



MERGED AGENDA REGULAR COUNCIL MEETING

Monday, March 17, 2025

5:00 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.

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;

(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;

(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,

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

3. INTRODUCTION OF LATE ITEMS:

4. APPROVAL OF THE AGENDA:

5. ADOPTION OF THE MINUTES:

a. Minutes

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Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver

Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday,
2025-FEB-24, at 4:00 p.m.

b. Minutes

21 - 27

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver
Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday,
2025-MAR-03, at 7:00 p.m.

6. **MAYOR'S REPORT:**

7. **RISE AND REPORT:**

8. **PRESENTATIONS:**

9. **COMMITTEE MINUTES:**

a. Minutes

28 - 32

Minutes of the Design Advisory Panel meeting held in the Boardroom, Service and
Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2025-JAN-23
at 5:02 p.m.

10. **CONSENT ITEMS:**

11. **DELEGATIONS:**

12. **REPORTS:**

a. Development Variance Permit Application No. DVP474 - 5515 Godfrey Road

33 - 38

To be introduced by Lisa Brinkman, A/Director, Planning and Development.

*Purpose: To present, for Council's consideration, a development variance permit
application to reduce the minimum lot depth requirement to facilitate a two-lot
subdivision at 5515 Godfrey Road.*

It is requested that Council hear anyone wishing to speak with respect to
Development Variance Permit Application No. DVP474 - 5515 Godfrey Road.

Recommendation: That Council issue Development Variance Permit No. DVP474
which would permit a 2.02m variance to the required lot depth for proposed Lot 1,
and a 2.03m variance to the required lot depth for proposed Lot 2 in order to
facilitate a proposed two-lot subdivision (SUB01518) at 5515 Godfrey Road.

b. Home Energy Retrofit Financing Program Bylaw

39 - 57

To be introduced by Lisa Brinkman, A/Director, Planning and Development.

Purpose: To update Council on the development of the Home Energy Retrofit

Financing Program and to present the bylaw to establish the program for Council consideration.

Recommendation: That:

1. “Home Energy Retrofit Financing Program Bylaw 2025 No. 7393” (to initiate the City of Nanaimo’s retrofit financing program) pass first reading;
2. “Home Energy Retrofit Financing Program Bylaw 2025 No. 7393” pass second reading; and,
3. “Home Energy Retrofit Financing Program Bylaw 2025 No. 7393” pass third reading.

c. Proposed Telecommunications Facility - 6675 Mary Ellen Drive 58 - 106

To be introduced by Lisa Brinkman, A/Director, Planning and Development.

Purpose: To present Council with information regarding a request from Rogers Communications for land use concurrence for a proposed telecommunications tower at 6675 Mary Ellen Drive.

Recommendation: That Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.

1. Add - Delegation from Brian Gregg, President, SitePath Consulting Ltd. 107
2. Add - Delegation from Edward Hulshof, Associate, Bennet Jones, on behalf of Skyline Private Investment Capital Inc. 108

d. Housing Agreement No. HA12 - 11 Dancer Road 109 - 117

To be introduced by Lisa Brinkman, A/Director, Planning and Development.

Purpose: To present Council with a Housing Agreement Bylaw to secure the terms and conditions of occupancy for a residential shelter at 11 Dancer Road.

Recommendation: That:

1. “Housing Agreement Bylaw 2025 No. 7394” (to secure the terms and conditions of occupancy for a residential shelter at 11 Dancer Road) pass first reading;
2. “Housing Agreement Bylaw 2025 No. 7394” pass second reading;
3. “Housing Agreement Bylaw 2025 No. 7394” pass third reading; and,
4. Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement prior to bylaw adoption.

13. **BYLAWS:**

- a. "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05" 118 - 124

That "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05" (a bylaw to include provisions associated with delegations, inappropriate behaviour, electronic devices and signs in Council and Committee meetings and minor housekeeping amendments) be adopted.

- b. "Respectful Spaces Amendment Bylaw 2025 No. 7381.01" 125 - 126

That "Respectful Spaces Amendment Bylaw 2025 No. 7381.01" (a bylaw to include electronic devices and other housekeeping amendments) be adopted.

14. CORRESPONDENCE:

- a. British Columbia Conservation Foundation Request for Letter of Support re: Grant Application to EcoAction Stream 1: Community-led Freshwater Action Across Canada 127 - 134

- b. Art Action Earwig Request for Letter of Support re: Grant Application to Canada Council for the Arts in Support of Pulling To Gather 2025-2026 135 - 139

15. NOTICE OF MOTION:

- a. Add Councillor Manly Notice of Motion re: City of Nanaimo and Regional District of Nanaimo Synergism re: Public Works Yard Upgrades

Councillor Manly advised that he would be bringing forward the following Notice of Motion for consideration at a future Council Meeting:

"That Council direct Staff to explore, as part of the City of Nanaimo's process to update the facilities at the Public Works Yard located at 2020 Labieux Road, synergies between the needs of the Regional District of Nanaimo (RDN) and the City of Nanaimo, and report back to Council on how the Public Works Yard upgrades could assist the RDN with their transit related infrastructure and vehicle maintenance needs while reducing costs for both levels of government."

- b. Add Councillor Manly Notice of Motion re: Media's Usage of Electronic Devices During Meetings

Councillor Manly advised that he would be bringing forward the following Notice of Motion for consideration at a future Council Meeting:

"That Council direct Staff to prepare a report outlining options for an amendment to "Council Procedure Bylaw 2018 No. 7272" to include a certification process to provide accreditation to media representatives and independent journalists to permit the usage of electronic devices at the City of Nanaimo Council and Committee meetings for journalistic purposes."

16. OTHER BUSINESS:

17. QUESTION PERIOD:

18. ADJOURNMENT:



MINUTES
REGULAR COUNCIL MEETING

Monday, February 24, 2025, 4:00 P.M.
Shaw Auditorium, Vancouver Island Conference Centre
80 Commercial Street, Nanaimo, BC

Members:

Mayor L. Krog, Chair (vacated at 8:14 p.m., returned at 8:16 p.m.)
Councillor S. Armstrong (arrived at 7:01 p.m.)
Councillor T. Brown (arrived at 4:31 p.m., vacated at 9:00 p.m.)
Councillor H. Eastmure
Councillor B. Geselbracht* (physically vacated at 5:24 p.m., joined electronically at 7:01 p.m., disconnected at 8:59 p.m., rejoined at 9:14 p.m.)
Councillor E. Hemmens, Acting Chair (vacated at 9:31 p.m., returned at 9:33 p.m.)
Councillor P. Manly (vacated at 8:15 p.m., returned at 8:16 p.m.)
Councillor J. Perrino (vacated at 8:14 p.m., returned at 8:16 p.m.)
Councillor I. Thorpe (vacated at 9:15 p.m., returned at 9:17 p.m.)

Staff:

D. Lindsay, Chief Administrative Officer
R. Harding, General Manager, Community Services/Deputy Chief Administrative Officer
L. Mercer, General Manager, Corporate Services
B. Sims, General Manager, Engineering and Public Works
S. Gurrie, Director, Legislative Services
J. Holm, Director, Planning and Development
K. Robertson, Deputy Corporate Officer
N. Sponaule, Communications Advisor
L. Young, Recording Secretary*

1. CALL THE MEETING TO ORDER:

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

* Denotes electronic meeting participation as authorized by "Council Procedure Bylaw 2018 No. 7272"

2. PROCEDURAL MOTION:

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

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

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

The motion carried unanimously.

Council moved In Camera at 4:01 p.m.

Council moved out of In Camera at 5:24 p.m.

Council recessed the Open Meeting at 5:24 p.m.

Council reconvened the Open Meeting at 7:01 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 12(h) – Development Variance Permit Application No. DVP471 – 504, 508, 548, 552, 556, and 564 Pinnacle Place - Add delegation – Brian Henning, Williamson and Associates.
- (b) Agenda Item 12(k) – Proposed Telecommunications Facility – 4600 Hammond Bay Road – Add delegation – Barry Lyseng, Linley Valley-Stephenson Point Neighbourhood Association.

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

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

- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2025-JAN-20, at 4:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2025-FEB-03, at 3:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Congratulatory remarks to the 2025 Culture Award recipients and noted the public is invited to attend a community event to honour the award recipients at the Port Theatre on 2025-APR-16
- The City is introducing the Property Assess Clean Energy (PACE) style Home Energy Retrofit Financing Program, which will offer interest-free loans up to \$15,000 for home energy retrofits such as electric heat pumps, solar energy and building envelope upgrades
- The City deployed Staff to conduct checks of critical infrastructure following a recent 5.1 magnitude earthquake on Friday, 2025-FEB-21. There is no damage or disruption of infrastructure to report
- The City is conducting a City-wide parking review and will be releasing a survey on 2025-MAR-01. The public is encouraged to participate

Councillor Hemmens requested Council's approval of her expenses to attend and participate in the 2025 Local Government Leadership Academy (LGLA) Forum in Richmond.

It was moved and seconded that Council authorize Councillor Hemmens' expenses to attend the 2025 Local Government Leadership Academy Forum being held in Richmond from 2025-MAR-12 to 2025-MAR-14. The motion carried unanimously.

Mayor Krog continued with the report and:

- Acknowledged the retirement of Superintendent Andrew Burton, RCMP, effective 2025-FEB-20, and congratulated Superintendent Eric Rochette, who was appointed as his successor
- Acknowledged the retirement of Richard Harding, General Manager, Community Services/Deputy Chief Administrative Officer following more than 30 years of service to the City of Nanaimo

7. RISE AND REPORT:

(a) Council Appointments to External Boards

The Mayor advised that at the In Camera portion of the 2025-JAN-20 meeting, Council:

1. appointed Councillors Thorpe and Perrino, with Councillor Eastmure as the alternate, to sit on the Tourism Nanaimo Society Board until the end of Council's term in 2026;
2. appointed Councillor Geselbracht, with Councillor Eastmure as the alternate, to sit on the Nanaimo Systems Planning Organization Society until the end of Council's term in 2026;
3. appointed Councillor Hemmens, with Councillor Perrino as the alternate, to sit on the Nanaimo Prosperity Corporation Board, as a non-voting director, until the end of Council's term in 2026.

(b) Design Advisory Panel Council Appointments

The Mayor advised that at the In Camera portion of the 2025-JAN-20 meeting, Council appointed Councillor Eastmure, with Councillor Armstrong as the alternate, to the Design Advisory Panel until the end of Council's term in 2026.

(c) Design Advisory Panel - Architectural Institute of British Columbia Member Appointment

The Mayor advised that at the In Camera portion of the 2025-JAN-20 meeting, Council appointed Marta Kubacki, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term ending 2027-JAN-20, or until a successor is appointed.

(d) Member-At-Large Appointments to the Board of Variance and Design Advisory Panel

The Mayor advised that at the In Camera portion of the 2025-FEB-03 meeting, Council:

1. appointed Kyle Wickland to the Board of Variance for a three-year term ending 2028-FEB-03 or until a successor is appointed; and
2. appointed Romolo (Alex) Messina to the Design Advisory Panel for a three-year term ending 2028-FEB-03 or until a successor is appointed.

(e) Culture and Heritage Awards 2025

The Mayor advised that at the In Camera portion of the 2025-FEB-03 meeting, Council approved the following for 2025 Culture and Heritage Awards: Joël A. Prévost, Excellence in Culture; Tsatassaya White, Honour in Culture; Douglas Roszmann, Honour in Culture; and Sophia Maher, Honour in Heritage.

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2024-NOV-28 at 5:02 p.m.
- Minutes of the Public Safety Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2024-DEC-18 at 4:00 p.m.
- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2025-JAN-09 at 5:05 p.m.

9. CONSENT ITEMS:

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

Prior to the vote Councillor Eastmure requested that Agenda Item 10(a)(1) – Commercial Street Project be removed to be voted on separately.

(a) Finance and Audit Committee Meeting 2025-FEB-19

1. Community Resiliency Investment Program (FireSmart Community Funding and Supports Program)

That Council support the City of Nanaimo's application to the Union of BC Municipalities for the Community Resiliency Investment Program (FireSmart Community Funding and Supports Program) and if successful the 2025-2029 Financial Plan be amended to include this grant.

2. Nanaimo Restorative Justice Program Funding

That Council:

1. Approve a 5- year annual operating grant to the Restorative Justice Program for the term covering January 1, 2025 to December 31, 2029 based on \$150,000 for 2025; and,
2. Add a 2% annual increase for 2026 to 2029.

3. 2025 Culture Project Grant Additional Allocation

That Council approve the addition of Crimson Coast Dance Society to the list of 2025 Culture & Event Grant standby organizations, and Project Grant reallocation as follows:

- Applicant Name: Crimson Coast Dance Society
 - Recommended: \$3,476
- Applicant Name: Vancouver Island Symphony
 - Recommended: \$965

4. Heritage Façade Grant - 437 Fitzwilliam Street

That Council approve a \$8,137.50 Heritage Façade Grant for the Rawlinson & Glaholm Grocers building located at 437 Fitzwilliam Street to repaint the building's exterior.

5. Heritage Home Grant - 469 Milton Street

That Council approve a \$2,500 Heritage Home Grant to update the exterior cladding and replace the roof's gutter system of the Milton Street Bungalow at 469 Milton Street.

6. Security Checks and Other Grants Policy Update

That Council approve the revised Security Checks and Other Grants Policy as outlined in the Staff report dated 2025-FEB-19.

7. Canada Housing Infrastructure Fund

That Council approve submission of an application to the Canada Housing Infrastructure Fund for funding for the Millstone Trunk North Sewer System Project.

8. UBCM Emergency Support Services Equipment and Training Program Grant Application

That Council approve the grant application to the UBCM Emergency Support Services Equipment and Training Program for funding for the Nanaimo ESS Group Lodging Supplies regional project and support the City of Nanaimo providing overall grant management as the primary applicant.

9. UBCM Emergency Operations Centres Equipment and Training Stream Grant Application

That Council approve a grant application to the UBCM Emergency Operations Centres Equipment and Training Program for funding for the Nanaimo EOC Equipment Upgrade project and supports the City of Nanaimo providing overall grant management.

10. Active Transportation Fund - Capital Project Stream 2025 Grant Application

That Council:

- a. Direct Staff to apply to the Active Transportation Fund – Capital Projects Stream 2025 for funding for the Bowen Road Bike Lane Expansion Project; and,
- b. With the project being contingent on a successful grant application, approve adding the Bowen Road Bike Lane Expansion project to the 2025 – 2029 Financial Plan at a total cost of \$1,900,000, funded by \$1,140,000 from the Active Transportation Fund – Capital Project Stream and \$760,000 from the Growing Communities Reserve Fund.

The motion carried unanimously.

(b) Separately Addressed Consent Item

1. Commercial Street Project

That Council endorse the Design Commercial phasing plan for consideration during the 2026 – 2030 Financial Plan deliberations.

The motion carried.

Opposed: Councillors Armstrong, Brown, Eastmure, and Geselbracht

10. REPORTS:

(a) Options for Amendments to Council's Procedure Bylaw and Respectful Spaces Bylaw

Introduced by Sheila Gurrie, Director, Legislative Services.

Karen Robertson, Deputy Corporate Officer, provided an overview of the report in the agenda package, and outlined the options for Council's consideration in the report.

Sara Dubinsky, Partner, Lidstone and Co., was available via Zoom to answer questions.

