.

Previously, Council approved funding for environmental investigations into contaminated soils at Public Works. That work is in progress and thus far the only contaminant of concern is salt from the stockpile that entered the ground years ago before it was covered. The salt doesn't appear to have migrated far, but additional funding is required to complete the delineation and documentation. This documentation is required to be completed before any site redevelopment can occur.

There are other aspects of the Phase 1 project where it would be useful to have additional information, such as forecasting future fleet electrification needs. Since this is continuously evolving, as those needs and opportunities arise, they will be put forward for consideration.

In advance of making a decision on borrowing funds for NOC, it would be prudent to complete additional due diligence on the storm, trail and environmental at this time. The cost of that due diligence is expected to be \$120,000.

## CONCLUSIONS

To ensure the City can continue to provide basic community services, there needs to be capital investment in the operations facility. While it is important that improvements are made, the global financial outlook and the City's overall asset portfolio and financial capacity needs to be considered. To maintain corporate financial flexibility, a smaller but critical first phase of NOC project has been developed. To move the project forward at this time it is prudent to complete further due diligence.



## **OPTIONS**

1. That Council direct Staff to undertake Nanaimo Operations Centre Alternative Phase 1 feasibility assessment of an engineered wetland, storm sewer and multiuse trail, and complete the stage 2 environmental by allocating \$120,000 from the General Capital Reserve.
  - The advantages of this option is that it would provide clarity to several unknowns and risks associated with the project. It would provide more certainty for future budget considerations and bring the site one step closer to redevelopment.
  - There aren't any disadvantages of this option.
  - Financial Implications: By allocating funds to this project, it reduces the funding available for other projects. A budget bylaw amendment is necessary for this allocation and will be brought forward at a future date.
2. That Council direct Staff otherwise |

### **SUMMARY POINTS**

- The Nanaimo Operations Centre is envisioned to be a utilitarian facility that would allow the City to continue to provide reliable services in a growing community.
- An alternative Phase 1 has been developed that would address most urgent needs of the operation and allow future financial flexibility.
- The budget necessary for Phase 1 is expected to be \$40 million.

## **ATTACHMENTS:**

Attachment A – Information Report, September 22, 2021 Finance and Audit Committee meeting

Attachment B – PowerPoint Presentation

### **Submitted by:**

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Director, Engineering |

### **Concurrence by:**

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Director, Finance

Bill Sims  
General Manager, Engineering and Public Works



## Information Report

DATE OF MEETING SEPTEMBER 22, 2021

AUTHORED BY POUL ROSEN, DIRECTOR, ENGINEERING

SUBJECT NANAIMO OPERATIONS CENTRE – BUSINESS CASE

### **OVERVIEW**

#### **Purpose of Report:**

To present the results of architectural work and provide Council with an overview of the business case for the Nanaimo Operations Centre.

### **BACKGROUND**

At the September 16<sup>th</sup>, 2020 Finance and Audit Committee meeting, Council provided funding for development of an architectural concept and cost estimate for the Public Works facility. Subsequently, Staff engaged an architect, experienced in operations yards, to examine and re-rationalize the facility and space needs. The goal was to develop the project to the point it could support a business case and budget planning for a functional, fit-for-purpose operations centre.

The Nanaimo Public Works Yard (the Site) is the centre of operations for many City services including:

- Sanitation - garbage, recycling and compost
- Roads Maintenance - snow and ice control, signs and road markings
- Water Supply - dam operations, reservoir and pump station controls
- Water distribution – maintenance, new construction and response to breaks
- Sanitary Sewer – maintenance, inspection and repairs
- Storm Sewer – maintenance, inspection and repairs
- Fleet Maintenance – corporate fleet sustainment
- Capital Projects - construction, inspection and project management
- Purchasing and Stores (Corporate Services) – corporate buying and inventory controls

The original buildings at the Site were constructed in the 1960's and then evolved as the City population grew from less than 45,000 in 1980 to over 100,000 in 2021. Much of the additional space was added using modular temporary facilities that were not intended for permanent use. Both the original buildings and additions have exceeded their expected useful life and a considerable amount of capital will be required in the near future just to sustain them.

The existing facility has exceeded its Staff capacity, and considerable efforts have been made to accommodate the increasing need by converting unsuitable space or adding additional trailer units. The overall result is a facility that struggles to meet the operational needs, goals or expectations of the City, and indirectly the community. Furthermore, it falls short of meeting environmental regulations, building code, accessibility and gender equality considerations. With

the population of Nanaimo expected to be in the range of 126,000 - 141,000 in 25 years, there will be a substantial increase in demand for services that cannot feasibly be met with the existing facility.

Parks Operations is located at 89/91 Prideaux Street, the historic City Public Works facility from pre-amalgamation. When Parks Operations outgrew that location they took over the Greater Nanaimo Water District (GNWD) board offices located at 1151 Nanaimo Lakes Road. The GNWD board offices are referred to as the Annex.

The Parks unit locations are as follows:

- Prideaux: Horticulture, Turf and Fields, Urban Forestry, Civic Facilities, Trades, Parks Projects, and Rec Facilities and Custodial Services
- Annex: Parks Utilities and Trails

The Parks Operations facilities are also well beyond their expected useful life and are not meeting operational needs, nor have the capacity to accommodate growth expected in the foreseeable future.

Given the fragmented nature of the Parks Operations and similarity of some components between Public Works and Parks, there is an opportunity to rationalize operations and set up both groups with joint facilities to serve the community for years to come.

To address the shortcomings, a comprehensive business case has been prepared to outline the following:

- Project Objectives
- Needs Assessment
- Technical Analysis
- Financial Analysis
- Project Implementation Plan

This report provides a cursory summary of the business case. The original business case with some supporting documentation are attached for reference. There is also a website set up to provide additional supporting documentation; it can be found here:

<http://www.nanaimo.ca/goto/NanaimoOperationsCentre/>.

## **DISCUSSION**

The project goal is to create an overall facility that meets the utilitarian needs of the organization and will be able to support the growth and provision of City services for the foreseeable future, while being adaptable to changes such as fleet electrification, and building energy use reductions.

The mission statement for the project is as follows:

*To address the long-standing and increasingly unsustainable health, safety, environmental and operational shortcomings of the Site in a fiscally responsible manner.*

### Project Objectives:

- Provide safe and code-compliant office accommodation
- Address the shortfall of office, workshop and storage space
- Provide a compound secured from unauthorized access
- Improve operational efficiency of Public Works, Parks and Engineering
- Address environmental concerns with components of the site
- Address on site traffic segregation issues to improve safety
- Provide a code compliant (post disaster) Departmental Operations Centre (DOC) and backup Emergency Coordination Centre (ECC)
- Reconfigure the Site to allow for planned future expansion
- Rationalize operations facilities across the City

The Business Case includes a summary (needs assessment) of the issues and concerns with the existing facility. The needs assessment includes the following categories:

- Facility Condition
- Resiliency and Emergency Preparedness
- Capacity and Operational Efficiency
- Safety and Security
- Workforce Equity
- Environmental Impact

For details on each category, please see the Business Case.

### Alternatives and Options:

Early on in the process, a broad review of options and alternatives included:

1. Purchase or lease of an existing facility near Public Works – Contact was made with owners of a suitable facility; however, there was no interest on their part. Given the substantial space and zoning requirements for the City site, and the efficiency benefit to have it near the centre of town, there are very few options or improvements over the existing location.
2. Relocation of the facility to a new site – As noted above, the site size, zoning and location requirements make it challenging to identify a suitable alternative. While this option has potential if a suitable location could be identified, the cost and complexity of moving to a new site is extraordinary. It is expected that moving to an entirely new site would be more costly and provide limited benefits over redeveloping the existing site. While this option can still be on the table, it was not advanced further given the favorable feasibility of developing the existing Labieux site.
3. A variety of options on renovation or replacement of specific buildings at the existing location. This involved balancing the condition assessment results with the needs assessment.
4. Discussions have also been had with the Regional District of Nanaimo (RDN) and School District 68 (SD68) regarding potential opportunities for coordination, sharing or rationalization that could be available. While discussions are ongoing to explore this topic, thus far, nothing has become apparent that would substantially impact the Labieux site project.

### Technical Analysis:

In accordance with the City's project management framework, a steering committee was established to guide the project team and make key decisions. To assist with project management the City hired Capex Project Advisory Consultants. The City then issued an open Request for Proposals for an architectural consultant to assist with the project, which resulted in Kasian Architecture, Interior Design and Planning Ltd. (Kasian) being engaged. Kasian proceeded to work with the project team to develop a master plan for the Site and concept designs for the new buildings. The project team built on the work previously undertaken to evaluate the condition, risk and space requirements for operations.

The master planning process established the general layout of buildings, storage, processes, and operational pieces. Master planning involved Staff and consultants working collaboratively through many discussions, decisions, and iterations to arrive at a suitable overall plan. One of the biggest challenges was keeping the Operations Yard functional during each phase of the project. See the Business Case Appendix E for master plan graphic.

With the master plan established, the project was broken into four distinct phases, to facilitate temporary relocation of some operational pieces and allow for continued operation of Public Works. Following the master plan, a detailed space needs assessment was completed and then conceptual floor plans established for the proposed buildings. It is expected that the total timeline for the four phases would be approximately 5 - 6 years from the start of breaking ground. See the Business Case Appendix F for the building concept design graphics.

In addition to the work at the Site, the overall plan includes upgrades to the Parks Operations Yard on Prideaux Street and removal of the buildings that make up the Parks Annex on Nanaimo Lakes Road. The upgrades to the Prideaux Yard generally include internal floor plan renovations and renewal of electrical and mechanical systems to bring it up to a reasonable standard.

### Financial Analysis:

The specialist cost consulting firm BTY was hired directly by the City and embedded within the project team. BTY participated throughout the master planning and concept design process to provide cost impact information. This provided the project team with real time costing information to base decisions on, allowing for a more cost effective concept development. BTY also facilitated a cost review exercise with the team once the draft concepts were complete, to maximize value.

As with all projects, the reliability of the cost estimate is dependant on many factors, in particular, how mature the project is. At the current level of project maturity, it is expected that the cost estimate is correct within the range of approximately +30% to -20%. If the project were to move forward with the scope and timeline outlined, the recommended budget would be \$125 million, including contingency.

### Project Implementation Plan:

The project implementation plan outlines how the project could move forward. It is envisioned that the delivery model would be design-bid-build completed through two separate construction contracts. The multiple phasing (4 phases) and the long duration makes it commercially

challenging to obtain a fixed price for the entirety. For the purposes of developing a project schedule, it has been assumed that the work could start in Q1 of 2023, the same year the supportive housing facility is expected to be removed.

The substantial cost of this project will be challenging for the City to fund. Given the facility is the basis for many core services and will be in place for generations, it is expected that borrowing will be a major part of the funding strategy. Staff will also review the potential for grants from senior levels of government; however, in recent years, the focus of grant criteria may not score favorably.

The next steps for the project will be to develop potential funding options and return to Council, in the context of other major capital needs for the community.

## **CONCLUSION**

Nanaimo's population has more than doubled since construction of the original Public Works buildings, and is anticipated to grow a further 25 - 40% in the next 25 years. Both the existing Public Works Yard on Labieux and the Parks Yard on Prideaux need substantial upgrades and expansion to meet existing and growing needs of the community. There is opportunity to rationalize operations by combining some elements of Parks at Labieux that will allow for shared items such as workshops, storage and other support systems.

In support of the identified need, a solution was developed that would see the implementation of a Site master plan including three new buildings and renovations to existing structures. The upgraded Site could be referred to as the Nanaimo Operations Centre to reflect the holistic aspect of the combined operations. The concept is utilitarian; however, expected to be durable and functional for many years to come.

Although there is a demonstrated and growing need for the project, the cost is considerable. Such a large commitment requires careful consideration and community buy in. With this in mind, a website has been prepared to hold the supporting documentation for those interested in delving into the details. A link to the website can be found here:

<http://www.nanaimo.ca/goto/NanaimoOperationsCentre/>.

## **SUMMARY POINTS**

- The Public Works Yard on Labieux is in need of substantial renewal and upgrade to support the existing and growing needs of the community.
- A potential solution has been developed that would see the implementation of a four phase master plan over 5 - 6 years.
- The master plan would include operations from Public Works, Parks, Engineering and Purchasing consolidated at one location with upgrades to the existing Parks Yard on Prideaux.
- The cost of implementing the master plan is expected to be approximately \$125M; however, that could vary by +30% to -20%.



## **ATTACHMENTS**

Attachment A – Nanaimo Operations Centre Project Business Case

Attachment B – Nanaimo Operations Centre Powerpoint |

### **Submitted by:**

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Works |

# Nanaimo Operations Centre Project

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## BUSINESS CASE



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Appendix B – Operational Space Needs Assessment

Appendix C – Current Site Plan

Appendix D – Existing Site Uses

Appendix E – Site Master Plan

Appendix F – Concept Design

Appendix F – Concept Design

Appendix G – Construction Cost Estimate

Appendix H – Project Schedule

Appendix I – Risk Management Plan

Appendix J – Concept Designs and Master Plan Reports

# Executive Summary

The City of Nanaimo's (The "City") Public Works Yard, located on a 6-hectare site at 2020 Labieux Road was originally constructed in the mid 1960's. Since then, the City's boundary expanded to include the Improvement Districts of Harewood, Chase River, Northfield, Departure Bay, Wellington and Protection Island and the population increased from 14,950 in 1971 to 40,340 in 1976 and is now over 100,000.

Over the years, the City's Public Works Yard has evolved on a piecemeal basis in response to the growth and changing needs of the City, and currently houses offices, storage and various maintenance facilities for the Public Works, Construction, and Purchasing Departments. The City's Public Works Yard is a highly activated Departmental Operations Center, activated for flooding and heat events, windstorms, snow events, and other weather events that are becoming more and more prevalent with climate change. The Public Works Yard is the backup Emergency Coordination Centre to Fire Station 1, 666 Fitzwilliam Street.

The current facilities are no longer fit for purpose - they do not meet operational capacity needs, they are characterized by cramped modular office buildings originally intended for temporary use which are not up to current building code requirements. The yard has inefficiently laid out storage spaces and lay down areas and the waste handling facilities are unsuitable.

Considering this, The City Finance and Audit Committee directed that a technical and financial analysis be conducted in order to present a costed and time-bound implementation plan for consideration.

This report presents that analysis and implementation plan together with a recommendation to proceed with the redevelopment of the Public Works Yard as the Nanaimo Operations Centre Project and relocating certain Parks Operations & Facilities within the Nanaimo Operations Center Project for better operational efficiencies and use of space. Parks Operations & Facilities move will free up Nanaimo Annex site at 1151 Nanaimo Lakes Road for other uses as well as eliminate current capacity issues at another site, 89 Prideaux Street, which would be renovated to retain certain Park operations that frequently serve the City's downtown area. Nanaimo Fire Rescue's Fire Station 2, a property adjacent to the Public Works Yard, delivers live fire training on an on-going basis. Converting the Fire Training Tower from wood burning to natural gas is necessary to avoid continued air quality concerns for the Nanaimo Operations Center and surrounding neighborhood.

With these objectives in mind, the scope, cost and time parameters were set out in the following sections of this document.

- **Section 2** of this report sets out the Project Objectives, alongside the Mission Statement for the Project, which is to address the long-standing and increasingly unsustainable health, safety, environmental and operational shortcomings of the Site in a fiscally responsible manner.

- **Section 3** sets out the Needs Assessment, highlighting the condition of the various facilities, critical issues surrounding resiliency and emergency preparedness, capacity and operational inefficiencies, safety and security, workforce equity and environmental considerations.
- **Section 4** sets out the Technical Analysis performed under the oversight of the Project Steering Committee chaired by the City's Chief Administrative Officer. A multi-disciplinary team was assembled to conduct the technical analysis - this Project Team worked to develop a master plan and conceptual design, drawing on condition and operational space needs assessments, and bounded by site development constraints.
- **Section 5** sets out the Financial Analysis, including a baseline cost estimate developed by a specialist cost consultant, which informs the fully-inclusive Project Budget of \$125M with a degree of confidence at this early stage of development of +30% / -20%, in accordance with the City's Project Management Framework.
- **Section 6** sets out the Implementation Plan, complete with a proposed project delivery model, risk management plan, and a Project Schedule spanning from 2023 to 2029.
- The recommendation resulting from this report is presented below.

## Recommendation

That Council approves in principle the Nanaimo Operations Centre Project as defined below, and proceeds with the necessary steps to secure the required funding.

The Nanaimo Operations Centre Project consists of:

- the redevelopment of the Public Works Yard located at 2020 Labieux Road per the Site Master Plan and Concept Design (Refer to Appendices E and F),
- upgrading of adjacent Fire Training Tower operations,
- relocation of Parks Operations & Facilities,
- renovation of the Parks Prideaux Yard located at 89 Prideaux Street, and
- freeing up Nanaimo Annex site at 1151 Nanaimo Lakes Road for other uses.

The Nanaimo Operations Center Project will be developed over a period of 6 years starting in 2023 with a Project Budget of \$125M, which amount is assigned a degree of confidence of +30%/-20%.

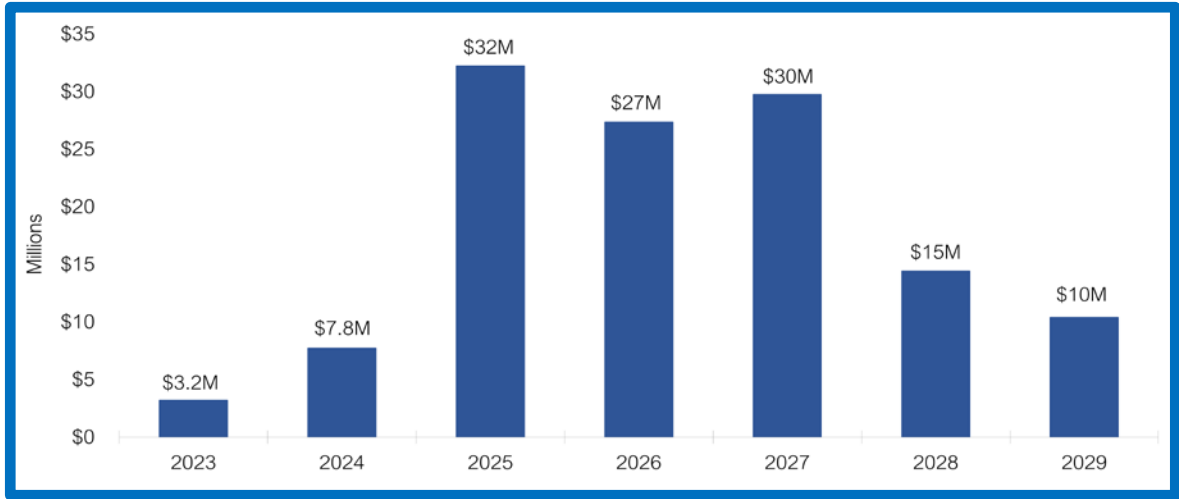


Fig. I Project Budget Cash Flow (from Fig. 3, Section 5.2 of this report)



# 1. Introduction

## 1.1 The Site

The City owns a parcel of approximately 6 hectares of land (the “Site”) at 2020 Labieux Road fronting Beban Park which is primarily used by Public Works Department and the Purchasing Department for the accommodation of administrative functions, storage of equipment, vehicles and bulk materials, and various maintenance activities, and includes buildings housing the following functions:

- Public Works Administration
- Public Works Crew Operations
- Workshops & Emergency Operations Centre
- Fleet Maintenance Facility
- Purchasing Offices & Stores

In addition, a portion of the site to the northwest is currently leased to the Province (BC Housing) for use in the provision of temporary housing and Nanaimo Fire Rescue’s Fire Station 2 and the Fire Training Tower occupy the area to the southeast. These land uses are anticipated to be unchanged for the foreseeable future<sup>1</sup>.



Fig. 1 Current Site Plan (Google Maps, 2021)

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<sup>1</sup> It is anticipated that in the near future, the land occupied by temporary housing will become available for site development; however, it is understood that the lease is likely to be extended until such time as suitable alternative arrangements have been made for the residents.



Image 1 Typical Public Works Office Accommodation at the Site

## 1.2 The Project

The Nanaimo Operations Centre Project (the “Project”) is the master planned redevelopment of the Site, the Objectives for which are set out under Section 2 of this document. The Project is required to address a wide range of complex challenges the Site presents, and these challenges are set out under Section 3 (Needs Assessment).

## 1.3 The Solution

To begin to understand the problem, the City worked with consultants to understand the condition of the facilities and the space needs required for teams within Public Works, Engineering, Parks Operations & Facilities currently operating out of five different locations.

Seismic and building code compliance assessments of facilities at 2020 Labieux were completed in 2012 and 2018; an Operational Space Needs Assessment was completed in 2019; and further Condition Assessments were carried out in 2020. Through this work it was determined that the buildings at 2020 Labieux were at the end of their service life both in terms of condition and capacity, and significant renewal and/or rehabilitation would be required to provide adequate facilities.

Council previously authorized \$200k of funding from the existing 2020 - 2024 Financial Plan to conduct technical and financial analysis in relation to the Project, and the outcome of this work is presented within this report, in Section 4 onwards. Part of this technical and financial analysis was an evaluation of the various options for meeting the needs of the City’s operations, including but not limited to the purchase or lease of land and facilities adjacent to 2020 Labieux; renovation of existing buildings; replacement of existing buildings; and combining operations to operate out of new consolidated facilities.

The solution that has been identified to be of best value to the City is the redevelopment of the property at 2020 Labieux, incorporating the co-location of certain Parks Operations & Facilities at the Site.

By co-locating certain Parks Operations & Facilities at 2020 Labieux Road, the Nanaimo Annex site at 1151 Nanaimo Lakes Road would be freed up for other uses and capacity issues at the Prideaux Parks Operations Yard located at 89 Prideaux Street would be alleviated. The 89 Prideaux Street Yard will be renovated to retain operations that frequently serve the City's downtown area. Co-locating Parks Operations & Facilities at Site also brings efficiencies of scale, and better interdepartmental communications.

## **2. Project Objectives**

### **2.1 Mission Statement**

To address the long-standing and increasingly unsustainable health, safety, environmental and operational shortcomings of the Site in a fiscally responsible manner.

### **2.2 Objectives**

1. Provide safe and gender appropriate code-compliant office accommodation
2. Address the unsustainable shortage of office, workshop, and storage space
3. Provide a compound secured from unauthorized access
4. Improve the operational efficiency of Public Works, Parks & Engineering
5. Address the regulatory compliance of vehicle wash-down areas
6. Address traffic segregation issues on the Site to improve safety
7. Provide a code-compliant (post disaster) Departmental Operations Center (DOC) and backup Emergency Coordination Centre (ECC)
8. Reconfigure the Site to allow for planned future expansion
9. Rationalizing operations facilities across the City

## 3. Needs Assessment

### 3.1 Facility Condition

The 2020 Labieux Road Site was originally developed in the mid-1960s prior to the property being amalgamated under the control of the City and has been added to over time on a piecemeal basis in an attempt to accommodate changing needs.



Image 1 Construction Supervisor's Office



Image 2 Public Works First Aid Room

Much of the office accommodation at the Site takes the form of temporary modular trailers of the type typically used on construction sites, the use of which has been expanded over the decades.



Despite having been in use for many years already, these facilities are unsuited to long term occupation, they fall well below code-compliance, they are well beyond their useful life, and cannot be maintained indefinitely. Further information is provided under Section 4 (Technical Analysis).

## 3.2 Resiliency & Emergency Preparedness

The City of Nanaimo Emergency Response and Recovery Plan 2018 sets out guidance for effective response and recovery from major emergencies or disasters in the City of Nanaimo, reflecting the requirements of the British Columbia Emergency Management System (BCEMS). This plan designates the City's primary Emergency Coordination Centre (ECC)<sup>2</sup>, as well as alternate ECCs. Each ECC is critical to the City's response to, and management of, a major emergency.

The City's designated primary ECC is located at Fire Station 1, 666 Fitzwilliam Street - this facility is currently being rebuilt to meet the post-disaster requirements of section 4.1.2.1.(3) of the British Columbia Building Code 2018 ("BCBC"), which designates emergency response facilities as post-disaster buildings. A post-disaster building is one which is essential to the provision of services in the event of a disaster, and as such must be designed and built to withstand higher loading, including earthquake loads.

The City's first alternate ECC is located at the Public Works Yard, which means that the City will rely on this designated facility in the event that the primary ECC is either unavailable, or is less suited to a particular emergency situation. In addition, the City has identified the Public Works Yard as a Departmental Operations Centre ("DOC"), which is a location concerned with supporting the emergency activities of the City in certain prescribed situations and ensuring that regular business activities continue.



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<sup>2</sup> Referred to in BCEMS as the Emergency Operations Centre ("EOC")

Image 3 Exterior of the City's first alternate Emergency Coordination Centre (Modular Building)

The facility currently housing the Public Works DOC / alternate ECC is an aging modular facility that is far from the post-disaster facility that the City needs to provide assurance that it will actually be available and operational in an emergency. Over the past few years, the Public Works Yard DOC / alternate ECC has been frequently activated, with 5 activations in total. The frequency of activations highlights the critical role of Public Works as first responders in the case of many types of emergency situations.

In addition to the shortcomings of the Public Works DOC / alternate ECC, the City's emergency response is further compromised by the fact that none of the buildings are rated for post-disaster service, especially the fleet maintenance facility.

The current situation with the lack of post-disaster facilities is an on-going risk for the City to provide core services after a disaster potentially affecting the health and wellbeing of the community.

### 3.3 Capacity & Operational Efficiency

Over the 10 years to 2020, the City's population grew by 35%<sup>3</sup>. This growth in turn increased the need for additional staff within the Public Works, Engineering and Purchasing Departments located at the Site.

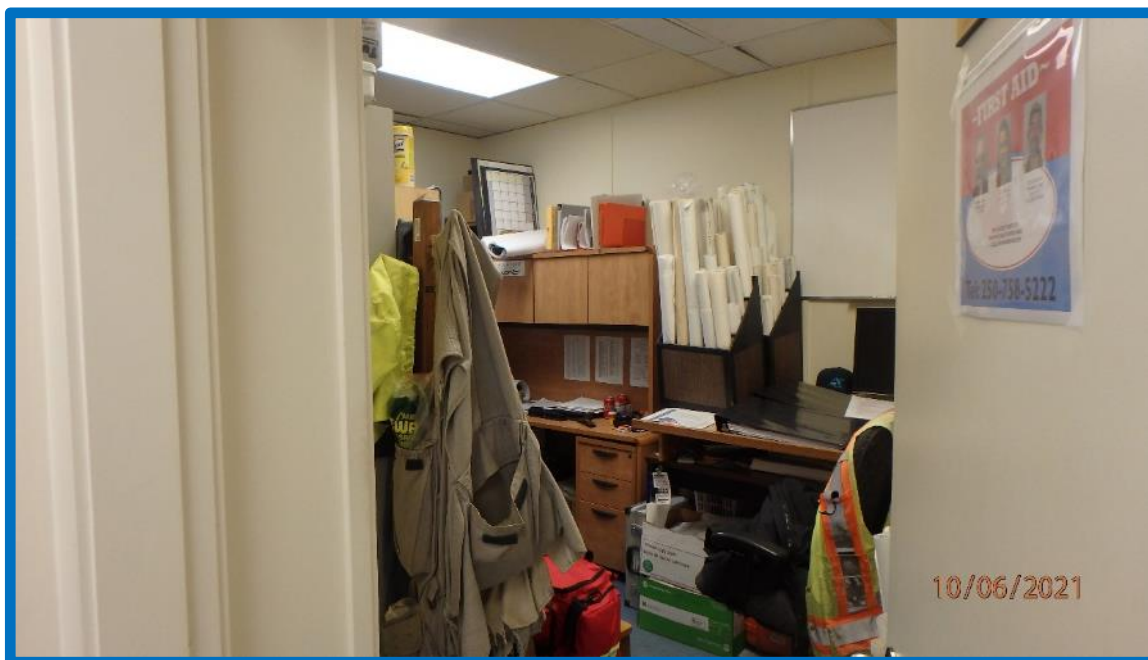


Image 4 Inadequate Work Environment

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<sup>3</sup> 2020 State of the Nanaimo Economy, City of Nanaimo Economic Development



Existing office accommodation has long been exhausted, with the City now resorting to renting trailers and converting unsuitable spaces such as closets or storage rooms into offices to accommodate staff, as well as basing staff who should be co-located for operational efficiency reasons, at other City locations.



Image 5 Corridors in Use as Workplaces

City staff have worked out of temporary facilities at the Site for decades, and with the passage of time, this situation is becoming more and more untenable. Not only is there not enough space, but the condition and suitability of the space that is available is so poor that it impacts the efficiency of staff as well as the City's ability to attract and retain our workforce.



Image 6 Exterior Storage Area

Exterior areas are also unsuitable, with inadequate and poorly laid out storage and laydown areas.

The heavy duty mechanic bays in the existing fleet maintenance building are not large enough to house existing vehicles over 40ft in length. This requires the bay doors to be open while working on fire trucks, garbage trucks, dump trucks, and other vehicles over 40ft in length.

It is expected that the City's population will continue to grow, estimated to reach 141k over the next couple decades. This in turn means the need for adequate facilities for provision of services and room for growth.

### 3.4 Safety & Security

The Site presents a range of safety and security issues to City staff and the public.



Image 7 First Aid Office

Public Works employees are currently working out of aging facilities which were never designed to be permanent structures and are deficient in many respects relative to current Building Code.



Image 8 Cramped Working Conditions

In addition to issues such as cramped working conditions, poor ventilation and lighting, there are more significant concerns such as combined kitchen / lunchroom facilities that lack safe access and egress as required by WorkSafe BC standards.



Image 9 Inadequate Pedestrian and Vehicular Traffic Segregation



A Security Review Assessment<sup>4</sup> was conducted in 2014, which highlighted a number of important considerations pertaining to the safety and security of both City assets and City staff, with areas of concern including:

- Lack of vehicle and pedestrian access control provides open access to the Site by unauthorized individuals;
- Shortcomings in the CCTV system at the Site; and
- Lack of both signage and actual physical segregation of operational and personal vehicles and pedestrians.



Image 10 Uncontrolled Main Gate Entrance

### 3.5 Workforce Equity

The profile of our workforce has changed substantially since the facilities were first installed on the Site, and in particular we now have a significant and increasing proportion of female workers based at the Site who currently lack access to suitable shower and changing facilities.

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<sup>4</sup> Public Works Yard Security Assessment Review, Liahona Security Consortium Inc.

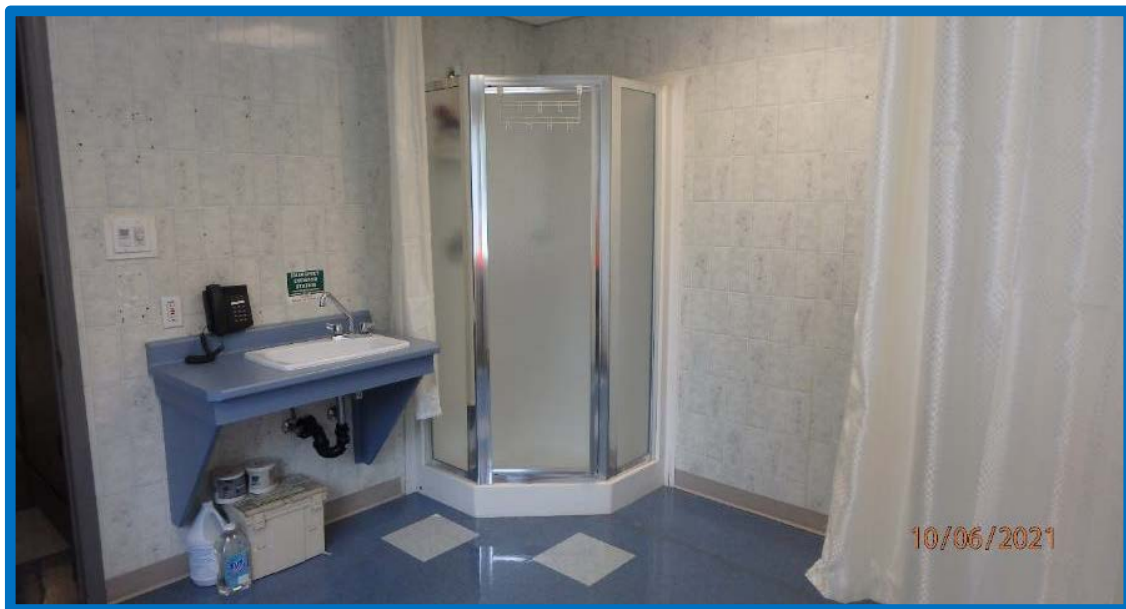


Image 11 Lack of Suitable Facilities

The City has a responsibility to provide access to persons with disabilities; however, the facilities at the Site do not adequately accommodate the needs of disabled staff or visitors, with barriers to access including stairs, inadequate door clearances, and a lack of accessible washroom facilities.



Image 12 Inaccessible Office Facilities



Image 13 Inaccessible Workplace

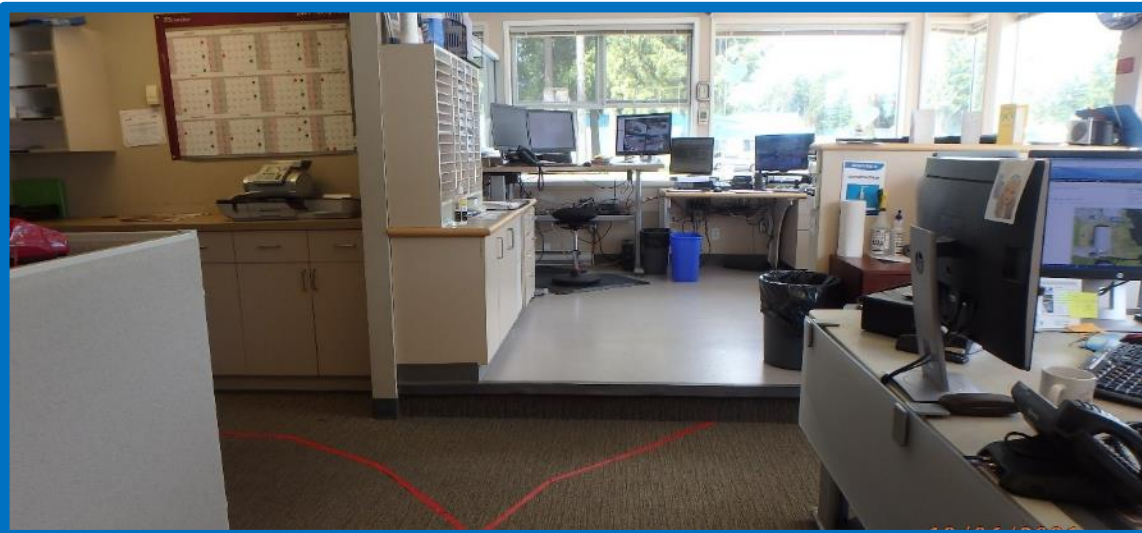


Image 14 Inaccessible Workplace





Image 15 Inaccessible Workplace

### 3.6 Environmental Impact

Public Works operations conducted at the Site include the vehicle washout for garbage trucks and the disposal of waste from vacuum trucks. Currently these operations result in effluents discharging directly to Northfield Creek. Although the washout and disposal facility were created many years ago, they no longer meet environmental regulations or community expectations. This situation needs to be addressed whether or not the Project proceeds. Further information is provided under Section 4.3 (Background Information)



Image 16 Garbage Truck Washdown



Image 17 Garbage Truck Wash Down Area Drainage



Image 18 Vacuum Truck Dewatering Area

In 2020, the City adopted a Green Fleet Strategy<sup>5</sup> which sets out measures to reduce Greenhouse Gas emissions from the City's fleet and to improve fuel efficiency. The redevelopment of the Site presents an opportunity to provide alternative fuel infrastructure to help deliver on this strategy.

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<sup>5</sup> City of Nanaimo Green Fleet Strategy 2020





Image 19 Inadequate Alternative Fuel Infrastructure

The modular and aging office buildings on the Site create very inefficient spaces to heat and cool. This not only results in an avoidable operational cost to the City, but it also generates greenhouse gas emissions far in excess of those that would result from similarly sized modern facilities.

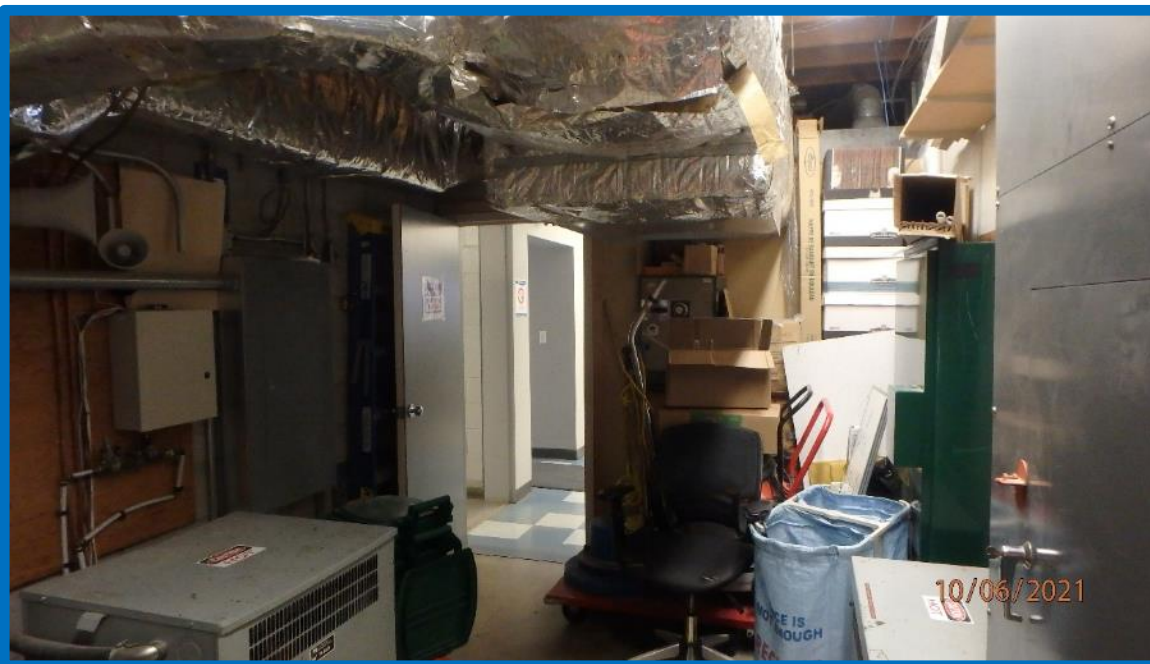


Image 20 Inefficient Heating and Cooling

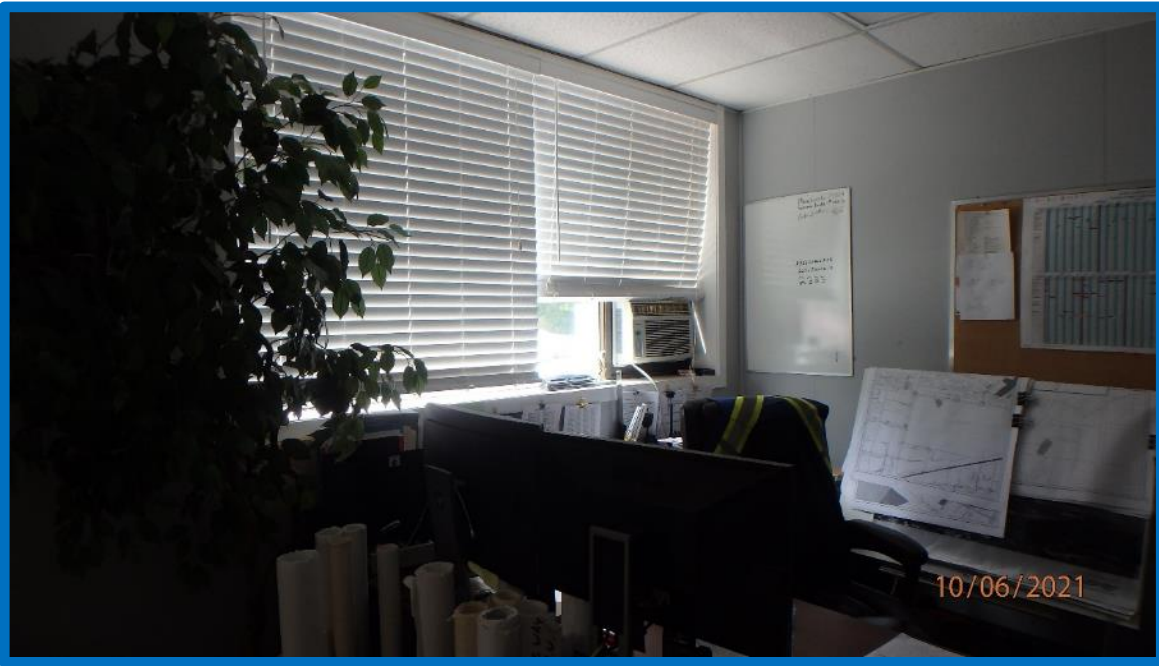


Image 21 Inefficient Heating & Cooling

### 3.7 Parks Facilities

The 89 Prideaux Street Site was the original Public Works yard for the Corporation of Nanaimo, and later became the Parks Operations Yard after amalgamation in 1975. When the Parks Department outgrew the yard, it expanded to 1151 Nanaimo Lakes Road (Nanaimo Annex), where the GNWD Board Offices were converted into an office facility to accommodate staff. The facilities at 89 Prideaux Street and 1151 Nanaimo Lakes Road are of similar vintage to that of the Public Works at 2020 Labieux Road, and have similar issues in terms of condition, capacity, operational efficiency, safety, security, and workforce equity. The existing Parks Yard is operating in excess of its staff capacity, with offices crammed into an old kitchen area, and others with poor access. The Nanaimo Lakes property is acting as an operations facility for which it was never intended. The parks facilities and operations at 89 Prideaux and 1151 Nanaimo Lakes should be incorporated in the Nanaimo Operations Center Project for operational efficiencies and provision of appropriate level of services on an on-going basis as well as disaster response.