It was moved and seconded that section 16.5(b) "Prohibited Use of an Electronic Device" and the definitions of "Electronic Device" and "Prohibited Use of an Electronic Device" be removed from "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05". The motion was defeated.

Opposed: *Mayor Krog, Councillors Brown, Geselbracht, Hemmens, Manly, Perrino and Thorpe*

It was moved and seconded that Council add the following provision to subsection 19.6:

"19.6(c) despite subsection 19.6 (b), when there are multiple Delegations for the same item on the agenda, Council may, by a motion passed by a majority vote of Council members present, limit the time for Delegations to verbally address Council to three (3) minutes."

The motion carried unanimously.

It was moved and seconded that Council retain the status quo of allowing four delegations pertaining to items not listed on a Council agenda with a 5-minute time limit. The motion carried.

Opposed: *Councillor Thorpe*

It was moved and seconded that "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05" (a bylaw to include provisions associated with delegations, inappropriate behaviour, electronic devices and signs in Council and Committee meetings and minor housekeeping amendments) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05” pass third reading. The motion carried.

Opposed: *Councillors Eastmure and Armstrong*

It was moved and seconded that “Respectful Spaces Amendment Bylaw 2025 No. 7381.01” (a bylaw to include electronic devices and other housekeeping amendments) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Respectful Spaces Amendment Bylaw 2025 No. 7381.01” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Respectful Spaces Amendment Bylaw 2025 No. 7381.01” pass third reading. The motion carried.

Opposed: *Councillor Eastmure*

Mayor Krog vacated the Shaw Auditorium at 8:14 p.m. declaring a conflict of interest as a family member operates a short-term rental.

Councillor Perrino vacated the Shaw Auditorium at 8:14 p.m. declaring a conflict of interest as she owns a short-term rental property.

Councillor Hemmens assumed the Chair at 8:14 p.m.

Councillor Manly vacated the Shaw Auditorium at 8:15 p.m.

(b) Bylaw Notice Enforcement Amendment Bylaw - Short-Term Rental Fines

K. Robertson, Deputy Corporate Officer, provided an overview of the report in the agenda package.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” (a bylaw to assign fines associated with short-term rental violations) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Brown*

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Brown*

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” pass third reading. The motion carried.

Opposed: *Councillor Armstrong*

Mayor Krog, Councillor Manly, and Councillor Perrino returned to the Shaw Auditorium at 8:16 p.m. and Mayor Krog resumed the Chair.

(c) Delegation of Authority Bylaw Amendment - Housekeeping Amendments

K. Robertson, Deputy Corporate Officer, provided an overview of the report in the agenda package.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” (a housekeeping amendment to address staff title changes) pass first reading. The motion carried unanimously.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” pass second reading. The motion carried unanimously.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” pass third reading. The motion carried unanimously.

(d) Public Works Yard Updates Project: Options for Next Steps

Bill Sims, General Manager, Engineering and Public Works, provided an overview of the report in the agenda package.

It was moved and seconded that Council direct Staff to proceed with Detailed Design and Costing and allocate \$1,800,000 funded by \$1,314,000 from the General Asset Management Reserve Fund, \$162,000 from the Sewer Operating Reserve, and \$324,000 from the Water Operating Reserve to undertake the work. (Option four in the report). The motion carried.

Opposed: *Councillors Brown, Eastmure, and Geselbracht*

(e) 2024-2028 Financial Plan Amendment Bylaw

Laura Mercer, General Manager, Corporate Services, provided an overview of the report in the agenda package.

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” (To amend the 2024 – 2028 Financial Plan), pass first reading. The motion carried unanimously.

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” pass second reading. The motion carried unanimously.

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” pass third reading. The motion carried unanimously.

(f) Development Variance Permit Application No. DVP473 - 1200 Dufferin Crescent

Jeremy Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP473 - 1200 Dufferin Crescent.

No one in attendance wished to speak with respect to DVP473 - 1200 Dufferin Crescent.

It was moved and seconded that Council issue Development Variance Permit No. DVP473 for the Nanaimo Cancer Centre with a building height variance as outlined in the “Proposed Variance” section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

(g) Development Variance Permit Application No. DVP470 - 290 Vancouver Avenue

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegation:

1. Brody Phillips, Turner and Associates, Land Surveying, was available to answer questions.

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP470 – 290 Vancouver Avenue.

No one in attendance wished to speak with respect to DVP470 – 290 Vancouver Avenue.

It was moved and seconded that Council issue Development Variance Permit No. DVP470 which would permit a 3.19m variance to the required lot depths from 30.0m to 26.81m for Proposed Lots A and B, in order to facilitate a boundary adjustment subdivision (SUB01516) at 290 Vancouver Avenue. The motion carried unanimously.

Councillor Geselbracht disconnected from the meeting at 8:59 p.m.

(h) Development Variance Permit Application No. DVP471 - 504, 508, 548, 552, 556, and 564 Pinnacle Place

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegation:

1. Brian Henning, Williamson and Associates, was available to answer questions.

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP471 - 504, 508, 548, 552, 556, and 564 Pinnacle Place.

No one in attendance wished to speak with respect to DVP471 - 504, 508, 548, 552, 556, and 564 Pinnacle Place.

It was moved and seconded that Council issue Development Variance Permit No. DVP471 for single-family residential dwellings at 504, 508, 548, 552, 556, and 564 Pinnacle Place with variances outlined in the "Proposed Variances" section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

Councillor Brown vacated the Shaw Auditorium at 9:00 p.m.

Council recessed the meeting at 9:00 p.m.

Council reconvened the meeting at 9:14 p.m.

Councillor Geselbracht rejoined the meeting electronically at 9:14 p.m.

(i) Development Permit Application No. DP1369 - 2355 Kenworth Road

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

It was moved and seconded that Council issue Development Permit No. DP1369 to allow overheight combined fences and retaining walls at 2355 Kenworth Road as outlined in the "Proposed Variances" section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

Councillor Thorpe vacated the Shaw Auditorium at 9:15 p.m. declaring a conflict of interest as he has a relative involved in the development of 5730 Turner Road.

(j) Development Permit Application No. DP1355 - 5730 Turner Road

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

It was moved and seconded that Council issue Development Permit No. DP1355 for a mixed-use development at 5730 Turner Road with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

Councillor Thorpe returned to the Shaw Auditorium at 9:17 p.m.

(k) Proposed Telecommunications Facility - 4600 Hammond Bay Road

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegations:

1. Doug Anastos, TELUS, spoke regarding project timelines and next steps.
2. Barry Lyseng, Linley Valley-Stephenson Point Neighbourhood Association, spoke in favour of the proposed telecommunications facility, and the continued need for cellular service in the Hammond Bay area.

It was moved and seconded that Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 63m telecommunications facility at 4600 Hammond Bay Road. The motion carried unanimously.

(l) Housing Target Progress Report July to December 2024

J. Holm, Director, Planning and Development, provided an overview of the report as attached to the agenda package and noted that the Ministry has been made aware of the delay in reporting due to the cancellation of the 2025-FEB-03 Regular Council Meeting.

It was moved and seconded that Council receive the Housing Target Progress Report for the reporting period of 2024-JUL-01 to 2024-DEC-31 in accordance with Ministerial Order M203 2024. The motion carried unanimously.

(m) Nanaimo Equestrian Association Request for Letter of Support

Richard Harding, General Manager, Community Services and Deputy Chief Administrative Officer, provided an overview of the report in the agenda package.

It was moved and seconded that Council direct Staff to provide a letter of support under the Mayor's signature on behalf of City Council to support Nanaimo Equestrian Association's grant application to the Horse Council of BC. The motion carried unanimously.

13. BYLAWS:

Councillor Hemmens vacated the Shaw Auditorium at 9:31 p.m. declaring a conflict of interest as she lives in the immediate neighbourhood of the properties included in the "Zoning Bylaw Amendment Bylaw 2024, No. 4500.221".

(a) "Zoning Bylaw Amendment Bylaw 2024, No. 4500.221"

It was moved and seconded that "Zoning Bylaw Amendment Bylaw 2024 No. 4500.221" (to rezone 120 Needham Street, 515, 535, 545, and 575 Nicol Street, from Single Dwelling Residential [R1] and Community Corridor [COR3] to Residential Corridor [COR1] with site-specific provisions) be adopted. The motion carried unanimously.

Councillor Hemmens returned to the Shaw Auditorium at 9:33 p.m.

(b) "False Alarm Bylaw 2025, No. 7392"

It was moved and seconded that "False Alarm Bylaw 2025, No. 7392" (a bylaw to reduce false alarms) be adopted. The motion carried unanimously.

(c) "Fees and Charges Amendment Bylaw 2025, No. 7336.12"

It was moved and seconded that "Fees and Charges Amendment Bylaw 2025, No. 7336.12" (a bylaw to add false alarm fees) be adopted. The motion carried unanimously.

(d) "Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.24"

It was moved and seconded that "Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.24" (a bylaw to add fines for false alarms) be adopted. The motion carried unanimously.

14. CORRESPONDENCE:

- (a) Nanaimo Family Life Association Request for Letter of Support re: BC Housing Funding for Permanent Shelter at 55 Victoria Road (The Hub)

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support to Nanaimo Family Life Association, for their application to BC Housing, to fund a permanent shelter at 55 Victoria Road. The motion carried unanimously.

15. NOTICE OF MOTION:

- (a) Councillor Eastmure Notice of Motion re: Controlling Sale of Invasive Species

Councillor Eastmure advised that she would be bringing forward the following Notice of Motion for consideration at a future Council Meeting:

"That Council direct Staff to bring forward a report to a future Governance and Priorities Committee Meeting on options to prohibit the sale and spread of invasive species in the City of Nanaimo and options for the recovery of the cost of abatement of such invasive species."

17. QUESTION PERIOD:

Council received three (3) questions from the public regarding agenda items.

18. ADJOURNMENT:

It was moved and seconded at 9:52 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER



MINUTES
REGULAR COUNCIL MEETING

Monday, March 3, 2025, 7:00 P.M.
Shaw Auditorium, Vancouver Island Conference Centre
80 Commercial Street, Nanaimo, BC

Members: Mayor L. Krog, Chair (vacated at 7:56 p.m., returned at 7:57 p.m.)
Councillor S. Armstrong* (joined at 7:21 p.m.)
Councillor T. Brown
Councillor H. Eastmure
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly
Councillor J. Perrino (vacated at 7:56 p.m., returned at 7:57 p.m.)
Councillor I. Thorpe

Staff: D. Lindsay, Chief Administrative Officer
L. Mercer, General Manager, Corporate Services
B. Sims, General Manager, Engineering and Public Works
S. Gurrie, Director, Legislative Services
J. Holm, Director, Planning and Development
D. LaBerge, Director, Public Safety
D. Burgos, Manager, Corporate Communications and
Community Relation Communications
C. Wood, Manager, Social Planning
N. Sponaule, Communications Advisor
A. Chanakos, Recording Secretary

1. CALL THE MEETING TO ORDER:

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

2. INTRODUCTION OF LATE ITEMS:

- (a) Add New Agenda Item 8(a) King Charles III Coronation Medal Presentation to Horst Backé, and reorder subsequent agenda items.

* Denotes electronic meeting participation as authorized by "Council Procedure Bylaw 2018 No. 7272"

- (b) Agenda Item 12(b) Development Permit Application No. DP1364 – 1960 Mountain Vista Drive – Add delegation from Darren Moss.
- (c) Add Agenda Item 16(b) Councillor Manly Request for Reconsideration of Third Reading of “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05”.

3. APPROVAL OF THE AGENDA:

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

4. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2025-FEB-20, at 7:00 p.m., be adopted. The motion carried unanimously.

5. MAYOR'S REPORT:

Mayor Krog advised that the 2025 water main flushing program begins 2025-MAR-02 in select areas of the city. Water usage may see short periods of low pressure and water discolouration, which is expected to be temporary and is not considered a health hazard. He also noted that the 2025 City of Nanaimo street banner theme is “Metamorphosis and Change”. Nanaimo artist Aiym Samay-Sampson’s design reflects the idea of change with the image of an abstract butterfly.

6. PRESENTATIONS:

(a) King Charles III Coronation Medal Presentation

Lisa Marie Barron, Member of Parliament, Nanaimo-Ladysmith, presented the King Charles III Coronation Medal to Horst Backé, recognizing the work of Nanaimo resident and founder of Reaching Out Assisting Refugees (ROAR) in supporting resettlement of lesbian, gay, bisexual, transgender and queer (LGBTQ) refugees across the world.

(b) Chuck Loewen, General Manager, Vancouver Island Conference Centre, re: Vancouver Island Conference Centre 2024 Annual Results Financial and Key Performance Indicators

Chuck Loewen, General Manager, Vancouver Island Conference Centre (VICC), provided an on-screen presentation included in the agenda package. Highlights included:

- In 2022, the range of revenues transitioned from primarily meetings and conferences to conventions, banquets and special events
- Since 2017, VICC has reduced the City's annual investment by almost \$1.4 million
- A new price strategy was implemented for community users to allow them to hold events at the VICC at a reasonable rate

Councillor Armstrong joined the meeting electronically at 7:21 p.m.

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2024-NOV-27, at 9:00 a.m.
- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2024-DEC-04, at 9:00 a.m.
- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Friday, 2024-DEC-06, at 9:00 a.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, 2024-DEC-11, at 9:01 a.m.

8. DELEGATIONS:

- (a) Joanne Sales, Executive Director, Broombusters Invasive Plant Society re: Scotch Broom Removal in Nanaimo

Joanne Sales, Executive Director, Broombusters Invasive Plant Society, provided an on-screen presentation. Highlights included:

- In 2024, 600 volunteers spent 6,000 hours cutting Scotch broom (broom)
- In January 2025, 120 new volunteers signed up for Broombusters, largely due to the recent fires in Los Angeles
- FireSmart lists broom as one of the highest risk flammable plants in BC
- Broom is a ladder fuel which carries fire vertically and can grow nine feet tall

- Broom along powerlines greatly increases the likelihood that fires could spread across Vancouver Island, as most of east Vancouver Island is connected by power lines
- A desire to re-implement the assistance of the Nanaimo Correction Centre, which previously had inmates assist in broom removal

9. REPORTS:

(a) 2024 Public Safety Committee Annual Report

Dave LaBerge, Director, Public Safety, provided an overview of the report in the agenda package, and outlined the main themes of the Public Safety Committee work plan.

Council and Staff discussion took place regarding support for prioritizing the six themes identified in the workplan.

It was moved and seconded that Council accept the following initiative themes to be prioritized by the Public Safety Committee in 2025 based on the Public Safety Committee Workplan 2024 to 2026, and that Staff be directed accordingly:

- Transportation Safety
- Crime Prevention (City)
- Homelessness, Addiction, and Community Impacts
- Health and Wellness
- Advocacy
- Education

The motion carried unanimously.

(b) Development Permit Application No. DP1364 - 1960 Mountain Vista Drive

Jeremy Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegation:

1. Darren Moss provided an on-screen presentation and noted the following:
 - Three rental apartment buildings, three-storeys in height, and a central amenity building are proposed for the site, with units ranging in size from studio to three-bedrooms
 - The central amenity building is intended to encourage engagement among residents and create a sense of community

- The south half of the property consists of a 1.2-hectare private forest, which is being grown as part of the site remediation
- There are two transit stops within a one-minute walk of the site, providing strong connectivity to multi-modal transportation
- Significant bike storage and electrical charging facilities are included in the proposed development
- Engagement with surrounding neighbours was conducted to ensure design concerns were mitigated

It was moved and seconded that Council issue Development Permit No. DP1364 for a multi-family residential development at 1960 Mountain Vista Drive with variances as outlined in the “Proposed Variances” section of the Staff Report titled “Development Permit Application No. DP1364 - 1960 Mountain Vista Drive”, dated 2025-MAR-03. The motion carried unanimously.