This would free up Nanaimo Annex for other suitable uses and provide the much-needed capacity at 89 Prideaux Street Yard for certain operations that frequently provide services to the downtown area.

## 4. Technical Analysis

The City has built on previous work undertaken to analyze the space requirements for the Site and has conducted a feasibility study for the Project which includes a concept master plan.

### 4.1 Steering Committee

Following the September 16, 2020, meeting of the City Finance and Audit Committee at which a motion was passed to further develop an architectural concept and cost estimate<sup>6</sup> for renewal of the Site, a Steering Committee was established in line with the City's Project Management Framework to oversee this work.

The membership of the Steering Committee is as follows:

Jake Rudolph (Chair)	Chief Administrative Officer
Bill Sims	General Manager, Engineering and Public Works
Art Groot	Director, Facilities and Park Maintenance
Poul Rosen	Director, Engineering
John Elliot	Director, Public Works

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<sup>6</sup> See Section 5 for the Project cost estimate

The Steering Committee has met on a regular basis to ensure that the work was completed on time and within the allotted budget; that all relevant stakeholders were engaged at the appropriate time; and that key decisions were taken in a timely manner.

## **4.2 Project Team**

The Project has been managed by Mike Strain, Senior Project Manager with the involvement of the following consultant team: *Capex Project Advisory Services* (Business Case and Project Advisory Services); *Kasian Architecture + WSP* (Architectural Master Plan and Conceptual Design); *BTY Group* (Cost Estimation Services), *SLR Consulting* (Environmental Assessment Services); *WSP* (Geotechnical Investigation Services); *Toth and Associates Environmental Services* (Tree Assessment Services); and *Herold Engineering* (Fire Training Tower Condition Assessment Services).

## **4.3 Background Information**

The work undertaken by the Project Team builds on work previously undertaken to evaluate the condition of facilities on the Site, as well as a recent review of operational space needs.

### **4.3.1 Seismic Assessment (Refer to Appendix A – Condition Assessments)**

Seismic assessments were carried out for the various buildings, and are contained in the following reports:

- 2012.04.12 – 2020 Labieux Garage and Vehicle Repair Shops
- 2012.04.13 – 2020 Labieux Vehicle Storage & Sign Shop
- 2012.04.13 – 2020 Labieux Purchasing & Stores
- 2018.01.19 – Vehicle Repair Shop (RJC)
- 2012.04.16 - Seismic Assessment 89 Prideaux Parks and Rec Workshop
- 2012.04.17 - Seismic Assessment 89 Prideaux Parks and Rec Admin
- 2012.14.17 - Seismic Assessment 89 Prideaux Parks and Rec Equipment Bays

The seismic assessment of the vehicle repair shop in 2018 found that the building was deficient, in poor condition requiring significant renewal or rehabilitation work.

### **4.3.2 Condition Assessment (Refer to Appendix A – Condition Assessments)**

RJC Engineers (RJC) was engaged to conduct a condition assessment of the various buildings, structures and associated infrastructure on the Site. Further details are set out in the following report:

- 2020.12.31 – CON Public Works Yard Condition Assessment



This condition assessment identifies readily observable deficiencies along with their remedial costs (as a rough order of magnitude, or Class D) prioritized over time, using a risk-based methodology. The assessment identified an immediate need for an investment of \$2.6m, with an inflation-adjusted cost of \$7.5m over a 10 year timeline and \$16.2m over a 30 year timeline to return the facilities to a condition suitable for their current uses. The costs reflect replacing “like with like” and do not account for Building Code or other regulatory upgrades, or address any space utilization improvements required.

In addition to RJC’s assessment and to keep 2020 Labieux Yard operational as is, the City will have to invest another \$2.7m to \$3m over the next 10 years in storm management system, fuel tanks, roofing, heating & cooling, and other key infrastructure on this site that is in an immediate need of replacement.

#### 4.3.3 Operational Space Requirements (Refer to Appendix B – Operational Space Needs Analysis)

Resource Planning Group Inc. (RPG) was engaged in 2019 to conduct a review of operational space needs for Public Works, Engineering, Parks Operations & Facilities based on a population growth forecast over a 20-25 year time frame.

RPG’s deliverables were set out in the following two reports:

- 2019.07.11 – Operational Space Needs Review Redevelopment Options
- 2020.02.04 – Operational Space Needs Review Phased Redevelopment Options

### 4.4 Adjacent Site Uses (Refer to Appendix C – Current Site Plan)

The Project Site occupies the majority of the 2020 Labieux Road land parcel, the remainder of which is currently set aside for other uses.

The portion of the land parcel to the north west of the Project Site is leased by the Province for use in the provision of temporary housing, and is expected at some point in the future to be made available for incorporation into the future Nanaimo Operations Centre. The portion of the

and to the southeast is occupied by Nanaimo Fire Rescue's Fire Station 2 and a Fire Training Tower that is used in live fire training.



Image 22 Aerial View of the Project Site

## 4.5 Site Uses (Refer to Appendix D – Existing Site Uses)

The Site is accessible from 2 gates on Labieux Road. The southernmost gate is the main access point to the Site, and is located adjacent to the staff parking area near the majority of office accommodation facilities, interior storage structures and workshops. The northernmost gate is normally closed and intended for secondary access as an emergency exit or to be used when required to facilitate movement of larger bulk material.

## 4.6 Master Planning Process (Refer to Appendix E – Master Plan)

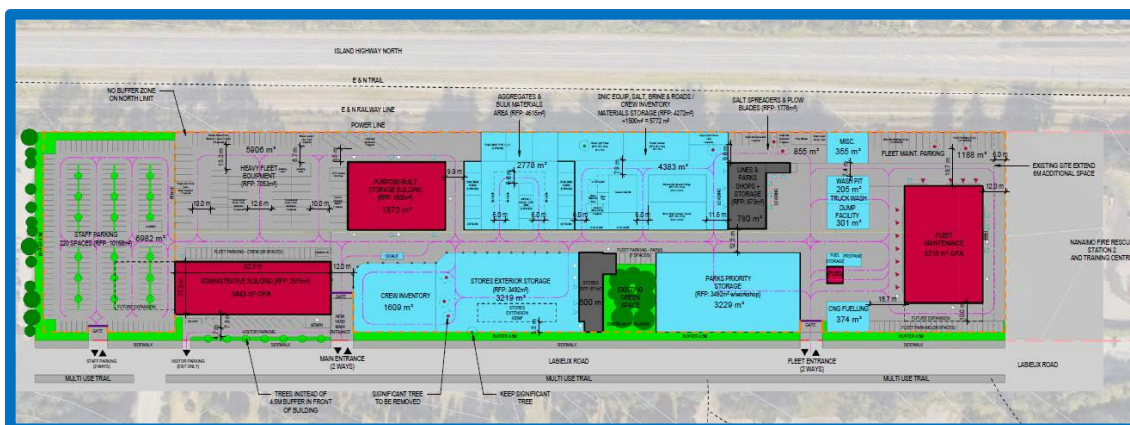


Image 23 Extract from Master Plan

Through a public request for proposal, the City engaged Kasian Architecture, Interior Design and Planning Ltd (Kasian), who proceeded to work with the City to develop a master plan for the Site and a concept design for the Fleet Maintenance Building and the Administration Building.

The primary direction of the consultant team was to develop designs of a utilitarian and practical nature, durable and efficient to ensure that the master plan would be as cost effective as possible.

Kasian worked with City stakeholders to understand their needs, and researched a wide range of factors, including zoning, parking regulations, landscaping requirements, easements and rights of way, setbacks, the City of Nanaimo Official Community Plan, transportation, topography, existing utilities, as well as geotechnical and environmental assessments carried out by WSP and SLR Consulting, respectively.

As part of this process, Kasian worked with the City to review the previous work by RPG Operational Space Requirements to ensure that the scope of the Project was correctly defined and validated. This led to a number of improvements to the space program, with the following key changes:

- Engineering Projects & Inspections is based at the Site; however, the majority of Engineering department functions are located at the Service and Resource Centre (SARC), which had been experiencing its own space constraints. Recent renovations at SARC have addressed the space constraints and due to the important functional relationships between Engineering and other departments at SARC, it was decided not to consider relocation of these functions to the Site, which decreased the Project space requirements.
- Another reduction in Project space requirements resulted from the decision to maintain certain Parks Maintenance operations at the 89 Prideaux Street location. This facility has also been experiencing space pressures; however, by transferring select operations from this location to the Site, it is possible to address those issues, maintain key operations in proximity to the downtown area, and at the same time decrease Project space requirements in the planned Administration Building by approximately 2,000m<sup>2</sup> to around 6,000m<sup>2</sup>.

Additionally, moving all of the staff from the Nanaimo Annex would 1151 Nanaimo Lakes Road to be repurposed in the future. Demolition of the Nanaimo Lakes office and storage building are included in the scope of this project.

With the space program refined, validated, and approved by the Steering Committee, the Project Team then began to review the RPG layouts for the Site.

Taking into consideration the reduced space requirements, and with the objective of ensuring workable construction phasing, cost effectiveness and overall operational efficiency, several block plan iterations were developed for review by the Steering Committee before a preferred block plan was identified. The selected option would eliminate the need for costly temporary facilities which had previously been an expected necessity. Due to the live fire training that occurs on the adjacent site, up fitting of the Fire Training Tower with natural gas is required to improve air quality concerns on the Site and is added to the scope of this project.

The selected block plan was then further optimized and developed into a Site Master Plan through a collaborative and iterative process which resulted in additional efficiencies, including a further reduction in the space requirements for the planned Administration Building by approximately 1,900m<sup>2</sup> to around 4,000m<sup>2</sup> by relocating crew storage to a separate and lower cost purpose-built storage facility on the Site and renovating the existing Stores Building and the

Lines and Parks Shop and Storage Building to meet the new program requirements. BTY Group estimated these cost savings to be in the order of magnitude of \$4.5M to \$5M.

The Site Master Plan (refer to Appendix E) was subsequently reviewed and approved by the Steering Committee in conjunction with the capital cost estimate (refer to Section 5).

## **4.7 Concept Designs (Refer to Appendix F – Concept Design)**

With the Site Master Plan approved, Kasian continued their work with City stakeholders to develop floorplans and concept designs for each building based on the stipulated program areas, workflows, adjacencies, and BC Building Code requirements.

The concept design for the Fleet Maintenance Building is a simple and functional post disaster two-story building design comprised mainly of vehicle repair and welding bays, equipment and parts storage areas to support the maintenance of City fleet vehicles, together with associated administrative areas.



Image 24 Concept Rendering of Fleet Maintenance Building

The Master Plan locates the Administration Building along Labieux Road to serve as a prominent public entry point marker to the new Nanaimo Operations Centre with the building accessible via a dedicated public area separate from other secured entrances. The concept design for the Administration Building is a post disaster two-story building with the main level featuring the new DOC and EOC and providing accommodation for crew operations with easy access to the yard, with offices and meeting facilities located on the second level of the building.





Image 25 Concept Rendering of Administration Building

A Purpose-Built Storage Building (PBSB) will be located centrally on the Site to provide the required interior storage space for the Nanaimo Operations Center, consolidating a range of storage facilities currently located throughout the Site.



Image 26 Concept Rendering of Purpose-Built Storage Building



The concept design for the PBSB has a central drive through aisle for ease of access, loading / unloading, and exit by crew vehicles.

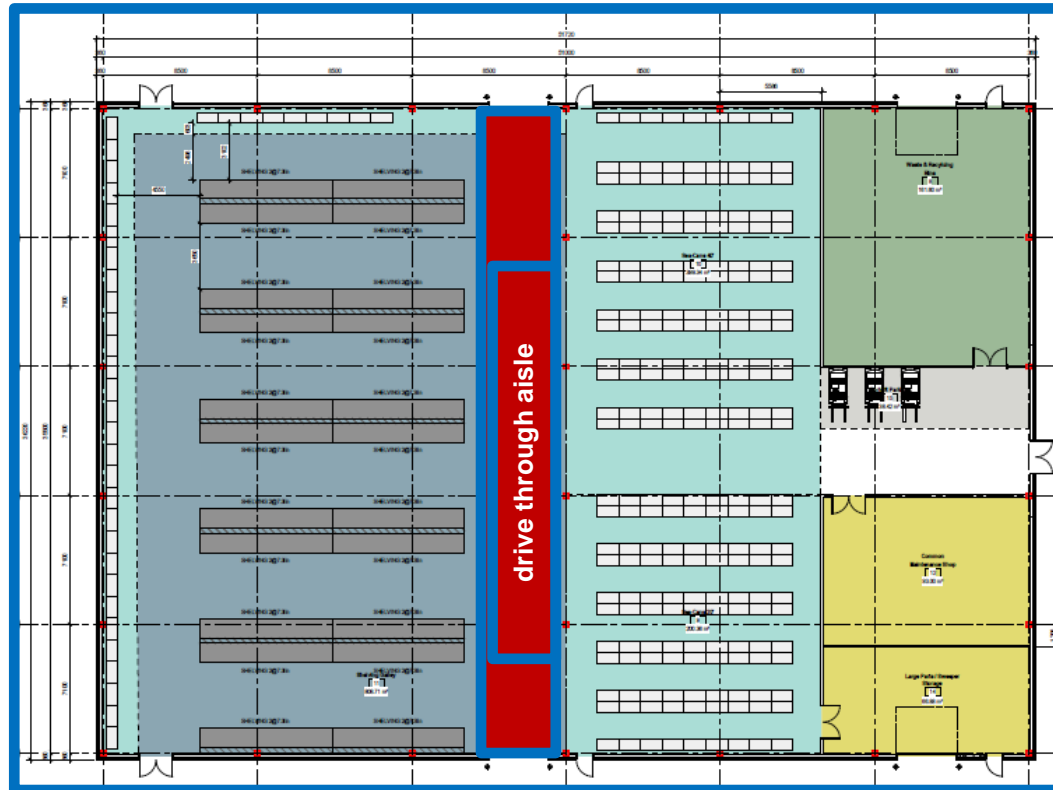


Image 27 Floor Plan of Purpose-Built Storage Building with drive through aisle

Offices currently located within the Purchasing and Stores Building and Lines and Park Shop Building (also known as the Truck Barn) will be relocated to the new Administration Building. The Lines and Park Shop Building and the Purchasing and Stores Building will remain at their current locations but will be renovated to current Building Code standards with interior walls, finishes, lighting changes and other simple and functional renovations. These facilities will be dedicated to housing the line shop, carpentry shop, utility shop and material storage, which will improve operational and space planning efficiency across the Site. The strategic decision to retain and upgrade these two existing buildings are further cost savings measures taken for the Project.

Two buildings at the 89 Prideaux Street Yard, the Administration Building and the Carpenter's Shop, will undergo renovations to current Building Code standards with interior walls, finishes, lighting changes and other simple and functional renovations for better functionality, add flex space, and address workplace equity. The Carpenter's shop will be repurposed to storage for items that are required by the operations teams servicing the City's downtown area.

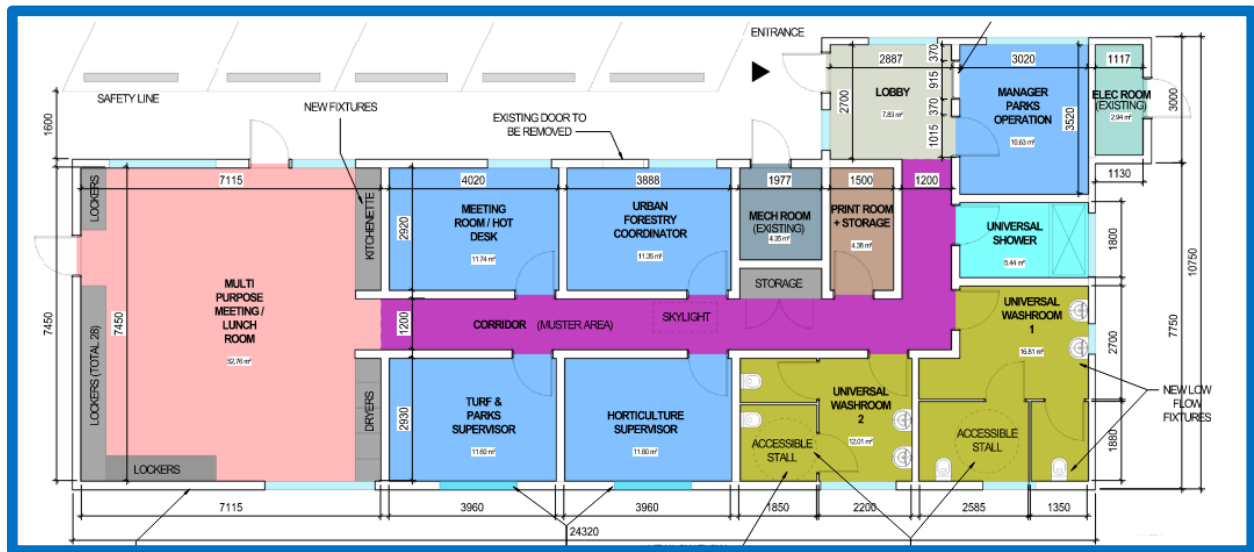


Image 28 Proposed Floor Plan of Parks Administration

## 5. Financial Analysis

Staff developed a construction cost estimate and Project Budget to implement the concept master plan for the Site.

### 5.1 Construction Cost Estimate (Refer to Appendix G – Construction Cost Estimate)

In accordance with the City's Project Management Framework, a cost consultant (BTY Group) worked as part of the Project Team to advise on strategies to minimize the capital construction cost of the Project and delivered a Construction Cost Estimate based on the approved Site Master Plan and Concept Design. A comprehensive review of the design and Construction Cost Estimate was undertaken with the Project Team prior to finalizing the Project Budget, discussed further in following Section 5.2 of the report.

The Construction Cost Estimate accounts for all of the following:

- Labour & Material Estimates
- Recent Market Pricing Data
- Project Schedule / Duration
- Location Specific Conditions
- Current Year Rates for Labour & Materials (based on historic analysis)
- Escalation Costs
- Permitting Costs

## **5.2 Baseline Cost Estimate and Project Budget**

In addition to the Construction Cost Estimate developed by BTY, Staff estimated soft costs such as Professional Consulting Fees including Design, Project Management, Legal, Cost Consulting, as well as assigning allowances for Third-Party Costs (e.g. utilities), Furniture, Fixture and Equipment (FFE), Public Art, Insurance, and Move Costs. These costs were added to the Construction Cost Estimate and form the Baseline Cost Estimate.

The Baseline Cost Estimate for the Project is shown in Table 1, together with the stipulated contingency allowances in accordance with the City's Project Management Framework to arrive at the Project Budget. The scope, size and complexity of the proposed construction at 2020 Labieux gives its classification of a Special Project per the City's Project Management Framework which in turn requires the Project Budget carry a Risk-Based Contingency.

Sites	2020 Labieux	89 Prideaux Street	Fire Training Tower	1151 Nanaimo Lakes Road	Nanaimo Operations Center Project
Professional Fees (Soft Cost)	\$11,085,500	\$619,500	\$97,000	\$0	\$11,802,000
Construction (Hard Cost)	\$59,547,800	\$2,597,400	\$645,000	\$143,400	\$62,933,600
Off Site Works (Hard Cost)	\$1,000,000	\$0	\$0	\$0	\$1,000,000
Escalation (Hard Cost)	\$16,328,000	\$856,100	\$0	\$47,300	\$17,231,400
Permits	\$1,785,800	\$77,900	\$20,000	\$4,300	\$1,888,000
Third-Party Utilities	\$300,000	\$30,000	\$0	\$0	\$330,000
Furniture, Fixtures & Equipment	\$3,600,000	\$400,000	\$0	\$0	\$4,000,000
Public Art	\$225,000	\$30,000	\$0	\$0	\$255,000
Insurance	\$788,000	\$118,000	\$60,000	\$10,000	\$976,000
Move Costs	\$120,000	\$60,000	\$0	\$0	\$180,000
<b>Baseline Cost Estimate</b>	<b>\$94,780,100</b>	<b>\$4,788,900</b>	<b>\$822,000</b>	<b>\$205,000</b>	<b>\$100,596,000</b>
+ Flat Rate Contingency (~10%)	\$9,500,000	\$500,000	\$83,000	\$21,000	\$10,104,000
+ Risk-Based Contingency (~15%)	\$14,300,000	\$0	\$0	\$0	\$14,300,000
<b>Project Budget</b>	<b>\$118,580,100</b>	<b>\$5,288,900</b>	<b>\$905,000</b>	<b>\$226,000</b>	<b>\$125,000,000</b>

Table 1 Baseline Cost Estimate and Project Budget

All projects progress naturally through a series of stages. The Site Master Plan and Concept Design for Nanaimo Operations Center Project is in line with the stages within City's Project Management Framework. It is reasonable to expect that at this early stage of design the Project could cost up to 30% more or 20% less than the Project Budget value cited the Table 1 on the previous page. Figure 2 below is the degree of confidence chart from the City's Project Management Framework and the Nanaimo Operations Center, a Special Project, completed the Concept Design stage. As the Project is further developed, decisions may need to be taken to keep the Project on track in respect of the Project Budget.

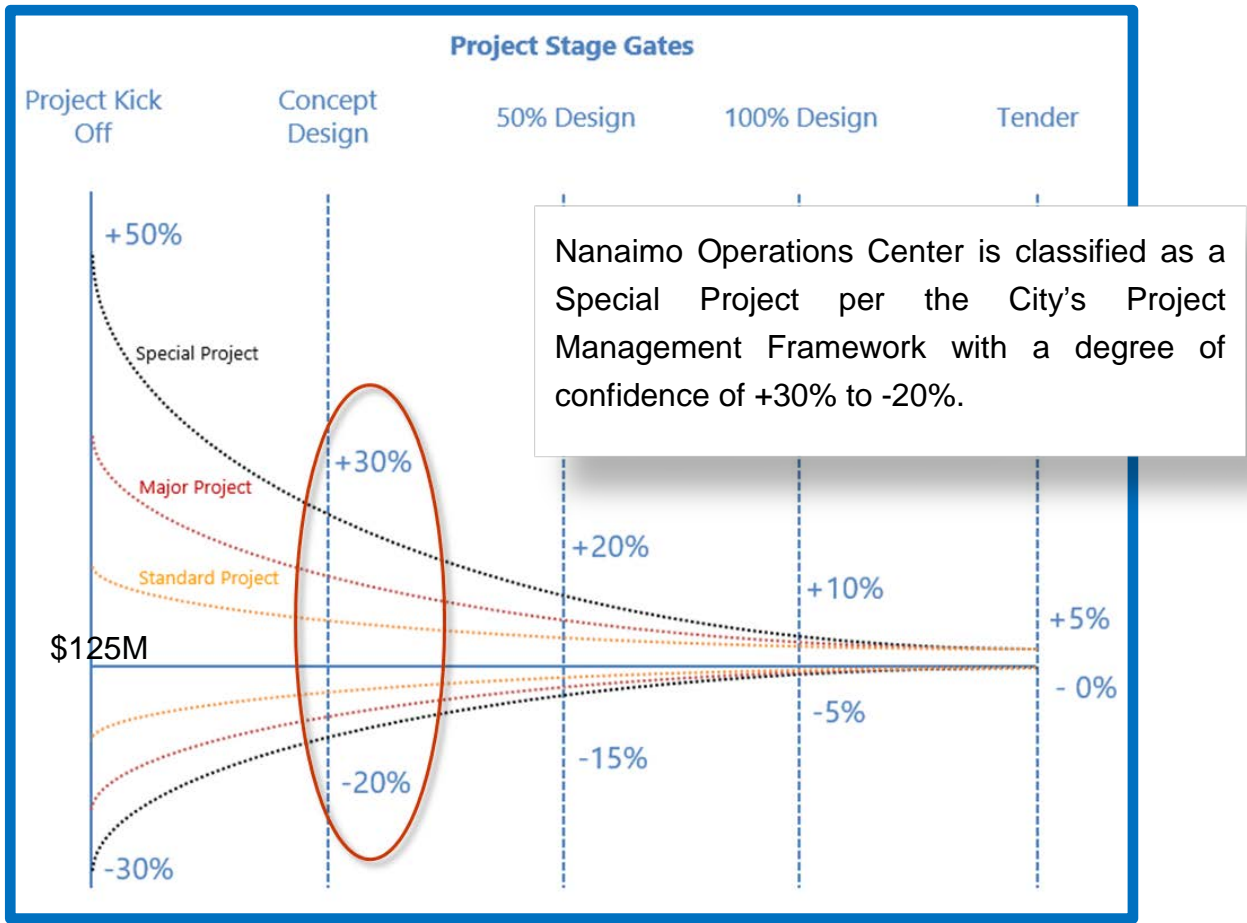


Fig. 2 Degree of Confidence Chart per City's Project Management Framework



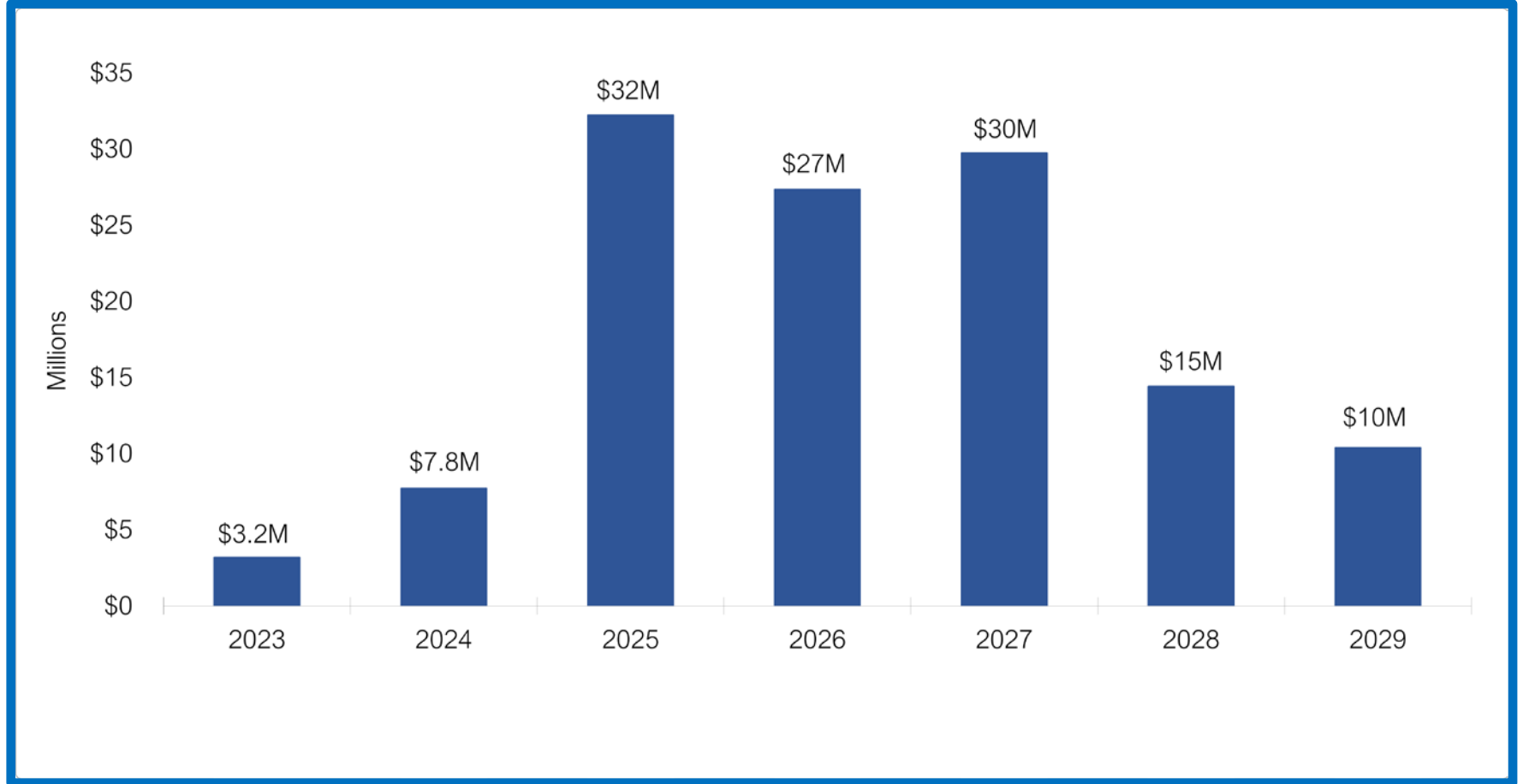


Fig. 3 Project Budget Cash Flow

## **5.3 Operational Implications**

### **5.3.1 Maintenance & Renewal Costs**

While the proposed facilities are larger in size than the facilities currently located at the Site, existing facilities (including facilities located at the Nanaimo Annex which will be demolished) represent a significant maintenance and renewal liability to the City and by undertaking the Project, the City will no longer need to fund this liability. Of course, should the Project proceed, the new facilities will need to be maintained in good order in line with the City's Asset Management Plan to prevent deterioration in future years.

### **5.3.2 Energy Cost Savings**

The facilities currently located at the Site are highly inefficient in respect of heating and cooling costs. Should the Project proceed, the new facilities will meet modern standards of insulation with efficient energy systems incorporated, and should result in a notable reduction in heating and cooling costs per unit of area.

## **6. Project Implementation Plan**

The City selected a Project Delivery Model and developed a Project Schedule for implementation of the Project.

### **6.1 Project Delivery Model**

The Contract Strategy for a capital project is sometimes referred to as the Project Delivery Model and describes how the design and construction will be procured and delivered.

Project Delivery Models are grouped into categories which summarize the high-level risk allocation, and the most used categories include the following:

- Design-Bid-Build ("traditional")
- Design-Build
- Construction Management at Risk

The City's Project Management Framework requires that Special Projects such as this project undergo a Project Delivery Model Evaluation, which consists of a structured discussion in a workshop format, the outcome of which is a documented rationale for selecting one of the categories of Project Delivery Models listed above.

The Project Team undertook a Project Delivery Model Evaluation and determined that the option best suited to address the specific risks and constraints identified, and to meet the defined objectives of the Project was Design-Bid-Build, but that the construction work be procured as

two separate contracts due to the duration of time between the anticipated start of construction and the end (refer to Section 6.3).

## **6.2 Implementation Strategy**

Kasian were tasked to develop a Site Master Plan that could be implemented in phases with minimum disruption to on-going operations. Through extensive engagement with operations and the Project Team, Kasian were able to achieve this objective and presented a Master Plan that can be readily executed in four separate phases.

**Phase 1:** Repurpose the temporary housing site area\* for temporary staff and fleet equipment parking, build the Fleet Maintenance Building and Purpose-Built Storage Building, build supporting site infrastructure. Retrofitting the existing Fire Training Tower with natural gas burners will also be required in this phase.

\*Note that temporary parking at the existing fire station lot could be an alternate option if the lease on the temporary housing site is extended beyond the anticipated commencement of the Project.



(Kasian Architecture, 2021)



**Phase 2:** Demolish existing fleet maintenance building, relocate storage and aggregates and complete site works for fleet equipment parking



(Kasian Architecture, 2021)





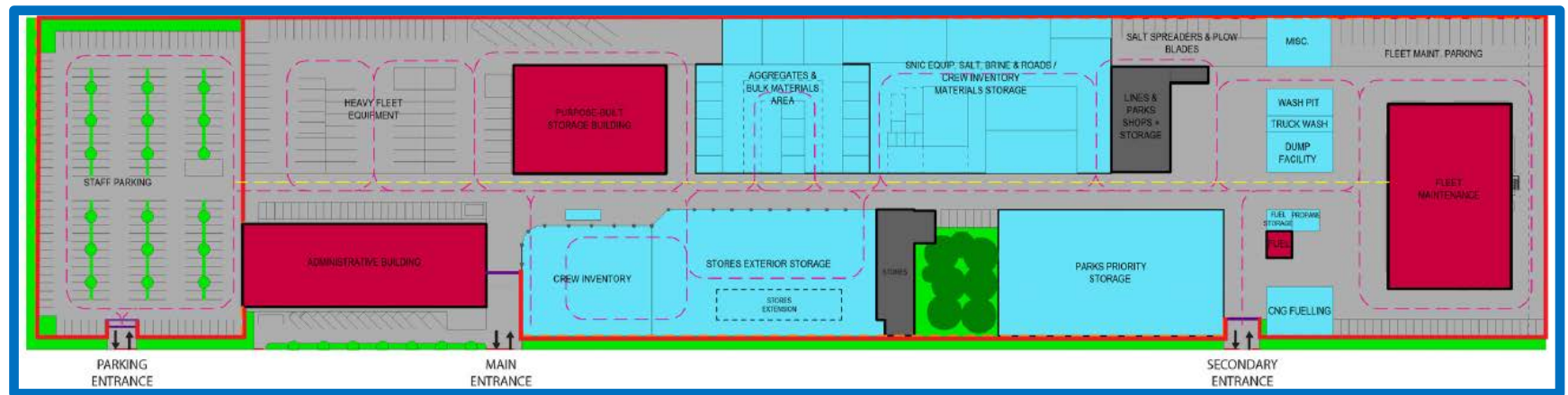
**Phase 3:** Construct the new Administration Building, demolish the existing administration building, establish the new site entrances, build out additional site infrastructure.



(Kasian Architecture, 2021)



**Phase 4:** Renovate existing Lines & Parks Shops and Stores Building, complete remaining site infrastructure works. Complete renovations at 89 Prideaux and demolition at Nanaimo Annex at 1151 Nanaimo Lakes Road.



(Kasian Architecture, 2021)



### **6.3 Implementation Schedule (Refer to Appendix H – Project Schedule)**

Due to the extended duration of the Project (approximately 6 years), it is not considered commercially feasible to obtain a fixed price from contractors at the outset to cover the entire duration of construction. Because of this, but also due to the scale of the Project, the scope of construction has been packaged in to two separate contract stages – the first Stage consists of Phases 1 and 2, and the second Stage consists of Phases 3 and 4. Each Stage would be procured separately at the appropriate time.

To develop schedules and cash flow models, it was assumed the project could start in Q1 2023.

### **6.4 Project Risks (Refer to Appendix I – Risk Management Plan)**

Projects of this size and complexity carry significant inherent risk and it is important to adopt a structured and documented approach to management of those risks. This involves a continual process of identifying risks, evaluating impact and likelihood, and planning implementing mitigation measures.

The Project Team engaged in a multi-disciplinary risk workshop to discuss events or conditions that may occur and could impact the Project negatively. A Risk Management Plan was developed recording actions to mitigate the likelihood and impact of each risk identified.

Highlighted below is a discussion of some of the key Project risks and planned mitigation measures.

- Escalation cost estimates are based on the assumption that the Project would commence in early 2023. A delay to the start date would increase escalation costs. BTY Group estimates that it would cost additional \$4M-\$5M each year the Project delayed. To mitigate unnecessary escalation cost, it is important that funding be in place for Q1 2023.
- The successful contractor(s) may not perform in accordance with the contract schedule. An experienced Project Manager must be in place to first establish realistic timelines and robust contract terms and conditions, then to manage the contracts, including holding the City accountable for retained risk.
- In addition to escalation, it is possible that tenders will not be received within budget. An experienced Project Manager should implement a market engagement exercise to raise the profile and interest in the Project and also to capture input from the contracting community
- Design must be managed to ensure that they remain practical, durable, and utilitarian, implementing value engineering as necessary.

- Pandemic risk has not been eliminated yet, and shortages of materials and labour could impact Project costs. Engagement with the market, combined with clear and appropriate contract risk allocation are essential mitigations.
- Utility work on and off-site could be extensive to keep this site operational during construction and to transfer to a fully operational site. An experienced design team following a clear & well-researched site development plan is required.
- Early-stage environmental assessment indicates four locations that require some form of environmental remediation work. Further investigation will be necessary to firm up this scope and the associated risk.
- The Project is complex – it will be implemented in a number of phases, with potentially more than one general contractor, various and overlapping design and permitting activities, and the involvement of a range of internal stakeholders. This will require strong leadership from the Project Steering Committee and Project Manager.
- If the lease on the land currently being used for temporary housing has not ended and the building not removed from the Site prior to the start of this Project in early 2023, the site development strategy will need to be revised.

Management of risk is an on-going process, and the Project Team is aware of their commitment to review and update the Project Risk Management Plan on a regular basis to reflect changing events and conditions.

# Appendix A – Condition Assessments

See separate documents:

- 2012.04.12 – 2020 Labieux Garage and Vehicle Repair Shops
- 2012.04.13 – 2020 Labieux Vehicle Storage & Sign Shop
- 2012.04.13 – 2020 Labieux Purchasing & Stores
- 2018.01.19 – Vehicle Repair Shop (RJC)
- 2012.04.16 – Seismic Assessment 89 Prideaux Parks and Rec Workshop
- 2012.04.17 – Seismic Assessment 89 Prideaux Parks and Rec Admin
- 2012.14.17 – Seismic Assessment 89 Prideaux Parks and Rec Equipment Bays
- 2020.12.31 – CON Public Works Yard Condition Assessment



# Appendix B – Operational Space Needs Assessment

See separate documents:

- 2019.07.11 – Operational Space Needs Review Redevelopment Options
- 2020.02.04 – Operational Space Needs Review Phased Redevelopment Options

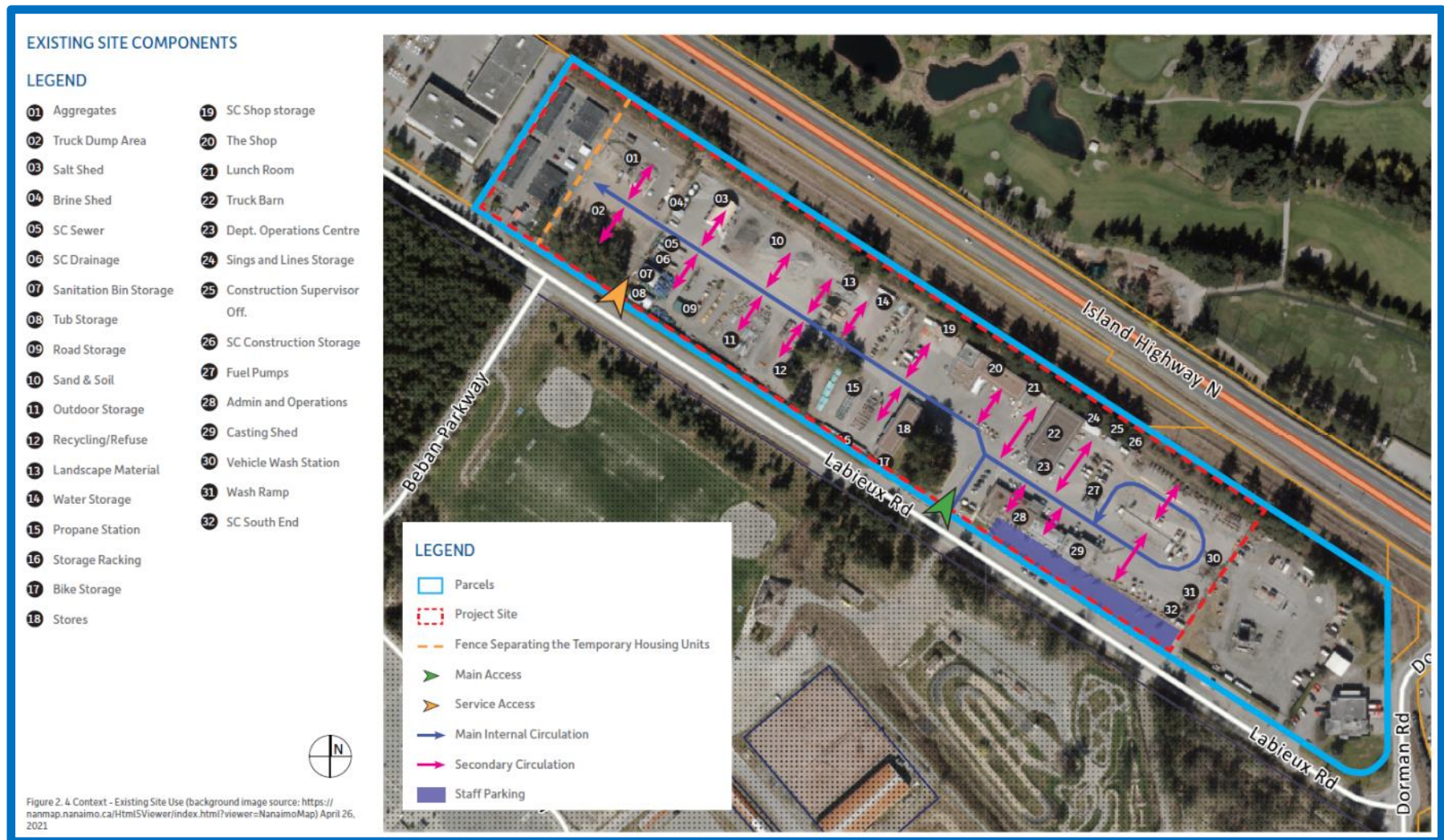
## Appendix C – Current Site Plan



(Google Maps, 2021)

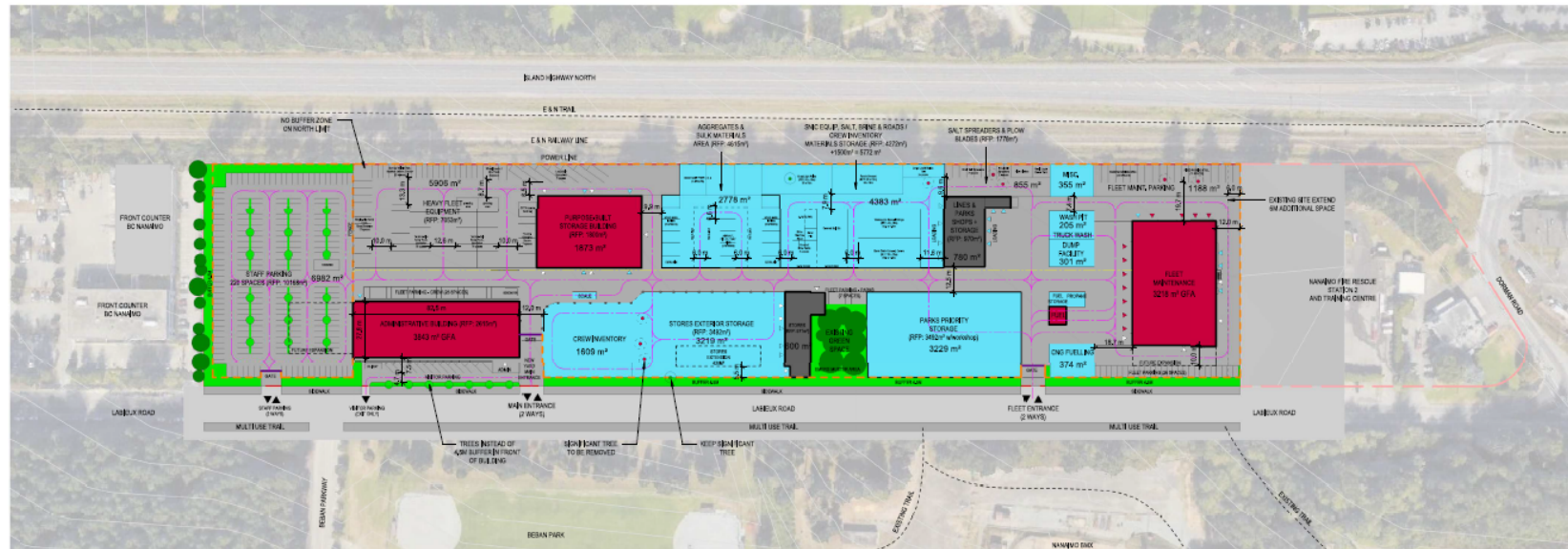


## Appendix D – Existing Site Uses



(Kasian Architecture, 2021)

## Appendix E – Site Master Plan



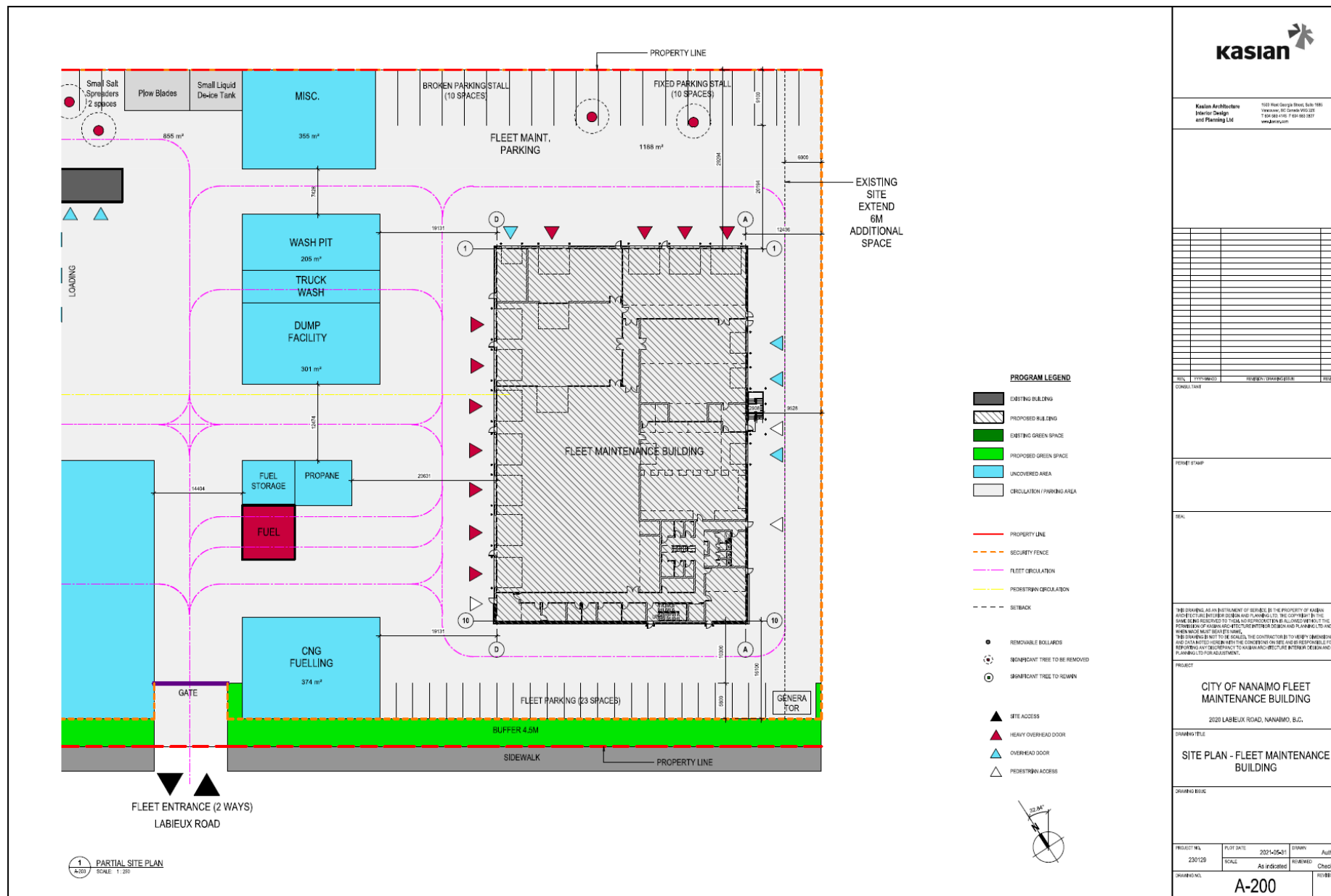
1 SITE PLAN  
SCALE: 1:100

### PROGRAM LEGEND

	EXISTING BUILDING		PROPERTY LINE		REMOVABLE BOLLARDS		SITE ACCESS
	PROPOSED BUILDING		SECURITY FENCE		SIGNIFICANT TREE TO BE REMOVED		HEAVY OVERHEAD DOOR
	EXISTING GREEN SPACE		FLEET CIRCULATION		SIGNIFICANT TREE TO REMAIN		OVERHEAD DOOR
	PROPOSED GREEN SPACE		PEDESTRIAN CIRCULATION				PEDESTRIAN ACCESS
	UNCOVERED AREA		SETBACK				
	PARKING AREA						

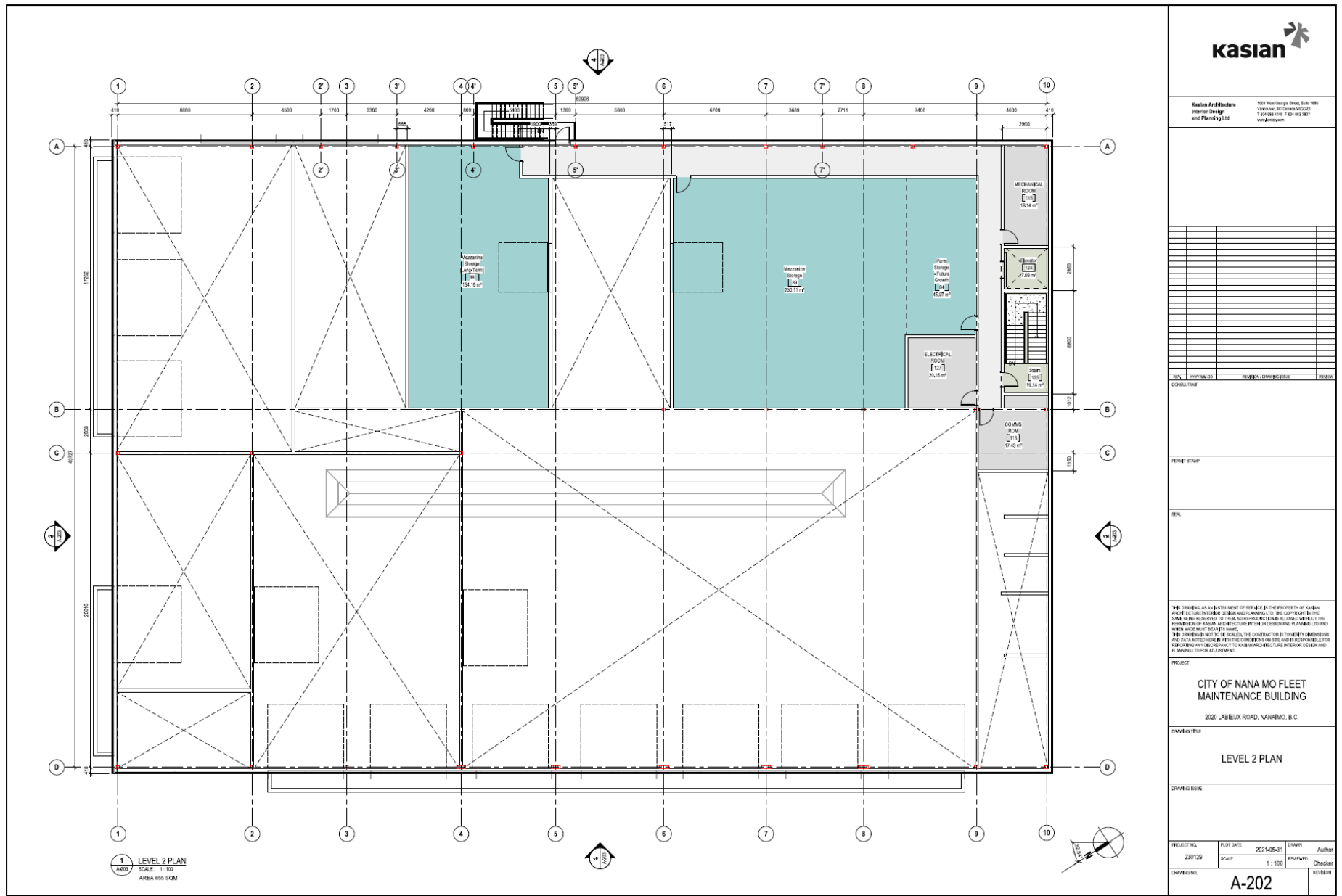


## Appendix F – Concept Design

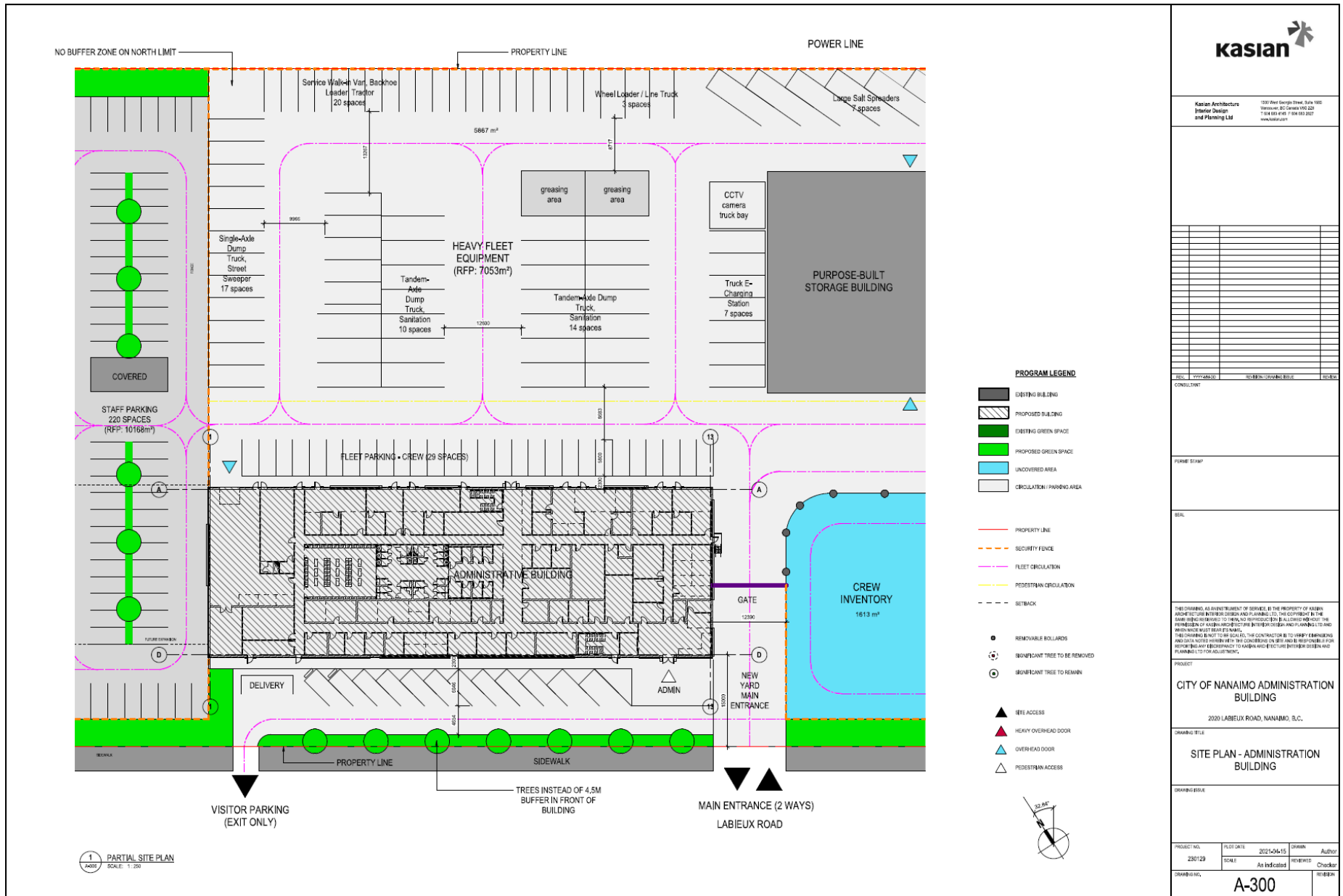






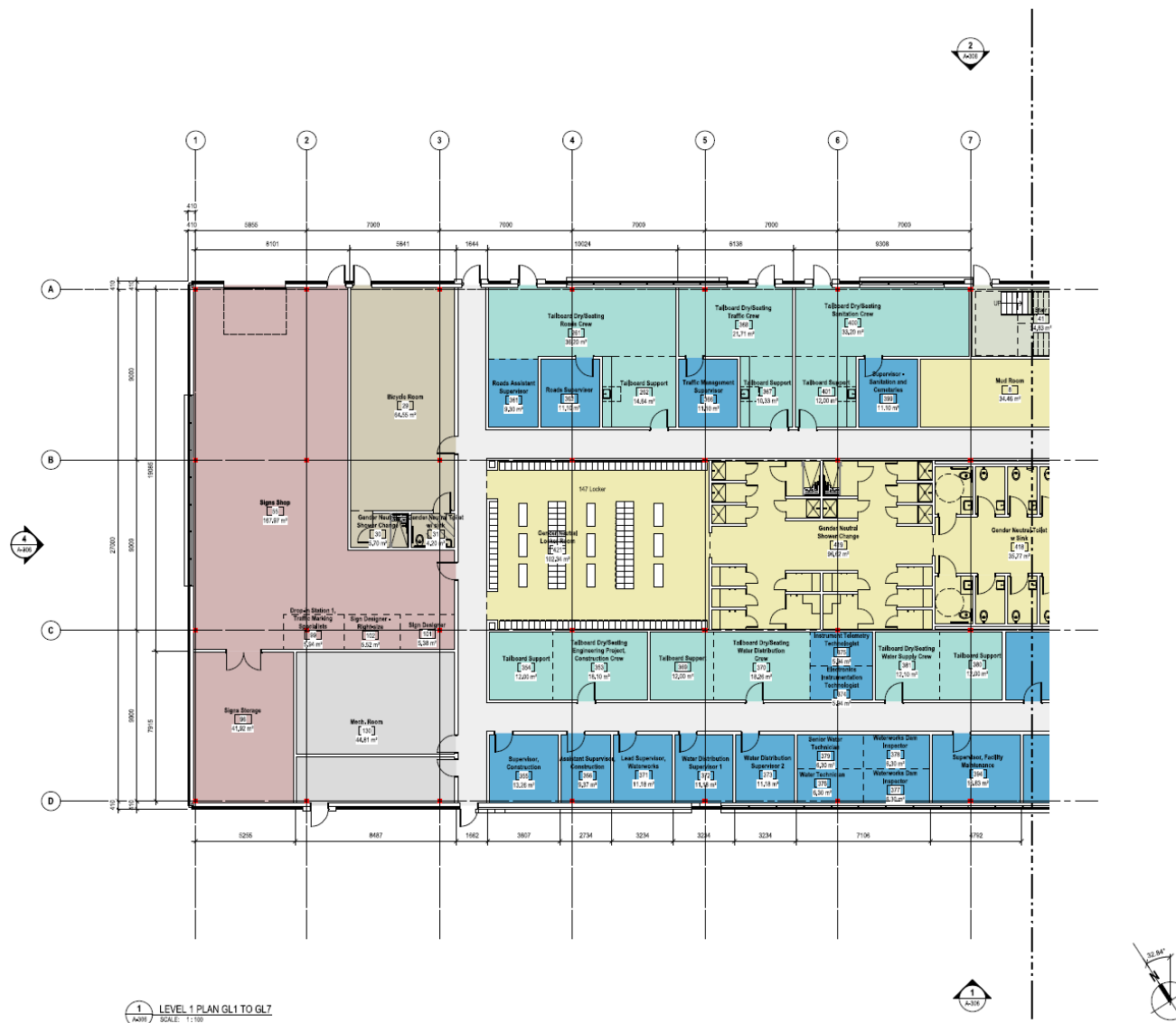












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CITY OF NANAIMO ADMINISTRATION BUILDING

2020 LARSEN ROAD, NANAIMO, B.C.

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LEVEL 1 PLAN GL1 TO GL7

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LEVEL 1 PLAN GL8 TO GL13

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2020 LABIEUX ROAD, NANAIMO, B.C.

LEVEL 2 PLAN GL1 TO GL7

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LEVEL 2 PLAN GL8 TO GL13

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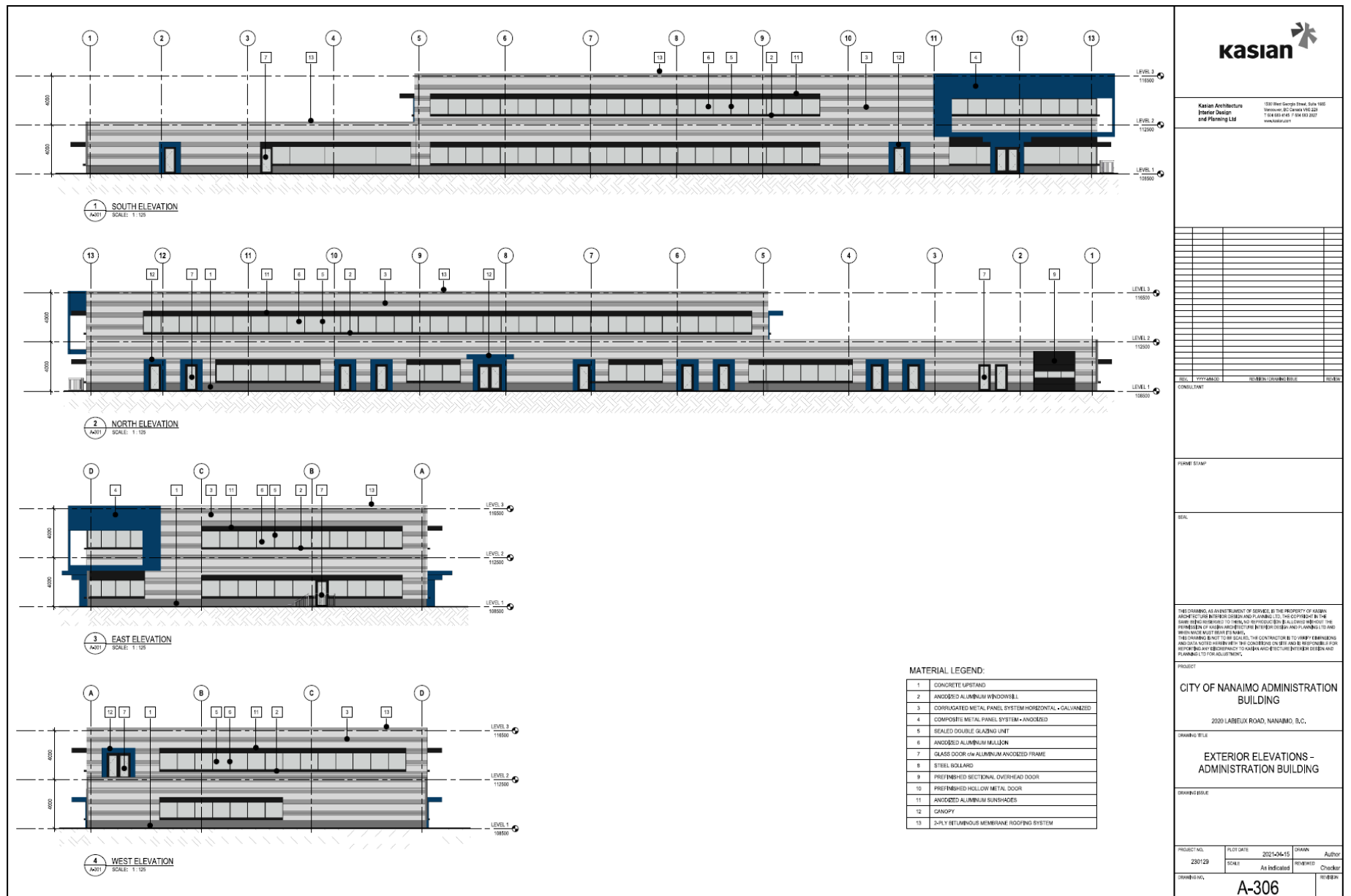
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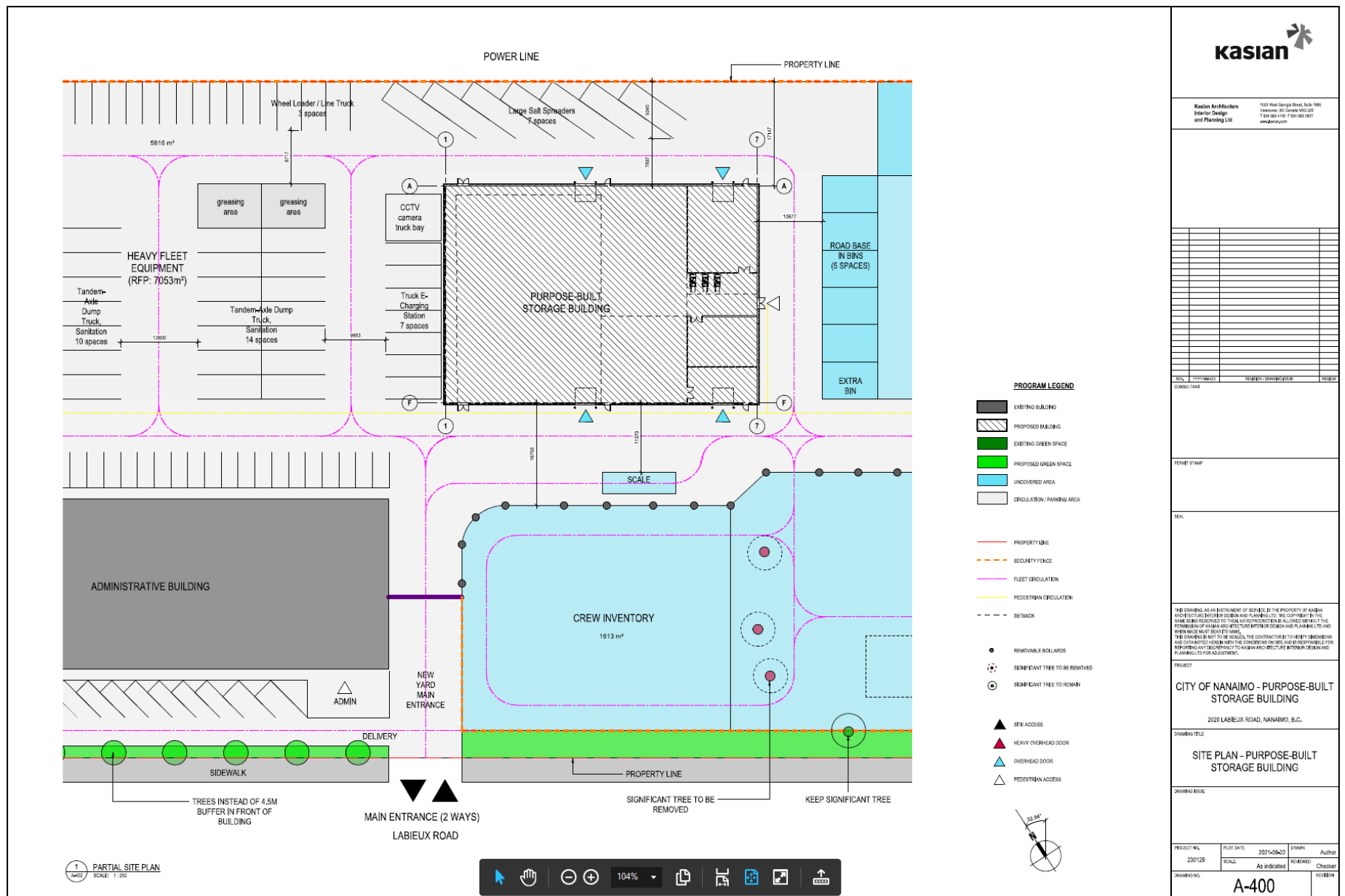
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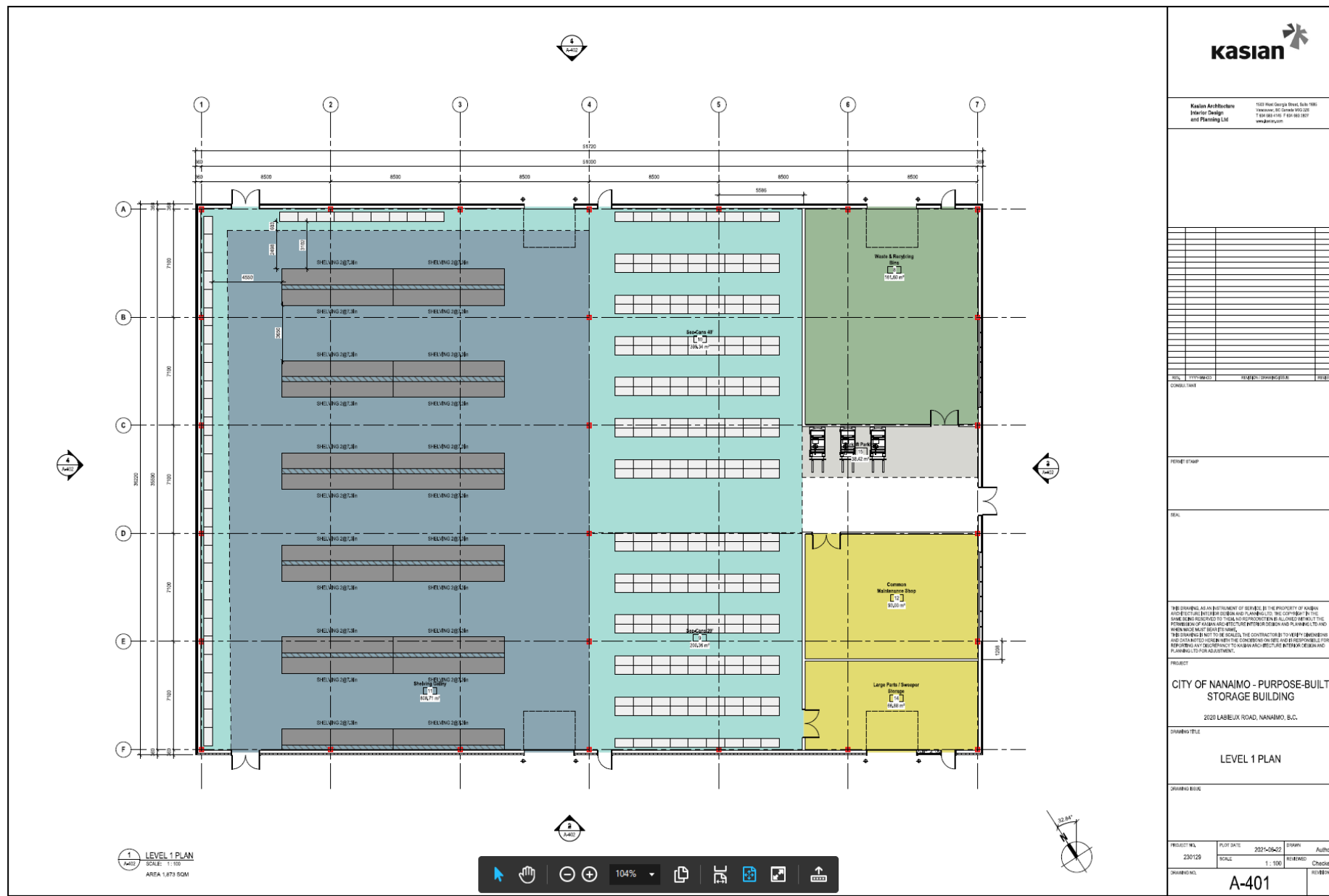
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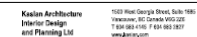
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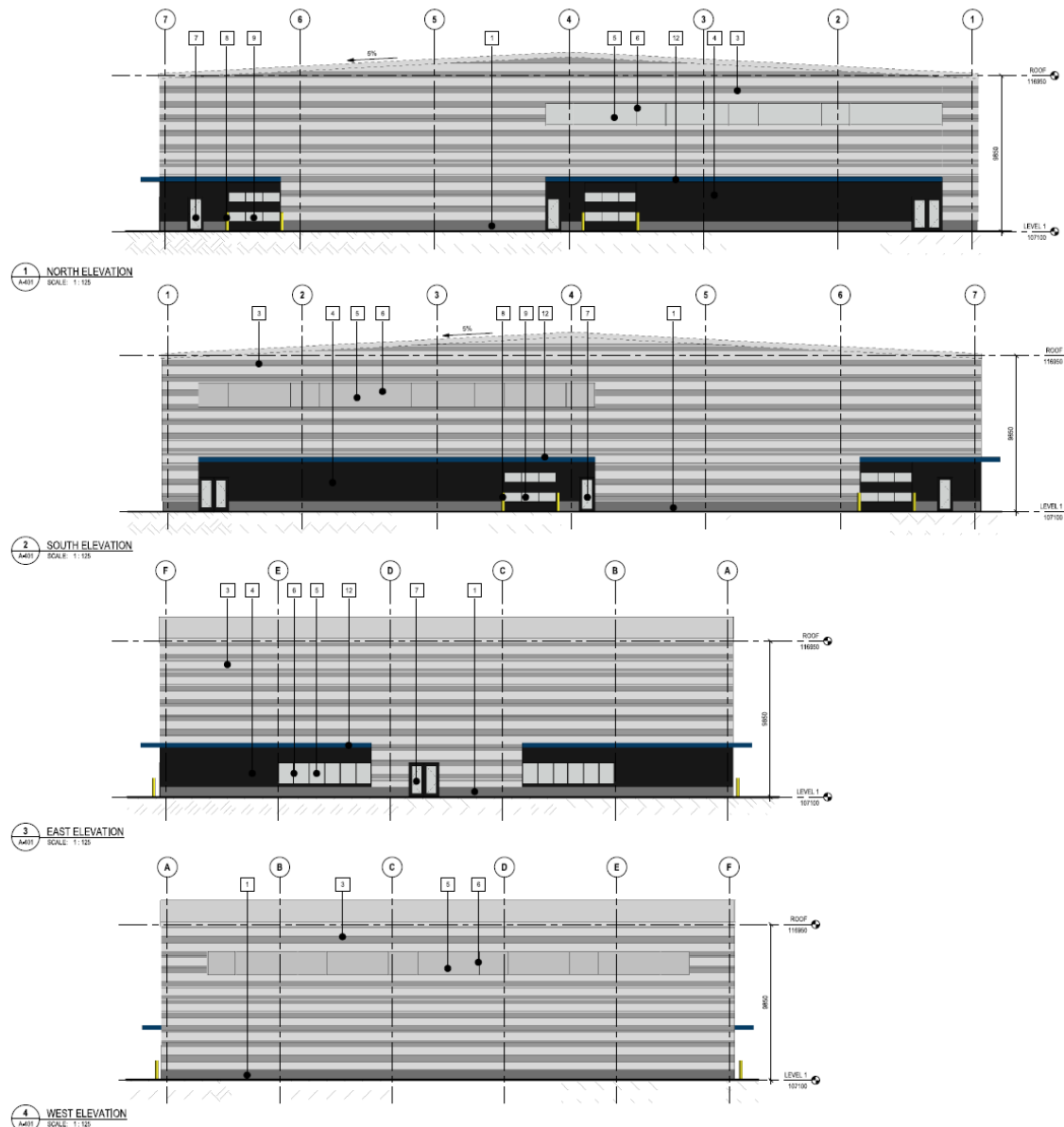
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## EXTERIOR ELEVATIONS

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MATERIAL LEGEND:

1	CONCRETE UPSTAND
2	ANODIZED ALUMINUM WINDOW/VELL
3	CORRUGATED METAL PANEL SYSTEM HORIZONTAL • GALVAN
4	COMPOSITE METAL PANEL SYSTEM • ANODIZED
5	SEALED DOUBLE GLAZING UNIT
6	ANODIZED ALUMINUM MULLION
7	GLASS DOOR c/w ALUMINUM ANODIZED FRAME
8	STEEL ROLL-UP
9	PREFINISHED SECTIONAL OVERHEAD DOOR
10	PREFINISHED HOLLOW METAL DOOR
11	ANODIZED ALUMINUM SUNSHADES
12	CANOPY
13	FLY-BITUMENOUS MEMBRANE ROOFING SYSTEM

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CITY OF NANAIMO - STORES  
BUILDING

2020 LABIEUX ROAD, NANAIMO, B.C.

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SITE PLAN

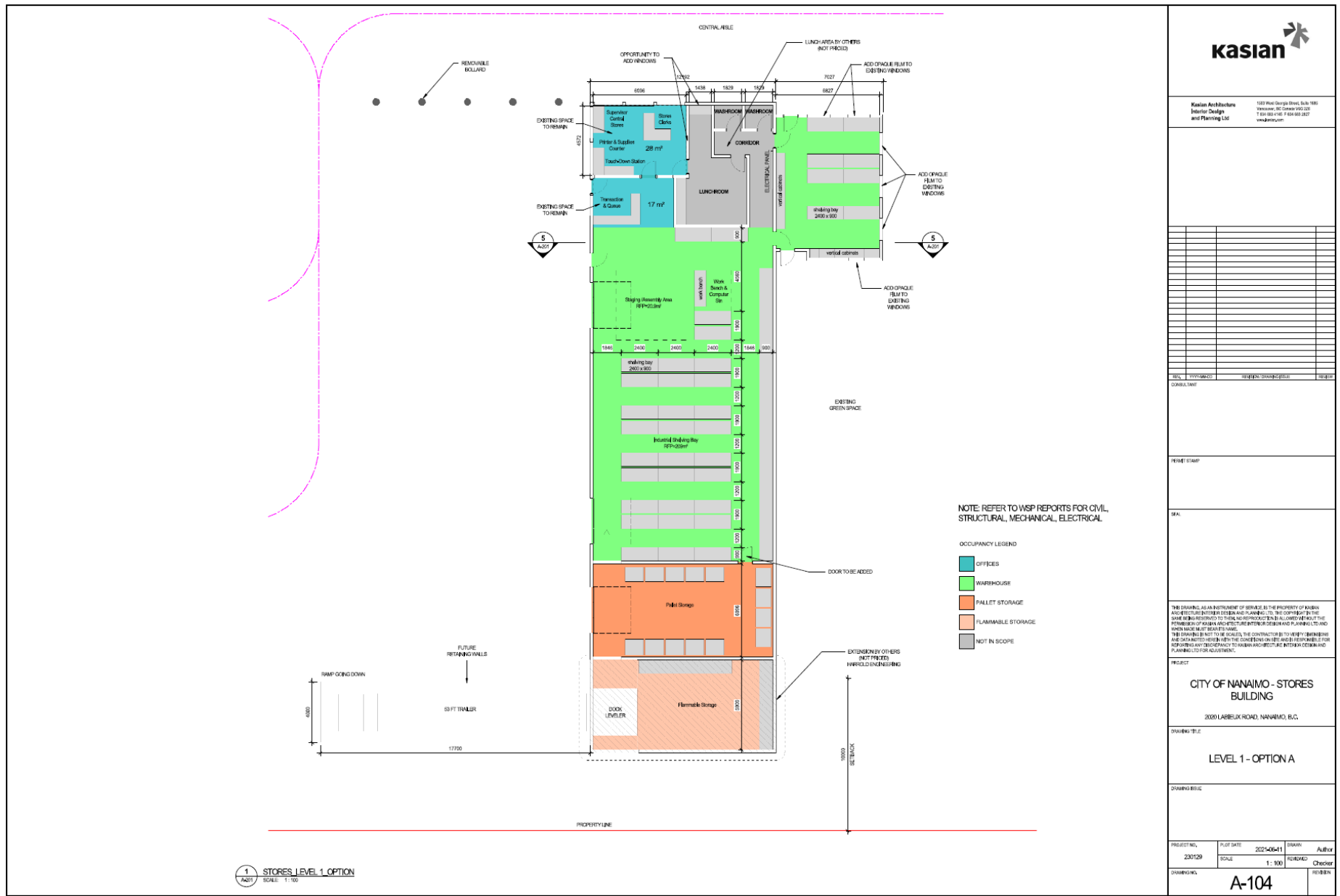
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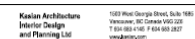
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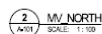