10. BYLAWS:

(a) “Zoning Amendment Bylaw 2023 No. 4500.206”

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.206” (to rezone 878 Park Avenue from Steep Slope Residential [R10] to Low Density Residential [R6] with site-specific density and height provisions) be adopted. The motion carried unanimously.

Mayor Krog vacated the Shaw Auditorium at 7:56 p.m. declaring a conflict of interest as a family member operates a short-term rental.

Councillor Perrino vacated the Shaw Auditorium at 7:56 p.m. declaring a conflict of interest as she owns a short-term rental.

Councillor Hemmens assumed the Chair at 7:56 p.m.

(b) “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23”

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” (a bylaw to assign fines associated with short-term rental violations) be adopted. The motion carried.

Opposed: Councillors Armstrong and Brown

Mayor Krog and Councillor Perrino returned to the Shaw Auditorium at 7:57 p.m. and Mayor Krog resumed the Chair.

- (c) “Officer Designation and Delegation of Authority Amendment Bylaw 2025, No. 7353.03”

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” (a housekeeping amendment to address staff title changes) be adopted. The motion carried unanimously.

- (d) “Financial Plan Amendment Bylaw 2025, No. 7371.02”

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” (to amend the 2024 – 2028 Financial Plan) be adopted. The motion carried unanimously.

11. CORRESPONDENCE:

- (a) BC Association of Farmers' Markets re: Request for a Letter of Support for the BC Farmers' Market Nutrition Coupon Program

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support to BC Association of Farmers’ Markets, for the BC Farmers’ Market Nutrition Coupon Program. The motion carried unanimously.

- (b) Request from BC Festival and Events Organizers re: Request for a Letter of Support for the BC Fairs, Festivals and Events Fund

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support to festival and event organizers for the BC Fairs, Festivals and Events Fund. The motion carried unanimously.

12. OTHER BUSINESS:

- (a) Councillor Eastmure Notice of Motion re: Controlling Sale of Invasive Species

It was moved and seconded that Council direct Staff to bring forward a report to a future Governance and Priorities Committee Meeting on options to prohibit the sale and spread of invasive species in the City of Nanaimo and options for the recovery of the cost of abatement of such invasive species. The motion carried.

Opposed: Councillor Thorpe

- (b) Councillor Manly Request for Reconsideration of Third Reading of “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05”

Councillor Manly withdrew his request to reconsider the third reading of “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05”.

13. QUESTION PERIOD:

Council received three questions from the public regarding agenda items.

14. ADJOURNMENT:

It was moved and seconded at 8:05 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER



MINUTES

DESIGN ADVISORY PANEL MEETING

Thursday, January 23, 2025, 5:02 P.M.
Boardroom, Service and Resource Centre,
411 Dunsmuir Street, Nanaimo, BC

Present: Marie Leduc, Chair *
Councillor Eastmure
Hector Alcalá, AIBC*
Johnathan Behnke, BCSLA/CSLA*
Angie Boileau, At Large*
Harry Law, At Large*

Staff: L. Brinkman, A/Director, Planning & Development*
C. Davis, Deputy Director, Parks & Natural Areas*
K. MacDonald, Manager, Parks Operations*
L. Rowett, Manager, Current Planning
K. Mayes, Planner, Current Planning*
J. Marks, Community Development Clerk
A. Bullen, Recording Secretary

1. CALL THE MEETING TO ORDER:

The Design Advisory Panel Meeting was called to order at 5:02 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Design Advisory Panel meeting held in the Boardroom of the Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2025-JAN-09 at 5:05 p.m. be adopted. The motion carried unanimously.

* Denotes electronic meeting participation as authorized by "Council Procedure Bylaw 2018 No. 7272"

4. PRESENTATIONS:

- a. Development Permit Application No. DP001361 – 564 Fifth Street & 502 Howard Avenue

Introduced by Kristine Mayes, Planner, Current Planning.

Presentations:

1. Alfred Waugh, Founder and Principal, Formline Architecture and Urbanism Inc., introduced the team and presented the design rationale, site plan and context, road dedications, project data, floor plans, building sections, exterior materials, building elevations and renderings, and streetscapes. Highlights included:
 - 358 residential units with a community building located at the southwest corner of the development
 - A central green space offering views of Te'tuxwtun Mountain, promoting a connection to nature
 - The development is situated on a 5% hillside slope
 - Rainwater collection systems integrated into the site
 - Three daycare facilities and three outdoor play areas
 - A private outdoor amenity area for residents featuring a raised wood deck and a fire pit
 - Multiple access points and gathering areas throughout the site
 - An on-site loading area with fire truck access via a back lane
 - A multi-purpose space available for booking by residents and community members
 - A café at the corner of Fifth Street and Georgia Avenue
 - Underground parking is located at the lowest part of the site
 - All residential buildings include rooftop gardens for growing food
 - Large amenity spaces on the rooftop decks
 - Screening around buildings for sun shading, privacy, and aesthetic interest
 - Sustainable design features including rain gardens, stormwater runoff management, façade shading systems, and rooftop gardens

2. Joan Brown, Snuneymuxw First Nation, provided an explanation of the development concept and provided closing remarks at the end of the meeting. Highlights included:
 - The goal of the Te'tuxwtun Project is to restore and strengthen the community's connection to the land
 - The design is a modern interpretation of ancient traditions: a social, physical, and spiritual centre
 - The design prioritizes spaces for gathering and fostering a strong sense of community
3. Chris Windjack, Landscape Architect, LADR Landscape Architects, presented an overview of the landscape plan. Highlights included:
 - Retention of as many existing trees as possible
 - The west side of the site will feature more public spaces, while the east side will offer more private areas
 - A native plant palette to provide habitat for wildlife, including birds, animals, and insects
 - Selection of plants that offer year-round fruit production for human or animal harvest
 - The western gathering plaza features a double row of trees and includes multiple paving surfaces, such as cobble pavers and concrete banding
 - A basketball court with integrated seating areas
 - A stormwater runnel conveys water down the central path, directing water from the upper rain garden to the stormwater detention area
 - Varied sunny and shaded areas throughout the site
 - Roof landscaping with spaces for cooking, dining, gathering, and gardening
4. Katarina Kandracova, Architectural Designer, Formline Architecture and Urbanism Inc., shared the draft animation of the development site.

Marie Leduc, Chair, opened the floor for questions to Staff.

Staff clarified that the road will remain between Parcels A and B, with the potential for parking along the side.

Staff provided clarification on the procedure for addressing parking variances. It was also noted that the Panel can discuss these variances in relation to the application's form and character.

Staff clarified the rezoning of the development and the inclusion of the 64 low-income housing units.

Panel discussion took place. Highlights included:

- Comment to consider increasing the capacity of the underground parking
- Clarification regarding how the parking variance study was conducted, including data collection, demand surveys, an analysis of ICBC data, and proposed transportation demand management measures
- Clarification that the project is part of a provincial redevelopment program aimed at providing rent-geared-to-income housing rather than shelter services
- Confirmation of the inclusion of a bike repair area
- Clarification regarding the impact of morning shadowing on the western sites
- Suggestion to consider more pedestrian lighting throughout the development
- Clarification regarding materials and height of retaining walls on site
- Public and private access will be controlled with gates
- Feedback regarding the drainage of mown paths
- Potential accessibility issues raised about the texture of cobble pavers
- Clarification regarding the inclusion of wood sorrel in the plant palette
- Confirmation that three loading spaces will be provided on-site
- Concern raised about the lack of accessible parking spaces
- Suggestion to make curtain walls bird-friendly
- Concern about the potential shadowing on 297 Harewood Road
- Clarification regarding the entrances to the residential buildings

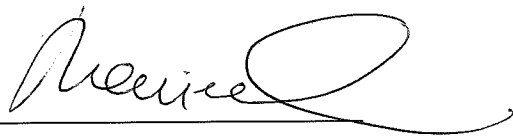
It was moved and seconded that Development Permit Application No. DP001361 – 564 Fifth Street & 502 Howard Avenue be accepted as presented. The following recommendations were provided:

- Consider the height of the rooftop deck fencing so that it does not increase shadowing on the neighbouring properties to the north
- Consider adding sufficient pedestrian lighting throughout the site for nighttime visibility
- Ensure mown paths have good drainage
- Consider the type of surface material used in the plaza to ensure that they do not impede mobility
- Check if the wood sorrel in the planting palette is invasive
- Consider increasing the number of accessible parking spaces
- Consider using bird frit glass on the curtain walls to reduce bird strikes

The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 6:40 p.m. that the meeting adjourn. The motion carried unanimously.

A handwritten signature in black ink, appearing to read "Merice", written over a horizontal line.

CHAIR

CERTIFIED CORRECT:

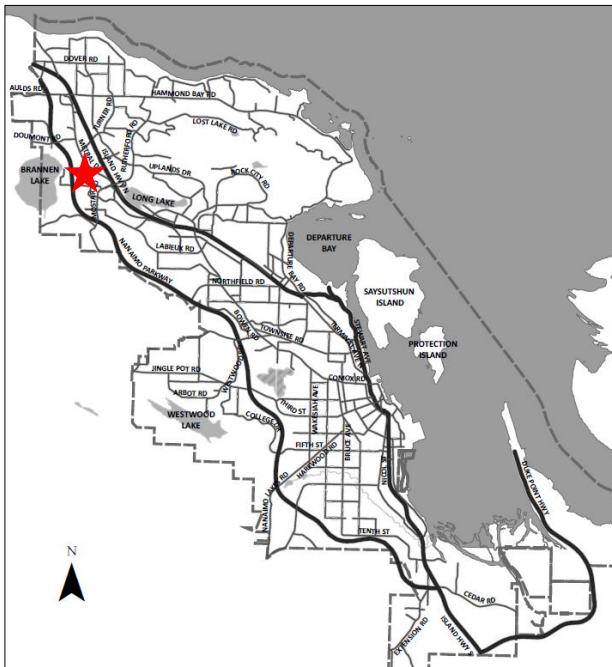
A handwritten signature in black ink, appearing to read "Chris", written over a horizontal line.

RECORDING SECRETARY

DATE OF MEETING | March 17, 2025 |

AUTHORED BY | SETIA LINDSAY, SUBDIVISION TECHNICIAN, SUBDIVISION |

SUBJECT **DEVELOPMENT VARIANCE PERMIT APPLICATION NO.**
DVP00474 – 5515 GODFREY ROAD



Proposal:

To reduce the minimum lot depth for a proposed two-lot subdivision.

Zoning:

R5 – Three and Four Unit Residential

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

1,393.7 m²

DVP



OVERVIEW

Purpose of Report

To present, for Council's consideration, a development variance permit application to reduce the minimum lot depth requirement to facilitate a two-lot subdivision at 5515 Godfrey Road.

Recommendation

That Council issue Development Variance Permit No. DVP474 which would permit a 2.02m variance to the required lot depth for proposed Lot 1, and a 2.03m variance to the required lot depth for proposed Lot 2 in order to facilitate a proposed 2-lot subdivision (SUB01518) at 5515 Godfrey Road.

BACKGROUND

A development variance permit application, DVP474, was submitted to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to reduce the minimum lot depth requirements. This variance will allow the applicant to subdivide the existing property.

Subject Property and Site Context

The subject property is located at the corner of Godfrey Road and Burnham Crescent. There is currently one residential dwelling located on the property, which is accessed from Godfrey Road. The surrounding neighbourhood is predominantly comprised of single-residential dwellings.

DISCUSSION

Proposed Development

The applicant proposes to subdivide the parent parcel into two fee-simple lots, while retaining the existing single residential dwelling on proposed Lot 2. The proposed lots will meet the minimum parcel area requirement of 600m² for the R5 zone, however the minimum lot depth requirement of 30m will not be possible after the road dedication required through subdivision is taken.

Proposed Variance

Minimum Lot Depth Requirement

The minimum lot depth required in the R5 zone is 30m.

Proposed Lot	Required Lot Depth	Proposed Lot Depth	Variance
Lot 1	30.0m	27.98m	2.02m
Lot 2	30.0m	27.97m	2.03m

There is an existing garage on the north side of the residence that will be removed as a condition of Final Approval of the subdivision in order to meet the side yard setback requirement created

by the new lot line. Once that is complete, all other zoning requirements will be met for both proposed lots.

City Plan designates the subject property as 'Suburban Neighbourhood'. The proposed variances to facilitate subdivision will allow for redevelopment of lands with modest infill in an existing neighbourhood, which is consistent with the general Neighbourhood policies in City Plan.

The lot depth variances are not anticipated to negatively impact neighbouring properties.

Statutory notification has taken place prior to Council's consideration of the variance.

Staff support the proposed variance. |

SUMMARY POINTS

- Development Variance Permit No. DVP474 proposes variances to reduce the minimum lot depths for a proposed 2-lot subdivision of the subject property.
- Despite the reduced lot depths, the proposed lots will provide adequate building envelopes for the intended residential use. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Survey Plan |

Submitted by:

Claire Negrin
Manager, Subdivision D/Approving Officer |

Concurrence by:

Jeremy Holm
Director, Planning & Development |

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

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

1. *Section 7.4.1 Lot Size and Dimensions* – to reduce the minimum required lot depths from 30.0m to 27.98m for Proposed Lot 1, and from 30.0m to 27.97m for Proposed Lot 2.

CONDITIONS OF PERMIT

1. The subject property shall be developed generally in accordance with the conceptual Subdivision Plan, prepared by J.E. Anderson & Associates, dated 2024-DEC-18, as shown on Attachment C.

ATTACHMENT B

SUBJECT PROPERTY MAP



5515 GODFREY ROAD

ATTACHMENT C SITE SURVEY PLAN

PROPOSED SUBDIVISION PLAN

1384555 BC LTD.

LOT 32, SECTION 4,
RANGE 4, WELLINGTON
DISTRICT, PLAN 21691

ADDRESS : 5515 GODFREY ROAD,
NANAIMO, B.C.