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2 MV NORTH  
A-101 SCALE: 1:100



3 MV SOUTH  
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4 MV WEST  
A-101 SCALE: 1:100



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A-103 SCALE: 1:100

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## DISCUSSION

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BUILDING

2020 LABIEUX ROAD, NANAIMO, B.C.

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## EXTERIOR ELEVATIONS

DISCUSSION ISSUE

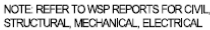
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CITY OF NANAIMO - LINES & PARK -  
SHOP & STORAGE BUILDING

2020 LABIEUX ROAD, NANAIMO, B.C.

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LEVEL 1 - DEMO PLAN

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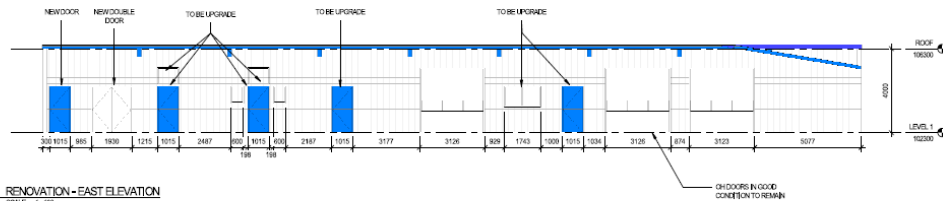




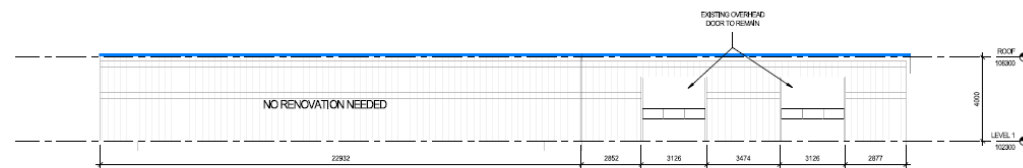
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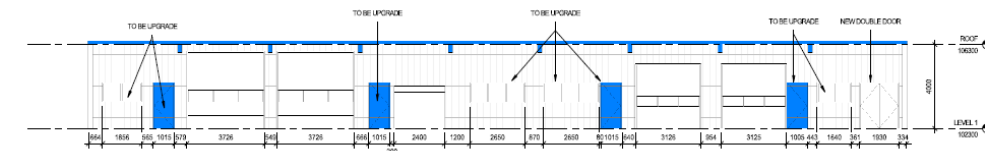
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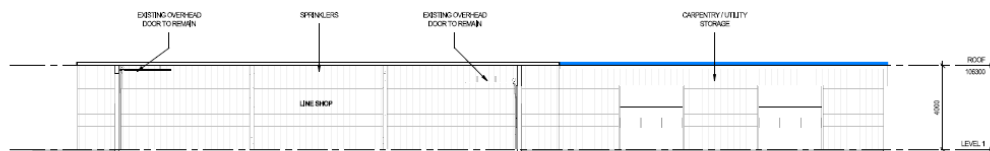
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**2 RENOVATION - WEST ELEVATION**  
SCALE: 1:100



**5 SECTION**  
SCALE: 1:100



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PROJECT

**CITY OF NANAIMO - LINES & PARK -  
SHOP & STORAGE BUILDING**

2000 LABELUX ROAD, NANAIMO, B.C.

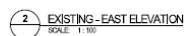
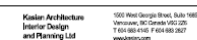
DRAWING TITLE

**EXTERIOR ELEVATIONS - PROPOSED**

DRAWING SCALE

PROJECT NO.	230729	PLUT DATE	2023-06-11	DRAWN	Author
SCALE	1:100	REVIEWED	Checker	REVISION	

**A-106**



NOTE: REFER TO WSP REPORTS FOR CIVIL,  
STRUCTURAL, MECHANICAL, ELECTRICAL

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REV	DATE	DESCRIPTION / DRAWING ISSUE	BY
CONSULTANT			

PERMIT STAMP

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PROJECT \_\_\_\_\_

CITY OF NANAIMO - LINES & PARK  
SHOP & STORAGE BUILDING

paying the

EXTERIOR ELEVATIONS - EXISTING

DRAWING ISSUE

PROJECT NO. 230129	PLOT DATE 2021-06-11	DRAWN A
	SCALE 1 : 100	REVIEWED Ch

A-201

APPENDIX B / Architectural Drawing Set







-  EXISTING WALL TO REMAIN
  EXISTING WINDOWS TO REMAIN
-  EXISTING WALL TO BE DEMOLISHED
  EXISTING WINDOWS TO BE UPGRADED

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PROJECT

PARKS OPERATIONS YARD • 89 PRIDEAUX ST., NANAIMO, B.C.

DRAWING TITLE

ADMINISTRATION BUILDING - DEM  
PLAN

DRAWING ISSUE

PROJECT NO	PLOT DATE	DRAWN
230129	2021-05-09	Aut
	SCALE	REVIEWED
	1:50	Ch

A-102











# Appendix G – Construction Cost Estimate

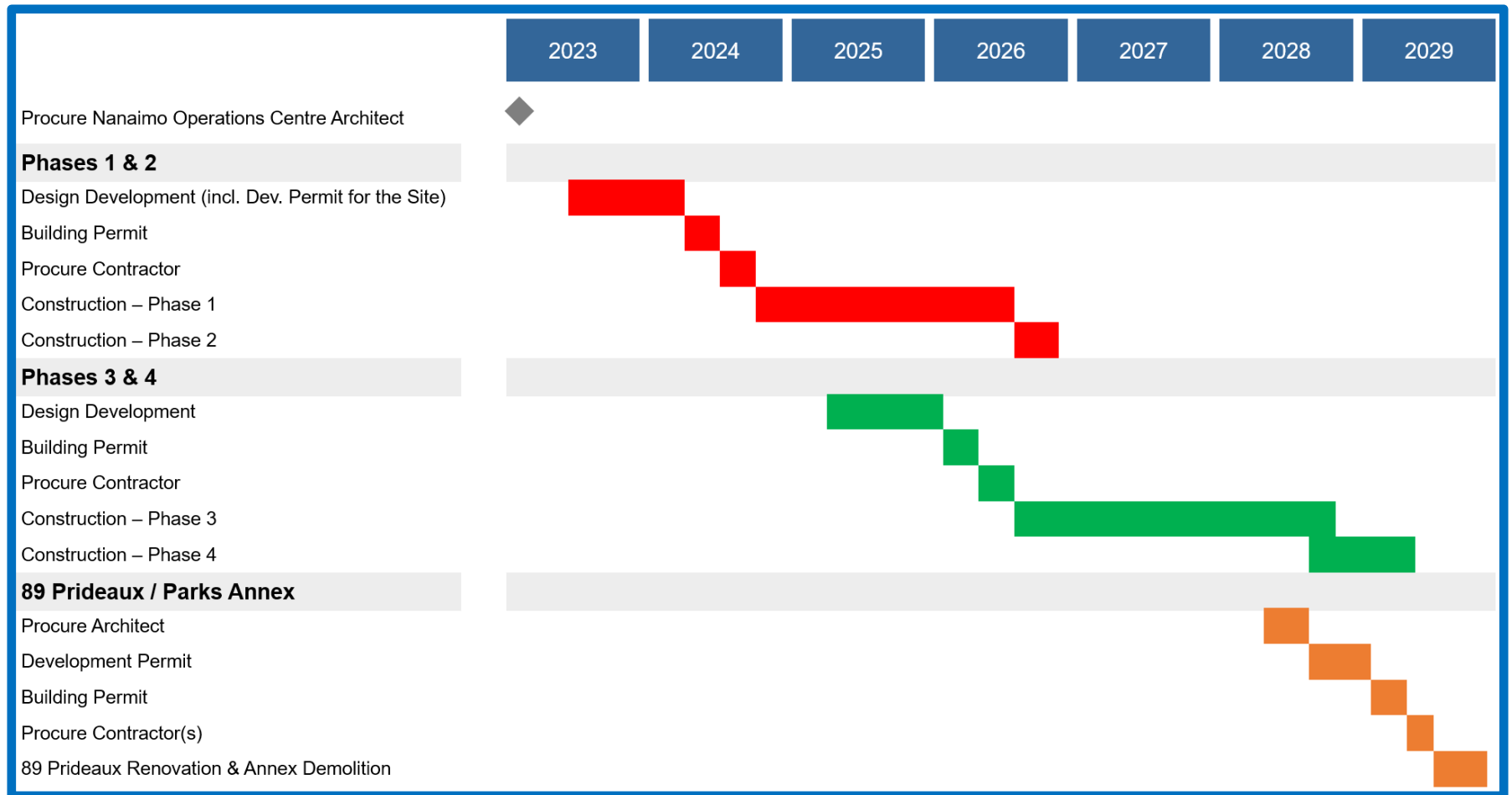
	Phase 1	Phase 2	Phase 3	Phase 4	Total
<b>A. LAND COST (Excluded)</b>	\$0	\$0	\$0	\$0	\$0
A1 Land	0	0	0	0	0
A2 Legal Fees	0	0	0	0	0
<b>B. CONSTRUCTION</b>	<b>\$28,737,250</b>	<b>\$4,594,750</b>	<b>\$20,755,050</b>	<b>\$8,846,550</b>	<b>\$62,933,600</b>
B1 Labieux Works Yard	28,092,250	4,594,750	20,755,050	6,105,750	59,547,800
B2 89/91 Prideaux	0	0	0	2,597,400	2,597,400
B3 Nanaimo Parks Annex	0	0	0	143,400	143,400
B4 Fire Training Tower	645,000	0	0	0	645,000
<b>C. INFRASTRUCTURE / OFF SITE WORKS</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$1,000,000</b>
C1 Roadwork and utilities outside the property lines - Cash Allowance	500,000		250,000	250,000	1,000,000
<b>D. PROFESSIONAL FEES (Excluded)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
D1 Programming					0
D2 Architectural					0
D3 Structural					0
D4 Mechanical					0
D5 Electrical					0
D6 Quantity Surveying					0
D7 Acoustic					0
D8 Equipment Consultant					0
D9 Code Consultant					0
D10 Other Consultants and Disbursements					0
<b>E. CONNECTION FEES &amp; PERMITS</b>	<b>\$862,100</b>	<b>\$137,800</b>	<b>\$622,700</b>	<b>\$265,400</b>	<b>\$1,888,000</b>
E1 Rezoning Cost (Excluded)	0	0			0
E2 DCC & Building Permits	862,100	137,800	622,700	265,400	1,888,000
<b>F. MANAGEMENT &amp; OVERHEAD (Excluded)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
F1 Project Management Fee					0
F2 Owners Planning and Administrative Cost					0
F3 Project Insurance					0
F4 Project Commissioning, Move-In					0
<b>G. FURNISHINGS, FITTINGS &amp; EQUIPMENT (Excluded)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H. FINANCING COSTS (Excluded)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>I. GOODS &amp; SERVICES TAX (Excluded)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>J. Contingency Excluded</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>SUB-TOTAL PROJECT COST</b>	<b>\$30,099,350</b>	<b>\$4,732,550</b>	<b>\$21,627,750</b>	<b>\$9,361,950</b>	<b>\$65,821,600</b>
<b>K. ESCALATION</b>	<b>\$0</b>	<b>\$7,314,700</b>	<b>\$0</b>	<b>\$9,916,700</b>	<b>\$17,231,400</b>
<b>TOTAL PROJECT COST (2021 Dollars)</b>	<b>\$30,099,350</b>	<b>\$12,047,250</b>	<b>\$21,627,750</b>	<b>\$19,278,650</b>	<b>\$83,053,000</b>

(BTY Group, 2021)

In BTY's Construction Cost Estimate document, 2020 Labieux site is referred to as Labieux Works Yard, 89 Prideaux Street site is referred to 89/91 Prideaux Street, Nanaimo Annex is referred to as Nanaimo Parks Annex.



## Appendix H – Project Schedule



## Appendix I – Risk Management Plan

## Risk Management Plan

Project Name	Nanaimo Operations Center
CPMS #	Pending
Project Class	Special
Project Manager (PM)	Pending
Document Revision #, Revision Date	Draft for Discussion   June 2021



Risk ID	Project Phase	Category	Risk	Pre-Mitigation			Mitigation / Response	By (Owner)	Post-Mitigation		
				Likelihood	Severity	Rating			Likelihood	Severity	Rating
1	Design & Planning	Cost	Unforeseen Ground Conditions	3	4	12	Schedule geotechnical assessments during Design Development (DD) phase. Early coordination between structural and geotechnical consultants.	PM	1	4	4
2	Design & Planning	Cost	Unforeseen scope of remediation work at APECs identified within ESA Ph 1 investigation	4	4	16	Schedule ESA Ph 2 and additional investigations during DD phase	PM	3	3	9
3	Design & Planning	Cost	Risk of under estimates within the allocated Project Budget.	3	4	12	Engage Quantity Surveyor to provide cost advice and to price design as it develops.	PM	2	3	6
4	Design & Construction	Costs	Costs increase after approval for funding. Market uncertainty risks, escalation.	3	4	12	Reassess cost and scope periodically (class estimates). Careful estimation of contingency to address this risk. Request approval for this project in conjunction with RCMP project to spread the risk. Consult with QS on market conditions prior to business case, and again prior to tendering.	PM	2	3	6
5	Design & Planning	Cost	Risk of increase in cost for temporary facilities and moves.	2	4	8	Early coordination of construction phasing to reduce cost of temporary activities.	PM	2	2	4
6	Design & Planning, Construction	Operation Continuity / Stakeholder Management	Disruption or delay due to poor move planning	2	4	8	Appointment of staff member / committee to manage transitions	City	1	2	2
7	Design & Planning, Construction	Operation Continuity	Site support infrastructure design errors is a risk to on-going operations of yard during construction	3	4	12	Engage experienced Prime Consultant; develop design (temporary & permanent) in alignment with phases; experienced PM to oversee the DD	City	2	3	6
8	Design & Planning, Construction	Operational Continuity	Construction phases poorly planned, impacts to yard operations.	3	4	12	Work closely with various yard stakeholders to develop a well-defined construction phasing strategy to ensure minimal disruption. Engage user group to ensure requirements are met. Develop yard committee and hold monthly or as required meetings.	PM	2	3	6
9	Design & Planning	Scope	The requirements gathering and design validation process is not robust.	3	3	9	Engage experienced Prime Consultant; establish a user group and capture and document their input as DD progresses	PM	1	2	2
10	Design & Planning	Scope	Certain scope items like EV stations, fueling options (slow & fast fill), CNG requirements are missed	2	4	8	Engage experienced Prime Consultant; re-validate concept phase program with user group and capture and document their input as DD progresses. Ensure flexibility in design for potential future change in programming.	PM	1	2	2
11	Design & Planning	Scope	Development in BC Hydro and E&N rail right of way is not acceptable. Unforeseen scope requirements from BC Hydro and E&N rail, e.g. safety barriers constructed on site to reduce the risks to both people and properties on the site as the result of derailment.	3	4	12	Early engagement with BC Hydro and E&N rail soliciting their preliminary review of design. Early submission of ROW application for approval	PM	3	3	9

## Risk Management Plan

Project Name	Nanaimo Operations Center
CPMS #	Pending
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Project Manager (PM)	Pending
Document Revision #, Revision Date	Draft for Discussion   June 2021



Risk ID	Project Phase	Category	Risk	Pre-Mitigation			Mitigation / Response	By (Owner)	Post-Mitigation		
				Likelihood	Severity	Rating			Likelihood	Severity	Rating
12	Design & Planning	Scope	Provincial temporary housing lease extended beyond start of construction date	4	4	16	Confirmation from City's real estate group on lease timelines. Early engagement with neighbouring business for temporary parking (e.g. BMX facility). Consider other temporary options in the phasing for each year construction progresses. Early engagement with fire department for use of land for temporary parking.	City	3	4	12
13	Design & Planning	Scope	The Fire Station 2 land is not available for development	2	4	8	Early engagement with fire department on development plans. Support Fire Station 2 with operational changes.	PM	1	2	2
14	Design & Planning	Human Resources	Project leadership team resourcing and availability is limited. Consistency is lacking throughout duration of the project.	2	4	8	Establish Steering Committee. Consideration of capacity when assigning internal resources. Consideration of external resources.	City	1	2	2
15	Design & Planning	Stakeholders	Shortage of qualified resources and conflicting priorities may result in underperformance by the design consultant resulting in errors and omissions and uncoordinated drawings submission. Impacting project cost and schedule.	4	4	16	Engage qualified Project Manager and support team. Appropriate vetting of design consultant. Evaluate consultant at stage gate before detailed design.	City	2	3	6
16	Design & Planning	Human Resources	City resources are constrained. As a result city resources may not be full engaged with the project. This may impact project schedule.	4	4	16	Engage qualified Project Manager and support team.	City	1	2	2
17	Design & Planning	Scope	Inefficient building electrical and mechanical systems, space allocations and uses	3	3	9	Engage user groups in development of the design and specifications; define sustainability and post disaster requirements; appoint independent commissioning agent; value engineering as required.	PM	2	2	4
18	Design & Planning	Scope	Undersized storage building, exterior storage and material areas, and parking spaces	3	3	9	Engage an experienced Prime Consultant. Engage qualified PM and support team. Engage user groups in development of the design and specifications.	City / PM	2	2	4
19	Design & Planning	Scope	Land use regulations and design guidelines not addressed	3	3	9	Engage Planning Department early on in the process	PM	2	2	4
20	Design & Planning	Cost	Unforeseen off-site public work requirements	3	4	12	Engage Planning Department and Development Services early on in the process	PM	2	2	4
21	Design & Planning	Schedule	Late receipt of required building permits delays the project	3	4	12	Early understanding of permitting requirements and timelines. Account for timeline in project schedule. Engage qualified Project Manager and support team.	City	3	3	9
22	Construction	Cost	Tenders are unaffordable, or no bids received	4	4	16	Appoint qualified PM and support team. Engage qualified and experienced cost consultant. Market information session. Ensure appropriate risk allocation in contract. Look at contingency plan from other funding sources. Consideration to project delivery in risk allocation - host project delivery workshop.	PM	3	4	12

## Risk Management Plan

Project Name	Nanaimo Operations Center
CPMS #	Pending
Project Class	Special
Project Manager (PM)	Pending
Document Revision #, Revision Date	Draft for Discussion   June 2021



Risk ID	Project Phase	Category	Risk	Pre-Mitigation			Mitigation / Response	By (Owner)	Post-Mitigation		
				Likelihood	Severity	Rating			Likelihood	Severity	Rating
23	Design & Planning, Construction	Operational Continuity	Risk of downtime of public works business continuity (one example is public work as secondary EOC and primary DOC).	3	4	12	Engage user groups early in design development and phasing strategy; work closely with IT; develop a detailed plan to ensure operations are maintained; consult with user groups as required.	PM	2	3	6
24	Design & Planning, Construction	Operational Readiness	Post construction documentation is not delivered (e.g. OM manuals; as-built drawings) or handover process from construction to owner is unclear	2	4	8	Engage qualified Project Manager and support team.	City	1	2	2
25	Construction	Operational Readiness	Commissioning Issues (delays, impact on operations)	2	3	6	Appoint Independent Commissioning Agent	PM	1	2	2
26	Design & Planning, Construction	Stakeholders	Unnecessary construction impact on surrounding neighbours and community in general	2	3	6	Strong comms plan, social media, senior leadership, mayor and council	City	2	2	4
27	Design & Planning, Construction	Stakeholders	Unnecessary disruption of traffic on adjacent roads	2	3	6	Consult with traffic and public works for strategies and involvement	City	2	2	4
28	Design & Planning	Cost	Consultant fees exceed their budget allocations	4	4	16	Restructure the Project Budget based on most recent and accurate information and maintain an up to date cost forecast	PM	2	4	8
29	Design & Planning, Construction	Schedule	Uncharted utilities	4	4	16	Engage with City SMEs to obtain full and complete records	PM	2	4	8
30	Design & Planning, Construction	Schedule	City delays submittal reviews	3	4	12	Establish Steering Committee to ensure to track and ensure timely approvals and decisions	PM	1	4	4
31	Design & Planning	Schedule	Appointment of consultants and contractors may be delayed by approval	3	4	12	Establish Steering Committee to ensure to ensure timely approvals and decisions	PM	1	4	4
32	Construction	Schedule	The demolition or construction contractor may not perform in accordance with the contract schedule	4	4	16	Appoint qualified PM and support team. Ensure we establish realistic schedule.	City	2	4	8
33	Design & Planning	Scope	The City changes the scope of the project	4	4	16	Early engagement of user groups for scope definition. Establish Steering Committee to enforce scope discipline; any changes to the scope of the project to be approved by the Steering Committee and through revision to the project charter	City	2	4	8
34	Design & Planning	Scope	Prime Consultant fails to capture complete and accurate user requirements. User group fatigue from engagement process re-occurrence.	4	4	16	Engage a qualified, experienced Prime Consultant with positive references; Bi-weekly project meetings chaired by the prime consultant; Engage with user groups.	PM	3	3	9
35	Design & Planning, Construction	Stakeholders	Budget request is denied by Council effectively cancelling the project. Change in council could impact project support.	2	4	8	Ensure Council is kept apprised of project progress to ensure continuous support.	City	1	4	4
36	Construction	Schedule	Labour disruption	2	4	8	Ensure appropriate contract language to cover labour disruptions.	PM	2	2	4
37	Construction	Safety	Death on the worksite	2	4	8	Select qualified GC to act as prime contractor. Ensure GC has good standing with WorksafeBC. Ensure GC has safety program. Ensure that the City notifies of all known hazards on the site.	City	1	4	4
38	Construction	Environmental	Natural Disaster	2	4	8	Ensure appropriate insurance. Involve MIABC in insurance requirements. Force majeure clause in contract.	City	2	3	6

# Appendix J – Concept Designs and Master Plan Reports

See separate documents:

- 2021.07.23 – Prideaux Satellite Parks Operations Yard (Kasian)
- 2021.07.23 – Nanaimo Operations Center 2021 Master Plan and Conceptual Plan (Kasian)



## Public Works - Nanaimo Operations Center

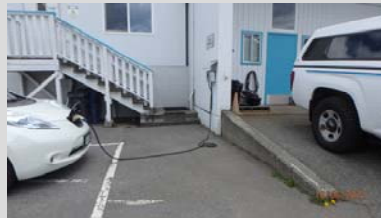


## Current Operational Picture

- **Public Works – 2020 Labieux Road**
  - Approximately 130-150 staff, more seasonally
  - Services include: Sanitation, Roads, Water, Sanitary Sewer, Storm Sewer, Fleet Maintenance, Capital Projects, Purchasing and Stores
- **Parks Operations – 89/91 Prideaux Street**
  - Approximately 20 staff, more seasonally
  - Services include: Turf and Parks, Horticulture, Project Management, Urban Forestry and Facilities
- **Parks Operations Annex – 1151 Nanaimo Lakes Road**
  - Approximately 10 staff, more seasonally
  - Parks Utilities and Trails

## Why?

- Facility Condition
- Resiliency and Emergency Preparedness
- Capacity and Operational Efficiency
- Safety and Security
- Workforce Equity
- Environmental



## Facility Condition

- Original Labieux buildings constructed in 1960's (pre amalgamation)
- Prideaux buildings (previous City PW yard)
- Detailed condition assessments

## Resiliency and Emergency Preparedness

- Seismic Risk
- Departmental Operations Cntr
- Emergency Coordination Cntr



## Capacity and Operational Efficiency

Office space  
Repair Bays  
Crew Muster  
Population Growth



# Safety and Security

Building code

Worksafe BC

Access controls and security

# Workforce Equity

Accessibility

Gender

Equity



# Environmental

Building Energy Use

Washdown and Sedimentation Basin

Fleet electrification



## High level Options Considered

- Upgrade Current Public Works Site
- Purchase Existing Site Nearby to Augment
- Purchase New Lands and Build New Facility



## The Project TEAM

- City Steering committee
- Capex Project Advisory (Business Case and Project Advisory services)
- Kasian Architecture + WSP
- BTY Group (cost estimation)
- Toth and Associates Environmental (Tree Assessment)
- Herold Engineering (Fire Training Tower)

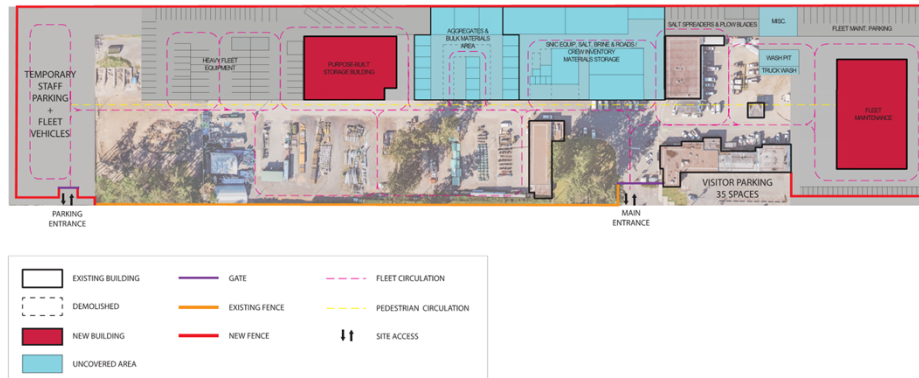
## Nanaimo Public Works Existing Site



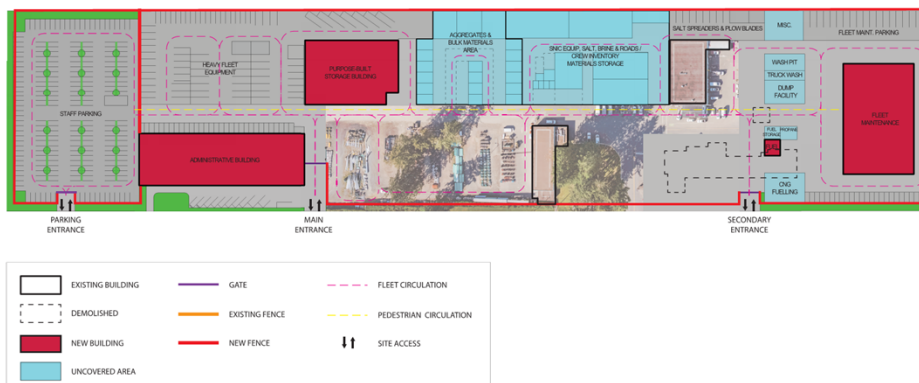


**PHASE I**  
FLEET MAINTENANCE AREA & PURPOSE -BUILT STORAGE BUILDING

- 
- The aerial site plan illustrates the proposed development at 10000 104th Avenue. The plan includes the following elements:
- Buildings:**
    - Existing Buildings:** Shown in white outlines, including the 'TEMPORARY STAFF PARKING' area, 'FLEET VEHICLES' area, 'AGGREGATES BINS', 'PORTABILITY STORAGE BUILDING', 'VISITOR PARKING 35 SPACES', and 'FLEET MAINTENANCE'.
    - New Buildings:** Shown in red outlines, including the 'PORTABILITY STORAGE BUILDING' and 'FLEET MAINTENANCE'.
    - Demolished Buildings:** Shown in dashed white outlines, including the 'TEMPORARY STAFF PARKING' area, 'FLEET VEHICLES' area, and 'FLEET MAINTENANCE'.
  - Parking Areas:**
    - Visitor Parking:** 35 spaces, located near the 'VISITOR PARKING 35 SPACES' label.
    - Fleet Parking:** Located near the 'FLEET MAINTENANCE' building.
    - Temporary Staff Parking:** Located near the 'TEMPORARY STAFF PARKING' label.
  - Circulation and Access:**
    - Site Access:** Indicated by double arrows at the bottom center.
    - Gate:** Indicated by a purple line.
    - Existing Fence:** Indicated by an orange line.
    - New Fence:** Indicated by a red line.
    - Fleet Circulation:** Indicated by a pink dashed line.
    - Pedestrian Circulation:** Indicated by a yellow dashed line.
  - Other Features:**
    - Aggregates Bins:** Located near the 'AGGREGATES BINS' label.
    - Weight Truck Wash:** Located near the 'WEIGHT TRUCK WASH' label.
    - Uncovered Area:** Indicated by a blue shaded area.



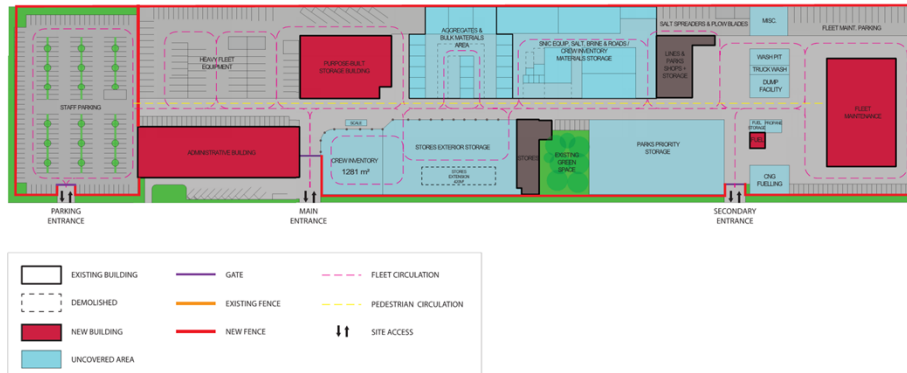
**PHASE 3**  
ADMINISTRATION BUILDING & STAFF PARKING



**PHASE 4**  
PARKS AREA

## PARKS AREA

- renovation of lines and parks shops + storage
- renovation of stores
- stores exterior storage and crew inventory areas
- parks priority storage



# Nanaimo Operations Center

- Public Works – same as existing
- Parks Operations – utilities, facilities and trails



## Fleet Maintenance



## Storage Building



## 89/91 Prideaux – Satellite Operations Yard

Parks Operations – Turf, Parks and Horticulture

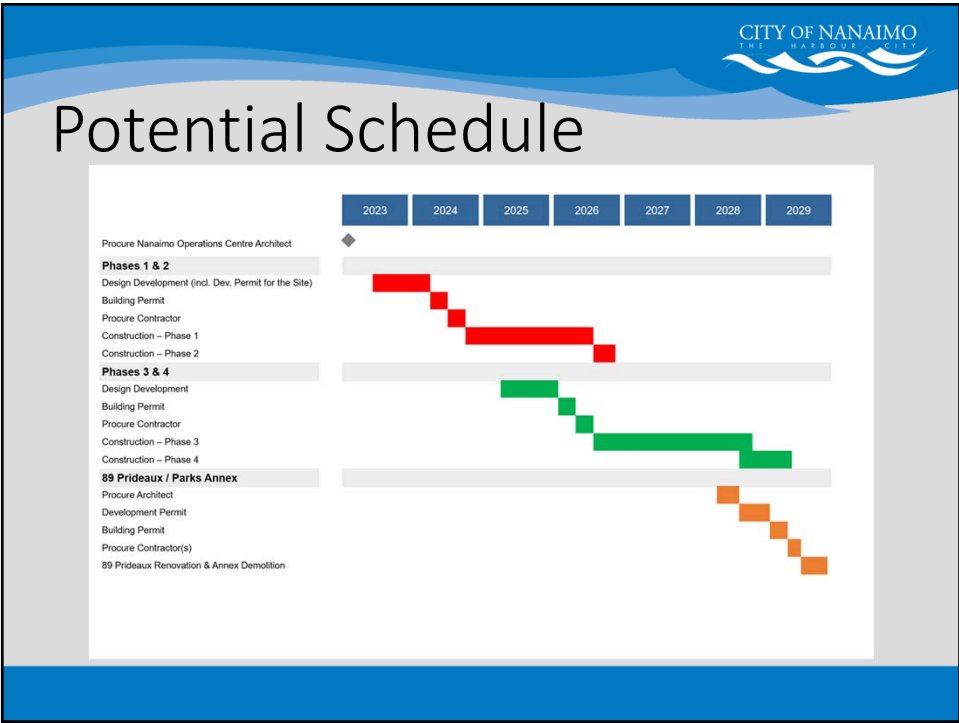
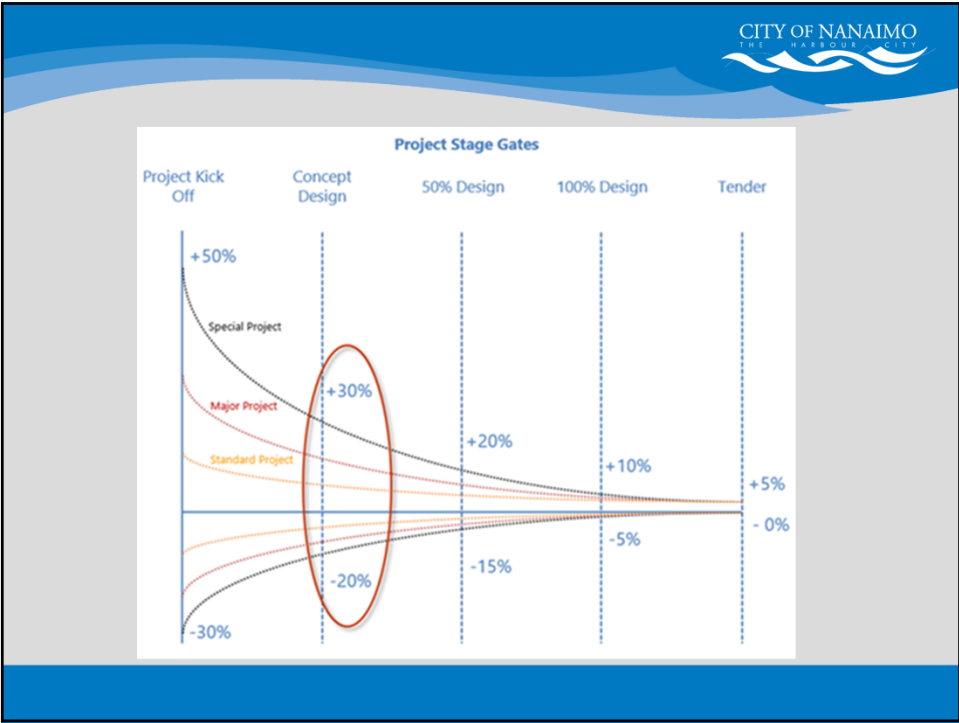


## 1151 Nanaimo Lakes Rd Parks Annex

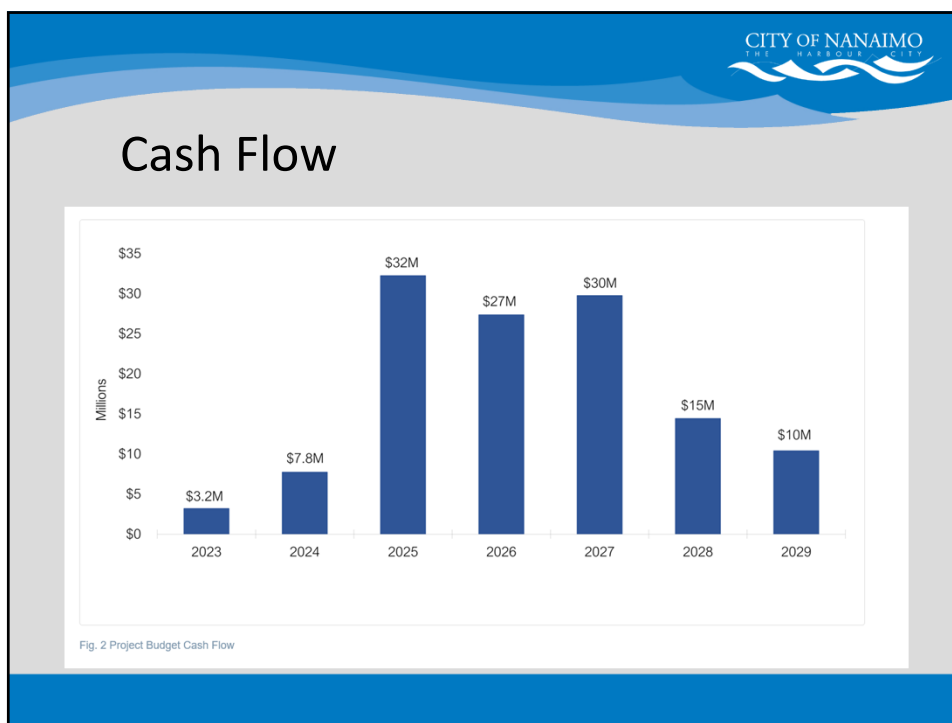
Parks Operations – Utilities, Trails





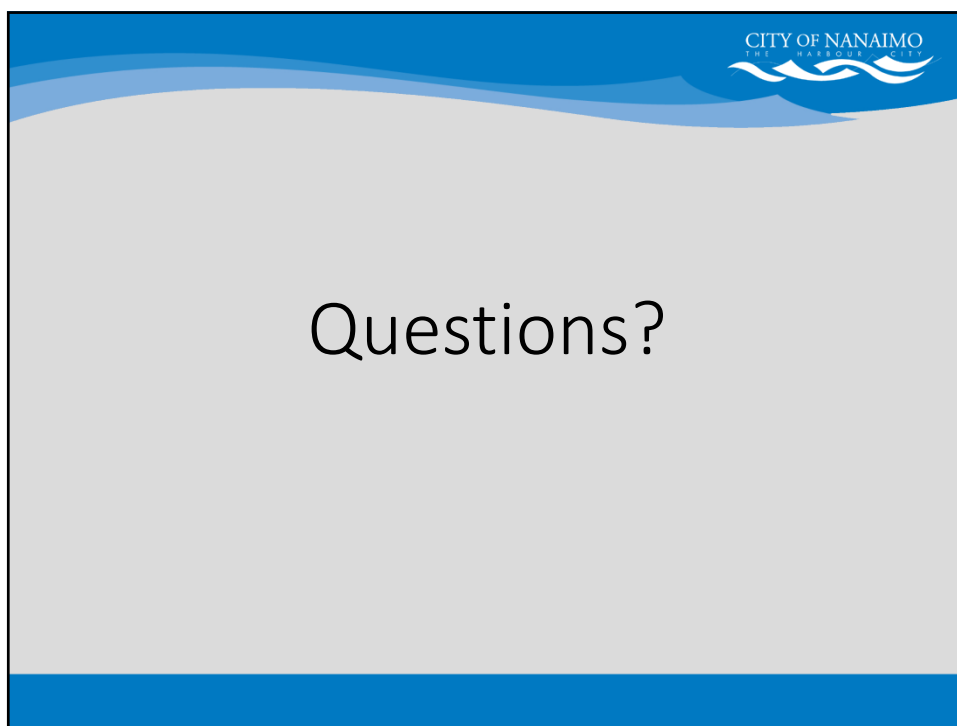






CITY OF NANAIMO  
THE HARBOUR CITY

## Conclusion/Next Steps



## Public Works - Nanaimo Operations Centre



## Current Operational Picture

- **Public Works – 2020 Labieux Road**
  - Approximately 130-150 staff, more seasonally
  - Services include: Sanitation, Roads, Water, Sanitary Sewer, Storm Sewer, Fleet Maintenance, Capital Projects, Purchasing and Stores
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# Why?