PROJECT SURVEYOR : D.W. HOLME

DRAWN BY : DWH DATE : DEC. 18/24

OUR FILE : 90733 REVISION :



**J.E. ANDERSON
& ASSOCIATES**
SURVEYORS - ENGINEERS

1A - 3411 SHENTON ROAD, NANAIMO, B.C. V9T 2H1
TEL: 250 - 758 - 4631 FAX: 250 - 758 - 4660
E-MAIL: nanaimo@jeanderson.com
NANAIMO - VICTORIA - PARKSVILLE - CAMPBELL RIVER

LEGEND

ALL DIMENSIONS ARE IN METRES

SUBJECT TO CHARGES SHOWN
ON TITLE NO. CB1171949
(P.I.D. 000-987-166)

DIMENSIONS ARE DERIVED FROM
LAND TITLE OFFICE RECORDS

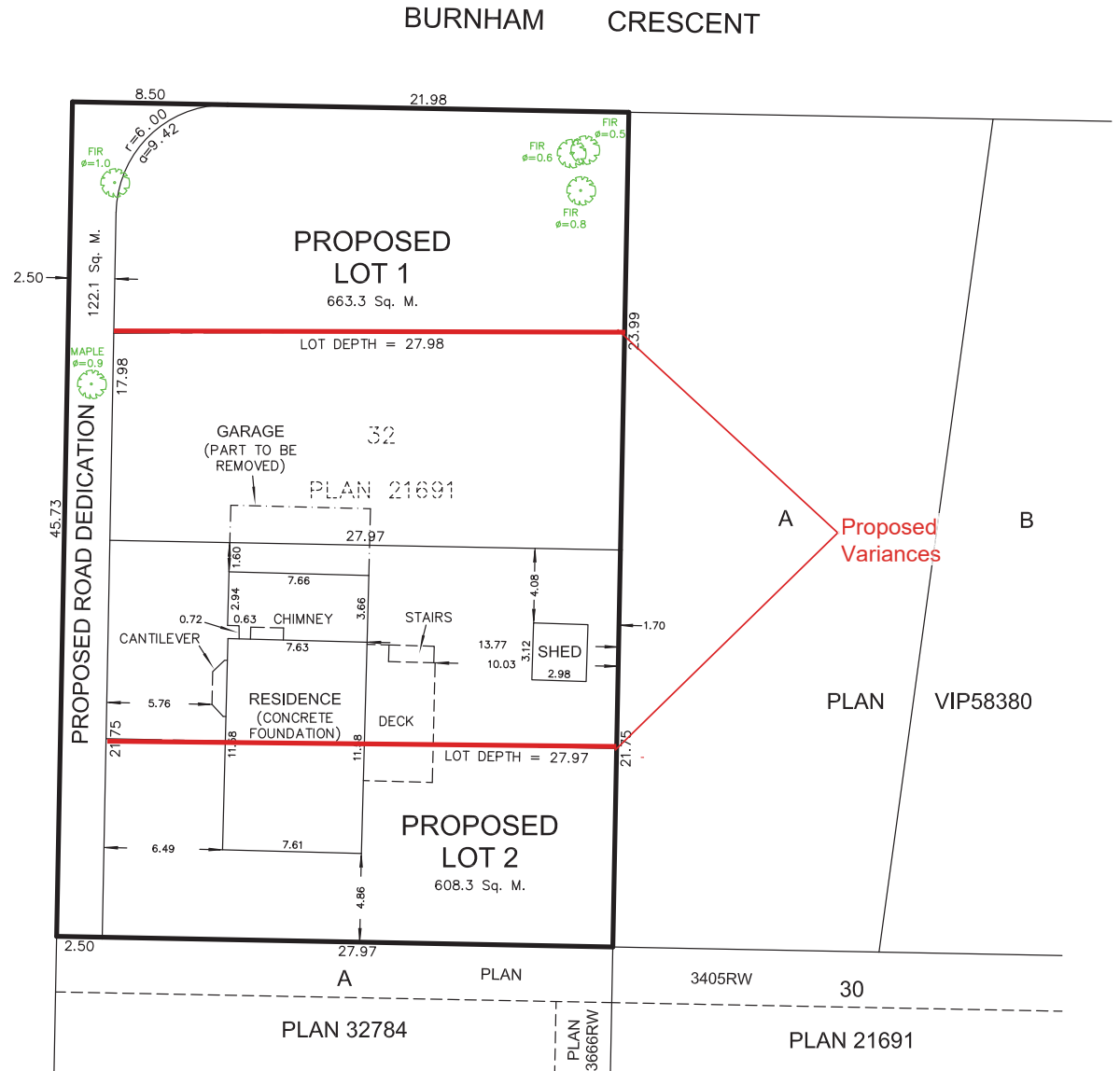
THIS PLAN HAS BEEN PREPARED IN
ACCORDANCE WITH THE PROFESSIONAL
REFERENCE MANUAL



The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1:250



GODFREY ROAD



DATE OF MEETING March 17, 2025

AUTHORED BY DAVID STEWART, ENVIRONMENTAL PLANNER

SUBJECT HOME ENERGY RETROFIT FINANCING PROGRAM BYLAW

OVERVIEW

Purpose of Report

To update Council on the development of the Home Energy Retrofit Financing Program and to present the bylaw to establish the program for Council consideration.

Recommendation

That:

1. "Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" (to initiate the City of Nanaimo's retrofit financing program) pass first reading;
2. "Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" pass second reading; and,
3. "Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" pass third reading.

BACKGROUND

At the regular meeting held 2024-APR-22, Council received the Nanaimo Deep Retrofits Financing Feasibility Study. The study and accompanying Staff Report provided Council with information related to developing a home energy loan program for City of Nanaimo residents. One of the financing options discussed was a Property Assessed Clean Energy (PACE) style loan program. Through a PACE loan, loans are tied to the property (rather than the individual) and paid off through the property tax bill. At that meeting, the following motion was passed:

"that Council direct Staff to design a home energy retrofit financing program and bring a report to Council for consideration of implementing the program."

At the 2024-JUN-19 Finance and Audit Committee meeting, Staff presented a report to seek Council direction to submit an application for funding to implement a Property Assessed Clean Energy (PACE) style home energy retrofit financing program in Nanaimo. Consent by Council was given at the 2024-JUL-08 regular meeting, and the following motion was passed:

"That Council direct Staff to:

1. *apply to the Federation of Canadian Municipalities (FCM) Community Energy Efficiency Financing (CEF) program for pilot funding to support a Property Assessed Clean Energy (PACE) style home energy financing program and if successful, launch a PACE style home energy financing program for Nanaimo residents; and,*
2. *allocate up to \$200,000 from the Climate Action Reserve Fund to support a home energy retrofit financing program."*

On 2024-DEC-04, the City of Nanaimo was notified that Nanaimo was approved for a grant in the amount of \$458,000 to support a PACE-style home energy retrofit program. Since then, work is underway on preparing to launch the program this spring.]

DISCUSSION

Program Overview

A detailed overview of the program is included in the 2024-JUN-19 Finance and Audit Report in Attachment A.

A total of \$500,000 in funding is available for loans; as such, we expect the program will be able to support 33 to 50 applications, depending on the amount of funding requested. Given the limited funding available, loan applications will be prioritized based on climate impact, income/equity, energy savings, and climate resiliency as outlined in Attachment A.

Program Bylaw Requirement

As noted in the previous report, if a local government in BC wishes to establish a PACE loan program, they must do so through local area service improvement bylaws. A local area service is any municipal service that is designed to benefit a particular part of the municipality and is paid for in whole, or in part, by local property owners through a local service tax. By reducing community emissions and supporting more energy-efficient and resilient homes, the program will have a direct community benefit consistent with municipal goals. The local area service participants will be those residents who apply for and are accepted into the program; those residents will pay for the loan service through their property taxes. Payments will be made over a period of up to ten years concurrent with tax payments, loan participants will have the option to pay the entire loan early with no penalties.

The Home Energy Retrofit Financing Program Bylaw is necessary to establish the program and authorize the City to collect loans tied to property tax.

Program Process and Next Steps

If the Home Energy Retrofit Financing Program Bylaw is adopted, Staff will prepare to accept applications in April and May 2025. An additional intake may take place later in the year, depending on the number of applications received during the spring 2025 intake.

Program advertising and communications will encourage Nanaimo homeowners to learn about the program and check eligibility requirements. If a homeowner wishes to apply for the PACE loan, the process will be as follows:

1. Register for the Home Energy Navigator
 - Registration for the free Home Energy Navigator (HEN) program, which provides non-financial support to homeowners related to retrofit decisions, is mandatory for loan participants.
 - Through HEN, income-qualified homeowners eligible for significant rebate programs such as the Provincial Energy Savings Program may be directed to those programs before applying for the City's PACE loan.

2. Apply for the loan
 - Loan applications will be accepted between April and May 2025.
 - Applications will be reviewed by a third-party program administrator to confirm eligibility and provide a score and by City Staff to confirm property taxes and user rate accounts are in good standing.
 - Applicants will then be notified to confirm if their loan application has been approved.
3. Petition
 - Approved applicants will be invited to submit a petition for Council to create a Local Area Service via the adoption of a Local Area Service Bylaw.
4. Notice of Intention to Lend Money
 - In accordance with Section 24 of the *Community Charter*, the City will publish a public notice of intent to lend money as per *Section 94 [public notice]* of the *Charter*.
5. Local Area Service Bylaw
 - Received petitions will be certified and the Local Area Service Bylaw for each participating party will be brought to Council for approval as part of a consent agenda in the summer of 2025. Bylaws will be taken in a single intake batch and included in a single Council report.
 - The bylaw must establish the cost recovery method for the service.
6. Homeowners may then carry out the following pre-installation requirements:
 - Complete an EnerGuide evaluation and submit a copy of the pre-renovation report.
 - Obtain contractor quotes.
 - Confirm participation does not breach any terms of their mortgage.
7. Sign the Financing Agreement
 - Once all documentation has been reviewed, participants will be asked to sign and return the financing agreement.
 - With the financing agreement in place, the program may help pay the contractor's deposit.
8. Complete the Installation/Renovation
 - The contractor may now begin the work provided they have obtained all required permits.
 - Once the work is complete and documented, the final invoice can be submitted to the program administrator for payment.
9. Parcel Tax Bylaw
 - In order to allow the loans to be repaid through taxes, the City will secure the loan amount, and repayment terms (already established in the loan agreement-step 7) through a parcel tax bylaw in accordance with Section 200 of the *Community Charter*.
 - A report respecting how amounts or rates were determined will be made available to the public upon request in accordance with Section 200 (4) of the *Charter*.
10. Parcel Tax Review Panel
 - Before the parcel tax is imposed for the first time, a parcel tax roll review panel must consider any complaints respecting the parcel tax roll and must authenticate the roll.

- The City is required to publish a notice of the parcel tax review panel meeting in accordance with Section 94 [public notice] of the *Community Charter*. This is in addition to the notification required in Step 4.
- The City must mail to the owner of every parcel that is to be taxed a notice at least fourteen (14) days before the review panel meeting.
- Only properties that have elected to pay for the service via parcel tax must be included in the parcel tax roll.
- Council must appoint at least three (3) members to the review panel.

11. Parcel Tax Imposed

- The parcel tax will then be established and property owners that received the loan will be required to start paying the loan back over 10 years with their property taxes.

OPTIONS

1. That:

1. "Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" (to initiate the City of Nanaimo's retrofit financing program) pass first reading;
2. "Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" pass second reading; and,
3. "Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" pass third reading.

- The advantages of this option: This option is necessary to launch a PACE style home energy retrofit financing program for Nanaimo residents and is consistent with Council's earlier direction.
- The disadvantages of this option: Given Council has already directed Staff to launch a PACE-style financing program, no disadvantages of this option have been identified.
- Financial Implications: There are no new financial implications at this time, as the project budget and all funding sources have been confirmed. The total project budget is \$917,915. This includes a \$458,000 contribution from the Federation of Canadian Municipalities. The remaining funding will be covered through a combination of in-kind staff time, current budgeted projects and programs, and the City's cash contribution.

2. That Council deny the bylaw as presented.

- The advantages of this option: Staff time currently allocated to this program will be reallocated to other priority actions.
- The disadvantages of this option: If the bylaw is not approved, the City will not be able to launch the PACE loan program. The Nanaimo residents will not have an option to access zero-interest loan to finance home energy retrofits that could be paid back through property taxes.
- Financial Implications: The City will be required to return the \$458,000 in funding from the Federation of Canadian Municipalities.

3. That Council provides alternate direction.

SUMMARY POINTS

- On 2024-JUL-08, Council directed Staff to apply to the Federation of Canadian Municipalities (FCM) Community Energy Efficiency Financing (CEF) program for funding to support a Property Assessed Clean Energy (PACE) style home energy retrofit financing program, and if successful, launch the program for Nanaimo residents.
- The City's application was successful, and the City was awarded \$458,000 in funding from FCM to support the program.
- Loans will be administered through a local area service bylaw. A program-enabling bylaw is required to establish the program the local area service bylaw is intended to support.

ATTACHMENTS

ATTACHMENT A: 2024-JUN-19 Finance and Audit Committee Report

"Home Energy Retrofit Financing Program Bylaw 2025 No. 7393" |

Submitted by:

Ting Pan
Manager, Sustainability |

Concurrence by:

Jeremy Holm
Director, Planning & Development

Wendy Fulla
Director, Finance

Laura Mercer
General Manager, Corporate Services |



Staff Report for Decision

DATE OF MEETING June 19, 2024

AUTHORED BY DAVID STEWART, ENVIRONMENTAL PLANNER

SUBJECT HOME ENERGY RETROFIT FINANCING PROGRAM

OVERVIEW

Purpose of Report

To seek Council direction to submit an application for funding to implement a Property Assessed Clean Energy (PACE) style home energy retrofit financing program in Nanaimo.

Recommendation

That the Finance and Audit Committee recommend that Council direct Staff to:

1. apply to the Federation of Canadian Municipalities (FCM) Community Energy Efficiency Financing (CEF) program for pilot funding to support a Property Assessed Clean Energy (PACE) style home energy financing program and if successful, launch a PACE style home energy financing program for Nanaimo residents; and,
2. allocate up to \$200,000 from the Climate Action Reserve Fund to support a home energy retrofit financing program.

BACKGROUND

After receiving the City of Nanaimo's Home Energy Retrofit Financing Feasibility Study report on 2024-APR-22, Council directed Staff to design a home energy retrofit financing program and return to Council for consideration of implementing the program.

Federation of Canadian Municipalities (FCM) offers a Community Efficiency Financing Pilot Project Funding program that provides local governments up to \$500,000 in grant funding to cover up to 50% of eligible program design, operation, and capital costs. The program is intended to support local government financing programs that demonstrate clear market transformation potential. Pilot funding also allows local government to test a small-scale version of a program in real-world settings. City Staff would like to recommend applying to this program to offer a PACE style home energy financing program.

PACE loans are affixed to the property (rather than the individual) and repaid through the property tax bill. By securing the loan to the property, PACE loans generally can offer long-term financing with fixed, low-interest rates and have a high repayment rate. Given Provincial lending restrictions, and the lack of PACE enabling legislation, municipalities in British Columbia are ineligible for capital funding stream but may apply for the pilot funding stream for PACE style financing in a program. Staff are working separately on developing a direct lending financing

model to be integrated into the program in the future and anticipate bringing a report to Council with more information in early 2025 to access FCM's capital funding stream.

DISCUSSION

Staff are proposing to establish a small-scale pilot PACE lending program for approximately 30 to 40 Nanaimo homeowners during the first intake. Eligible homeowners will have access to a zero-interest loan of up to a maximum of \$15,000 per property. This ceiling allows participants to secure sufficient funds to cover the cost of most heat pumps, building envelope improvements, or solar panels and backup battery installations. The limit is intended to help manage rising costs, while ensuring that the available funding can be distributed among a greater number of participants. Homeowners will be required to repay the loan over a 10-year period through their property taxes, with an expected annual repayment of 10% of the loan value. Loans repaid by homeowners will be reinvested into the program, enabling more homeowners to access funding in the future.