- Facility Condition
- Resiliency and Emergency Preparedness
- Capacity and Operational Efficiency
- Safety and Security
- Workforce Equity
- Environmental



## Nanaimo Public Works Existing Site



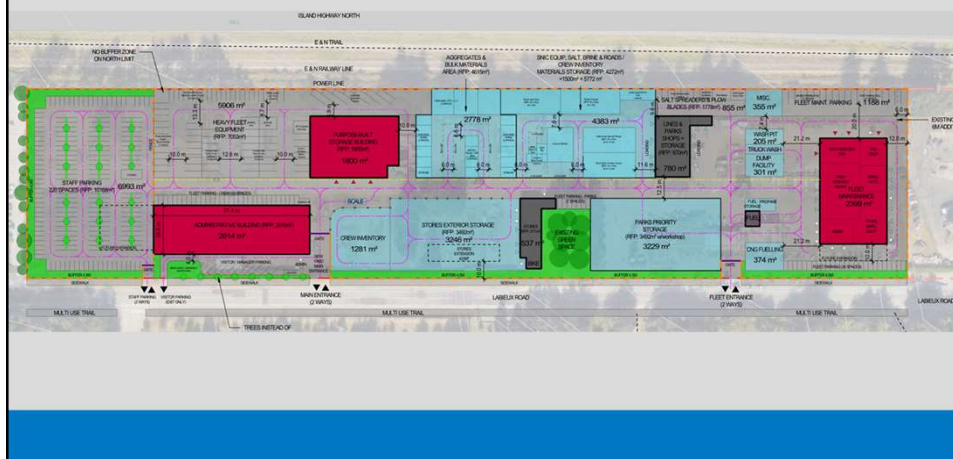
## 89/91 Prideaux – Satellite Operations Yard



## 1151 Nanaimo Lakes Rd Parks Annex



# Nanaimo Operations Centre Master Plan



# Nanaimo Operations Centre



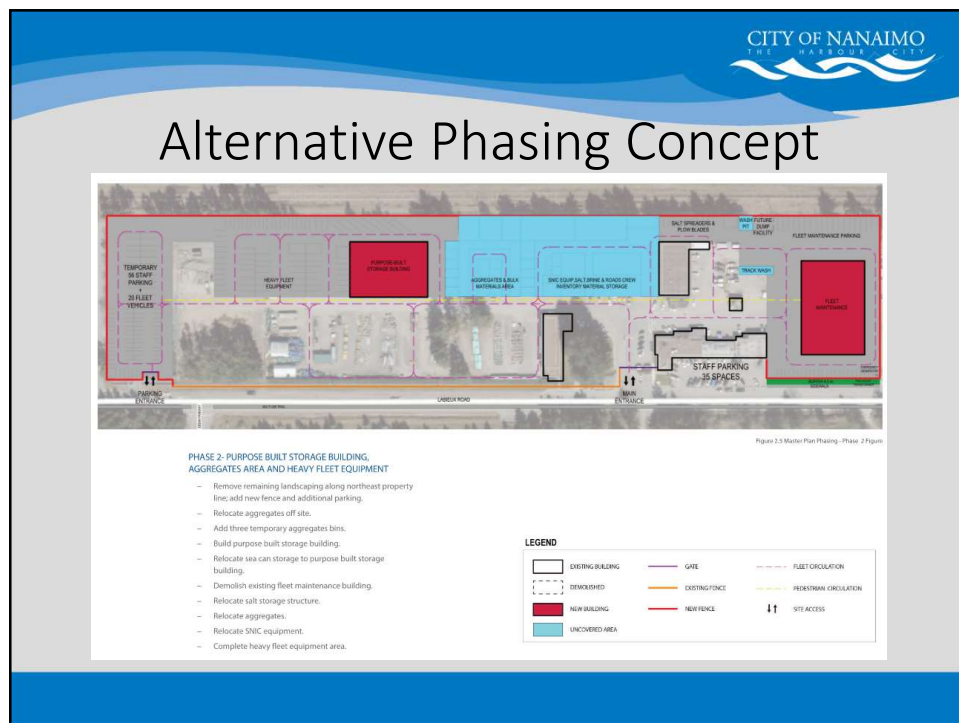
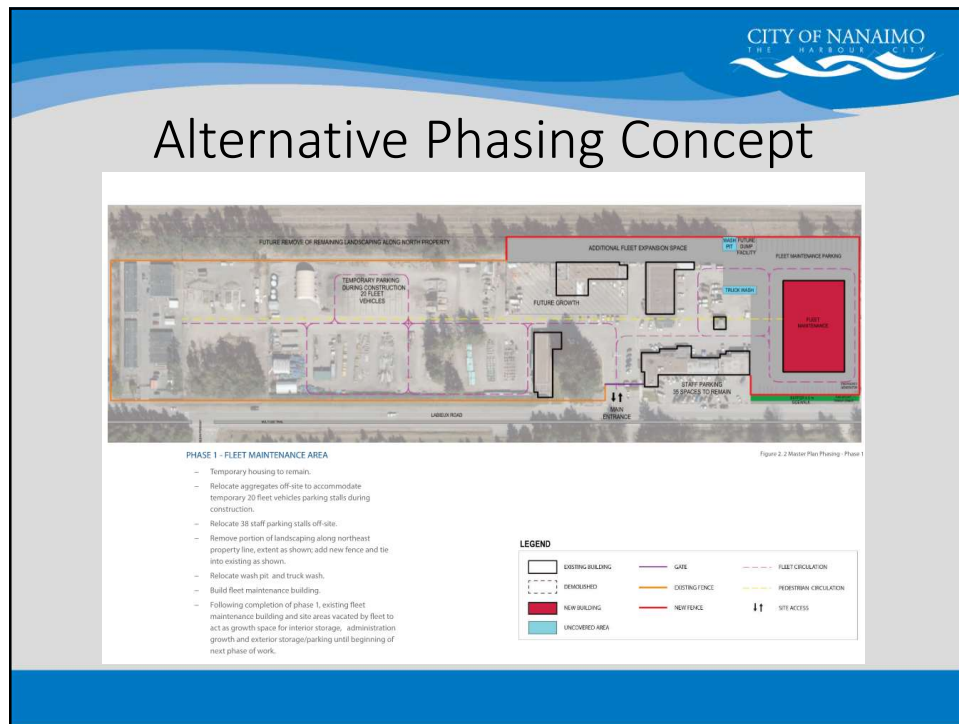


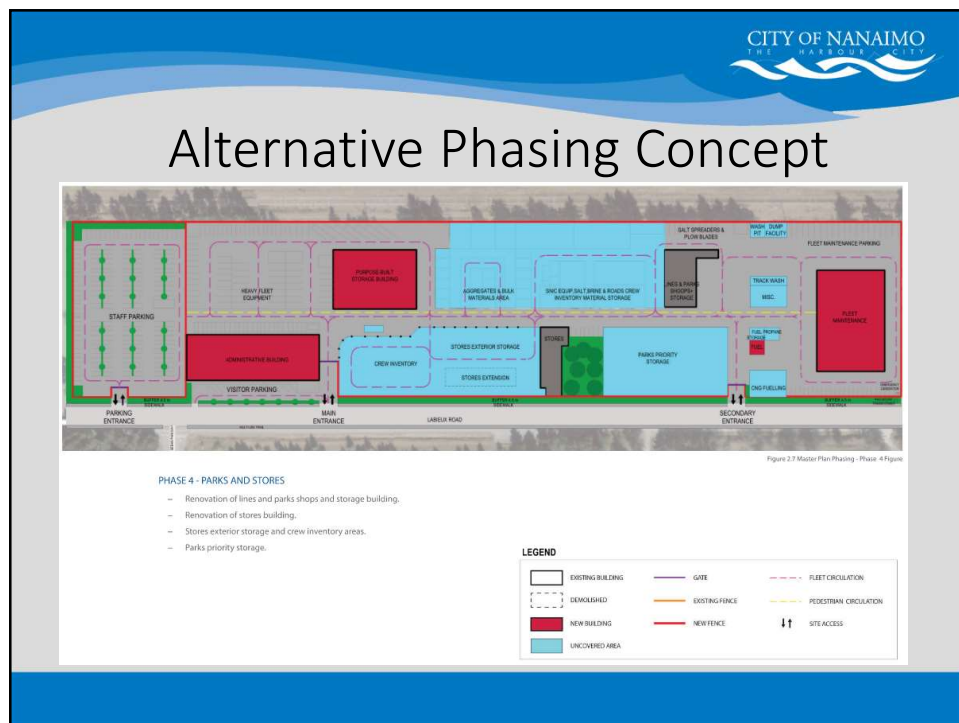
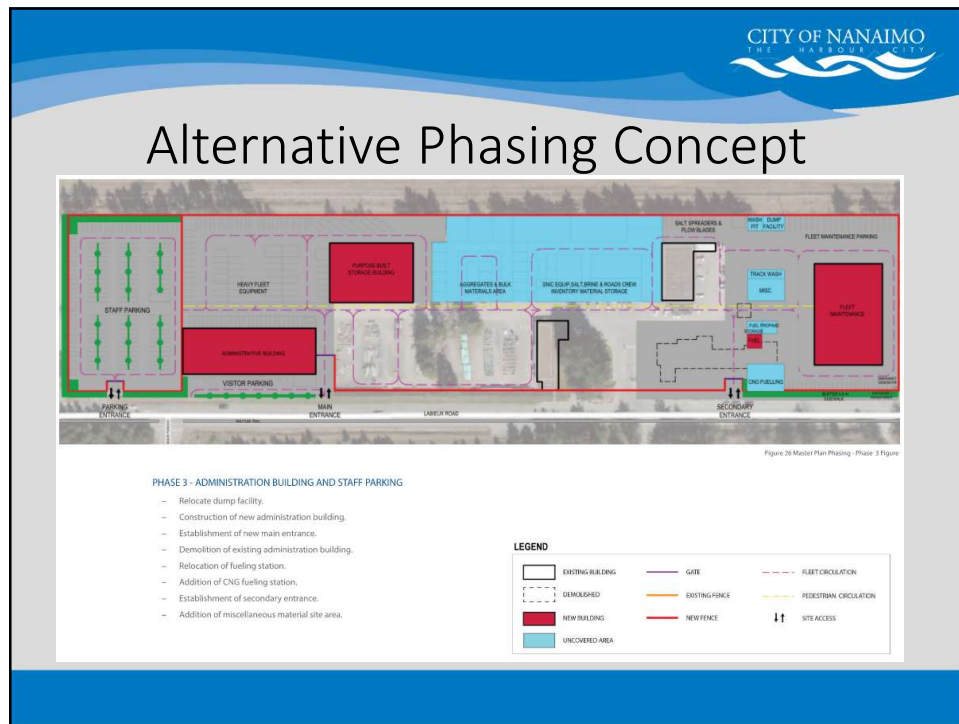
## Fleet Maintenance

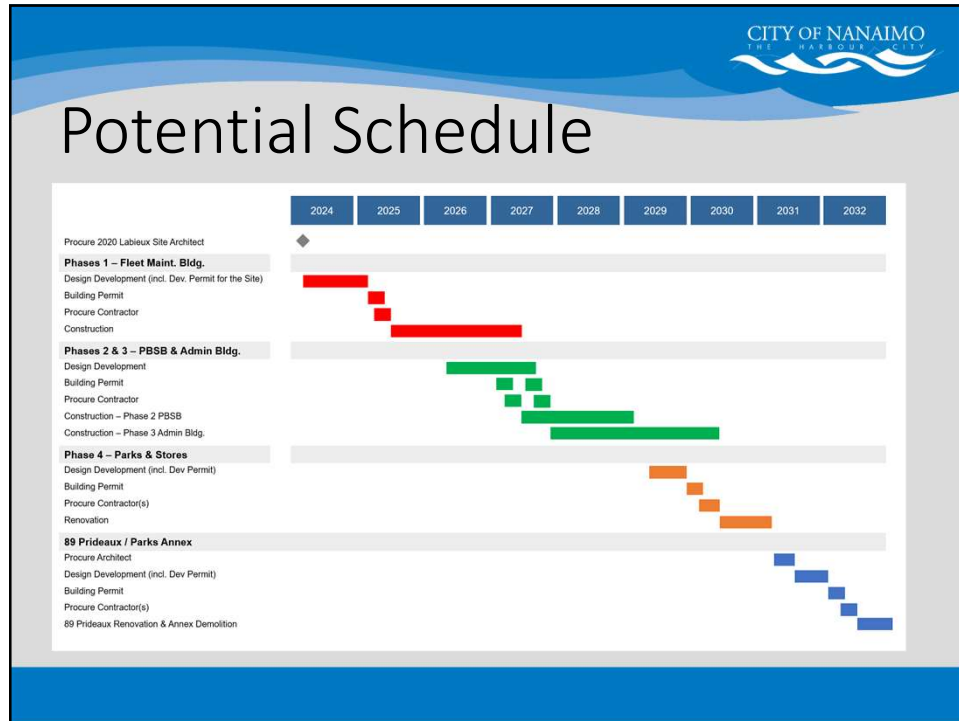


## Storage Building









CITY OF NANAIMO  
THE HARBOUR CITY

## Alternative Phase 1 Trade-offs

**Advantages**

1. Smaller manageable project that addresses the most urgent needs of Public Works (Fleet Maintenance).
2. Reduces the financial commitment allowing the City to retain flexibility for other priorities.

**Disadvantages**

1. Doesn't resolve many of the longstanding issues with the overall facility.
2. Higher overall capital and operational cost due to fragmented phases and the requirement to be standalone.

## Proposed Budget and Next Steps

- Phase 1 – Fleet Maintenance – \$40million  
Cash flow over 2024, 2025 and 2026
- Funding could be through an Alternative Approval Process
- Next steps include feasibility for storm water, engineered wetland, multiuse trail and environmental - \$120k

## Questions?

DATE OF MEETING June 20, 2022

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

**SUBJECT ROAD CLOSURE – PORTION OF LAKE ROAD – 4295 VICTORIA AVENUE – LOUDON PARK**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval to close a portion of Lake Road at 4295 Victoria Avenue to support the Loudon Park Boat House Project.

### **Recommendation**

That:

1. Council authorize the road closure of a portion of Lake Road at 4295 Victoria Avenue;
2. "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" (To provide for highway closure and dedication removal of a portion of Lake Road at 4295 Victoria Avenue) pass first reading;
3. "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" pass second reading; and
4. Council direct Staff to proceed with public notice for the closure of a portion of Lake Road.

## **BACKGROUND**

Loudon Park, located at 4295 Victoria Avenue (Attachment A), is a popular spot year round for swimming, various paddling sports, walking and fishing. The park is home base for the Nanaimo Canoe and Kayak Club as well as Nanaimo Rowing Club.

Council has provided funding within the 2022-2026 Financial Plan for park improvements at Loudon Park. Part of the improvements that are planned is for the development of a new Loudon Boathouse (the "Boathouse") in partnership with the Rotary Club of Nanaimo North and the Long Lake Flatwater Training Center Society. Staff anticipate bringing a report to a future meeting for the Development Permit for the Boathouse for Council's consideration.

Loudon Park is legally situated on dedicated road right-of-way known as Lake Road. While legally a 'road', the land appears and is used as parkland. In 2018, Council provided approval to close a portion of Lake Road along Victoria Avenue, Wellesley and Apsley Avenue, adjacent to the Loudon Walkway. The road closure was required to raise titles to areas along the walkway where historical encroachments existed. A majority of those titles were then purchased by the upland owners while the walkway was preserved and is now a dedicated parcel of parkland.

The Development Permit for the Boathouse must be registered against a legally titled parcel of land. As the current area is 'road' and untitled, Staff are recommending completing a road closure bylaw process, as shown on Attachment B.



## **DISCUSSION**

Council has the authority to close roads within the municipality through the road closure bylaw process. Once adopted the bylaw can then be filed at the Land Title Office to create a title to the land. The park area will be consolidated with the titles to the parking lot area.

Staff have delivered notice to the operators of utilities whose transmission or distribution facilities or work Council considers will be affected. BC Hydro will require a statutory right-of-way over a part of the road closure area.

Should Council approval of the first and second reading of Highway Closure and Dedication Removal Bylaw 2022 No. 7246 be received Staff will publish a notice of intent as required by Section 40 in the *Community Charter*. The road closure bylaw will then be further presented to Council for third reading and adoption.

## **OPTIONS**

1. That:
  1. Council authorize the road closure of a portion of Lake Road at 4295 Victoria Avenue;
  2. "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" (To provide for highway closure and dedication removal of a portion of Lake Road at 4295 Victoria Avenue) pass first reading;
  3. "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" pass second reading; and
  4. Council direct Staff to proceed with public notice for the closure of a portion of Lake Road.
    - The advantages of this option: The road status will be removed through the road closure bylaw process and a title will be raised and the development permit can be legally registered. Loudon Park will have a dedicated title which will enable future improvements to be consistent with park use.
    - The disadvantages of this option: None identified.
    - Financial Implications: Surveying and Land Title costs are estimated at \$10,000 which will be paid out of Loudon Park Boathouse budget.
2. That Council deny the road closure of a portion of Lake Road at 4295 Victoria Avenue.
  - The advantages of this option: None identified.
  - The disadvantages of this option: The legal status of this portion of Lake Road will remain as road right-of-way and there will not be a legal title to the land which the development permit will be attached to. The Boathouse project will need to be redesigned or relocated to titled land.
  - Financial Implications: The City will incur additional design costs if the project is moved to a different location.

### **SUMMARY POINTS**

- Loudon Park located at 4295 Victoria Avenue is home base for the Nanaimo Canoe and Kayak Club as well as Nanaimo Rowing Club.
- Park improvements have been planned for the park including a new Loudon Boathouse in partnership with the Rotary Club of Nanaimo North and the Long Lake Flatwater Training Center Society. A Development Permit for the Boathouse will be presented to Council for consideration at a future meeting.
- Loudon Park is legally situated on dedicated road right-of-way known as Lake Road, however it appears like parkland and not road.
- The Development Permit for the Boathouse project must be registered against legally titled land and with the absence of the park having a title, the proposed road closure area must be closed through the road closure bylaw process.
- Council approval is being sought to provide first and second reading of the road closure bylaw to close a portion of Lake Road where Loudon Park is situated.

### **ATTACHMENTS:**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Lake Road Closure Area – Loudon Park  
Highway Closure and Dedication Removal Bylaw 2022 No. 7341

#### **Submitted by:**

Bill Corsan  
Director, Corporate and Business  
Development

#### **Concurrence by:**

Richard Harding  
General Manager, Parks, Recreation and  
Culture

ATTACHMENT A



 Subject Property

LOUDON PARK

ROAD CLOSURE - PORTION OF LAKE ROAD

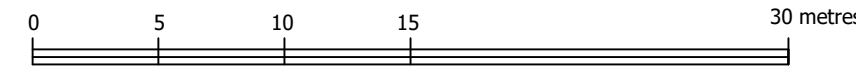


REFERENCE PLAN TO ACCOMPANY CITY OF NANAIMO HIGHWAY CLOSURE  
AND DEDICATION REMOVAL BYLAW 2022 NO. 7341 OF PART OF LAKE ROAD  
DEDICATED BY PLAN 318 WITHIN SECTION 5, WELLINGTON DISTRICT

PURSUANT to SECTION 120 of THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER.






BCGS 92F.030

SCALE 1:300



THE INTENDED PLOT SIZE OF THIS PLAN IS 864mm IN WIDTH BY 560mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:300

LEGEND

- |   |                            |
|---|----------------------------|
|  | CONTROL MONUMENT FOUND.    |
|  | NON-STANDARD POST FOUND.   |
|  | LEAD PLUG FOUND.           |
|  | STANDARD IRON POST FOUND.  |
|  | STANDARD IRON POST PLACED. |
| PNB   | PRESENT NATURAL BOUNDARY.  |
| TNB   | TITLED NATURAL BOUNDARY.   |

INTEGRATED SURVEY AREA No. 20, CITY OF NANAIMO. NAD83(CSRs) 3.0.0.BC.1.NVI.

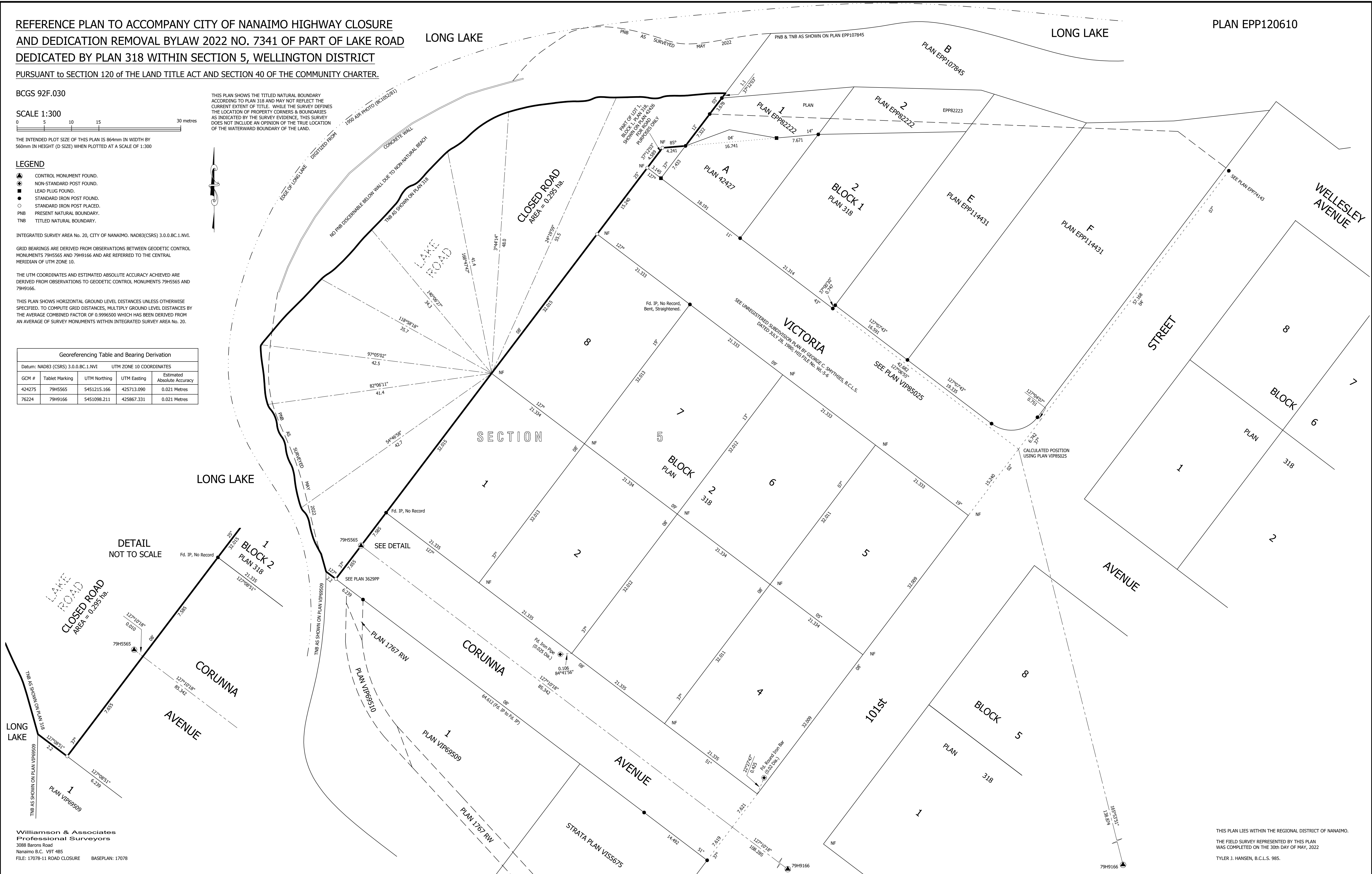
GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 79H5565 AND 79H9166 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM OBSERVATIONS TO GEODETIC CONTROL MONUMENTS 79H5565 AND 79H9166.

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9996500 WHICH HAS BEEN DERIVED FROM AN AVERAGE OF SURVEY MONUMENTS WITHIN INTEGRATED SURVEY AREA No. 20.

Georeferencing Table and Bearing Derivation				
Datum: NAD83 (CSRS) 3.0.0.BC.1.NVI			UTM ZONE 10 COORDINATES	
GCM #	Tablet Marking	UTM Northing	UTM Easting	Estimated Absolute Accuracy
424275	79H5565	5451215.166	425713.090	0.021 Metres
76224	79H9166	5451098.211	425867.331	0.021 Metres

THIS PLAN SHOWS THE TITLED NATURAL BOUNDARY  
ACCORDING TO PLAN 318 AND MAY NOT REFLECT THE  
CURRENT EXTENT OF TITLE. WHILE THE SURVEY DEFINES  
THE LOCATION OF PROPERTY CORNERS & BOUNDARIES  
AS INDICATED BY THE SURVEY EVIDENCE, THIS SURVEY  
DOES NOT INCLUDE AN OPINION OF THE TRUE LOCATION  
OF THE WATERWARD BOUNDARY OF THE LAND.



**Williamson & Associates**  
Professional Surveyors  
3088 Barons Road  
Nanaimo B.C. V9T 4B5  
FILE: 17078-11 ROAD CLOSURE      BASEPLAN: 17078

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NANAIMO.

THE FIELD SURVEY REPRESENTED BY THIS PLAN  
WAS COMPLETED ON THE 30th DAY OF MAY, 2022

TYLER J. HANSEN, B.C.L.S. 985.

CITY OF NANAIMO

BYLAW NO. 7341

A BYLAW TO PROVIDE FOR HIGHWAY CLOSURE AND DEDICATION REMOVAL

---

WHEREAS Council has deemed it expedient to stop up, close to traffic and remove highway dedication of a portion of Lake Road at 4295 Victoria Avenue for the purpose of consolidating the adjacent landowner's lands; and

WHEREAS all lands and premises immediately adjoining, and in the vicinity of the portion of highway that is stopped up and closed are adequately serviced by well-established highways giving convenient access to all such premises; and

WHEREAS pursuant to Sections 40(3) and (4) and Section 94 of the *Community Charter* the City of Nanaimo has published notice of its intention to adopt this Bylaw, has delivered notice to the operators of utilities whose transmission or distribution facilities or work Council considers will be affected, and has provided an opportunity for persons who consider they are affected to make representations to Council.

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

1. This Bylaw may be cited for all purposes as "Highway Closure and Dedication Removal (Portion of Lake Road at 4295 Victoria Avenue) Bylaw 2022 No. 7341".
2. Portion of Lake Road at 4295 Victoria Avenue comprising 0.295 ha more or less shown as "Road" on Plan EPP120610 prepared by Tyler Hansen, B.C.L.S., a reduced copy of which is attached as Schedule A hereto, is hereby closed to all traffic.
3. The highway dedication of a portion of Lake Road at 4295 Victoria Avenue referred to in Section 2 is hereby removed.
4. His Worship the Mayor and Corporate Officer are hereby authorized to execute all the necessary documents as may be required for the due completion of the aforesaid highway closure and dedication removal.

PASSED FIRST READING: \_\_\_\_\_

PASSED SECOND READING: \_\_\_\_\_

Notice of intention to proceed with this bylaw was published on the \_\_\_\_ day of \_\_\_\_\_, 2022 and \_\_\_\_ day of \_\_\_\_\_, 2022 in the Nanaimo News Bulletin newspaper, circulating in the City of Nanaimo, pursuant to Section 94 of the *Community Charter*.

PASSED THIRD READING: \_\_\_\_\_  
APPROVED BY MINISTRY OF TRANSPORTATION: \_\_\_\_\_  
ADOPTED: \_\_\_\_\_

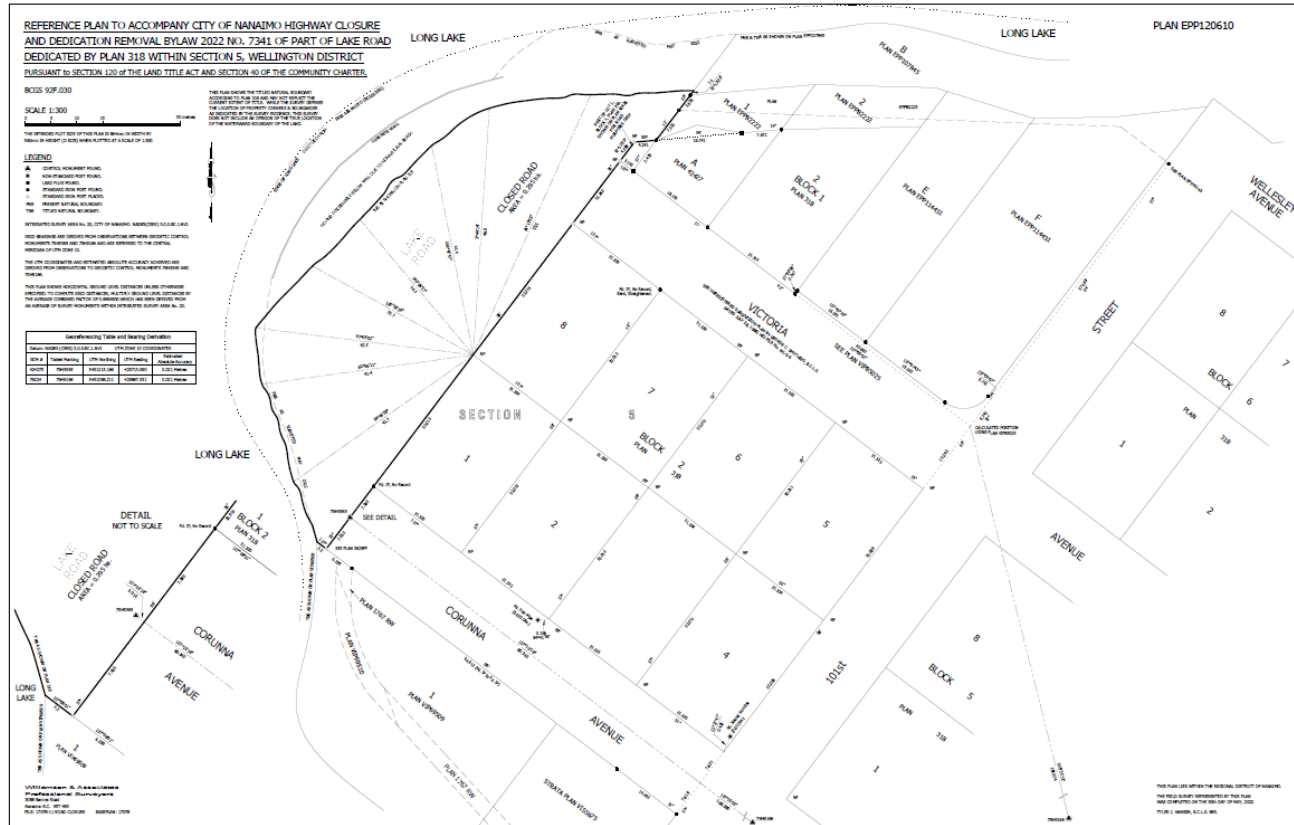
\_\_\_\_\_  
MAYOR

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

File: LD004179



## Schedule A



DATE OF MEETING June 20, 2022

AUTHORED BY TING PAN, MANAGER, SUSTAINABILITY  
DEANNA WALKER, FINANCE ANALYST

**SUBJECT COMMUNITY EMERGENCY PREPAREDNESS FUND APPLICATION**

## **OVERVIEW**

### **Purpose of Report**

To obtain a Council resolution supporting an application to the Community Emergency Preparedness Fund for the “Extreme Heat Risk Mapping, Assessment, and Planning” funding stream.

### **Recommendation**

That Council direct Staff to submit an application to the Community Emergency Preparedness Fund Extreme Heat Risk Mapping, Assessment, and Planning stream, and that Council commits to Staff providing overall grant management.

## **BACKGROUND**

The Community Emergency Preparedness Fund (CEPF) is of a suite of funding programs intended to enhance the resilience of local governments, First Nations, and communities in British Columbia. Funding is provided by the Province of BC and is administered by Union of BC Municipalities (UBCM).

The Extreme Heat Risk Mapping, Assessment, and Planning funding stream supports eligible applicants to ensure they have accurate knowledge of the risks associated with extreme heat and how these risks will change over time, and to develop effective response plans and strategies to prepare, mitigate, and adapt to those risks. One or more of the following components may be developed through this funding stream:

- Extreme Heat Risk Mapping
- Risk Assessments
- Planning – Extreme Heat Response Plans
- Planning – Extreme Heat Disaster Risk Reduction – Climate Adaptation Planning

All local governments and all First Nations are eligible to apply. Eligible applicants may submit one application per intake. Projects must be new, or in a subsequent phase of an existing extreme heat risk reduction-related project, capable of completion by the applicant within one year from the date of grant approval, and able to show that extreme heat risk assessments and disaster risk reduction-climate adaptation planning will consider climate change. The program can contribute 100% of the cost of eligible activities, to a maximum of \$30,000. Any other funding of eligible projects must be declared, and may decrease the value of the funding.

The grant application deadline is **2022-JUN-24**. Funding announcements will be announced within 90 days of the application deadline. The City of Nanaimo, pending Council's approval, intends to submit an application for an extreme heat risk mapping project to be carried out in 2022-2023. |

## **DISCUSSION**

The City of Nanaimo developed a *Climate Change Resilience Strategy* in 2020. The Strategy includes a priority action to develop an Extreme Heat Response Strategy. Staff in Planning and Emergency Management have been leading and collaborating on this work.

The BC Coroners Service report *Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021*, released on 2022-JUN-07, found that more than 80 per cent of those who died were on three or more chronic-disease registries; 67 percent were aged 70 or older; and those with mental-health or substance-use disorders were at higher risk for death. Almost all deaths (98 per cent) occurred indoors, and 56 per cent of those who died lived alone.

The funding would allow for mapping populations disproportionately at risk of extreme heat, and reviewing appropriate adaptive responses. This would include using the most recent findings from the Coroner's report to provide valuable insight and accurate knowledge specific to Nanaimo in order to refine the development of effective response plans. This project will complement and strengthen the ongoing work on the City's Extreme Heat Response Strategy development.

## **FINANCIAL CONSIDERATIONS**

Extreme heat risk mapping is not currently in the 2022-2026 Financial Plan. Estimated costs of this project are \$30,000.

The 2022-2026 Financial Plan would be amended to include extreme heat risk mapping contingent on a successful grant application. The proposed grant application would apply for funding of 100% of the project budget. |

## **OPTIONS**

1. That Council direct Staff to submit an application to the Community Emergency Preparedness Fund Extreme Heat Risk Mapping, Assessment, and Planning stream and that Council commits to Staff providing overall grant management.
  - The advantages of this option: Mapping extreme heat risk as soon as possible would improve the effectiveness of the heat response plans and ensure the City is better prepared to mitigate those risks before another extreme heat event occurs.
  - Financial Implications: Extreme heat risk mapping is not currently funded in the 2022-2026 Financial Plan. If the grant application is successful, the project would be 100% funded by the CEPF Fund program, and the 2022 – 2026 Financial Plan would be amended to include the project.
2. That Council provide alternative direction to Staff. |

### **SUMMARY POINTS**

- The CEPF Fund's Extreme Heat Risk Mapping, Assessment, and Planning stream provides 100% funding up to \$30,000 for eligible project costs.
- If successful, the funding will support an extreme heat risk mapping project to strengthen the City's Extreme Heat Response Strategy.
- The City may submit one application for this funding.
- Applications are due by 2022-JUN-24.

#### **Submitted by:**

Ting Pan  
Manager, Sustainability

Deanna Walker  
Financial Analyst

#### **Concurrence by:**

Lisa Bhopalsingh  
Director, Community Development

Laura Mercer  
Director, Finance

Tim Doyle  
Fire Chief, Nanaimo Fire Rescue

Jeremy Holm  
Acting General Manager, Development Services

DATE OF MEETING June 20, 2022

AUTHORED BY MATTHEW REMPEL, PLANNING ASSISTANT, CURRENT PLANNING

**SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP433  
– 5601 HAMMOND BAY ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development variance permit application to reduce the minimum lot depth and rear yard setback requirements for a proposed two-lot subdivision at 5601 Hammond Bay Road.

### **Recommendation**

That Council issue Development Variance Permit No. DVP433 at 5601 Hammond Bay Road with the following variances for proposed Lot 2:

- reduce the minimum lot depth requirement from 30.0m to 26.72m; and,
- reduce the minimum rear yard setback from 7.5m to 1.7m.

## **BACKGROUND**

A development variance permit application, DVP433, was received from Williamson & Associates Professional Surveyors on behalf of Sally Christiansson-Tannar, to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to reduce the minimum lot depth requirement and minimum rear yard setback for a proposed two-lot subdivision. These variances will allow the applicant to subdivide the property while retaining the existing single residential dwelling and clustering the remaining density on a portion of the parcel that is most practical for future development.

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

<i>Zoning</i>	R10 – Steep Slope Residential
<i>Location</i>	The subject property is located at the corner of Norasea Road and Hammond Bay Road
<i>Total Lot Area</i>	6,875m <sup>2</sup>
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use – Neighbourhood Map 3 – Steep Slope Development Area

The subject property is a through lot fronting Bradbury Road (unconstructed) to the south and Hammond Bay Road to the north. The southern portion of the lot is characterized by a steep 20 - 30% grade that gradually flattens towards Hammond Bay Road. The lot currently contains two single residential dwellings of which one will be removed. The surrounding land uses are predominately single residential dwelling lots.

Statutory Notification has taken place prior to Council's consideration of the variance.

## **DISCUSSION**

### **Proposed Development**

The applicant was issued a Preliminary Layout Approval (PLA) to subdivide the subject property into two fee-simple lots with Lot 1 hooked across the extension of Norton Road and Lot 2 fronting Norton Road. As a condition of the subdivision application (SUB01404), a lot depth variance and rear yard setback variance are required to retain the dwelling within proposed Lot 2 and maximize the remaining density within Lot 1 for a future multi-family development. Based on the lot area of proposed Lot 1, a maximum of nine units is permitted within the maximum density (16 units per hectare) of the R10 zone. The southern portion of Lot 1 is steeply sloped and heavily treed, and is not practical for development, therefore future development would be clustered on the northern portion of Lot 1 where the property is partially cleared and is not as topographically constrained. The applicant proposes to distribute eight of the nine units within the northern portion of proposed Lot 1 that abuts Hammond Bay Road and retain the existing dwelling within Lot 2.

### **Proposed Variances**

#### *Minimum Lot Depth Requirement*

The minimum lot depth required in the R10 zone is 30m. The applicant proposes to reduce the minimum lot depth requirement for proposed Lot 2 from 30m to 26.72m a variance of 3.28m. The proposed lot configuration meets or exceeds all other zoning requirements, including minimum lot frontage and lot area. The proposed lot depth variance will not negatively impact the residential use of the parcel.

#### *Minimum Required Rear Yard Setback*

The minimum required rear yard setback for a single residential dwelling in the R10 zone is 7.50m. The proposed rear yard setback is 1.70m, a variance of 5.80m. Through the subdivision, a *Land Title Act* Section 219 covenant will be registered on the southern portion of Lot 1 to retain this area as future green space (undisturbed) for the multi-family development; and to ensure that the spatial separation requirements for the existing dwelling on Lot 2 will meet BC Building Code. The variance is not anticipated to negatively impact surrounding properties as the reduced rear yard setback is adjacent a portion of proposed Lot 1 that will be retained as green space and will remain undeveloped.

The proposed lot configuration with these variances enables the development to achieve the maximum number of units permitted by zoning for Lot 1 (eight units) and Lot 2 (one existing dwelling unit), with adequate building envelopes; and to cluster the units within the most developable portion of the site which is consistent with the intent of the R10 zoning.

Facilitating the proposed subdivision of the subject property will also allow infill in an existing neighbourhood in accordance with the Neighbourhood policies in the Official Community Plan (OCP), with density concentrated on flatter portions of the site while steep slope areas remain undeveloped.

Staff support the proposed variances.



### **SUMMARY POINTS**

- Development Variance Permit Application No. DVP433 proposes a variance to reduce the minimum lot depth requirement and rear yard setback for a proposed two-lot subdivision of the subject property.
- The proposed variances are required to cluster the permitted density within the portion of the lot that has the least topographical constraints and most viable for development.
- Despite the reduced lot depth and rear yard setback, the proposed lots will exceed other requirements of the R10 zone and provide adequate building envelopes for the intended residential use.

### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Context Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Proposed Subdivision Plan  
ATTACHMENT E: Aerial Photo

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services  
/ Deputy CAO

# **ATTACHMENT A**

## **PERMIT TERMS AND CONDITIONS**

### **TERMS OF PERMIT**

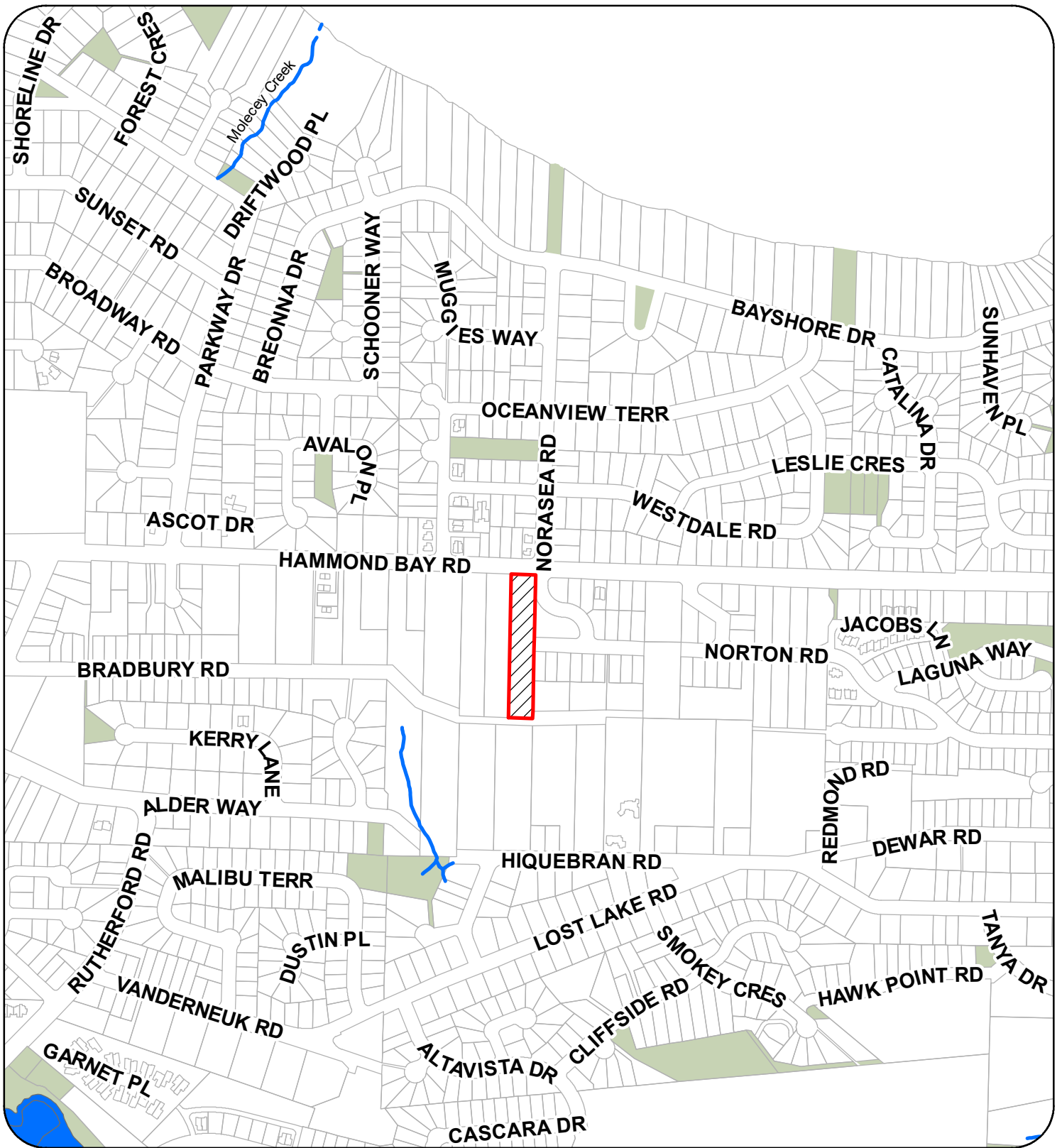
The “City of Nanaimo Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.4.1 Lot Size and Dimensions* – to reduce the minimum required lot depth from 30.0m to 26.72m for proposed Lot 2.
2. *Section 7.5.1 Siting of Buildings* – to reduce the minimum rear yard setback from 7.5m to 1.7m for proposed Lot 2.

### **CONDITIONS OF PERMIT**

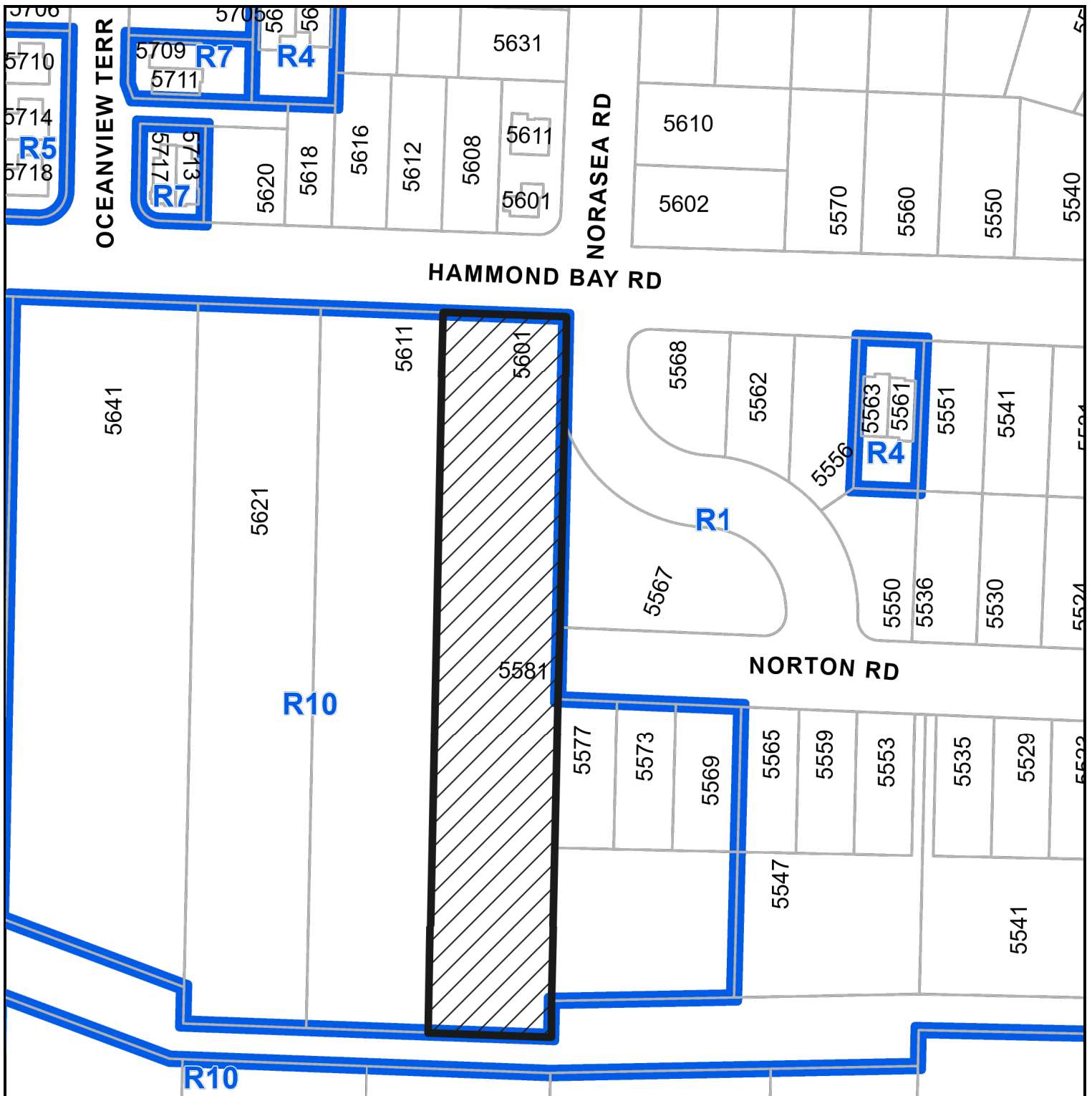
1. The subject property shall be developed in accordance with the Proposed Subdivision Plan, prepared by Williamson & Associates Professional Surveyors, dated 2022-JAN-25, as shown in Attachment D.

# ATTACHMENT B CONTEXT MAP



5601 HAMMOND BAY ROAD

# ATTACHMENT C LOCATION PLAN



**DEVELOPMENT VARIANCE PERMIT NO. DVP00433**

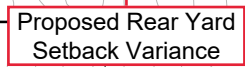


**Subject Property**

CIVIC: 5601 HAMMOND BAY ROAD

LEGAL: LOT 3, DISTRICT LOT 38, WELLINGTON DISTRICT, PLAN 13448

Existing House  
to be Retained



# NOTES

DISTANCES AND ELEVATIONS ARE IN METRES. ELEVATIONS ARE DERIVED FROM INTEGRATED SURVEY CONTROL MONUMENTS.


THIS PLAN REPORTS TO POSITION ONLY THE ACTUAL AND / OR PROPOSED WATERSHEDS(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES OF ONE OR APPURTINENT TO THE SUBJECT PARCELS(S).

THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY ACTUAL OR PROPOSED IMPROVEMENTS(S) RELATIVE TO ANY BOUNDARY OF OR APPURTINENT TO THE SUBJECT PARCELS(S).

AREAL IMAGE IS CITY OF NANAIMO 2018 ORTHOPHOTOGRAPHY. CONTOURS ARE DERIVED FROM 2009 CITY OF NANAIMO LEAD SURVEY.

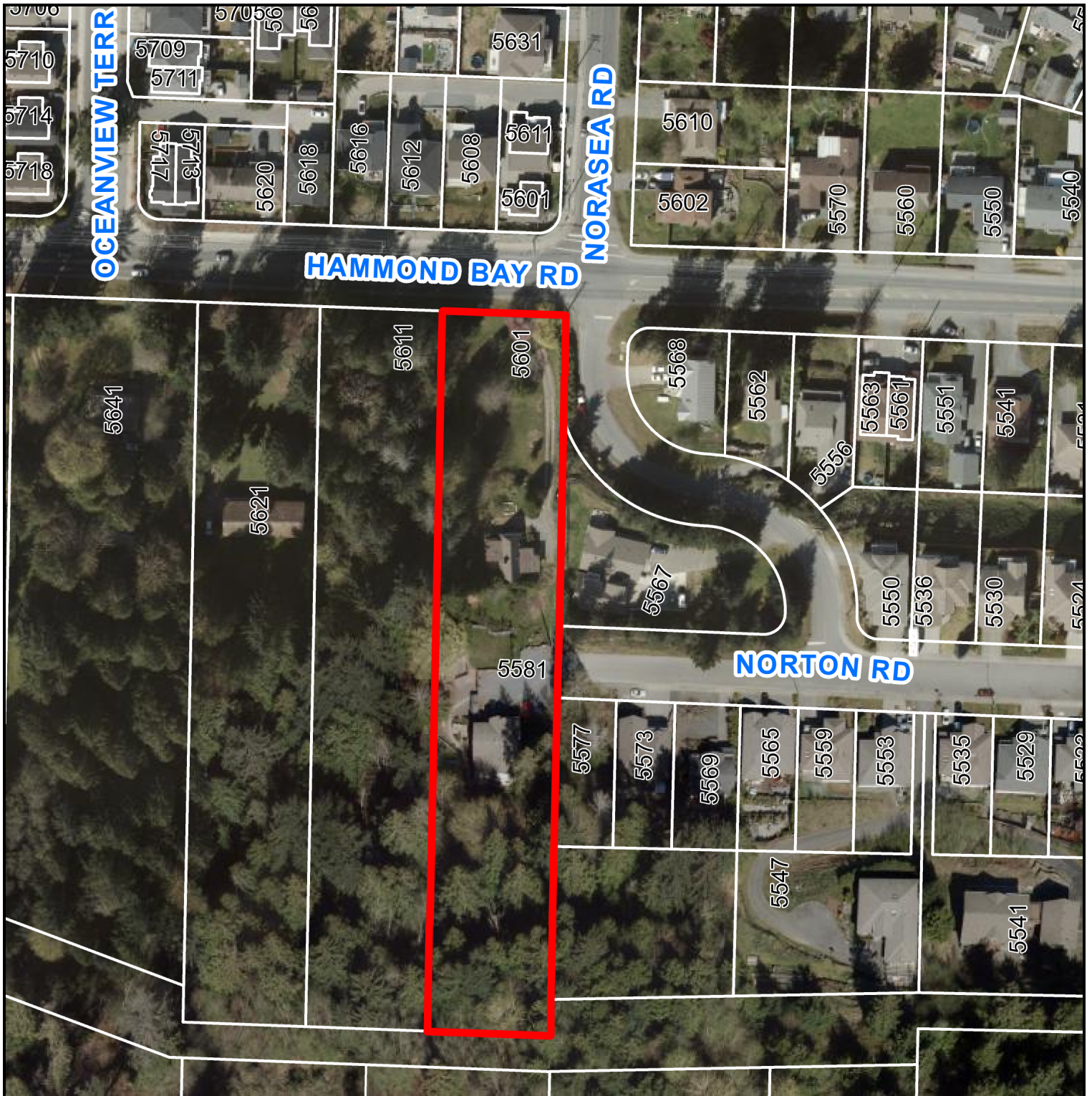
LOT ALLOCATIONS AND AREAS ARE DERIVED FROM FIELD SURVEY.

THIS PLAN MAY BE SUBJECT TO REGISTERED CHARGES & PERMITS:  
STATUTORY RIGHT OF WAY EASEMENT, DRINKAGE EASEMENT AND RECREATION;  
THIS PLAN DOES NOT PURPORT TO VERIFY COMPLIANCE WITH THE RESTRICTIONS THEREIN.

PROJECT:	5601 HAMMOND BAY ROAD - R10 STEEP SLOPE SUBDIVISION.	
CLIENT:	SALLY CHRISTIANSSON-TANNAR	
DRAWING:	PROPOSED SUBDIVISION PLAN	
DATE: JULY 30/20	 <p><b>WILLIAMSON &amp; ASSOCIATES</b> PROFESSIONAL SURVEYORS</p> <p>3088 BARONCE ROAD NANNINO B.C. V6T 4B5 PHONE: (250) 796-7723 FACSIMILE: (250) 796-7724 EMAIL: WAND@MILLICOLLE</p>	
SCALE: 1:250		
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PAGE: 1 OF 1		



ATTACHMENT E  
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT NO. DVP00433



5601 HAMMOND BAY ROAD



## Delegation Request

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

Brock Williamson requested an appearance before the Council 2022-JUN-20.

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: Yes

Details of the Presentation: To make myself and my client available to answer any questions Council may have and have material available to illustrate our variance request if required.

DATE OF MEETING June 20, 2022

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

**SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP434  
– 6135 McGIRR ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development variance permit to allow a freestanding LED sign at 6135 McGirr Road.

### **Recommendation**

That Council issue Development Variance Permit No. DVP434 at 6135 McGirr Road with a variance to allow the proposed freestanding LED sign.

## **BACKGROUND**

A development variance permit application, DVP434, was received from the Nanaimo-Ladysmith School District (SD68) to vary the provisions of the City of Nanaimo "Sign Bylaw 1987 No. 2850" (the "Sign Bylaw") to permit a freestanding LED sign at 6135 McGirr Road with two LED sign faces.

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

<i>Zoning</i>	CS1 – Community Service Zone One
<i>Location</i>	The subject property is located on the north side of Hammond Bay Road and the west side of McGirr Road.
<i>Total Lot Area</i>	7.5ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use – Corridor

The subject property is the site of Dover Bay Secondary School located in the Dover neighbourhood. Surrounding properties are primarily low-density residential uses to the west, east (across McGirr Road), and south (across Hammond Bay Road), with the McGirr Sports Fields located to the north.

Statutory Notification has taken place prior to Council's consideration of the variance.

## **DISCUSSION**

### **Proposed Development**

The proposed freestanding LED sign will be located on the subject property's McGirr Road frontage near the vehicle entry for the site. An existing freestanding sign on the Hammond Bay

Road frontage will be removed. This sign was installed in the 1990s and is located at the back of the school where there is no entrance.

The proposed sign is 4.52m in height, mounted on a concrete footing, and contains an LED automated changeable copy area (2.97m<sup>2</sup> in area) on each side of the sign, one facing north and one facing south. The proposed sign complies with the City's Sign Bylaw for size but requires a variance to allow the LED portion of the sign.

## **Proposed Variance**

### *LED / Animated Signs*

The Sign Bylaw does not allow for LED/animated signs except to display digital time, temperature, and/or gas price information. On 2011-FEB-14, Council adopted the LED/Animated Signs Development Variance Permit Guidelines (the "Guidelines", see Attachment F). The Guidelines assist Council and Staff when evaluating Development Variance Permit applications for LED/animated signs.

The Guidelines suggest that no more than one LED/animated sign should be considered per lot and the maximum area of the sign should not exceed 9.29m<sup>2</sup>. Staff reviewed the proposed sign and determined that the sign is supportable and meets the intent of the Guidelines as follows:

- The proposed LED sign area (both faces combined) is 5.94m<sup>2</sup>;
- The sign will be located onsite near the school parking entrance (4m away from the public sidewalk;
- The LED sign copy will include static image display only with limited transitions and automatic dimming display based on weather conditions and time of day;
- The LED sign will be covered with a solar film to minimize glare; and,
- The LED sign will be oriented away from the residential dwellings on the opposite side of McGirr Road and will be turned off between the hours of 10:00PM and 6:00AM.

The operational requirements of the Guidelines will be stipulated through the development variance permit conditions and in the required sign permit.

By removing the existing freestanding sign on Hammond Bay Road and replacing it with the freestanding LED sign on McGirr Road, Dover Bay Secondary School will be able to more effectively identify the school's entrance and communicate information to staff, students, parents, and the public without the need to manually update the existing static sign.

The applicant has advised that the proposed design of the freestanding sign was selected to deter potential graffiti and/or vandalism; and low maintenance landscaping will be installed around the base of the sign.

Staff support the proposed variance.

### **SUMMARY POINTS**

- Development Variance Permit Application No. DVP434 proposes a variance to allow an LED/animated sign for Dover Bay Secondary School at 6135 McGirr Road.
- The proposed freestanding sign will contain two 2.97m<sup>2</sup> LED sign faces.
- Staff support the proposed variance.

### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions

ATTACHMENT B: Context Map

ATTACHMENT C: Location Plan

ATTACHMENT D: Site Plan

ATTACHMENT E: Sign Drawings

ATTACHMENT F: LED / Animated Signs – Development Variance Permit Guidelines

ATTACHMENT G: Aerial Photo

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services  
/ Deputy CAO

# **ATTACHMENT A**

## **PERMIT TERMS AND CONDITIONS**

### **TERMS OF PERMIT**

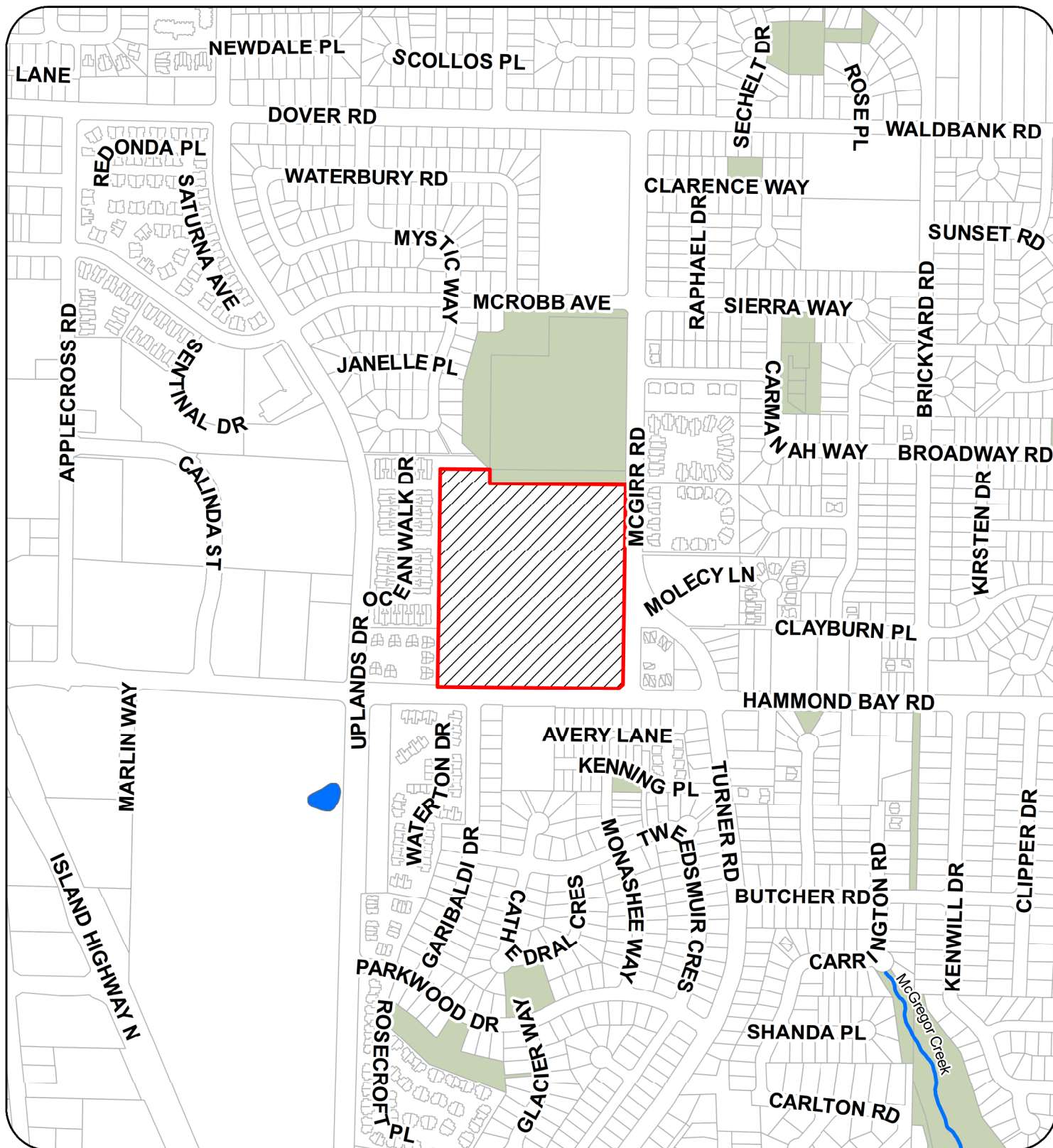
The City of Nanaimo "SIGN BYLAW 1987 NO. 2850" is varied as follows:

1. *Section 3(22) General Provisions* – to allow an LED sign substantially as shown on Attachment E.

### **CONDITIONS OF PERMIT**

1. The proposed freestanding sign shall be located generally as shown on the Site Plan received 2022-MAY-31, as shown in Attachment D.
2. The proposed freestanding sign shall be constructed substantially in compliance with the Sign Drawings received 2022-MAR-16, as shown in Attachment E.
3. The LED portions of the proposed sign are limited to static images only which must be displayed for a minimum display period of six seconds per image. The use of animation effects to transition from one static image to the next will be permitted. Maximum transition time is three seconds. Continuous video, flashing or scrolling type signs are not permitted.
4. The LED portions of the proposed sign must include automatic dimming so that light intensity levels are automatically adjusted based on current weather conditions and the time of day.
5. The brightness level of the LED portions of the proposed sign shall not be more than 0.3 foot candles over ambient levels, as measured using a foot candle meter at a distance of 30m from the face of the sign.
6. The LED portions of the proposed sign must be turned off between the hours of 10 p.m. and 6 a.m.
7. The existing freestanding sign on the Hammond Bay Road frontage is to be removed with the installation of the proposed sign.
8. Low maintenance landscaping is to be installed at the base of the proposed freestanding sign.

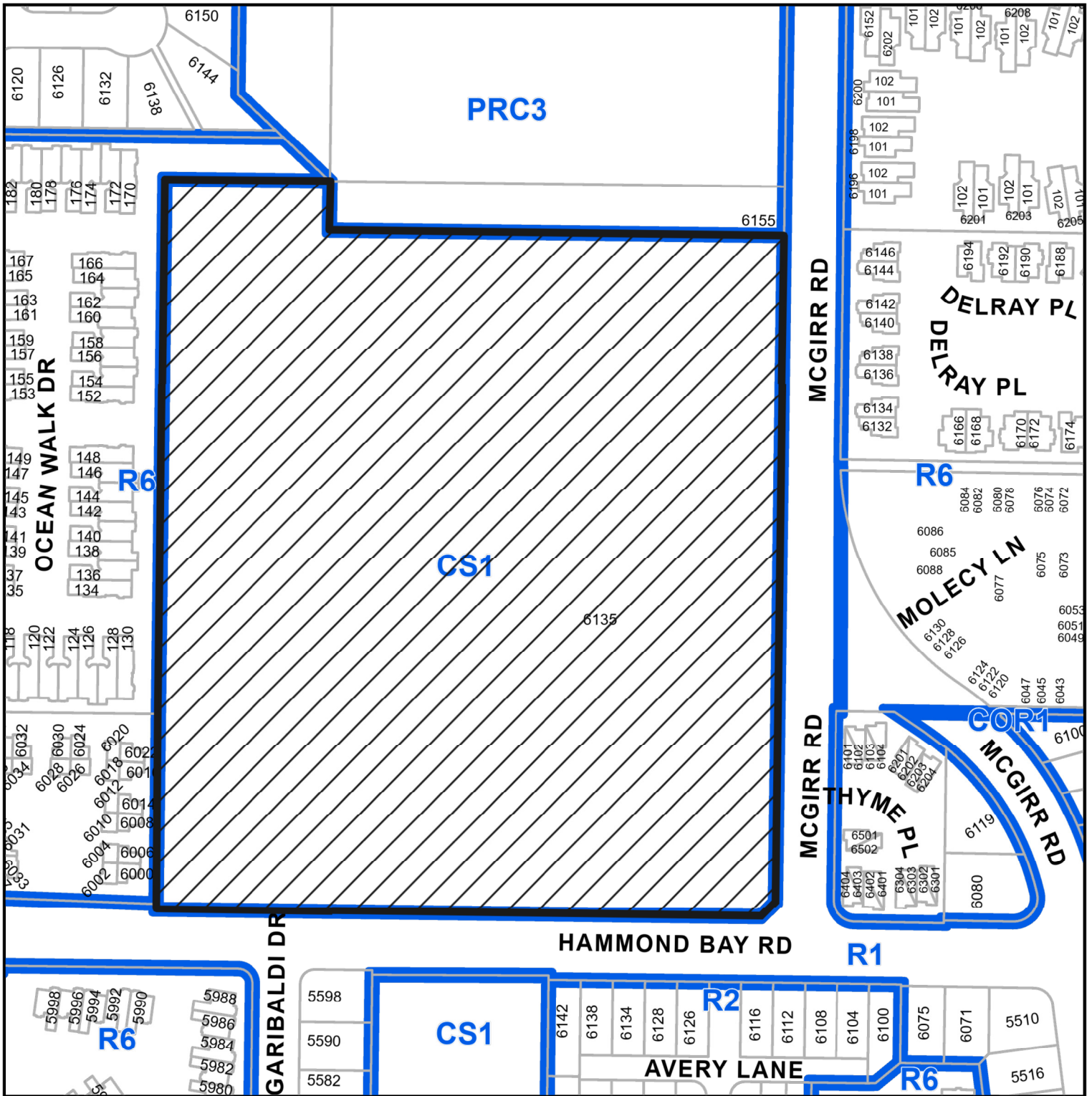
# ATTACHMENT B CONTEXT MAP



6135 MCGIRR ROAD



# ATTACHMENT C LOCATION PLAN



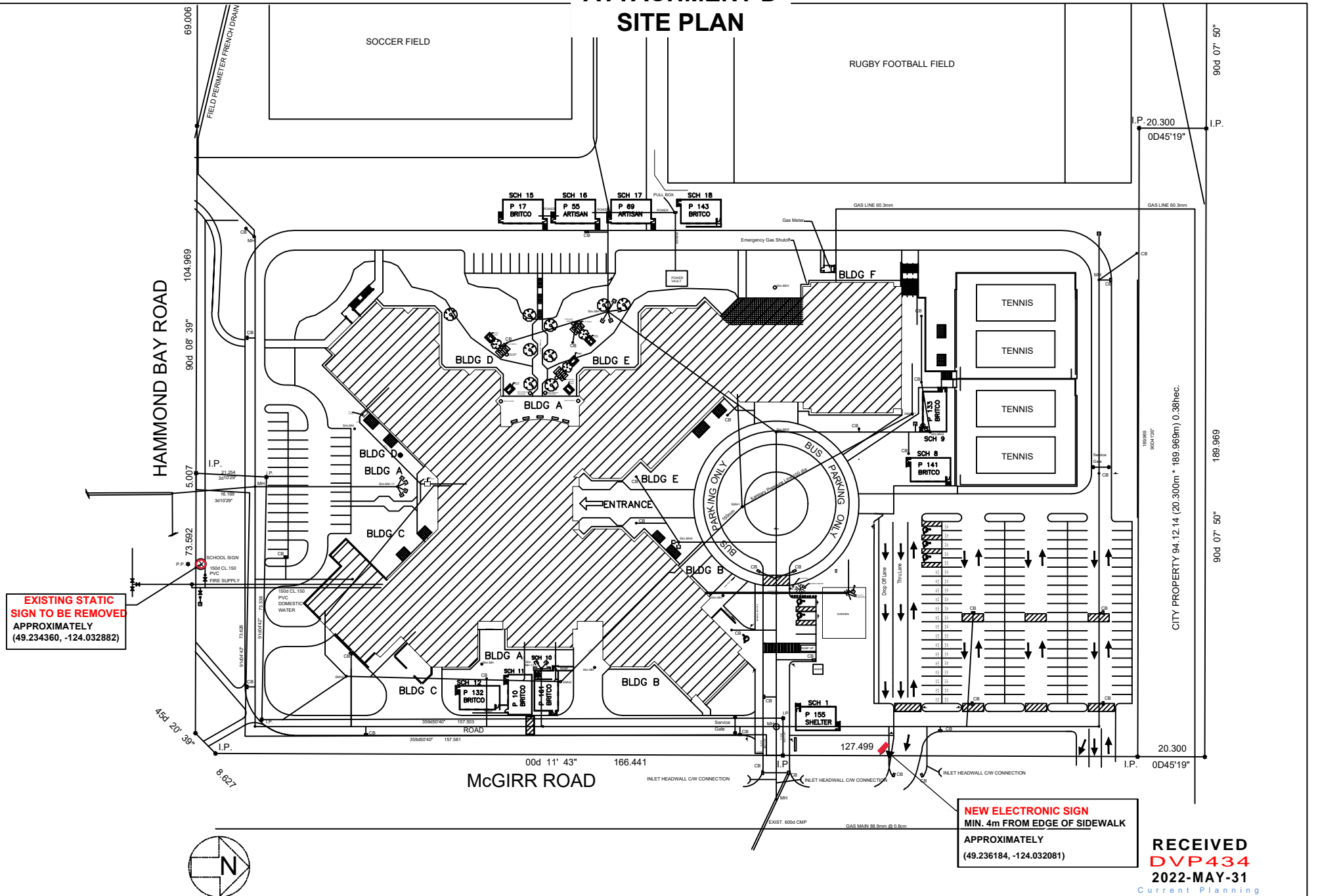
**Subject Property**

**DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00434**

CIVIC: 6135 MCGIRR ROAD

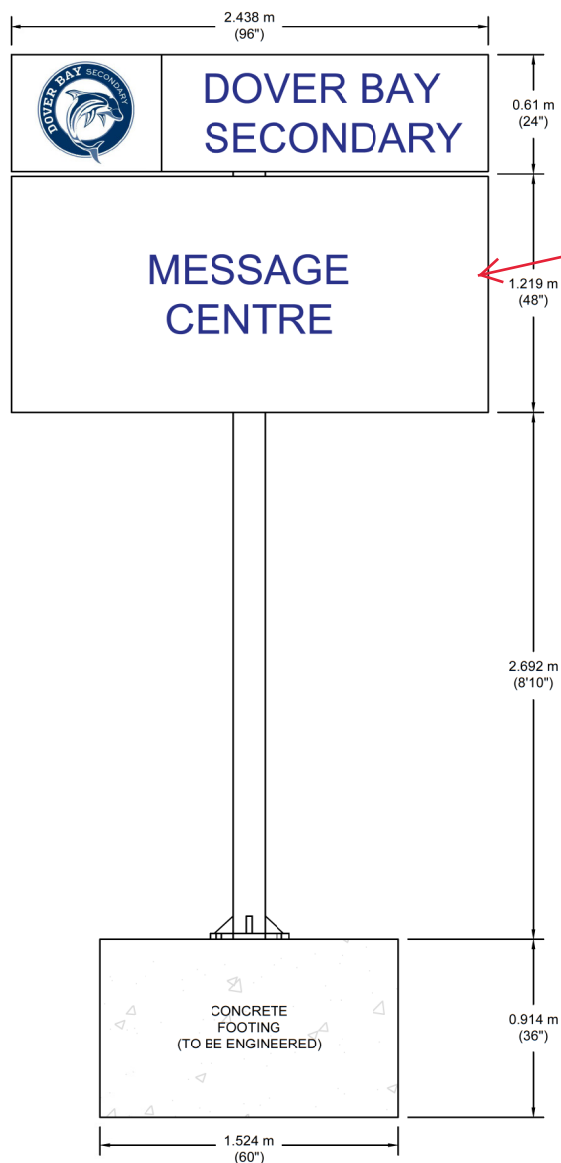
LEGAL: LOT A, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP52017  
EXCEPT PART IN PLAN VIP68657

# ATTACHMENT D SITE PLAN

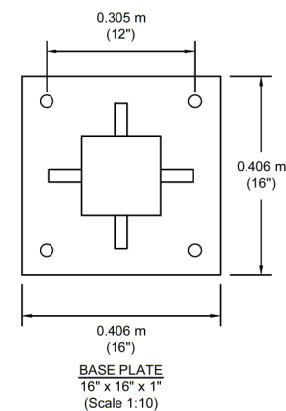
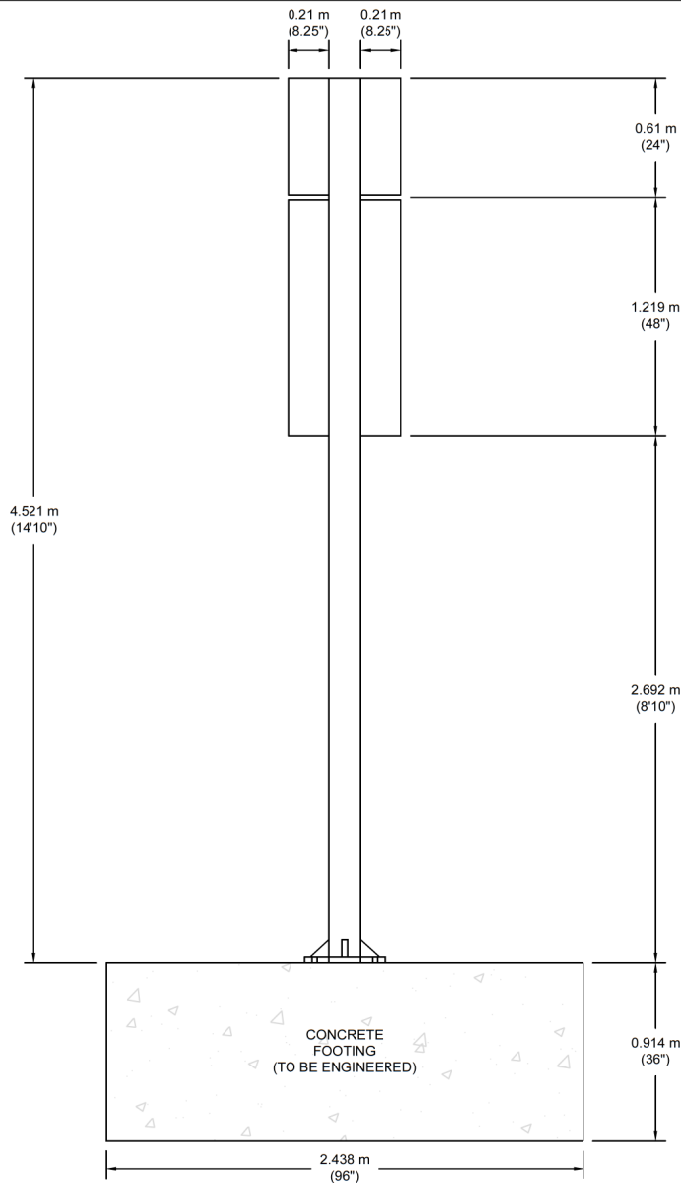


SCHOOL:	ADDRESS:	DRAWING TITLE:	DATE:	SHEET SIZE:	DESIGN BY:
DOVER BAY SECONDARY	6135 McGIRR ROAD NANAIMO, BC V9V 1M4	SCHOOL SIGN	-	8.5 x 11	-
			SCALE:	SHEET #:	APPROVED BY:
			1:1500	1	-

# ATTACHMENT E SIGN DETAIL



Proposed LED  
sign area



**RECEIVED**  
**DVP434**  
**2022-MAR-16**  
Current Planning



SCHOOL	ADDRESS	DRAWING TITLE	DATE:	SHEET SIZE:	DRAWN BY:	NOTE:
DOVER BAY SECONDARY	6135 MCGIRR ROAD NANAIMO, BC, V9V 1M1	SCHOOL SIGN	-	11 x 17	LG	These drawings are the exclusive property of the Nanaimo Ladysmith Public Schools. These drawings are for Educational and / or Maintenance purposes of structures owned by them. Any questions or concerns should be directed to the Facilities Department for clarification. 250-741-5244
			SCALE:	SHEET#:	APPROVED BY:	
			1:25	1	-	

**ATTACHMENT F**  
**LED / ANIMATED SIGNS - DEVELOPMENT VARIANCE PERMIT GUIDELINES**



## **LED / ANIMATED SIGNS**

### **Guidelines / Operational Requirements to be Considered as Part of the Development Variance Permit Application Process**

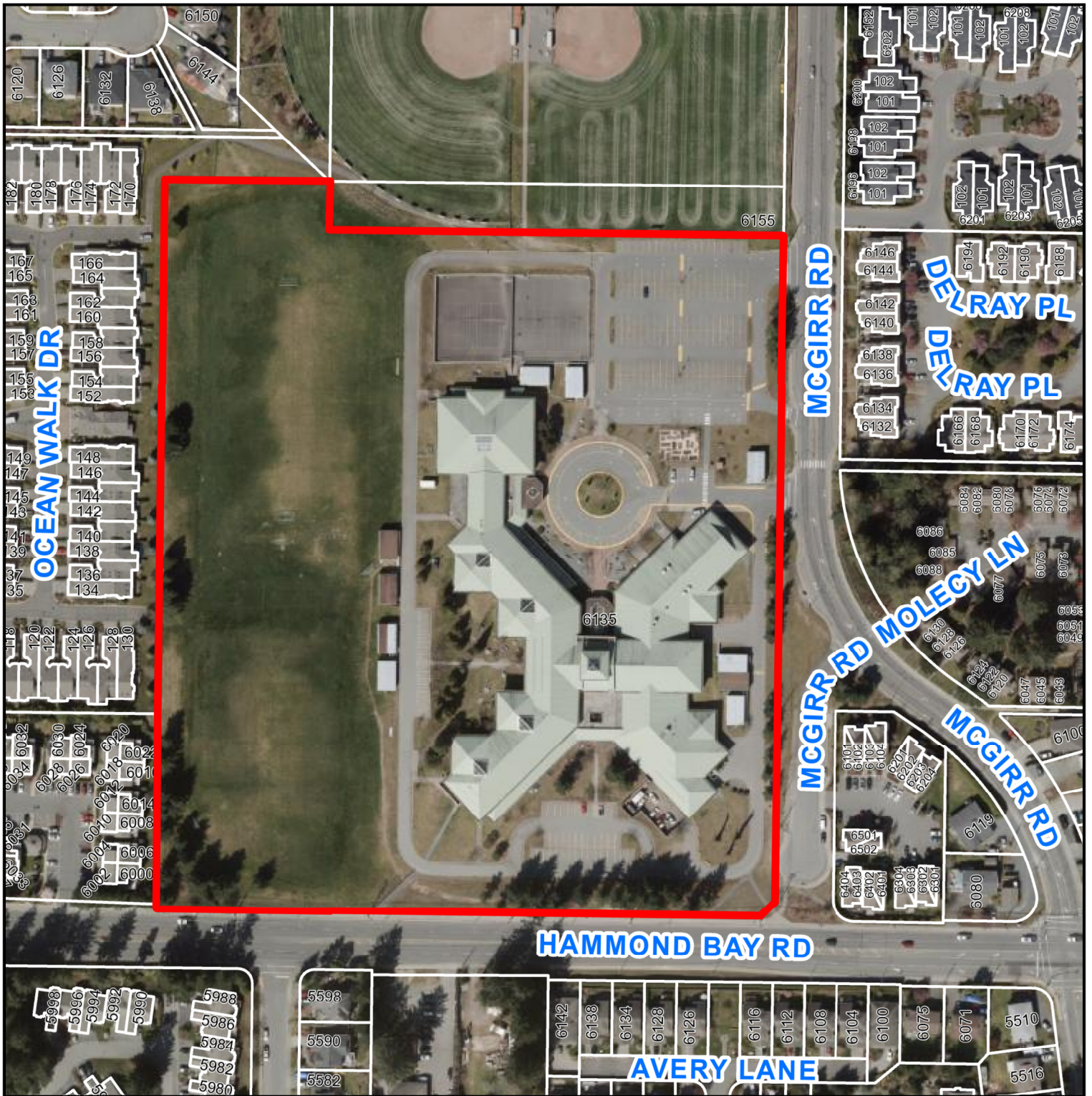
---

The following are to be considered by applicants and used by staff and Council when evaluating DVP applications for LED / animated signs:

1. LED / animated signs that are only visible inside a building do not require a permit.
2. The maximum size of the LED / animated sign is 9.29m<sup>2</sup> (100ft<sup>2</sup>) and no more than one LED / animated sign shall be permitted per lot.
3. Window LED / animated signs are permitted up to 50 percent of the window area in which it is situated.
4. No LED / animated sign shall be permitted unless it can be demonstrated not to be a nuisance that distracts or impairs safe vehicle operation.
5. No LED / animated signs shall be permitted on properties fronting or adjacent to the Nanaimo Parkway.
6. Sign copy is limited to static images only which must be displayed for a minimum display period of six seconds per image. The use of animation effects to transition from one static image to the next will be permitted. Maximum transition time is three seconds. Continuous video, flashing or scrolling type signs are not permitted.
7. All LED / animated signs must include automatic dimming so that light intensity levels are automatically adjusted based on current weather conditions and the time of day.
8. The brightness level of all LED / animated signs shall not be more than 0.3 foot candles over ambient levels, as measured using a foot candle meter at a distance of 30m (98.42ft) from the face of the sign.
9. Where a residential dwelling is located within 30m (98.42ft) of the sign face, and for all LED / animated signs on lands zoned Institutional, the sign must be turned off between the hours of 10pm and 6am. Where the business is open past 10pm, the LED sign may remain functional until the close of business hours. An application should provide evidence to demonstrate no conflict will occur with any adjacent residential development.
10. Third-party advertising, except not-for-profit organizations or events, is not permitted except on LED / animated signs located on City-owned property. Third-party advertising for malls is permitted for tenants advertising on the subject property only.