Program Goal and Objectives

The primary goal of the home energy retrofit financing program is to reduce the City's community greenhouse gas emissions by helping homeowners transition to, and continue to use, clean renewable energy. The program has the following three objectives:

1. **Reduce Community Greenhouse Gas Emissions from low-density residential buildings:** Buildings and infrastructure accounted for 31% of the city's 2017 GHG emissions, with a significant portion of those coming from low-density residential buildings. Collectively, the consumption of fossil fuels for home energy needs generates 49,322 tCO₂e, which is equivalent to 83% of the city's emissions from low-density housing. Supporting homeowners in converting from fossil fuels to low carbon energy equipment, like electric heat pumps, is an essential component of the City's plan to meet its climate targets.
2. **Improve Equity, Access, and Affordability:** Loans should be zero interest, accessible to as many homeowners as possible, and not encourage homeowners to take on unsustainable levels of debt. Proposed upgrades, such as switching from an oil furnace to a heat pump or installing solar panels, should present a good return on investment and result in energy bill savings. Loans should be available to those in greatest need that otherwise would be unlikely to carry out energy retrofits that provide savings and climate and health benefits.
3. **Prepare Nanaimo Residents for a Changing Climate:** *City Plan* acknowledges that the climate is changing. Nanaimo residents can expect hotter and drier summers with more intense and frequent storms that may lead to power outages. These changes will impact Nanaimo residents' home heating and cooling needs. By switching to heat pumps, residents will be able to cool their homes during the warm summer months and reduce exposure to wildfire smoke events. While prolonged power outages are rare in Nanaimo, those residents concerned about losing power can access a loan to install solar panels and a backup battery.

Eligible Retrofit Packages

Program loans may be used for any of the following:

1. Switching from fossil fuel space heating to an electric heat pump:
For an average small to medium single-family dwelling, switching from oil heating to an electric heat pump will result in a 95% emission reduction for that home. The savings is approximately 4.8tCO₂e in annual emissions, while saving approximately \$2,100 in annual energy cost. Switching from natural gas to an electric heat pump will result in a 79% emission reduction with 2.6tCO₂e in annual emission reduction.
2. Installing solar panels where the homeowner already has electric heating:
Installing solar panels allows homeowners to access affordable clean energy, while potentially reducing demand on the electrical grid. While energy savings from solar panel installations will vary based on the number, orientation, solar exposure, and efficiency of the panels, the home energy financing feasibility study estimates solar panel installs can result in approximately \$900 in energy savings for an average Nanaimo home.
3. Installing a backup battery where solar panels are already in place:
One of the primary barriers we have heard locally, to all-electric homes, is a concern about power outages. Providing funding for backup batteries will help homeowners build resiliency within their homes and reduce their concerns about losing power.
4. Building envelope upgrades to reduce air leakage and improve energy efficiency, such as door and window replacements or adding insulation:
A high-performing well-insulated home will maintain comfortable temperatures for longer and with less primary heating and cooling required than a home with a leaky and poorly insulated building envelope. By upgrading their building envelope, homeowners can save money on energy costs, reduce GHGs, and be more prepared for power outages or extreme heat events. Switching from natural gas to a heat pump with improved insulation and door and window upgrades will result in an 81% emission reduction with 2.7tCO₂e in annual emission reduction.
5. Non-energy related measures that might impede energy retrofits or enhance health and wellbeing, such as better filters in heat pumps:
These measures must be combined with one of the above retrofits. No more than 30% of the individual loan amount can be used to support non-energy measures. FCM recognizes that some homeowners may need to prioritize other health and safety upgrades before focusing on energy-related retrofits. Allowing financing for these upgrades removes a barrier for those who may not be able to afford energy-related upgrades due to other competing home priorities.

Program Eligibility

Project funding will be paid directly to the contractor. Regardless of the type of retrofit the homeowner chooses, loans will be limited to work that can be completed within a ten-month period following loan approval.

To allow program staff to prioritize climate benefits and those applicants in the greatest need, loans will **not** be distributed on a first come first served basis. Instead, loans will be evaluated based on established criteria that reflect the program objectives. Eligible applicants will be able to apply for loans during a designated loan intake period. All loan applications will then be scored based on the following weighted criteria:

- Climate Impact – what level of GHG reduction will be achieved through the proposed retrofit? If the proposed retrofit is not completed, is there a risk of increased emissions due to switching to a higher carbon energy system?
- Income/Equity – what is the applicant's income? Do they qualify for any other rebate or loan program? Are they part of an equity-seeking group or a group vulnerable to climate impacts (i.e. seniors living alone)?
- Energy Savings – will the retrofit result in energy savings for the applicant?
- Climate Resiliency – will the retrofit help prepare the homeowners for the impacts of climate change?

The highest-scoring applications will be prioritized for PACE funding.

The program will have a minimum and maximum qualifying household income and assessed property value¹, with a goal of targeting middle-income households. Where homeowners are eligible for a more affordable program option, those homeowners should be directed to the program through the Home Energy Navigator Program. For example, lower-income residents who qualify for the Federal Oil to Heat Pump Affordability Program² or the just launched CleanBC Better Homes Energy Savings Program³, will be directed to the best program for them. Extremely high-income earners (e.g., top 10% of Nanaimo households), will not be eligible for the program as financing is not considered a major barrier for these homeowners.

¹ In addition to meeting an income threshold, participants in the CleanBC Income Qualified Program and soon to launch CleanBC Better Homes Energy Savings program must have a total assessed value at or under \$1,230,000 in the BC Assessment listing for the address of the applicant's home in the year of program registration.

² Qualifications for the [Federal Oil to Heat pump affordability program](#) are based on the median income (after tax) by household. The income limits vary based on the number of people within the household ranging from \$45,080 for a single-person household to \$163,300 for five people or more.

³ The Province recently announced that they will be launching a [new Program on June 18, 2024](#) to replace the CleanBC Income Qualified Program. The new program will pay for up to 100% of retrofit costs and include a new income level with a higher minimum income qualification for fossil fuel to heat pump conversions, allowing more BC homeowners to qualify.

Barriers and Gap Analysis

While financing is available in the marketplace, and currently through the Federal Canada Greener Homes program, a municipal PACE financing product has the potential to address key barriers and market gaps that are currently limiting the uptake of energy retrofits.

Specifically, it enables:

1. access to more competitive interest rates than those available on the consumer loan market;
2. quicker access to funding than the Federal Canada Greener Homes program and a longer-term payback period than a consumer loan making payments more affordable when spread out over a longer period;
3. the ability to design in-house eligibility criteria that aligns with municipal equity and climate goals. By connecting the loan to the property, credit checks are not required, and homeowners unable to obtain high credit ratings will be eligible provided their taxes are in good standing;
4. an application that can be streamlined within the program process and be integrated in the Home Energy Navigator program;
5. debt to remain with the property if the home is sold; and,
6. opportunities to align and support municipal targets through program criteria, such as lowering GHG emissions and improving affordability.

Risk Mitigation

PACE loans are tied to the property and paid back through property taxation. Through this setup, the risk of loan default is extremely low. Analysis of PACE loan programs in Canada found loans exhibited strong repayment performance, outperforming other creditworthy unsecured consumer loans, and performing comparably to prime auto loans. Within Alberta, an organization known as Alberta Municipalities operates PACE loans for a number of Alberta municipalities. While the program is relatively new, Alberta's PACE program did not experience any defaults in its first year of operations. If a homeowner does default on a PACE loan, the default will essentially be the same as defaulting on their property taxes and the City will be able to recoup the costs through tax sale.

In the extremely unlikely event that the homeowner defaults on a loan, and the City is unable to recoup the costs through tax sale, there is no risk of the City losing tax revenue. The majority of the loan capital will be provided through the FCM grant. As the funds are a grant and not a loan, the City is not required to payback the money. As homeowners will be required to pay off 10% of the loan amount annually through their taxes, the City can reinvest these funds to support future loans.

Other de-risking strategies that will be included in the loan program include:

- Requiring all eligible applicants' property taxes to be in good standing.
- Directing applicants to more suitable programs, such as the Provincial and Federal income-qualified programs where applicable.
- Requiring a pre- and post-energy audit performed by a credited energy advisor for loan applicants.
- Prioritizing retrofits that will result in energy savings.

Local Area Service Bylaw

Despite repeated calls from local governments within BC, including multiple Union of British Columbia Municipalities (UBCM) resolutions and a commitment to support PACE financing within the provincial climate action strategy CleanBC, the Province has not yet brought forward PACE-enabling legislation. Notwithstanding the lack of PACE-enabling legislation in the province and municipal borrowing restrictions, the City can operate a PACE-style program through the use of local service area improvement bylaws. The Community Charter, S.210 indicates that a Local Area Service is a "municipal service that is to be paid for in whole or in part by a local service tax" and services may be those "that the council considers provide particular benefit to part of the municipality." By reducing community emissions and supporting more energy efficient and resilient homes, the program will have a direct community benefit consistent with municipal goals.

Other Local Governments

Municipal PACE-style financing programs already exist in Saanich and Central Saanich. Both programs were established through the Local Service Area Bylaw provisions described above, and originally focused on oil to heat pump financing. Given the limited number of oil-heated homes in the region and the emissions impact of natural gas heating, both Saanich and Central Saanich programs have expanded to allow natural gas to heat pump conversions. Both highly successful programs are run by a third-party administrator, are fully subscribed, and allow loans of up to \$12,000. Staff were able to model much of the proposed Nanaimo PACE program off these programs, with a number of changes based on their program learnings, responding to the Nanaimo specific context, and allowing for innovation.

PACE programs are also common in other parts of Canada including Kingston, Ontario; Ottawa, Ontario; Halifax, Nova Scotia; Saskatoon, Saskatchewan; Toronto, Ontario; Colchester, Nova Scotia; and numerous Alberta municipalities among others.

Third-Party Administration and Staff Time

To ease administrative burden, Staff intend to select a third-party administrator to manage program sign up, customer support, and loan administration. Staff also intend to integrate the program with the existing Home Energy Navigator program, which will provide homeowners with additional support, such as understanding their homes' energy performance, identifying retrofit and fuel switching options, finding contractors, understanding contractor quotes, and applying for rebates. In order to ensure homeowners understand all their retrofit financing options prior to

applying for a loan, enrollment into the Home Energy Navigator program will be a mandatory requirement for loan applicants.

While the program will be managed by a third-party administrator, program setup and administration will require significant Staff time, primarily from Finance and Sustainability Staff. Financing Staff will be responsible for confirming loan applicants' taxes are in good standing and preparing local improvement bylaws for each loan applicant. Sustainability will be the lead City department for the program and will be responsible for:

- program design and setup;
- applying for funding and liaising with FCM staff;
- managing the third-party administrator;
- answering questions from the public directed to the City; and,
- monitoring the program and responding to program challenges and opportunities as they arise.

Sustainability Staff will also work closely with the third-party administrator and the City's Communication Staff in marketing the loan program.

Based on our understanding of the work required through conversations with other local governments, Staff estimate that program setup will require 0.5 FTE of Sustainability Staff time for a period of approximately four months; and program operation will require 0.1 FTE of Finance Staff time and 0.2 FTE of Sustainability Staff time till the end of 2026. This Staff time estimate does not include program design, investigation, and funding application preparation prior to successful grant approval. Setting up a successful retrofit program will likely impact Sustainability Division's ability to deliver on other priority actions. Staff plan to bring a report to assess Sustainability Divisions' capacity to deliver on the priority actions in the Integrated Action Plan and options to address a potential shortfall.

Budget

For the pilot PACE program, the City can apply for up to \$500,000 in grant money from the FCM CEF program, provided the City provides matching funds either as cash or in-kind Staff hours.

Capital funding for loans will be provided primarily through the FCM grant. The City's funding contribution will include funding already allocated to the relevant project and program, anticipated Staff in-kind hours, and \$200,000 from the Climate Action Reserve Fund, \$50,000 of which is to continue to support the Home Energy Navigator Program in 2025.

Next Steps

If Council directs Staff to proceed with a grant application to FCM, and if successful, it is anticipated a program could launch in Q2 2025.]

OPTIONS

1. That the Finance and Audit Committee recommend that Council direct Staff to:
 1. apply to the Federation of Canadian Municipalities (FCM) Community Energy Efficiency Financing (CEF) program for pilot funding to support a Property Assessed Clean Energy (PACE) style home energy financing program and if successful, launch a PACE style home energy financing program for Nanaimo residents; and,
 2. allocate up to \$200,000 from the Climate Action Reserve Fund to support a home energy retrofit financing program.
 - The advantages of this option: This option will allow the City to provide residents with a financial tool to help complete retrofits necessary to meet the City's climate reduction targets, reduce electrical demand, lower utility costs, and improve home comfort. By using PACE financing, homeowners will be able to tie the loan to their property and access zero interest long-term funding.
 - The disadvantages of this option: A PACE program will require more Staff time and resources than other financing options, such as direct lending. If Council chooses not to support a local PACE financing program, the funding and Finance and Sustainability Staff time can be directed to other priorities.
 - Financial Implications: The total proposed project budget will be approximately \$900,000. 50% of the budget will be covered through a Federation of Canadian Municipalities grant. The remaining 50% will be covered through a combination of in-kind Staff time, current budgeted projects, and the City's cash contribution. The 2024-2028 Financial Plan will be amended to add \$200,000 in funding from the Climate Action Reserve Fund to support program costs and provide additional loan capital. If approved, the projected 2024 closing balance of the Climate Action Reserve Fund is \$929,525.
2. That the Finance and Audit Committee deny support for a municipal PACE home retrofit financing program.
 - The advantages of this option: Not pursuing a PACE loan program will free up funding and Staff resources to pursue other priorities.
 - The disadvantages of this option: Less resources available to residents to pursue home retrofits. Since fossil fuel heating in existing homes remains a key source of community greenhouse gas emissions, to meet the City's climate targets, existing homeowners need to make the switch from fossil fuel heating to low carbon systems.
 - Financial Implications: This option will not require any City of Nanaimo financing and will leave the requested \$200,000 in the Climate Action Reserve Fund available for other sustainability projects and programs.

|

SUMMARY POINTS

- A home energy retrofit financing pilot program is being developed to offer zero-interest loans of up to \$15,000 for Nanaimo homeowners. Loans will be available to homeowners who wish to switch from fossil fuel heating to a heat pump, upgrade doors, windows and building insulation, or install solar panels with or without a backup battery.
- The Federation of Canadian Municipalities Community Energy Efficiency Financing pilot program provides local governments up to \$500,000 in grant funding to cover up to 50% of eligible program design, operation, and capital costs. The remaining costs must be provided by the local government through cash and/or in-kind (Staff time) contributions.
- The primary goal of the home energy retrofit financing program is to reduce the City's community greenhouse gas emissions by helping homeowners transition to, and continue to use, clean renewable energy.

Submitted by:

Ting Pan
Manager, Sustainability

Concurrence by:

Jeremy Holm
Director, Planning & Development

Wendy Fulla
Director, Finance

Laura Mercer
General Manager, Corporate Services

CITY OF NANAIMO

BYLAW NO. 7393

A BYLAW TO ESTABLISH THE HOME ENERGY RETROFIT FINANCING PROGRAM

WHEREAS the City of Nanaimo in its City Plan Bylaw 2022 No. 6600 has established community-wide greenhouse gas emission reduction targets, together with a policy of supporting the upgrade of existing buildings to achieve the goal of net-zero greenhouse gas emissions for all buildings in the City of Nanaimo by the year 2050.

AND WHEREAS Council for the City of Nanaimo wishes to establish a property assessed clean energy (“PACE”) style financing program to enable owners of eligible dwellings to carry out improvements to decrease greenhouse gas emissions and energy consumption and improve climate change resiliency.

AND WHEREAS Council wishes for the financing program to be structured as a local area service.