# ATTACHMENT G AERIAL PHOTO



**DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00434**



**6135 MCGIRR ROAD**

DATE OF MEETING June 20, 2022

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

**SUBJECT DEVELOPMENT PERMIT APPLICATION NO. DP1252  
– 515, 529, & 635 TERMINAL AVENUE NORTH**

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration a development permit application for a multi-family residential development at 515, 529, and 635 Terminal Avenue North.

### **Recommendation**

That Council issue Development Permit No. DP1252 for a multi-family residential development at 515, 529, and 635 Terminal Avenue North with a variance to increase the maximum permitted building height from 14.0m to 15.5m.

## **BACKGROUND**

A development permit application, DP1252, was received from Matthew T. Hansen Architect, on behalf of 1302793 BC Ltd. to permit a 69-unit multi-family residential building at 515, 529, and 635 Terminal Avenue North.

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

<i>Zoning</i>	Mixed Use Corridor (COR2)
<i>Location</i>	The subject properties are located on the west side of Terminal Avenue, just north of its intersection with Townsite Road.
<i>Total Area</i>	3,571m <sup>2</sup>
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Corridor Map 3 – Development Permit Area DPA No. 7 – North Terminal Avenue Area; 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, Newcastle + Brechin Neighbourhood Plan Urban Design Framework and Guidelines

The subject properties are located in the Newcastle Neighbourhood, between Terminal Avenue to the east and the Island Rail Corridor to the west. The properties slope downhill approximately 5m from west to east towards Terminal Avenue. The three lots each currently contain a single residential dwelling with accessory buildings. All existing buildings will be removed and the three lots will be consolidated as part of the proposed development.



The surrounding neighbourhood consists of a mix of commercial and residential uses. Adjacent land uses include single residential dwellings across the railway to the west, an office business to the north, offices and single residential dwellings across Terminal Avenue to the east, and a motel with an accessory restaurant to the south. Recent nearby developments include a mixed-use commercial and residential development at 679 Terminal Avenue completed in 2009 and a 121-unit multi-family residential building at 775 Terminal Avenue completed in 2013. Commercial services are located within walking distance along Terminal Avenue in both directions from the subject properties.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to construct a six-storey multi-family residential building with 69 dwelling units. The proposed unit composition is as follows:

<b>Unit Type</b>	<b>Number of Units</b>
Studio / Micro	24
One-Bedroom	41
Two-Bedroom	4

The proposed gross floor area is 4,482m<sup>2</sup> and the total Floor Area Ratio (FAR) will be 1.26. The maximum base FAR in the COR2 zone is 1.25, with the opportunity for additional density equal to 0.25 multiplied by the percentage of the total parking spaces provided underground. With 61% of the total parking proposed underground, the development will gain an additional 0.15 FAR, for a total maximum permitted FAR of 1.40.

### *Site Design*

The proposed building is oriented towards Terminal Avenue with two levels of parking, one underground, at the rear of the building. Being located within the North Terminal Avenue Development Permit Area (DPA7), new developments are expected to have restricted access from Terminal Avenue, and a north-south laneway running parallel to Terminal Avenue will be developed. Access for a future lane was previously secured through the parking areas at 679 and 775 Terminal Avenue. As a condition of the permit for the proposed development, a drive aisle between the proposed building and the parking area will be secured by a 7m-wide Statutory Right-of-Way for a future lane. The lane will not be connected to the north or south until such time as those adjacent lots redevelop.

Vehicle access to the site will be via a drive aisle from Terminal Avenue on the south side of the building. Direct access to Terminal Avenue will be closed at such a time in the future when the north-south lane is opened to connect with Cypress Street and/or Townsite Road. An upper level of parking will be provided at-grade to the rear of the building and the remaining parking will be provided below-grade, and will be accessed via a ramp from the internal drive aisle. All required parking (83 spaces) and short and long-term bicycle parking are proposed onsite. A refuse receptacle enclosure is proposed on the surface parking level.

The principal building entrance and ground floor units facing Terminal Avenue will have direct connections to the sidewalk, and a secondary entrance will face the parking level to the rear. Pedestrian routes between the sidewalk and the parking area are proposed at either end of the building. Two common outdoor amenity spaces are proposed to the rear of the site.

### *Building Design*

The building design and massing reflects the Newcastle + Brechin Neighbourhood Plan Urban Design Framework and Guidelines and incorporates heritage elements. The building will present a stepped six-storey façade on the east elevation facing Terminal Avenue and a five-storey façade on the west elevation. A significant covered entryway will be featured at the centre of the building facing the street.

The building massing is stepped back from Terminal Avenue, with a 1.5m setback above the second storey and an additional 2m setback above the fourth storey. The two-storey massing will be visually supported by columns and the four-storey massing will be flanked by prominent brick-clad sections of building. The roofline of the fourth floor will be the most conspicuous when viewed from the street, and the variety of rooflines and massing will offer significant visual interest. The uppermost floor of the building will also be stepped back substantially from the north and south property lines.

The exterior building cladding will feature a mix of brick cladding and cementitious panel siding. Building materials will be accented by dark fascia and trim, and wood soffits and panels. All units will have either a private patio or balcony.

### *Landscape Design*

The proposed landscape plan includes a landscape buffer and eight trees along the front property line. An additional 27 trees are proposed throughout the site and parking area. Other planting is proposed around the outdoor amenity areas, next to the underground parking ramp, at the rear of the building, and within a buffer along the north property line. The north landscape buffer will consist primarily of a yew hedge, additional plantings of kinnikinnick, honeysuckle, and lavender. The common outdoor amenity areas include a lawn and dog-walking area located in the northwest corner of the site, and a pergola with seating in the southwest corner. Each of the private ground-level patios facing Terminal Avenue will have a gated entry, privacy screens, and a small hedge and lawn. Site lighting is provided on the building, along pathways, and within the parking amenity areas.

In addition, a future landscape plan was prepared for the south side of the proposed building, where the interim vehicle access is proposed and will be converted to landscaping when the future lane is opened. Future landscaping in this area will include seating and a walkway.

### **Design Advisory Panel**

The Design Advisory Panel (DAP), at its meeting held on 2022-JAN-13, accepted DP1252 as presented with support for the proposed building height variance. The following recommendations were provided:

- Consider adding pedestrian links to the amenity spaces at the rear of the property;

- Give consideration to adding a rooftop deck/green roof, or if not possible consider adding features to the amenity spaces;
- Consider adding evergreen trees to the tree planting palette; and,
- Consider an alternate to the proposed corrugated metal fencing on the Terminal Avenue side of the building.

The applicant subsequently revised the development proposal in response to the DAP recommendations with the following changes:

- A pedestrian connection across the parking area to the amenity space in the rear was added;
- In lieu of a rooftop amenity space, the outdoor amenity space in the rear was expanded and a pergola with seating was added;
- Eight additional evergreen trees were added to the planting plan; and,
- A corrugated metal fence proposed along the front property line was replaced with a black aluminium picket fence.

## **Proposed Variance**

### *Maximum Building Height*

The maximum permitted building height in the COR2 zone is 14.0m. The proposed building height is 15.5m, a requested variance of 1.5m. Where at least 75% of the required parking area is located below or beneath a building in the COR2 zone, an additional 4.0m of height is permitted. The proposed development includes only 61% of the required parking underground and is thus not eligible for additional building height without a variance request.

The applicant is requesting the building height variance in order to accommodate the stepped building design on a sloping site. Building height is measured from the average grade as calculated at the outermost corners of the building. The proposed building is situated within the lower elevation of the site to minimize view impacts on properties to the west. The perceived building massing will be stepped back above the second and fourth floors facing Terminal Avenue, and the uppermost floor will be stepped back from adjacent properties to the north and south to reduce the perceived height. The applicant has also provided a view analysis (Attachment I) to demonstrate the massing of what could otherwise be constructed (a six-storey building with 75% underground parking) on the site without a height variance.

The proposed development meets the intent of the applicable design guidelines, and Staff support the proposed building height variance.

### **SUMMARY POINTS**

- Development Permit Application No. DP1252 is for a six-storey 69-unit multi-family residential building at 515, 529, and 635 Terminal Avenue North.
- A 7m-wide Statutory Right-of-Way will be secured across the rear of the subject site for a future lane parallel to Terminal Avenue.
- A variance is requested to increase the maximum permitted building height from 14.0m to 15.5m, 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 and Details  
ATTACHMENT F: Cross-Sections  
ATTACHMENT G: Streetscape  
ATTACHMENT H: Building Renderings  
ATTACHMENT I: View Analysis  
ATTACHMENT J: Landscape Plan and Details  
ATTACHMENT K: Aerial Photo

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services  
/ Deputy CAO

# **ATTACHMENT A**

## **PERMIT TERMS AND CONDITIONS**

### **TERMS OF PERMIT**

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

1. *Section 9.7.1 Size of Buildings* – to increase the maximum allowable building height from 14.0m to 15.5m.

### **CONDITIONS OF PERMIT**

1. The subject property is developed generally in accordance with the Site and Parking Plans prepared by Matthew T Hansen Architect, dated 2022-MAY-23, as shown on Attachment D.
2. The development is in substantial compliance with the Building Elevations and Details prepared by Matthew T Hansen Architect, dated 2022-JUN-01 and 2022-MAY-23 as shown on Attachment E.
3. The development is in substantial compliance with the Landscape Plan and Details prepared by Prospect & Refuge Landscape Architects, dated 2022-MAY-24, as shown on Attachment J.
4. The subject properties must be consolidated into a single property prior to Building Permit issuance.
5. Registration of a 2.5m-wide Statutory Right-of-Way (SRW) as shown on Attachment D prior to building permit issuance for future road improvements along the Terminal Avenue frontage.
6. Registration of a 7.0m-wide SRW prior to building permit issuance for future public access through the site across the “future lane”, as shown on Attachment D.
7. Registration of a Section 219 Covenant prior to building permit issuance to require:
  - a) closure of the vehicle drive aisle between the future lane and Terminal Avenue at such a time as the lane is completed with vehicle access to either Cypress Street or Townsite Road; and
  - b) future development on the closed drive aisle to be in substantial compliance with the “Landscape Long-Term Plan” prepared by Prospect & Refuge Landscape Architects, dated 2022-MAY-24, as shown on sheet L2.3 of Attachment J.

# ATTACHMENT B CONTEXT MAP



N



515, 529, & 635 TERMINAL AVENUE 359



## 1

**DEVELOPMENT PERMIT APPLICATION NO. DP001252**

CIVIC: 515, 529 and 635 TERMINAL AVENUE

LEGAL: LOT 5, DISTRICT LOT 96G, SECTION 1, NANAIMO DISTRICT, PLAN 4748; LOTS A AND B, DISTRICT LOT 96G, SECTION 1, NANAIMO DISTRICT, PLAN 6510;

## 1 of 2



**MATTHEW T. HANSEN**  
architect

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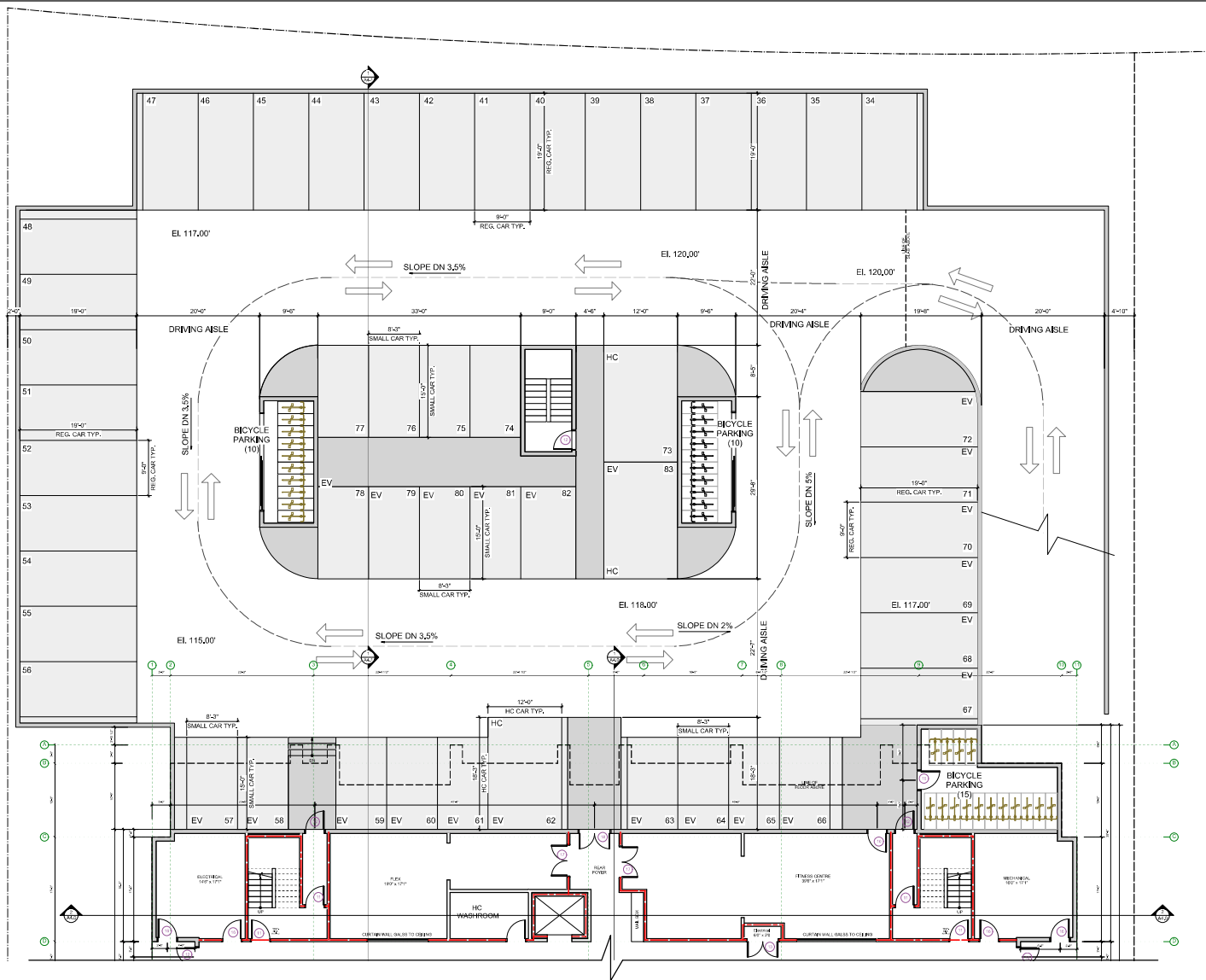
# THE STATION

ADDRESS: 528 Terminal Avenue N., Nanaimo, BC  
Legal Description: Lot A and B Plan (B510, Lot 5 Plan 4748)

No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-15	DP REG-SUBMISSION
03	2022-01-24	DAP REVIEW
04	2022-05-23	DP COMP. LETTER REPLY

No.	Date	Revision Notes

Sheet Title:	
UNDERGROUND PARKADE	
Drawn:	Checked:
JC	MTH
Job No.:	Sheet No.:
TBD	
Scale:	<b>A2.0</b>
AS NOTED	
Date:	
May 23, 2022	
CAD File:	
TBD	



1 UNDERGROUND PARKADE  
Scale: 1/8" = 1'-0"

**NOTE:**  
1. DIMENSIONS WITHIN UNITS ARE TYPICAL UNLESS NOTED OTHERWISE.

ATTACHMENT E  
BUILDING ELEVATIONS AND DETAILS

**MATTHEW T. HANSEN**  
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V7K 5H4  
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from the dimensions and conditions as shown on this drawing.

**THE STATION**

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-2	DP COMP. LETTER REPLY

No.	Date	Revision Notes
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RECEIVED  
DP 1252  
2022-JUN-01  
Current Planning

Sheet Title:  
**ELEVATIONS**

Drawn: JC	Checked: MTH
Job No.: TBD	Sheet No.:
Scale: AS NOTED	<b>A3.0</b>
Date: Jun 1, 2022	
CAD File: TBD	

Requested Height  
Variance



1 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

FINISHING MATERIAL LEGEND:	
1	HARD PANEL (SMOOTH)
2	CEDAR PANEL
3	BOARD AND BATTEN
4	BRICK VENEER
5	FASCIA AND FLASHING
6	CEDAR BOFFIT (ENGLISH PORTER)
7	WINDOW TRIM
8	FINISHED CONCRETE
9	ALUMINUM DECK RAILING W/ GLASS
10	CONCRETE CAP
11	ALUMINUM WINDOW

Note:  
1. Dimensions within units are typical unless noted otherwise.

**MATTHEW T. HANSEN**  
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on the job and the Architect shall be informed of any variations  
from the dimensions and conditions as shown on this drawing.

**THE STATION**

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-2	DP COMP. LETTER REPLY

No.	Date	Revision Notes
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**RECEIVED**  
**DP 1252**  
**2022-JUN-01**  
City of Nanaimo

Sheet Title:

**ELEVATIONS**

Drawn: JC	Checkd: MTH
Job No.: TBD	Sheet No.:
Scale: AS NOTED	<b>A3.1</b>
Date: Jun 1, 2022	
CAD File: TBD	



1 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

FINISHING MATERIAL LEGEND:	
1	HARD PANEL (SMOOTH)
2	CEDAR PANEL
3	BOARD AND BATTEN
4	BRICK VENEER
5	FASCIA AND FLASHING
6	CEDAR BOFFIT (ENGLISH PORTER)
7	WINDOW TRIM
8	FINISHED CONCRETE
9	ALUMINUM DECK RAILING W/ GLASS
10	CONCRETE CAP
11	ALUMINUM WINDOW

**Note:**  
1. Dimensions within units are typical unless noted otherwise.

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# THE STATION

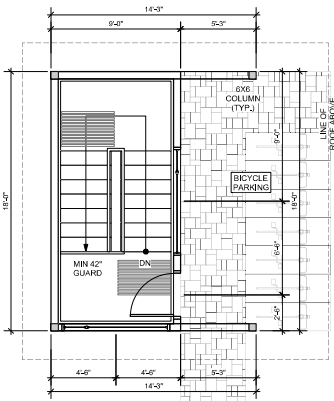
ADDRESS: 528 Terminal Avenue N., Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-15	DP RE-SUBMISSION
03	2022-01-24	DAP REVIEW
04	2022-05-23	DP COMPL. LETTER REPLY

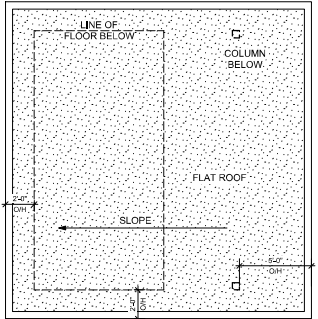
No.	Date	Revision Notes
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Sheet Title:  
**STAIR AND  
REFUSE RECEPTACLE  
ENCLOSURE**

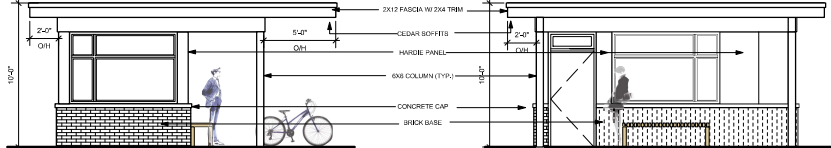
Drawn: JC	Checked: MTH
Job No. TBD	Sheet No. A2.8
Scale: AS NOTED	
Date: May 23, 2022	
CAD File: TBD	



1 STAIR ENCLOSURE PLAN  
Scale: 1/4 = 1'-0"

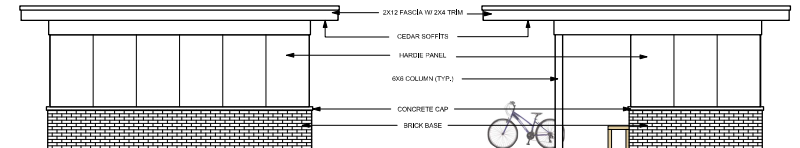


2 STAIR ENCLOSURE ROOF  
Scale: 1/4 = 1'-0"



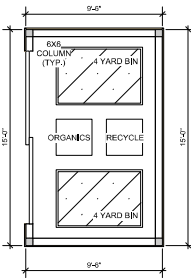
3 STAIR ENCLOSURE EAST ELEVATION  
Scale: 1/4 = 1'-0"

4 STAIR ENCLOSURE NORTH ELEVATION  
Scale: 1/4 = 1'-0"

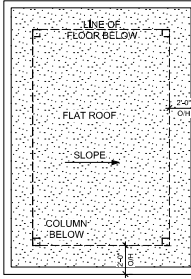


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Scale: 1/4 = 1'-0"

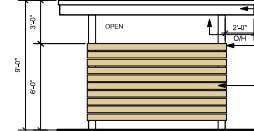
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Scale: 1/4 = 1'-0"



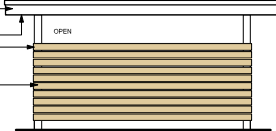
7 REFUSE RECEPTACLE ENCL. FLOOR PLAN  
Scale: 1/4 = 1'-0"



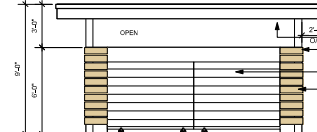
8 REFUSE RECEPTACLE ENCL. ROOF PLAN  
Scale: 1/4 = 1'-0"



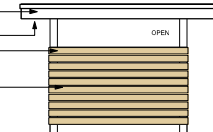
9 REFUSE RECEPTACLE ENCL. EAST ELEVATION  
Scale: 1/4 = 1'-0"



10 REFUSE RECEPTACLE ENCL. NORTH ELEVATION  
Scale: 1/4 = 1'-0"



11 REFUSE RECEPTACLE ENCL. SOUTH ELEVATION  
Scale: 1/4 = 1'-0"



12 REFUSE RECEPTACLE ENCL. WEST ELEVATION  
Scale: 1/4 = 1'-0"

## REFUSE RECEPTACLE ENCLOSURE

## STAIR ENCLOSURE





Black

FASCIA & FLASHING

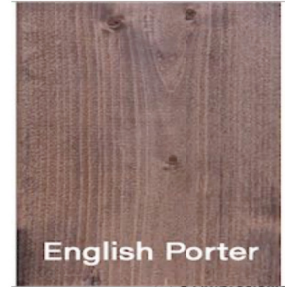


Architectural Bronze

WINDOW TRIM



BUILDING FACADE



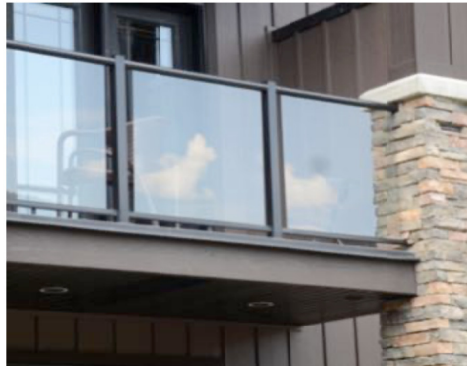
CEDAR SOFFIT



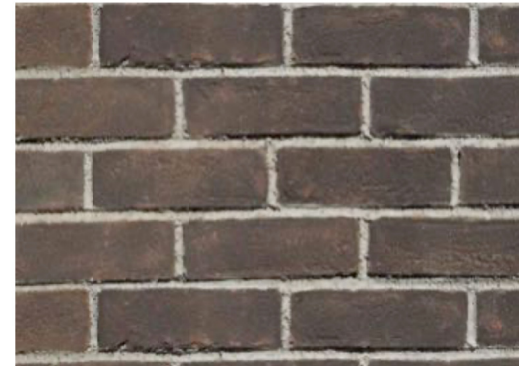
CEDAR PANEL



ALUMINUM WINDOW



DECK RAILING



BRICK CLADDING



SMOOTH PANEL



# MATERIAL & COLOUR SAMPLES



ATTACHMENT F  
CROSS-SECTIONS

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**THE STATION**

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

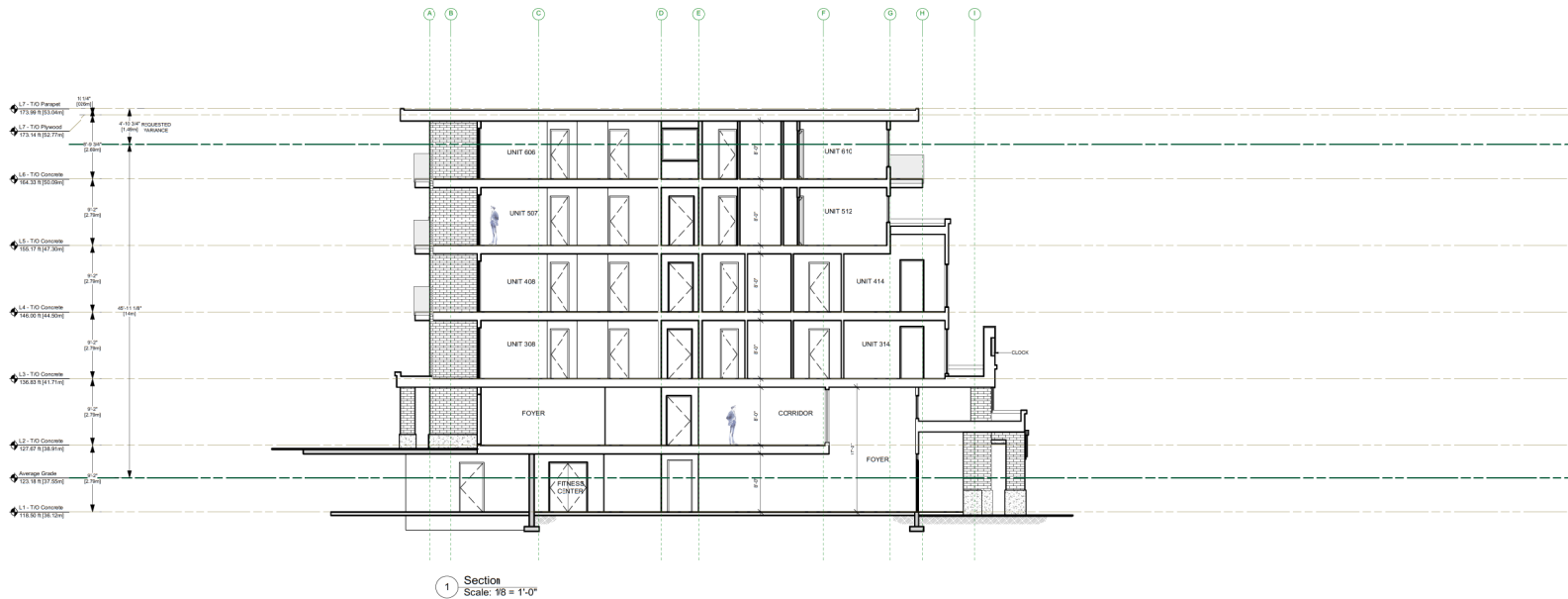
No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-21	DP COMP. LETTER REPLY

No.	Date	Revision Notes
01	2021-10-07	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-21	DP COMP. LETTER REPLY

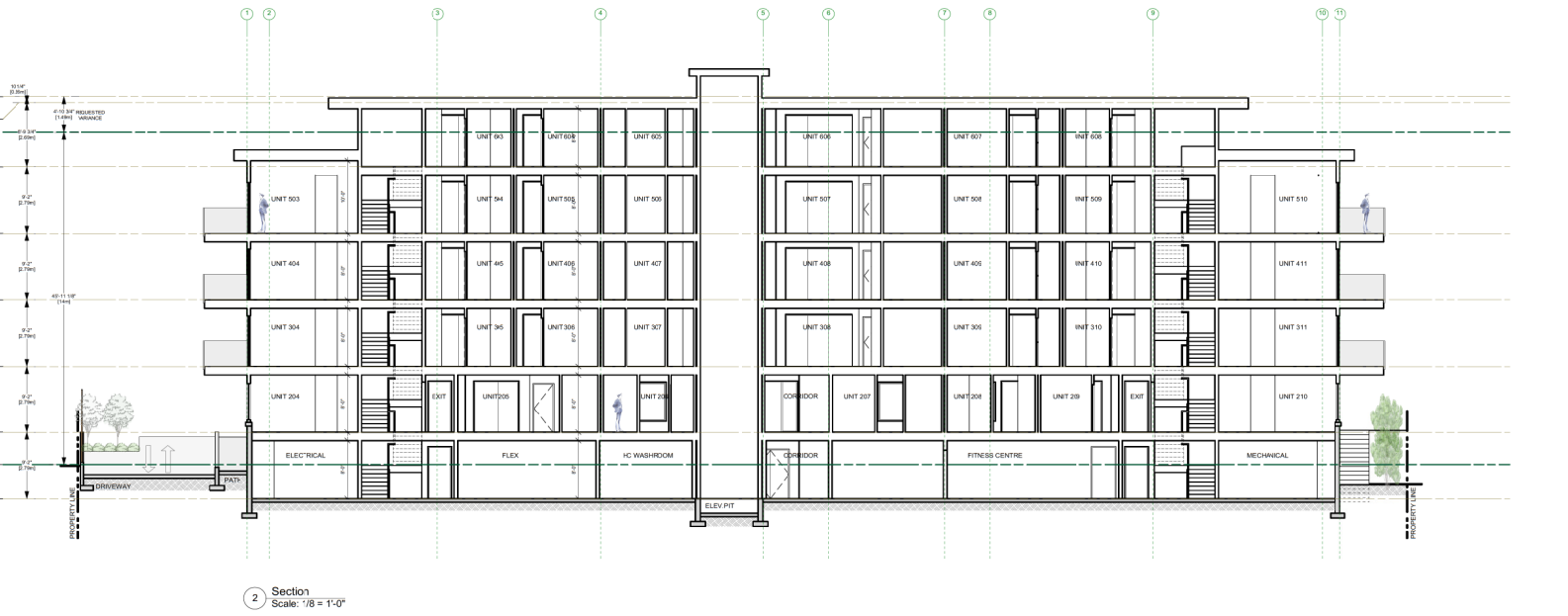
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**DP 1252**  
2022-JUN-01  
Current Planning

Sheet Title:  
**SECTIONS**

Drawn: JC	Checked: MTH
Job No.: TBD	Sheet No.:
Scale: AS NOTED	<b>A4.0</b>
Date: Jun 1, 2022	
CAD File: TBD	



1 Section  
Scale: 1/8" = 1'-0"



2 Section  
Scale: 1/8" = 1'-0"

**MATTHEW T. HANSEN**  
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# THE STATION

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-21	DP COMP. LETTER REPLY

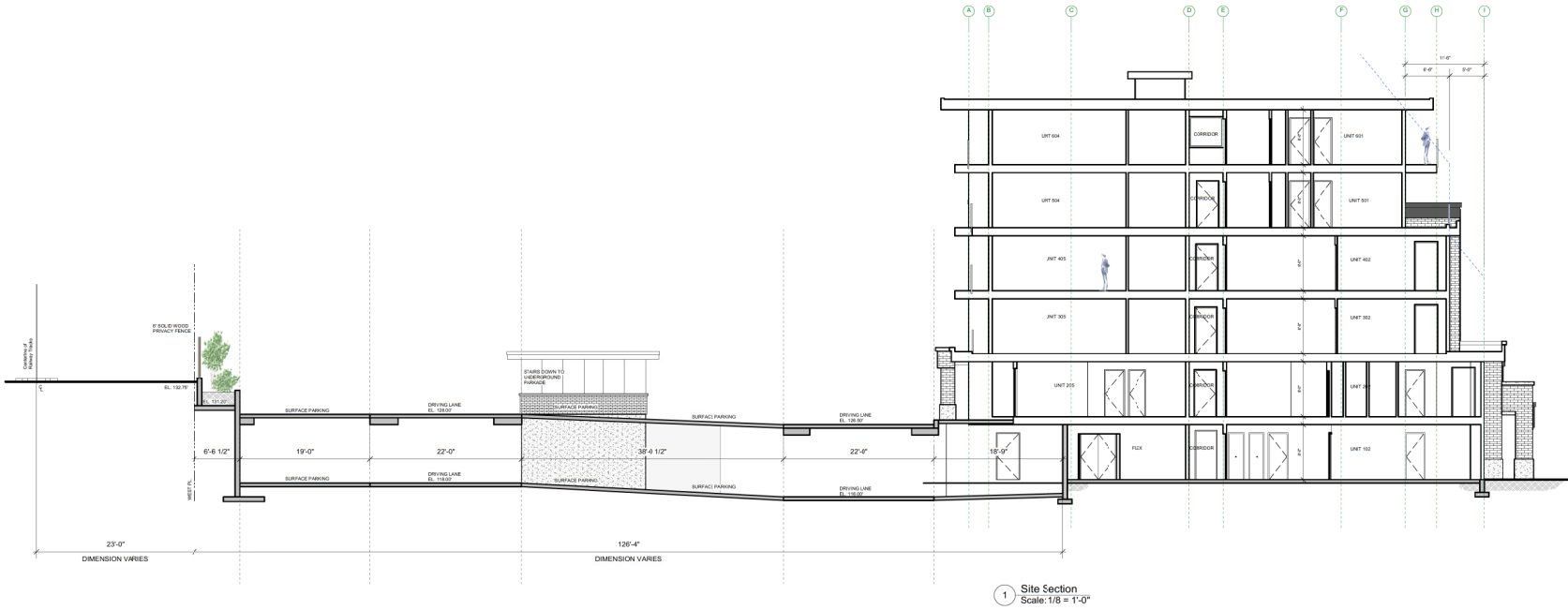
No.	Date	Revision Notes
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**DP 1252**  
**2022-JUN-01**  
Current Planning

Sheet Title:

SECTIONS

Drawn: JC	Checked: MTH
Job No.: TBD	Sheet No.:
Scale: AS NOTED	<b>A4.1</b>
Date: Jun 1, 2022	
CAD File: TBD	



ATTACHMENT G  
STREETSCAPE



**MATTHEW T. HANSEN**  
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**THE STATION**

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

Revision		
No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-2	DP COMP. LETTER REPLY

No.	Date	Revision Notes
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**RECEIVED**  
**DP 1252**  
**2022-JUN-01**  
Current Planning

Sheet Title:  
**CONTEXT  
STREETSCAPE**

Drawn: JC	Checked: MTH
Job No.: TBD	Sheet No.: <b>A5.1</b>
Scale: AS NOTED	Date: Jun 1, 2022
CAD File: TBD	