NOW THEREFORE the Council of the City of Nanaimo in open meeting assembled enacts as follows:

Title

1. This Bylaw may be cited for all purposes as “Home Energy Retrofit Financing Program Bylaw 2025 No. 7393”.

Definitions

2. In this Bylaw:

“ADMINISTRATOR”	means a person, including an individual, society or other corporation, contracted by the City to administer the Program.
“APPLICANT”	means an Eligible Owner who applies for the Program.
“CHARGE”	means an annual liability to repay the financing amount under the Program, as authorized by a local area service bylaw.
“COUNCIL”	means the Municipal Council of The City of Nanaimo.

"ELIGIBLE DWELLING"	means one of the following dwelling types: <ul style="list-style-type: none">(i) Single Residential Dwelling; and,(ii) a unit in a duplex, triplex, row house or town house, where the unit has its own separate meter for hydroelectricity.
"ELIGIBLE OWNER"	means the registered owner in fee simple of an Eligible Dwelling.
"GREENHOUSE GAS"	means any or all of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride or any other substance prescribed by regulation.
"FINANCING AMOUNT"	means a loan to the Applicant to finance a Qualified Improvement as part of the Program.
"FINANCING AGREEMENT"	means an agreement between the City and the Applicant, which sets out the terms of financing for the Program.
"FOSSIL FUEL"	means fuels such as coal, gasoline, natural gas, oil, diesel, etc., that are sourced from organic materials formed over a long geological time period.
"NON-ENERGY RELATED MEASURES"	means work or improvements that are incidental to a Qualified Improvement but have a purpose other than decreasing Greenhouse Gas emissions or energy consumption, including but not limited to an electrical service upgrade necessary for a heat pump, additional heat pump air filtration, or asbestos testing and removal.
"PETITION"	means a petition for the Program to be offered as a local area service, pursuant to section 212 of the <i>Community Charter</i> , SBC 2003, c. 26.

"PRE-INSTALLATION ELIGIBILITY REQUIREMENTS"

means all requirements that must be carried out by the Applicant prior to entering into the Financing Agreement, including but not limited to: carrying out an EnerGuide Evaluation on the Eligible Dwelling, registering for the Home Energy Navigator Program, and securing a quote for the Qualified Improvement.

"PROGRAM"

means a financing program established under this Bylaw to enable an Eligible Owner in the City to make Qualified Improvements.

"PROGRAM REGISTRATION FORM"

means a registration form completed by the Applicant and submitted to the administrator, to demonstrate that the Applicant is eligible to participate in the Program.

"QUALIFIED IMPROVEMENT"

means any of the following permanent improvements affixed to real property and intended to decrease Greenhouse Gas emissions or energy consumption or improve climate change resiliency:

- (i) electric heat pump, including any air filtration components and necessary duct work
- (ii) solar photovoltaic (PV) system
- (iii) backup battery
- (iv) building envelope repairs and improvements

"SINGLE RESIDENTIAL DWELLING"

has the meaning assigned in the Zoning Bylaw.

"ZONING BYLAW"

means City of Nanaimo Zoning Bylaw 2011 No. 4500, as amended or replaced from time to time.

3. Program Administration

- 3.1 An Applicant may apply to the Program by delivering to the Administrator the Program Registration Form and a Petition.
- 3.2 Upon receipt and validation of the Petition, Council may, in its sole discretion, adopt a local area service bylaw, to offer the Program as a local area service.

- 3.3 If Council adopts a local area service bylaw, the Applicant may secure the financing through:
 - (i) Completing the Pre-Installation Eligibility Requirements; and,
 - (ii) Entering into a Financing Agreement with the City.
- 3.4 Once the Qualified Improvement is complete, the Financing Amount shall be disbursed and collected in accordance with the Financing Agreement.
- 3.5 The Applicant shall repay the Financing Amount to the City by means of a parcel tax, to be included on the annual property tax notice for the eligible property. The Financing Amount will be repaid over a ten (10) year period, with the possibility of paying the outstanding balance at any point as a lump sum amount.
- 3.6 Nothing in section 3.1 or 3.2 precludes an Applicant or the Council from proceeding by way of council initiative subject to petition against or subject to elector assent.

4. Delegation

- 4.1 Council delegates to the General Manager, Corporate Services or their designate the administrative authority to enter into Financing Agreements for the Program.

5. Eligible Costs

- 5.1 Program financing established under this Bylaw may include:
 - 5.1.1. disposal fees and cost of labor for the removal of the Fossil Fuel tank and Fossil Fuel-burning equipment that was used as a primary space or water heating source.
 - 5.1.2 the cost of materials and labor necessary for installation or modification of a Qualified Improvement.
 - 5.1.3 permit and inspection fees.
 - 5.1.4 Post-installation EnerGuide evaluation costs.
 - 5.1.5 other fees or costs that may be incurred by the owner incidental to the installation, modification or improvement on a specific or pro rata basis.
- 5.2 The maximum Financing Amount available through the Program is fifteen thousand (\$15,000) dollars including all applicable taxes.
- 5.3 Not more than thirty percent (30%) of the Financing Amount shall be used for Non-Energy Related Measures.

Effective Date

6. This bylaw shall take effect on April 7, 2025.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PASSED THIRD READING: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

DATE OF MEETING March 17, 2025

AUTHORED BY PAYTON CARTER, PLANNER, CURRENT PLANNING

SUBJECT PROPOSED TELECOMMUNICATIONS FACILITY – 6675 MARY ELLEN DRIVE

OVERVIEW

Purpose of Report

To present Council with information regarding a request from Rogers Communications for land use concurrence for a proposed telecommunications tower at 6675 Mary Ellen Drive.

Recommendation

That Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.

BACKGROUND

Site Path Consulting Ltd., on behalf of Rogers Communications (Rogers), has requested concurrence from the City of Nanaimo (the “land-use authority”) for a proposed telecommunications facility at 6675 Mary Ellen Drive, the existing location of the Woodgrove Crossing Shopping Centre. Rogers has entered into a private agreement with the property owner to allow the placement, construction, and operation of the facility within the site.

The regulation of telecommunication facilities is within the exclusive jurisdiction of the Innovation, Science and Economic Development Canada (ISED). Proposals for telecommunications facilities are subject to a federal approval process, which includes consultation with the local land-use authority. Subsection 6.1.1(c) of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) permits utilities, such as telecommunication towers, in all zones and these structures are exempt from height restrictions (Subsection 6.8.1.1).

The City of Nanaimo does not have an established siting protocol or public consultation process for the siting of telecommunications facilities; therefore, Site Path Consulting Ltd. has utilized ISED’s Default Public Consultation Process in accordance with CPC-2-0-03: Radiocommunication and Broadcasting Antenna Systems. The ISED process requires, at a minimum, that the proponents provide a notification package to the local public (including nearby residences, community gathering spaces, public institutions, and schools), neighbouring land-use authorities, businesses, and property owners, located within an area three times the tower height.

DISCUSSION

The subject property is zoned Woodgrove Urban Centre (CC4) and is located within the Dover Neighbourhood in North Nanaimo. The surrounding properties contain multiple shopping centres

and a 300-unit apartment development (North Grove Apartments) immediately to the west. The proposed telecommunications tower and compound will be located within an existing landscape buffer in the northwest corner of the subject property adjacent to the Island Highway and a public walkway, and the onsite commercial loading area for the shopping centre. The proposed improvements include:

- A 31m tall white monopole tower (30m tower with 1m lighting rod) with seven flush-mounted antennas;
- 100m² compound area, partially screened with a 2.4m high cedar fence;
- 4.4m² equipment shelter with motion sensor downlit lighting; and,
- Right-of-way through the commercial site to facilitate access to the compound.

The proposed telecommunications facility is intended to enhance existing wireless service to meet the growing personal, business, and emergency demands of the neighbourhood. A development permit is not required for the proposed telecommunications facility; however, a Tree Removal Permit will be required. Two trees are anticipated to be removed to facilitate the construction and maintenance of the tower (Attachment E). The compound will be largely screened at-grade from the adjacent Island Highway and public trail by retained trees and vegetation and cedar fencing. The compound will be protected from on-site operations using bollards located behind the existing curb. The proposed siting avoids conflict with existing City utilities and easements within the subject property.

The proponent conducted pre-consultation with City staff beginning in 2023 and has corresponded with the City to address questions and concerns regarding visual impacts on the neighbouring development, screening of the compound, lighting, tree retention and tower siting. The proponent distributed an information package to properties within the prescribed distance (93m) of the telecommunications facility, and two newspaper advertisements were published on 2024-FEB-07 and 2024-FEB-14. The 30-day public consultation process concluded on 2024-MAR-18 and thirteen responses were received (Attachment C). Through the consultation process neighbourhood concerns were raised about the proposed tower including its proximity to the apartment development, tower height, and site selection.

To mitigate these concerns, the applicant subsequently revised their plans and the compound was relocated approximately 10m to the east to increase the distance from the neighbouring apartment building and to retain additional trees (approximately two storeys in height) to assist with screening. A cedar fence is now proposed between the compound and the apartment building, and the monopole will be painted white to complement the surrounding urban context. It was confirmed by Rogers and Site Path Consulting Ltd. that the telecommunications facility will meet the requirements of Safety Code 6, which provides the safety requirements for the installation and use of the facility, as well as the recommended limits for exposure to radiofrequency electromagnetic fields (EMF).

A number of existing buildings and sites in the surrounding area were considered by the applicant to determine whether they could be utilized. The applicant advised that none of the existing structures were adequate to support the operations of the proposed telecommunications facility and Rogers was able to secure land rights on the subject property. While co-location of services on existing towers is not achievable, Rogers expects to receive tower-sharing requests from other licensed carriers.

The City's practice is to encourage the co-location of infrastructure within existing commercial and industrial sites. The proposed tower will be located within the Woodgrove Secondary Urban Centre, which is the City's northern gateway providing a mix of regional commercial services, multi-family residential, and recreational uses. The proposal is intended to enhance existing wireless service in this neighbourhood while avoiding impacts on existing on-site commercial operations. The applicant has proposed measures to mitigate off-site impacts to the adjacent residential development, including landscape retention and screening at-grade from neighbouring properties.

Following the conclusion of the ISED default public consultation process, the proponent has requested a letter of concurrence from the City for the proposed telecommunications facility at 6675 Mary Ellen Drive. |

OPTIONS

1. That Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.
 - The advantages of this option: The Rogers wireless services would be enhanced.
 - The disadvantages of this option: While the applicant has revised the proposal, visual impacts remain for the neighbouring residential development.
 - Financial Implications: None identified.
2. That Council direct Staff to provide a letter of non-concurrence to Innovation, Science, and Economic Development Canada indicating the reasons and/or concerns regarding a proposed telecommunications facility at 6675 Mary Ellen Drive.
 - The advantages of this option: This option would allow Council to identify any concerns for ISED's consideration.
 - The disadvantages of this option: Non-concurrence could delay improvement to the Rogers wireless services.
 - Financial Implications: None identified.
3. That Council direct Staff to provide a letter to Innovation, Science, and Economic Development Canada advising that the City has no comment regarding the proposed telecommunications facility at 6675 Mary Ellen Drive.
 - The advantages of this option: None identified.
 - The disadvantages of this option: ISED is the approving authority, thus the Rogers telecommunications facility may be approved by ISED, as proposed, provided the technical requirements are met.
 - Financial Implications: None identified. |

SUMMARY POINTS

- The City has received a request for a letter of concurrence for a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.

- The proponent concluded the required ISED default public consultation process on 2024-MAR-18 and subsequently revised the design to address concerns where possible.
- The proposed telecommunications facility is compatible with the permitted uses of the site.

ATTACHMENTS:

ATTACHMENT A: Aerial Photo
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Public Consultation Summary & Land Use Concurrence Request
ATTACHMENT D: Tower Elevations & Compound Details
ATTACHMENT E: Preliminary Tree Survey

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Planning & Development

ATTACHMENT A
AERIAL PHOTO

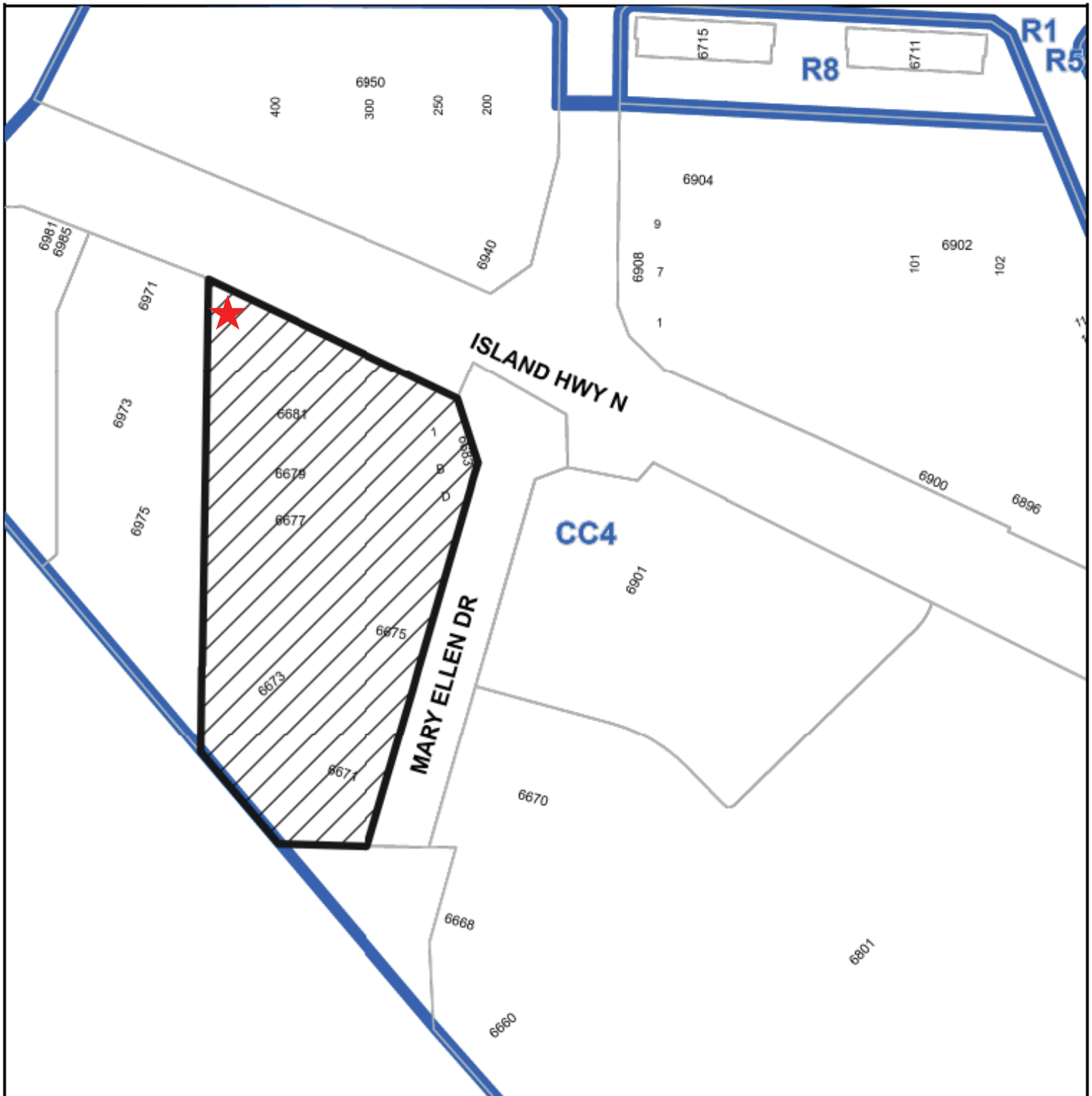


6675 MARY ELLEN DRIVE



Proposed Telecommunications Facility

ATTACHMENT B SUBJECT PROPERTY MAP



6675 MARY ELLEN DRIVE



Proposed Telecommunications Facility

ATTACHMENT C

PUBLIC CONSULTATION SUMMARY & LAND USE CONCURRENCE REQUEST



SitePath Consulting Ltd. Representing
 Rogers Communications Inc.
 PO Box 20138, Vancouver RPO
 Fairview BC V5Z 0C1

778-870-1388 Telephone
 604 829 6424 Fax
 brianregg@sitepathconsulting.com

March 28th, 2024

City of Nanaimo

C/O Lainya Rowett, Manager of Current Planning and Subdivision
 Email: Lainya.Rowett@nanaimo.ca

Re: Rogers Request for Land Use Concurrence Regarding a Proposed Communication Site Location at 6675 Mary Ellen Drive, Nanaimo, BC V9V 1T7 (Rogers File: W5729 - Woodgrove Centre)

Dear Ms. Rowett:

Further to our prior discussions, Rogers Communications Inc. ("Rogers") is expanding its wireless network and is proposing a new 31.0 meter tall monopole tower at 6675 Mary Ellen Drive, Nanaimo ("Woodgrove Crossing Shopping Centre") to improve connectivity in the surrounding growing commercial and residential areas as well as along Island Highway N and adjacent roadways. The subject property is a large 5.98 acre lot and is zoned CC4-North Nanaimo Urban Centre zone. The proposed tower siting in the northwest corner of the subject commercial property will mitigate impacts to the ongoing use of the property while enabling Rogers to comply with municipal and Ministry of Transportation and Infrastructure (MOTI) setback requirements. Additionally, Rogers is proposing a slim monopole structure with flush-mounted antennas thereby minimizing view impacts to the extent feasible. This proposal represents critical infrastructure given that greater than eighty percent (80%) of calls to emergency responders including 911 are now placed via cell phones.