1 STREETScape  
Scale: 3/32" = 1'-0"  
**NOTE:**  
1. DIMENSIONS WITHIN UNITS ARE TYPICAL UNLESS NOTED OTHERWISE.



# ATTACHMENT H BUILDING RENDERINGS

1 of 2



1 Station 3D Visualization Render

## 2 Consultants List

DEVELOPER	ARCHITECT	INTERIOR DESIGN	LANDSCAPE ARCHITECT	STRUCTURAL ENGINEER	BUILDING CODE CONSULTANT	CIVIL ENGINEER	BUILDING ENVELOPE	MECHANICAL ENGINEER	ELECTRICAL ENGINEER	GEOTECHNICAL	LAND SURVEYOR
<b>parkshore</b> Projects Ltd. Michael Parker 123 Nicol Street Nanaimo, B.C. V9R 4T1 T: 250-591-0118 C: 778-688-4384 E: mike@parkshore.ca	Matthew T. Hansen Architect Matt Hansen Architect ABC 1572 Kimer Road North Vancouver, B.C. V7K 1R4 T: 604-983-3725 C: 604-971-2353 E: mhansen@mharchitect.ca	Studio AE Interior Design Inc. Ashley Campbell 6040 Hammond Bay Road Nanaimo, B.C. V9T 5M4 T: 250-467-7040 C: 604-971-2353 E: ashley@studioaeinteriors.com	Prospect & Relage Alyssa Semczyszyn 8150-1861 W. 2nd Ave Vancouver, B.C. V6J 1H3 T: 604-689-1003 ext. 101 C: 604-689-1003 E: alyssa@prospectrelage.ca	Sorensen Tilguy Ltd. Khan Tran P. Eng. Unit C-5107 Somerset Drive Nanaimo, B.C. V9T 2K5 T: 250-385-1360 C: 250-816-4448 E: ted@sorensentilguy.ca	Celerity Engineering Ltd. Delaine MacDougall 106-2750 Quayside Street Victoria, B.C. V8P 4E8 T: 604-375-0437 ext. 210 C: 250-688-6512 E: dmaccougall@celerity.ca	Herold Engineering Ltd. Patrick Ryan P. Eng. 3701 Shenton Road Nanaimo, B.C. V9T 2H1 T: 250-751-8558 C: 778-715-8710 E: pryan@heroldengineering.com	Morrison Hershfield Jordan Bowie 630 Terminal Ave, North Nanaimo, B.C. V9S 4K2 T: 250-361-1215 C: 250-468-6512 E: jbowie@morrisonhershfield.com	Avalon Mechanical Ltd. Tim Robertson Unit 133-5220 Duhal Way Nanaimo, B.C. V9T 0H2 T: 250-265-2180 C: 250-340-1357 E: trobertson@avalonmechanical.com	RB Engineering Ltd. Les Brown Unit 4-1650 Northfield Road Nanaimo, B.C. V9S 3B3 T: 250-756-4444 C: 250-756-4355 E: les@rbengineering.ca	Lewkowicz Engineering Chris Hudak P. Eng. 1400 Bowwood Road Nanaimo, B.C. V9S 5Y2 T: 250-756-4831 C: 250-756-4831 E: chudak@lewkowicz.com	J.E. Anderson & Associates Dave Wallace BCLS 1-63411 Shenton Road Nanaimo, B.C. V9T 2H1 T: 250-756-4831 C: 250-756-4831 E: nanaimo@jeanderson.com

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**THE STATION**  
ADDRESS: 520 Terminal Avenue N, Nanaimo, BC  
Legal Description: Lot A and B Plan B510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-07	DP APPLICATION
02	2021-11-15	DP REG-SUBMISSION
03	2022-01-04	DAP REVIEW
04	2022-05-23	DP COMP. LETTER REPLY

No.	Date	Revision Notes
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Sheet Title:	
COVER PAGE CONSULTANTS LIST	
Drawn: JC	Checked: MTH
Job No. TBD	Sheet No. A0.0
Scale: AS NOTED	
Date: May 23, 2022	
CAD File: TBD	

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**DP1252**  
**2022-MAY-24**  
Current Planning



1 SOUTHEAST VIEW  
Scale: NTS



2 EAST VIEW  
Scale: NTS



3 NORTH VIEW  
Scale: NTS



4 SOUTH-WEST VIEW  
Scale: NTS

**MATTHEW T. HANSEN**  
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**THE STATION**

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-01	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-21	DP COMP. LETTER REPLY

No.	Date	Revision Notes
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**DP 1252**  
**2022-JUN-01**  
Current Planning

Sheet Title:  
**PERSPECTIVE**

Drawn: JC	Checked: MTH
Job No.: TBD	Sheet No.: <b>A0.2</b>
Scale: AS NOTED	Date: Jun 1, 2022
CAD File: TBD	



# ATTACHMENT I VIEW ANALYSIS

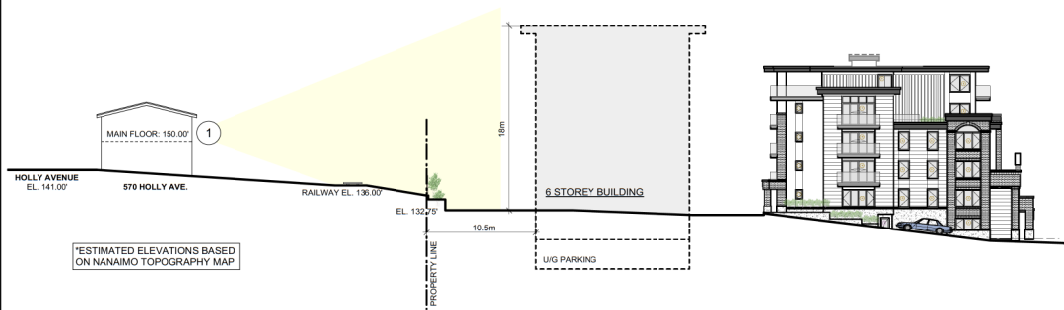


1 VIEW FROM A MAIN FLOOR LIVING RM. ON HOLLY AVE.  
Scale: NTS

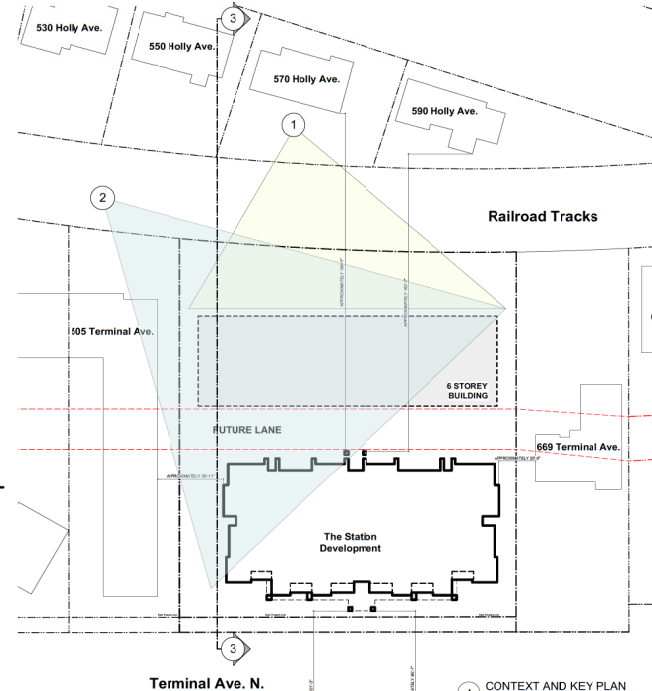


2 SOUTH -WEST VIEW  
Scale: NTS

"6 STOREY BUILDING" ILLUSTRATES THE LOCATION, MASSING & HEIGHT (18m) OF A STRUCTURE THAT COULD BE APPROVED UNDER THE CURRENT ZONING BY-LAW



3 CONTEXT ELEVATION  
Scale: NTS



4 CONTEXT AND KEY PLAN  
Scale: NTS

**MATTHEW T. HANSEN**  
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**THE STATION**

ADDRESS: 529 Terminal Avenue N. Nanaimo, BC  
Legal Description: Lot A and B Plan 0510, Lot 5 Plan 4748

No.	Date	Issue Notes
01	2021-10-01	DP APPLICATION
02	2021-11-11	DP RE-SUBMISSION
03	2022-01-24	DAP REVISION
04	2022-05-21	DP COMP. LETTER REPLY

No.	Date	Revision Notes

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**DP 1252**  
**2022-JUN-01**  
Current Planning

Sheet Title:  
**PERSPECTIVE FROM  
HOLLY AVENUE**

Drawn: JC	Checked: MTH
Job No.: TBD	Sheet No.: <b>A0.3</b>
Scale: AS NOTED	Date: Jun 1, 2022
CAD File: TBD	

# ATTACHMENT J LANDSCAPE PLAN AND DETAILS

1 of 8



Curved Lawn with Layered Planting




6' Solid Board Fence with Lighter Top



Metal Picket Fence w/ low planting and hedge on Terminal



Pergola w/ seating in amenity area

E 2022-05-24 Re-issued for DP	
D 2022-01-23 Issued for Review	
C 2021-11-04 Issued for DP	
B 2021-11-04 Issued for Review	
A 2021-11-01 Issued for Review	
Date	Issue Notes
	
<b>Prospect &amp; Refuge</b> LANDSCAPE ARCHITECTS #12-1616 W. 1st Ave. Vancouver, BC V6J 1G3 604-683-1003 info@prospectrefuge.ca Building in over 25 years of history in Jonathan Lewis, Ltd.	
Project Title and Address <b>The Station</b> 529 Terminal Avenue N. Nanaimo, BC	
Sheet Title <b>Illustrative Plan</b>	<b>RECEIVED</b> <b>DP 1252</b> <b>2022-MAY-24</b> CLARENCE PARKING
Project Manager AS	Project No. 2021-47
Design By NR	Scale As Noted
Reviewed By AS	Sheet No. L2.1
Date 2021-10-26	





LEGEND		DETAIL	
<b>HARDSCAPE MATERIALS:</b>			
	24" x 24" Texada Hydra/Pressed side pavers Color: Desert Sand		8 in.
	24" x 24" Texada Hydra/Pressed side pavers Color: Tan		8 in.
	Absolute Concrete Products, Pacific slate Colour: Granite Blend pattern: ashlar		8 in.
	Stumped concrete		8 in.
	PIP concrete paving		8 in.
	Perimeter gravel strip		8 in.
<b>SOFTSCAPE MATERIALS:</b>			
	Planting Bed		8 in.
	Sodded lawn		8 in.
<b>LINE &amp; SYMBOLS</b>			
	Property Line		Architectural Slab
	3'-6" high metal guardrail		4' high metal fence
	8' high solid wood privacy screening		

Date	Issue	Notes
E 2022-05-24	Re-issued for DP	
D 2022-01-23	Issued for Review	
C 2021-11-09	Issued for DP	
B 2021-11-04	Issued for Review	
A 2021-11-01	Issued for Review	

**Prospect & Refuge**  
LANDSCAPE ARCHITECTS  
#12-1680 Victoria Avenue, Nanaimo, BC V9C 1G3  
604-689-1003 info@prospectandrefuge.com  
Building in over 25 years of history in Nanaimo, BC.

Project Title and Address  
**The Station**  
529 Terminal Avenue N. Nanaimo, BC

**RECEIVED**  
DP 2022-05-24  
2022-MAY-24  
Current Planning

Sheet Title  
**Landscape Long-term Plan**  
(Drive station's ultimate future use)

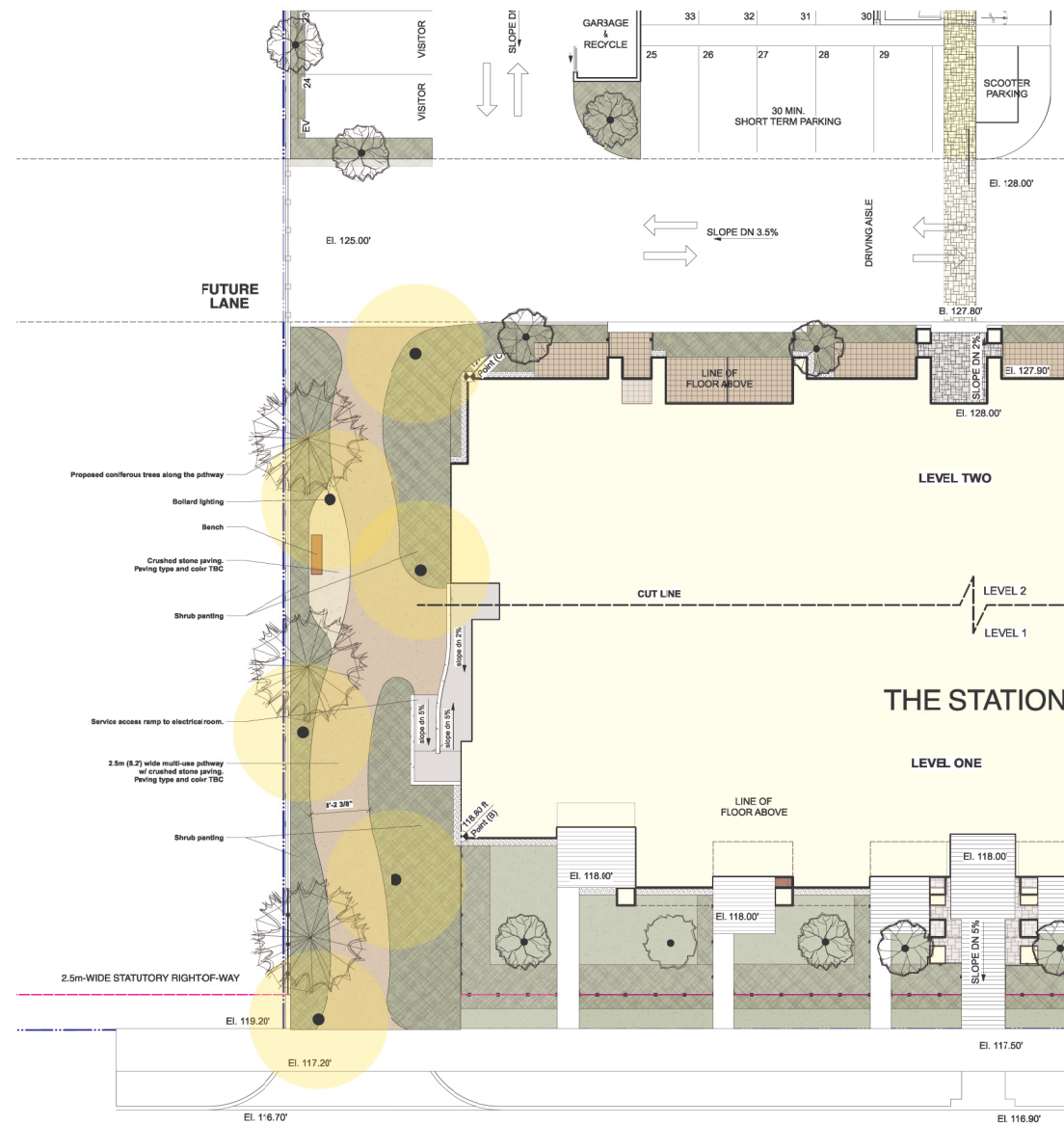
Project Manager	Project No.
AS	2021-47

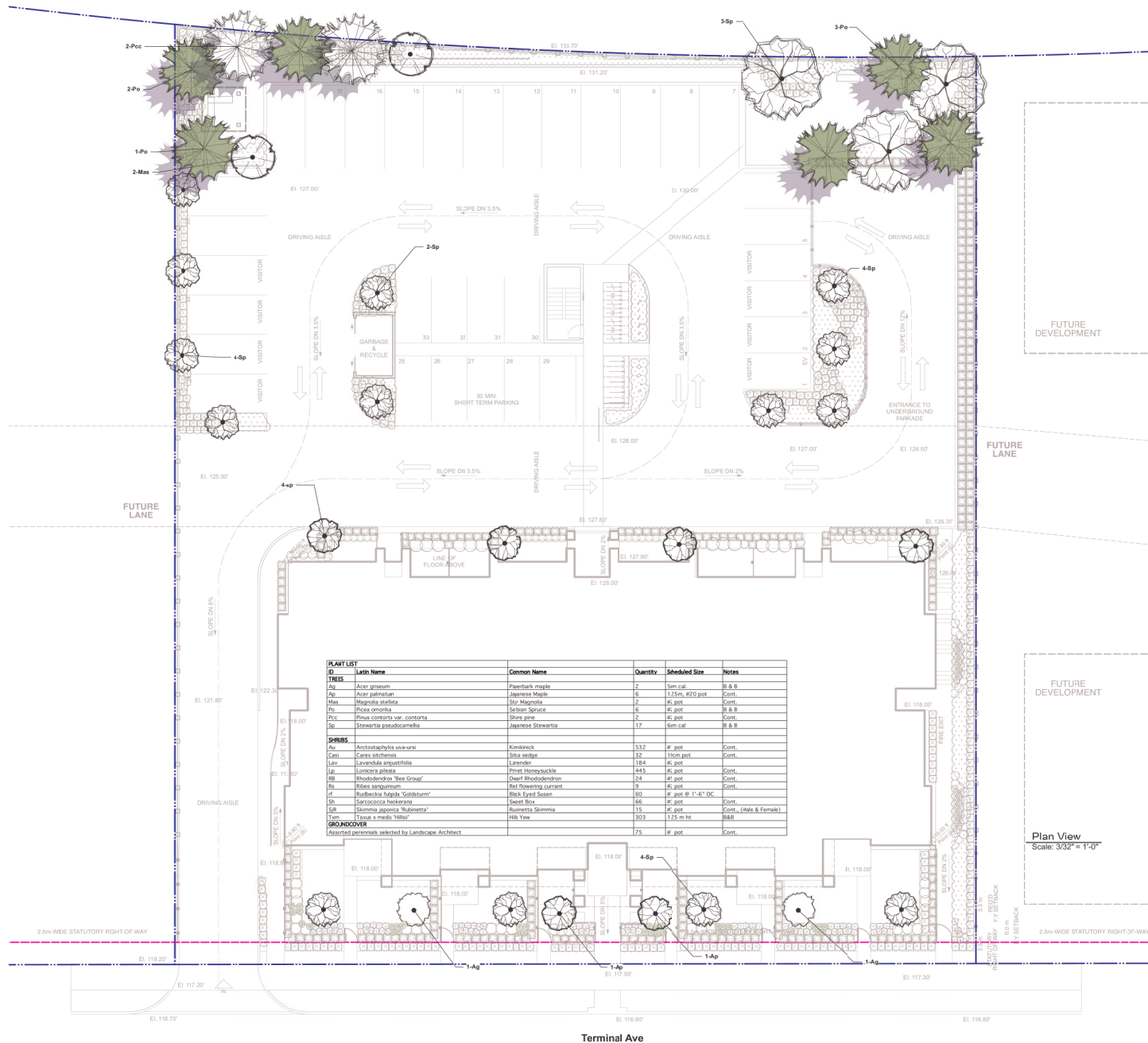
Drawn By	Scale
NR	1/8"=1'-0"

Reviewed By	Sheet No.
AS	

Date  
2021-10-26

**L2.3**





- PLANTING LANDSCAPE NOTES**
- All materials and execution of landscape works shall conform to the current edition of the Canadian Landscape Standard (CLS) as a minimum acceptable standard. Refer to document for complete landscape documentation.
  - Plant material to the satisfaction of the Landscape Standards for nursery stock. Extend search for plant material to Washington and BC.
  - Top soil mixtures for the project shall be tested for particle size, Ph, and Nutrient levels, and recommendations provided and amendments made to bring the soil up to acceptable horticultural quality for the desired plant material, trees, or turf planting. Provide verification of fertilizer and lime applications and rates during the installation and maintenance periods. Soil analysis to be provided to the landscape architect for review and comment prior to delivery or site. Soil report shall be no older than one month.
  - Off slab minimum soil depths are as follows unless noted differently on plans:  
6" (150mm) for lawn areas  
18" (450mm) for shrub beds  
30" (900 mm) for trees
  - The prepared sub-grade shall be approved by the Consultant prior to application of top soil mixtures and finish grading. Scarify compacted subgrades to a minimum depth of 6" (150mm) immediately before placing growing medium.
  - All plant material shall meet minimum size requirements as indicated on plant list. Quality of plant material and grading of site to conform to Canadian Landscape Standards for nursery stock.
  - Discrepancies between plant numbers on the plant list and on the plan should be reported to the landscape architect prior to ordering plant material. In the case where there is a discrepancy between plant numbers on the plant list and on the plan, the plan shall supersede the list.
  - All plant material to be supplied on the job site must be obtained from a nursery participating in the BCNA Phytophthora ramorum Certification Program. Plant material provided by the contractor found to be infected with Phytophthora ramorum shall be removed, disposed of and replaced at the contractor's expense.
  - Obstructions - If obstructions or other conditions detrimental to healthy plant growth are encountered, notify the Landscape Consultant and request additional instructions. The exact location of trees shall be determined on site and field subject to obstructions where applicable.
  - Plants shall be nursery grown under climatic conditions similar to those in the location of the project. Plants shall be healthy, vigorous and of normal habit of growth to the species. They shall be free from diseases, insects, insect eggs and larvae and shall equal or exceed the size indicated on the plant list. The plants shall not be potted prior to delivery except upon special approval.
  - Root balls to be free of pernicious weeds.
  - Install 2" (50mm) of composted organic mulch on all shrub beds after planting and rake smooth.
  - Landscape Contractor is to provide 55 days of maintenance after the date of Substantial Completion. Maintain to level 2 'Geomet' as per Canadian Landscape Standards. Contractor to provide a one year guarantee for all plant material. Plants installed prior to June (between Jan 1 and June 1) shall be under extended warranty until the June 1 of the following year.
  - The Landscape Consultant is to approve any plant material substitutions. Upon delivery, all plant material must meet CLS standards.
  - Planting material on City Boulevard has the approval of the Parks Dept. prior to installation. Size, species and location require approval at the time of installation.
  - All landscaping to have high efficiency irrigation system to ISBC standards.

E 2022-05-24 Re-issued for DP

D 2022-01-23 Issued for Review

C 2021-11-04 Issued for DP

B 2021-11-04 Issued for Review

A 2021-11-01 Issued for Review

Date

Issue Notes

Prospect & Refuge

LANDSCAPE ARCHITECTS

#1200 Westview Avenue, Suite 100, Vancouver, BC V6H 1G9

604-683-1003 info@prospectrefuge.ca

Building on over 25 years of history in Vancouver, British Columbia

Project Title and Address

The Station

529 Terminal Avenue N. Nanaimo, BC

Project Manager

AS

Project No.

2021-47

Drawn By

NR

Scale

As Noted

Reviewed By

AS

Drawn No.

Date

2021-10-26

L3.1

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DP 1252

2022-MAY-24

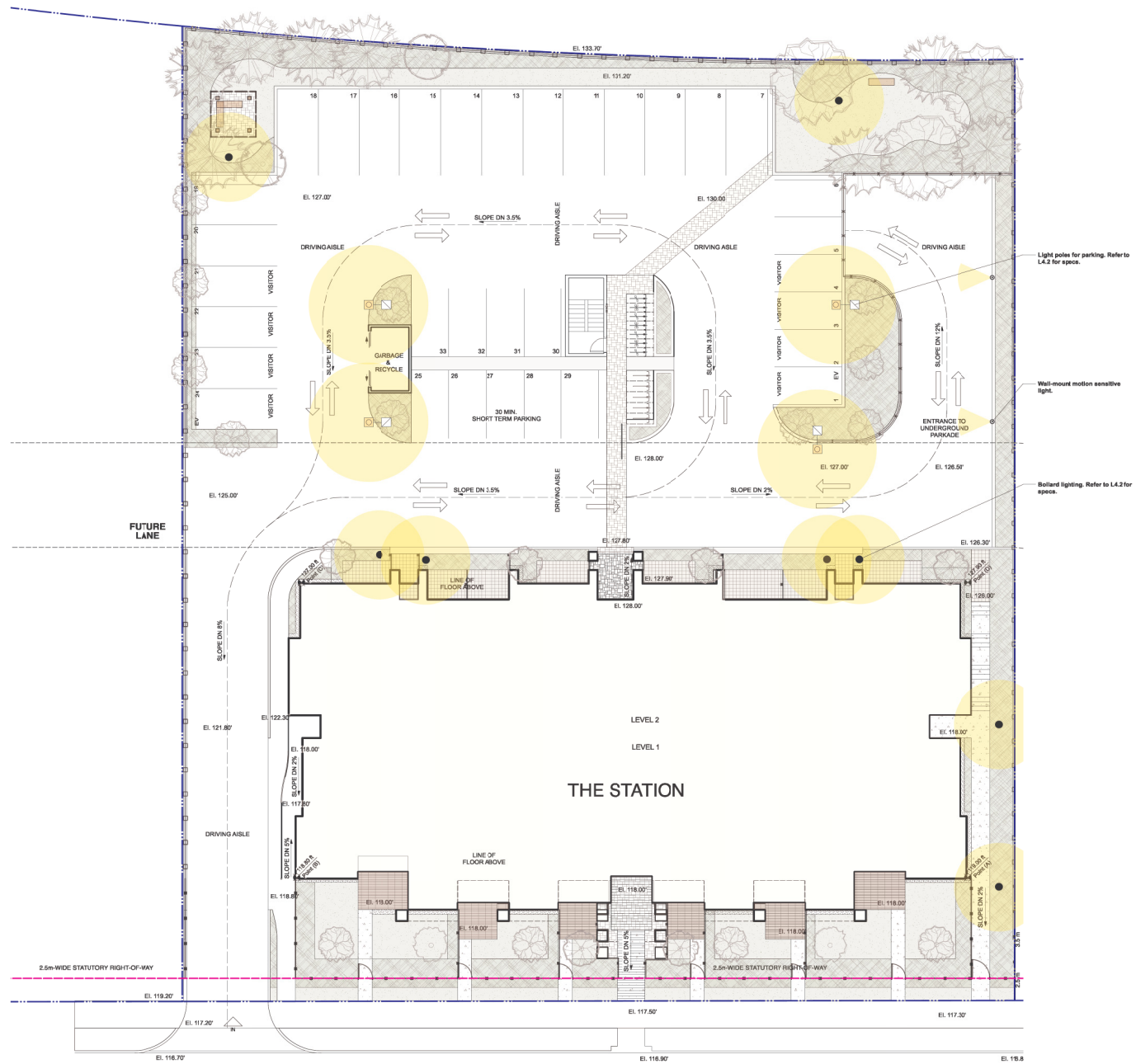
CURTIS PARKS

PLANTING LANDSCAPE NOTES

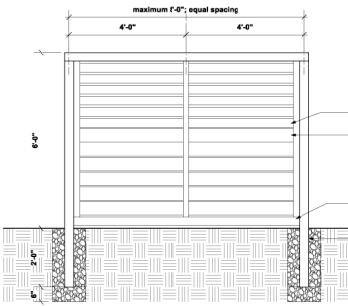
1. All materials and execution of landscape works shall conform to the current edition of the Canadian Landscape Standard (CLS) as a minimum acceptable standard. Refer to document for complete landscape documentation.
2. Plant material to the satisfaction of the Landscape Standards for nursery stock. Extend search for plant material to Washington and BC.
3. Top soil mixtures for the project shall be tested for particle size, Ph, and Nutrient levels, and recommendations provided and amendments made to bring the soil up to acceptable horticultural quality for the desired plant material, trees, or turf planting. Provide verification of fertilizer and lime applications and rates during the installation and maintenance periods. Soil analysis to be provided to the landscape architect for review and comment prior to delivery or site. Soil report shall be no older than one month.
4. Off slab minimum soil depths are as follows unless noted differently on plans:  
6" (150mm) for lawn areas  
18" (450mm) for shrub beds  
30" (900 mm) for trees
5. The prepared sub-grade shall be approved by the Consultant prior to application of top soil mixtures and finish grading. Scarify compacted subgrades to a minimum depth of 6" (150mm) immediately before placing growing medium.
6. All plant material shall meet minimum size requirements as indicated on plant list. Quality of plant material and grading of site to conform to Canadian Landscape Standard for container grown stock.
7. Discrepancies between plant numbers on the plant list and on the plan should be reported to the landscape architect prior to ordering plant material. In the case where there is a discrepancy between plant numbers on the plant list and on the plan, the plan shall supersede the list.
8. All plant material to be supplied on the job site must be obtained from a nursery participating in the BC/LNA Phytophthora ramorum Certification Program. Plant material provided by the contractor found to be carrying PR will be removed, disposed of and replaced at the contractor's expense.
9. Obstructions - If obstructions or other conditions detrimental to healthy plant growth are encountered, notify the Landscape Consultant and request additional instructions. The exact location of trees shall be determined on site and field subject to obstructions where applicable.
10. Plants shall be nursery grown under climatic conditions similar to those in the location of the project. Plants shall be healthy, vigorous and of normal habit of growth to the species. They shall be free from diseases, insects, insect eggs and larvae and shall equal or exceed the size indicated on the plant list. The plants shall not be potted prior to delivery except upon special approval.
11. Root balls to be free of pernicious weeds.
12. Install 2" (60mm) of composted organic mulch on all shrub beds after planting and rake smooth.
13. Landscape Contractor is to provide 55 days of maintenance after the date of Substantial Completion. Maintain to level 2 'Groomed' as per Canadian Landscape Standards. Contractor to provide a one year guarantee for all plant material. Plants installed prior to June (between Jan 1 and June 1) shall be under extended warranty until the June 1 of the following year.
14. The Landscape Consultant is to approve any plant material substitutions. Upon delivery, all plant material must meet CLS standards.
15. Planting material on City Boulevard have the approval of the Parks Dept. prior to installation. Size, species and location require approval at the time of installation.
16. All landscaping to have high efficiency irrigation system to ISBC standards.

PLANT LIST					
ID	Latin Name	Common Name	Quantity	Scheduled Size	Notes
TREES					
Aq	Acer glabrum	Pantherbark maple	2	5m cal.	B & B
Ag	Acer palmatum	Japanese Maple	6	1.5m #20 pot.	Cont.
Ma	Magnolia speciosa	Star Magnolia	2	#6 pot.	Cont.
Pr	Picea canadensis	Canadian Spruce	6	#6 pot.	B & B
Pr	Picea canadensis var. contorta	Shore pine	2	#6 pot.	Cont.
St	Stewartia pseudocornellia	Japanese Stewartia	17	6m cal.	B & B
SHRUBS					
Au	Arctostaphylos uva-ursi	Kimberlin	532	# pot.	Cont.
Ca	Ceanothus americanus	Blueberry	12	10m pot.	Cont.
La	Lavandula angustifolia	Lavender	184	# pot.	Cont.
La	Lonicera japonica	Japanese Honeysuckle	445	# pot.	Cont.
Rh	Rhododendron 'Blue Group'	Overl. Rhododendron	24	# pot.	Cont.
Ri	Ribes sanguineum	Red flowering currant	9	# pot.	Cont.
St	Staphylea trifolia 'Goldstrum'	Red. Sweetgum	60	# pot. @ 1'-4" OC	Cont.
Sh	Sarcococca hookeriana	Sweet Box	66	# pot.	Cont.
Si	Siermnia japonica 'Mandarin'	Japanese Siermnia	15	# pot.	Cont. (Male & Female)
Tm	Taxus canadensis	White Pine	115	1.5 m ht.	B&B
GR	GRASS		75	# pot.	Cont.
GRANDCOVER					
Associated accessories selected by Landscape Architect					

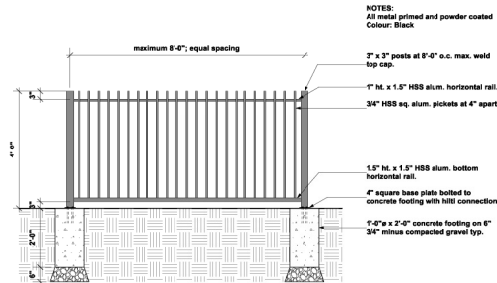


[illegible]

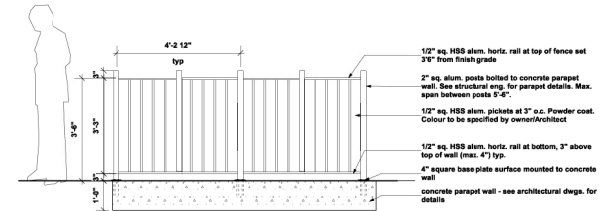




1 6'-0" ht. Solid Wooden Privacy Fence  
Scale: 1/2" = 1'-0"



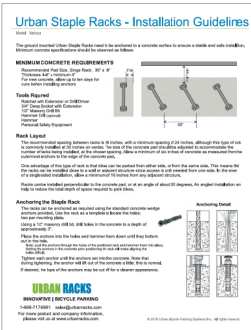
2 Typical 4'-0" ht. Metal Picket Fence with Gate  
Scale: 1/2" = 1'-0"



3 Typical 3'-6" ht. Metal Picket Guardrail  
Scale: 1/2" = 1'-0"



5 Staple bike racks, color black from Urban Racks  
Scale: 1/2" = 1'-0"  
Surface-mounted with tamper proof hardware.



4 6' long Hutch Park bench color: walnut from Wishbone  
Scale: 1/2" = 1'-0"  
Available from [www.wishboneid.net](http://www.wishboneid.net)  
Surface-mounted with tamper proof hardware

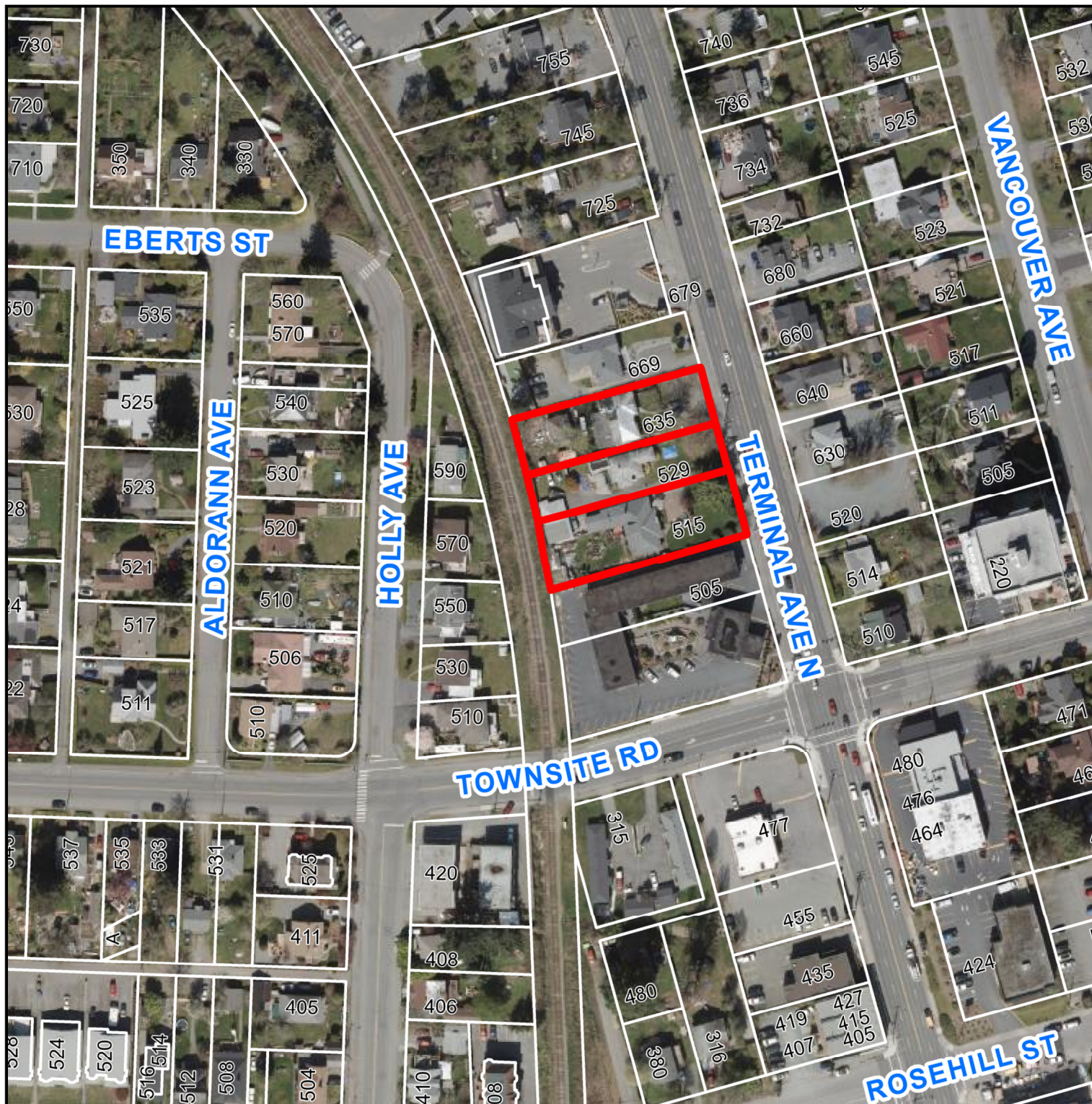


6 Amenity Area Pergola w/ benches  
Scale: n/a  
(Concept image)

E 2022-05-24 Re-issued for DP	
D 2022-01-23 Issued for Review	
C 2021-11-09 Issued for DP	
B 2021-11-04 Issued for Review	
A 2021-11-01 Issued for Review	
Date	Issue Notes
<b>Prospect &amp; Refuge</b> LANDSCAPE ARCHITECTS #121 1618 W 3rd Ave Vancouver, BC V6C 1G3 604-689-1003 <a href="mailto:info@prospectrefuge.ca">info@prospectrefuge.ca</a> Building on over 25 years of history in Jonathan Lewis, Linc.	
Project Title and Address <b>The Station</b> 529 Terminal Avenue N. Nanaimo, BC	
<b>RECEIVED</b> 2022-MAY-24 OUTRAMP PLANNING	
Draw Title <b>Landscape Details</b>	
Project Manager AS	Project No. 2021-47
Drawn By NR	Scale As Noted
Reviewed By AS	Drawn No.
Date 2021-10-26	<b>L8b</b>



ATTACHMENT K  
AERIAL PHOTO



DEVELOPMENT PERMIT APPLICATION NO. DP001252



515, 529 AND 635 TERMINAL AVENUE

## Delegation Request

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

Susan Shultz has requested an appearance before Council

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation: Concerns of extra traffic and parking in our neighborhood. We would like to request that either the variance not be granted due to the extra units (and therefore vehicles) and/or that the city does a traffic analysis after the project is complete and if necessary install traffic calming measures and resident only parking signs in affected areas (Holly, Aldorann, Eberts st).

## Delegation Request

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

Dominique Lassonde has requested an appearance before Council.

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation: We are concerned that the traffic coming through our neighborhood until the "Laneway" is active (which could be decades) will add traffic and parking issues to our family friendly neighborhood.



## Delegation Request

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

David Croft has requested an appearance before Council.

City: Nanaimo

Province: BC

### **Delegation Details:**

The requested date is 2022-JUN-20

The requested meeting is:  
Council

Bringing a presentation: Yes

Details of the Presentation: Neighbourhood concerns with the size of the building and issues with traffic and parking.

CITY OF NANAIMO

BYLAW NO. 7325

A BYLAW TO PROVIDE FOR ALTERNATIVE MEANS OF PUBLICATION

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WHEREAS a council must give notice of certain bylaws, public meetings, elections, public hearings, disposition of land or other things by advertising, if the *Community Charter* or another Act requires notice to be given;

AND WHEREAS pursuant to section 94.2(1) a council may, by bylaw, provide for alternative means of publishing a notice instead of publishing the notice in a newspaper in accordance with section 94.1(1)(a) and (b);

AND WHEREAS pursuant to section 94.2(2) a bylaw adopted under this section must specify at least two means of publication by which a notice is to be published, not including posting in the public notice posting places;

AND WHEREAS Council is satisfied that the advertising methods set out in this bylaw are likely to bring matters advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held;

AND WHEREAS Council considers that the advertising methods set out in this bylaw are reliable, suitable for providing notices, and accessible, within the meaning of the *Public Notice Regulation* B.C. Reg. 52/2022;

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

1. Title

This Bylaw may be cited as “Public Notice Bylaw 2022 No. 7325”.

2. Advertising Method:

Any notice required to be advertised under section 94 of the *Community Charter* of a bylaw, resolution, meeting, public hearing or other matter may be given by using the following methods to advertise statutory notices, not including posting in the public notice posting places:

- a) Newspaper
- b) City of Nanaimo website

PASSED FIRST READING: 2022-MAY-30  
PASSED SECOND READING: 2022-MAY-30  
PASSED THIRD READING: 2022-MAY-30  
ADOPTED: \_\_\_\_\_

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MAYOR

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CORPORATE OFFICER