In order to move forward with the proposed tower, Rogers was required to consult the Nanaimo community in accordance with the Innovation, Science and Economic Development (ISED) Canada Default Consultation Process. This process entailed the completion of a public notice in a local newspaper, a mail-out to area property owners and occupants within a radius of three times the proposed tower height and concludes with a request for a letter of land use concurrence. A copy of the public consultation package and newspaper notices are enclosed for your reference (*refer to Appendix A and B*).

During the consultation process, Rogers received input from thirteen (13) commenters (*refer to Appendix C*). Of the thirteen (13) sets of comments received, nine (9) indicated support for the proposal, two (2) indicated concerns or opposition and one (1) asked questions but did not state a position of support or non-support. The primary reason for supporting the proposal pertained to a desire for better connectivity for emergency response services and in support of public safety. The owners of the adjacent apartment expressed a desire for Rogers to retain a partial landscape buffer, to ensure quiet operation of the equipment and to develop a high quality design that will minimize impacts on their adjacent residential use. Rogers will be pleased to work with the City of Nanaimo to ensure that the final design and construction plan takes into account input received from local constituents and the municipality's preferences.

Given that the proposal received broad support from local stakeholders, Rogers respectfully requests a motion or letter of land use concurrence that addresses the following items:

- *That the City of Nanaimo is satisfied with Rogers' consultation process, as outlined in ISED's Default Public Consultation Process;*
- *That the proposed tower is a permitted use;*
- *That the proposed design and location is acceptable;*
- *That the City of Nanaimo has been consulted and concurs with the tower location.*

Should you have any questions, please feel free to contact the undersigned at your convenience.

Thank you,

Brian Gregg

Brian Gregg, RPP, MCIP | SitePath Consulting Ltd.

Agent for Rogers Communications Inc.



PUBLIC CONSULTATION – REVISED PROPOSAL
CONSULTATION DU PUBLIC - PROPOSITION RÉVISÉE

February 2nd, 2024

Dear sir or madam,

Rogers Communications Inc. ("Rogers") is expanding its wireless network and would like to share with you its proposal for Nanaimo. Specifically, Rogers is proposing a new 31.0 meter tall monopole tower at 6675 Mary Ellen Drive, Nanaimo (Woodgrove Crossing Shopping Centre) to improve connectivity in the surrounding commercial and residential areas as well as along Island Highway N and adjacent roadways.

We are consulting residents and businesses of this area regarding this proposed project. Details of this project are included in the present notification file. We invite you to take note of the proposed project and to provide us with any questions or comments in writing by **close of business day on March 18th, 2024**, after which we will answer your concerns. You will then have the opportunity to submit further comments if you require additional clarifications.

Madame, Monsieur,

Rogers Communications Inc. (« Rogers ») étend son réseau sans fil et aimerait partager avec vous sa proposition pour Nanaimo. Plus précisément, Rogers propose une nouvelle tour monopôle de 31,0 mètres de hauteur au 6675 Mary Ellen Drive, à Nanaimo (centre commercial Woodgrove Crossing), afin d'améliorer la connectivité dans les zones commerciales et résidentielles environnantes ainsi que le long de l'Island Highway N et des routes adjacentes.

Nous consultons les résidents et les entreprises de ce secteur concernant ce projet proposé. Les détails de ce projet sont inclus dans le présent dossier de notification. Nous vous invitons à prendre note du projet proposé et à nous faire part de vos questions ou commentaires par écrit avant **la fermeture des bureaux le 18 mars 2024**, après quoi nous répondrons à vos préoccupations. Vous aurez ensuite la possibilité de soumettre d'autres commentaires si vous avez besoin de précisions supplémentaires.

Please send your comments or questions by mail or email to:

Veuillez adresser vos questions/commentaires par la poste ou par courriel à :

Contact Information for Rogers' Representative:

Reference: W5729 – Woodgrove Centre
 Brian Gregg, SitePath Consulting Ltd., Land Use Consultant
 Address / Adresse: PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
 Tel: 778-870-1388
 Email: briangregg@sitepathconsulting.com

PUBLIC NOTIFICATION

Proposed Wireless Telecommunications Installation

1. Purpose of the Proposed Installation

Rogers is proposing to build a new wireless communications installation in Nanaimo on a large 5.98 acre property with the following legal description and parcel identifier (PID) number: LOT A DISTRICT LOT 26 WELLINGTON DISTRICT PLAN VIP63639, PID: 023-483-610 (the “**Proposed Installation**”). Rogers’ objective is to improve wireless coverage in the surrounding commercial and residential areas as well as along Island Highway N and adjacent roadways. Installing this infrastructure in this rapidly growing mixed use area will be critical to meet rising demands for wireless services. Additionally, the proposed facility will be critical for public safety given that greater than 80% of calls to emergency responder are now placed via wireless devices. The Proposed Installation will resolve existing coverage gaps in Nanaimo and maintain our commitment to provide fast and reliable cellular service, both indoors and outdoors.

2. Evaluation of Existing Structures and Site Selection

Before proposing a new telecommunication infrastructure, Rogers reviews any existing structure or building for colocation opportunities. There are no structures of a suitable height or location within a 1 kilometer radius of Rogers’ intended service area and therefore co-location is not viable.

Since Rogers could not install its equipment on any existing structures, we identified the proposed location, in a CC4-North Nanaimo Urban Centre zone, as the site of least impact to the community, while enabling Rogers to meet the desired cellular coverage goals and City of Nanaimo land use requirements.

Furthermore, Rogers accepts to receive and review any colocation and tower sharing requests made by other licensed carriers.

3. Details of the Proposed Installation

Legal Description:	LOT A DISTRICT LOT 26 WELLINGTON DISTRICT PLAN VIP63639
PID #:	023-483-610
Geographic coordinates:	49.240320, -124.0561713
Location on the lot:	The site is located on the north west side of the subject lot adjacent to Island Highway N.
Zoning:	Property is located in a CC4-North Nanaimo Urban Centre zone as referenced in the City of Nanaimo Zoning Bylaw. The City of Nanaimo has not adopted a tower siting bylaw regarding the installation of towers in this zone.
Land use requirements:	Rogers will work with City of Nanaimo staff to ensure alignment with any applicable requirements stated in the City of Nanaimo Zoning Bylaw for the CC4-North Nanaimo Urban Centre zone.

4. Description of the Proposed Antenna System

Type of tower and details: Rogers is proposing a monopole tower structure within an approximately 10.0 meter by 10.0 meter fenced compound.

Height: The tower will be 30.0 meter tall with a 1.0 meter tall lightning rod for a total structure height of 31.0 meters.

Details: An equipment compound will also be installed at the base of the proposed tower and the entire site will be surrounded by a security fence with a locked gated access point. A power line will be installed to service the tower site and it will be underground.

Rogers will install the following equipment on the proposed tower. Please note that the height of the antennas may vary slightly but the overall scale will be respected. Additionally, please note that the equipment is subject to change in the future.

Model	Number of antennas	Approximate Dimensions in mm (Length x Width x Depth)	Height in Tower (m)	Technology (4G or 5G)
FFV4S4-65C-R7-V2	6	2000 X 498 X 197	29.9 and 26.35	4G
GPSGLONASS-36-N-S	1	685 mm diameter	5.0	GPS

5. Aeronautical obstruction marking requirements and land use specifications

At this time, Rogers has not received any aviation obstruction lighting or clearance specifications from Transport Canada nor from NAV CANADA for the land-use of proposed project. Nevertheless, Rogers believes that the proposed tower will include the following day lighting: one flashing white Type CL-865 beacon (20,000 candela) at the top (no tower paint) whereas the night lighting will include one flashing red Type CL-864 beacon (2,000 candela) at the top and 2 steady burning red CL-810 DOLs (32.5 candela) at mid-point, pursuant to Standard 621 - Obstruction Marking and Lighting - Canadian Aviation Regulations (CARs). Should this information not be accurate, Rogers will inform residents. For additional information: [NAV CANADA Land Use Program](#)

<https://tc.canada.ca/en/corporate-services/acts-regulations/list-regulations/canadian-aviation-regulations-sor-96-433/standards/standard-621-obstruction-marking-lighting-canadian-aviation-regulations-cars>

6. Respect of engineering ethics and code of practice

Rogers attests that the radio antenna system for the Proposed Installation will be constructed in compliance with the *National Building Code* and the structural standards contained in CSA S37-18 (Canadian Standard Association), and will respect good engineering practices, including structural adequacy.

7. Health Canada's Safety Code 6

Rogers attests that the radio antenna system for the Proposed Installation will be installed and operated on an ongoing basis so as to comply with Health Canada's *Safety Code 6* limits as it may be amended from time to time, for the protection of the general public, including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.

Additional information from the Government of Canada and from other credible sources:

<http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/understanding-safety-code-6.html>

<https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/everyday-things-emit-radiation/cell-phones-towers.html>

<https://www.who.int/news-room/questions-and-answers/item/radiation-5g-mobile-networks-and-health>

8. Environmental assessment - Impact Assessment Act

Rogers attests that the Proposed Installation is not located within federal lands nor is it incidental to, or form part of, projects that are designated under the *Regulations Designating Physical Activities* or by the Minister of the Environment as requiring an environmental assessment. Detailed information on the Impact Assessment Act (S.C. 2019, c. 28, s. 1) can be found at:

<https://laws-lois.justice.gc.ca/eng/acts/l-2.75/page-1.html>

9. Innovation, Science and Economic Development Canada's Regulatory Framework

The telecommunications industry is exclusively regulated under the Federal Radiocommunication Act and administered by Innovation, Science and Economic Development Canada. It has established a clear set of rules that wireless carriers must follow when looking to install or modify a tower or antenna system (*Client Procedures Circulars* - CPC 2-0-03, Radiocommunication and Broadcasting Antenna Systems).

Furthermore, Rogers must consult with representatives of the City of Nanaimo, as the Land-Use Authority, and refer to their applicable local land-use and consultation requirements and any preferences it may have for tower-siting and/or design. General information relating to antenna systems is available on ISED's website: <https://ised-isde.canada.ca/site/spectrum-management-telecommunications/en/safety-and-compliance/facts-about-towers>

10. Public Consultation and Local Processes

Since the City of Nanaimo does not have its own antenna tower siting protocol, Rogers is required to follow ISED Canada's default public consultation process. We invite citizens to refer to the link for details relating to the public consultation process:

<https://ised-isde.canada.ca/site/spectrum-management-telecommunications/en/learn-more/key-documents/procedures/client-procedures-circulars-cpc/cpc-2-0-03-radiocommunication-and-broadcasting-antenna-systems>

DOSSIER DE NOTIFICATION

Projet d'implantation d'un nouveau site de télécommunication

1. Justification du projet proposé

Rogers propose de construire une nouvelle installation de communications sans fil à Nanaimo sur une grande propriété de 5,98 acres portant la description légale et le numéro d'identification de parcelle (PID) suivants : LOT A DISTRICT LOT 26 WELLINGTON DISTRICT PLAN VIP63639, PID : 023-483-610 (le « Installation proposée »). L'objectif de Rogers est d'améliorer la couverture sans fil dans les zones commerciales et résidentielles environnantes ainsi que le long de l'Island Highway N et des routes adjacentes. L'installation de cette infrastructure dans cette zone à usage mixte en croissance rapide sera essentielle pour répondre à la demande croissante de services sans fil. De plus, l'installation proposée sera essentielle pour la sécurité publique étant donné que plus de 80 % des appels aux secouristes sont désormais passés via des appareils sans fil. L'installation proposée résoudra les lacunes de couverture existantes à Nanaimo et maintiendra notre engagement à fournir un service cellulaire rapide et fiable, tant à l'intérieur qu'à l'extérieur.

2. Évaluation des structures existantes et le choix de l'emplacement

Avant de proposer une nouvelle infrastructure de télécommunications, Rogers examine toute structure ou bâtiment existant pour détecter les possibilités de colocalisation. Il n'existe aucune structure d'une hauteur ou d'un emplacement approprié dans un rayon de 1 kilomètre de la zone de service prévue de Rogers et, par conséquent, la co-implantation n'est pas viable.

Puisque Rogers ne pouvait installer son équipement sur aucune structure existante, nous avons identifié l'emplacement proposé, dans une zone du centre urbain CC4-Nord de Nanaimo, comme étant le site ayant le moins d'impact sur la communauté, tout en permettant à Rogers d'atteindre les objectifs de couverture cellulaire souhaités et les objectifs de la ville. des exigences d'utilisation des terres de Nanaimo.

De plus, Rogers accepte de recevoir et d'examiner toute demande de colocation et de partage de tour faite par d'autres opérateurs agréés.

3. Description du système d'antennes proposé

Description légale:	LOT A DISTRICT LOT 26 WELLINGTON DISTRICT PLAN VIP63639
Numéro du lot :	023-483-610
Coord. géographiques :	49.240320, -124.0561713
Emplacement sur le site :	Le site est situé du côté nord-ouest du lot en question, adjacent à la route de l'Île N.
Zonage :	La propriété est située dans une zone CC4-Centre urbain de Nanaimo Nord, comme indiqué dans le règlement de zonage de la ville de Nanaimo. La Ville de Nanaimo n'a pas adopté de règlement sur l'emplacement des tours concernant l'installation de tours dans cette zone.

Utilisation du sol : Rogers travaillera avec le personnel de la ville de Nanaimo pour assurer l'alignement avec toutes les exigences applicables énoncées dans le règlement de zonage de la ville de Nanaimo pour la zone CC4-Centre urbain de Nanaimo Nord.

4. Description des équipements et des ouvrages proposés

Type de tour et détails : Rogers propose une structure de tour monopôle dans un complexe clôturé d'environ 10,0 mètres sur 10,0 mètres.

Hauteur : La tour mesurera 30,0 mètres de haut avec un paratonnerre de 1,0 mètres de haut pour une hauteur totale de structure de 31,0 mètres.

Autres détails : Un complexe d'équipement sera également installé à la base de la tour proposée et l'ensemble du site sera entouré d'une clôture de sécurité avec un point d'accès verrouillé. Une ligne électrique sera installée pour desservir le site de la tour et elle sera souterraine.

Rogers installera l'équipement suivant sur la tour proposée. Attention, la hauteur des antennes peut varier légèrement mais l'échelle globale sera respectée. De plus, veuillez noter que l'équipement est susceptible de changer à l'avenir.

Model	Nombre d'antennes	Dimensions approximatives en mm (Longueur x Largeur x Profondeur)	Hauteur en La tour (m)	Technology (4G or 5G)
FFV4S4-65C-R7-V2	6	2000 X 498 X 197	29.9 and 26.35	4G
GPSGLONASS-36-N-S	1	685 mm de diamètre	5.0	GPS

5. Exigences en balisage d'obstacle aérien et pour l'utilisation des terrains

À ce jour, Rogers n'a pas reçu les exigences de Transports Canada en matière de balisage d'obstacle aérien ni celles de NAV Canada concernant l'utilisation du terrain. Néanmoins, Rogers estime que la tour proposée (sans peinture), inclura les formes d'éclairages suivantes : un phare clignotant blanc de type CL-865 (20 000 chandelles) au sommet de la tour pour le jour, un phare clignotant rouge de type CL-864 (2 000 chandelles) au sommet de la tour pour la nuit et deux phares permanents rouges CL-810 DOL (32,5 chandelles) à mi-hauteur de la tour pour la nuit, et ce, selon les spécifications de la Norme 621 - Balisage et l'éclairage des obstacles - Règlement de l'aviation canadien (RAC). Si ces spécifications sont inexactes, des informations supplémentaires vous seront fournies. Pour plus de détails, veuillez consulter :

www.navcanada.ca/fr/information-aeronautique/programme-dutilisation-de-terrains.aspx

<https://tc.canada.ca/fr/services-generaux/lois-reglements/liste-reglements/reglement-aviation-canadien-dors-96-433/normes/norme-621-balisage-eclairage-obstacles-reglement-aviation-canadien-rac>

6. Respect des codes et principes de génie

Rogers atteste que tous les ouvrages, installations et structures réalisés et érigés dans le cadre du projet proposé respecteront les codes applicables (Code national du bâtiment et de l'Association canadienne de normalisation – CSA S37-18), et seront conçus selon les principes de génie généralement reconnus, et les méthodes de construction respecteront les règles de l'art, y compris l'intégrité structurelle.

7. Code de sécurité 6 de Santé Canada

Rogers atteste que l'installation radio du projet proposé sera établie et exploitée de façon continue en conformité avec le Code de sécurité 6 de Santé Canada et les modifications qui pourront y être apportées, pour la protection du grand public, y compris tous les effets combinés de la colocation et des installations avoisinantes sur l'environnement radio local.

Pour plus de détails, nous vous invitons à consulter les sites du Gouvernement du Canada et de sources crédibles :

<http://www.ic.gc.ca/eic/site/smt-gst.nsf/fra/sf11467.html>

<https://www.canada.ca/fr/sante-canada/services/securite-et-risque-pour-sante/radiation/exposition-professionnelle-reglementation/code-securite-6-lignes-directrices-exposition-radiofrequences.html>

<https://www.canada.ca/fr/sante-canada/services/securite-et-risque-pour-sante/radiation/sources-rayonnements-quotidien/cellulaires-stations-base.html>

<https://www.who.int/news-room/q-a-detail/5g-mobile-networks-and-health> (anglais seulement)

8. Évaluation environnementale – Loi sur l'évaluation d'impact

Rogers affirme que le projet proposé n'est pas situé sur des terres fédérales et qu'il n'est pas lié à un projet désigné (selon la description dans le [Règlement désignant les activités concrètes](#)), ou qu'il est autrement expressément désigné par le ministre de l'Environnement, comme nécessitant une évaluation environnementale. Pour plus de détails concernant la Loi sur l'évaluation d'impact (L.C. 2019, ch. 28, art. 1) : <https://laws-lois.justice.gc.ca/fra/lois/l-2.75/page-1.html>

9. Cadre réglementaire d'Innovation, Science et Développement économique Canada

L'industrie des télécommunications est exclusivement réglementée par la Loi fédérale sur la radiocommunication et administrée par Innovation, Sciences et Développement économique Canada. Elle a établi un ensemble clair de règles que les entreprises de services sans fil doivent suivre lorsqu'elles envisagent d'installer ou de modifier une tour ou un système d'antennes (Circulaires de procédures pour les clients - CPC 2-0-03, Systèmes d'antennes de radiocommunication et de radiodiffusion).

De plus, Rogers doit consulter les représentants de la Ville de Nanaimo, en tant qu'autorité d'utilisation du sol, et se référer à leurs exigences locales applicables en matière d'utilisation du sol et de consultation ainsi qu'à toute préférence qu'elle pourrait avoir concernant l'emplacement et/ou la conception de la tour. Des informations générales relatives aux systèmes d'antennes sont disponibles sur le site Web d'ISDE : <https://ised-isde.canada.ca/site/gestion-spectre-telecommunications/fr/securite-conformite/faits-sujet-pylones>

10. Consultation publique et le processus local

Étant donné que la ville de Nanaimo ne dispose pas de son propre protocole d'implantation de pylônes d'antennes, Rogers est tenu de suivre le processus de consultation publique par défaut d'ISED Canada. Nous invitons les citoyens à se référer au lien pour les détails relatifs au processus de consultation publique : <https://ised-isde.canada.ca/site/gestion-spectre-telecommunications/fr/savoir-plus/documents-cles/procedures/circulaires-procedures-concernant-clients-cpc/cpc-2-0-03-systemes-dantennes-radiocommunications-radiodiffusion>

11. Contact Information / Coordonnées des intervenants

Rogers Communications Inc.

C/O Brian Gregg, SitePath Consulting Ltd., Land Use Consultant

Address / Adresse: PO Box 20138, Vancouver RPO

Fairview, BC V5Z 0C1

Tel: 778-870-1388

Email: briangregg@sitepathconsulting.com

City of Nanaimo

C/O Current Planning Section

Address / Adresse: 455 Wallace Street Nanaimo, BC, V9R 5J6

Email: planning@nanaimo.ca

Tel: 250-755-4429

Innovation, Science and Economic Development Canada (ISED) – Vancouver Island District Office

Address / Adresse: 1230 Government Street, Room 430 Victoria BC V8W 3M4

Tel: 1-800-667-3780 or 250-363-3803

Email: ic.spectrumvictoria-victoriaspectre.ic@canada.ca

12. Invitation to Submit Feedback / Commentaires

Within the framework of the public consultation, we invite citizens to submit their written comments and concerns **by close of business on March 18, 2024 to:**

Rogers Communications Inc.

C/O Brian Gregg, SitePath Consulting Ltd., Land Use Consultant

Address / Adresse: PO Box 20138, Vancouver RPO

Fairview, BC V5Z 0C1

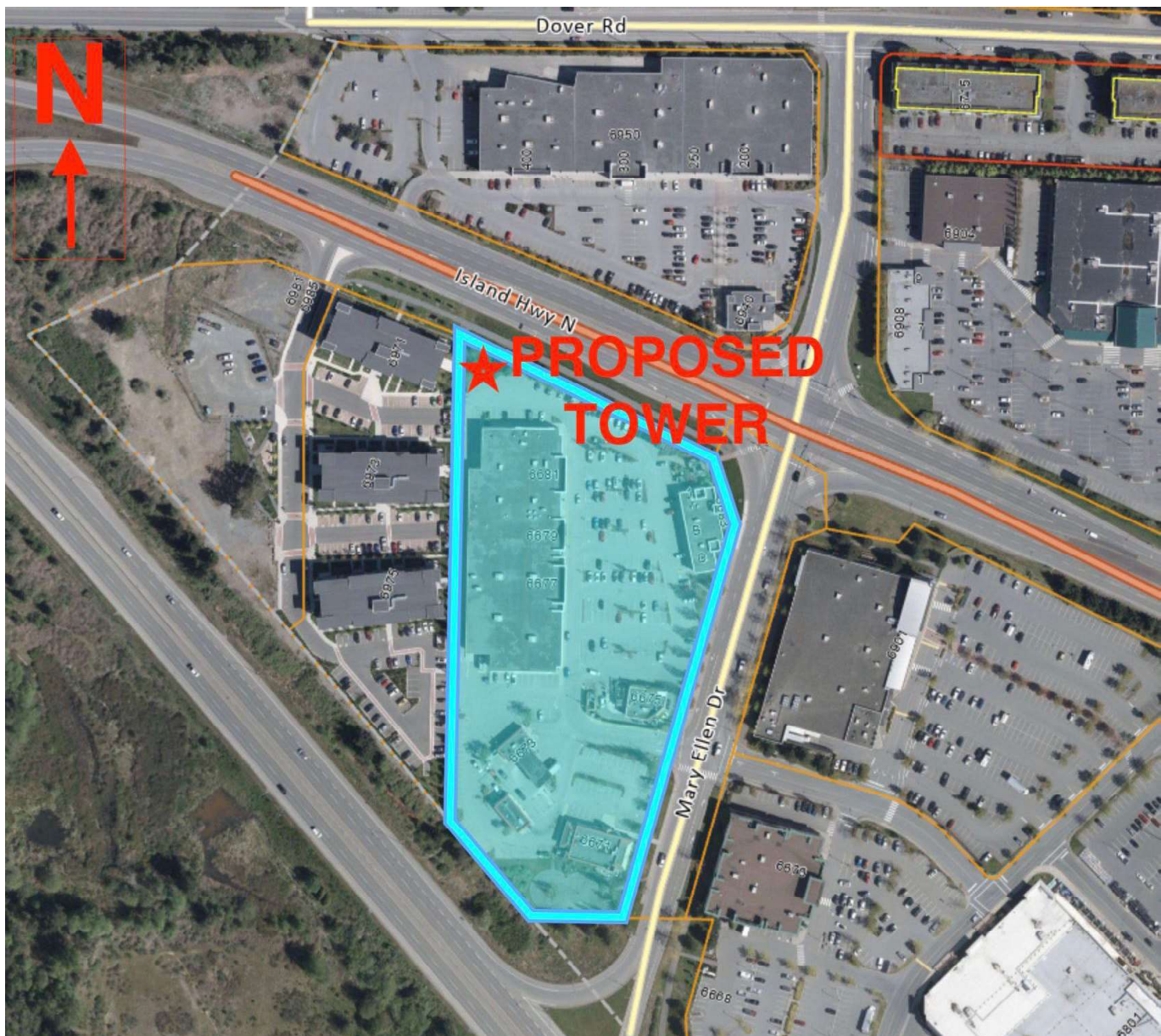
Tel: 778-870-1388

Email: briangregg@sitepathconsulting.com

Dans le cadre de la consultation publique, nous invitons les citoyens à soumettre leurs commentaires et préoccupations par écrit **avant la fermeture des bureaux le 18 mars 2024 à:**

Tower Installation Project / Projet d'installation de communication sans fil
Reference: W5729 – Woodgrove Centre

Appendix 1: Location map of the Proposed Installation
Annexe 1 : Carte de localisation du projet propose



Appendix 2: Site plan of the Proposed Installation
Annexe 2 : Projet de site arpenté



Appendix 3: Visual simulation of the Proposed Installation
Annexe 3: Simulation visuelle de l'installation proposée



View West

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PUBLIC NOTICE NOTIFICATION DU PUBLIC

PROPOSED ROGERS 31.0 METER TALL WIRELESS TELECOMMUNICATIONS MONOPOLE TOWER INSTALLATION

The proposed installation is composed of a 31.0-meter monopole telecommunications tower, including the antennas and a lightning rod. Rogers will comply with marking and lighting requirements in accordance with Transport Canada protocols.

Property: 6675 Mary Ellen Drive, Nanaimo, BC V9V 1T7 (Woodgrove Crossing Shopping Centre)

Geographic Coordinates: 49.240320, -124.0561713

Objective: To improve wireless coverage in Nanaimo and to meet rising demands for wireless services.

Details: An equipment compound will also be installed at the base of the proposed tower and the entire site will be surrounded by a security fence with a locked gated access point.

The public is invited to provide written comments by end of business day on **March 18th, 2024** to the contact information shown below. Please include a return address.

Tower Installation Project:

Projet d'installation de communication sans fil
Reference: W5729 – Woodgrove Centre

Contact Information for Rogers'

Representative:

Brian Gregg, SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO,
Fairview, BC V5Z 0C1
Phone: 778-870-1388
Email: brianregg@sitepathconsulting.com



EMPLACEMENT PROPOSÉ PAR ROGERS POUR L'IMPLANTATION D'UNE TOUR AUTOPORTANTE D'ENVIRON 31.0 MÈTRES DE HAUTEUR

Le site de télécommunication proposé sera composé d'une tour de type autoportante d'une élévation hors-tout d'environ 46.0 mètres incluant les antennes, le balisage aérien et le parafoudre.

Propriété: 6675 Mary Ellen Drive, Nanaimo, BC V9V 1T7 (Woodgrove Crossing Shopping Centre)

Les coordonnées géographiques: 49.240320, -124.0561713

Objectif: Améliorer la couverture sans fil à Nanaimo et répondre à la demande croissante de services sans fil. Détails: Un complexe d'équipement sera également installé à la base de la tour proposée et l'ensemble du site sera entouré d'une clôture de sécurité avec un point d'accès verrouillé.

Les citoyens sont invités à faire part de leurs commentaires, avant la fermeture des bureaux de Rogers le **18 mars 2024** soit à l'adresse indiquée (avec une adresse de retour).



Warehouseman's Lien Act

Under the terms of the Warehouse Lien Act, Goods and Personal Property of these persons listed below, deposited at AA Mini Storage, 2399 Cienar Drive, Nanaimo BC, Have been seized and WMI be sold on or after date: February 19, 2024 to recover the cost for unpaid storage rent,

Aaron LaFlam \$793.00

Catlin Rogers \$1,101.60

Warehouseman's Lien Act

By virtue of the Warehouseman's Lien Act and on behalf of **Consolidated Civil Enforcement**, we will dispose of goods belonging to **Lloyd R. Ernest, namely a 2010 Ford Focus recover \$262.50 plus accruing storage and any/all other expenses related.** These goods will be made available for sale after Feb 14th, 2024. Goods are currently being stored in Nanaimo BC. Contact 604-434-2448 for further information.

NOTICE OF DISPOSITION

TO:

Gail Beaudoin

Gisele Beaudoin

Daniel Beaudoin, formerly of Space 13, Seabreeze Mobile Home Park, Nanaimo, BC

Take notice that pursuant to section 37(3) of the Regulation to the Manufactured Home Park Tenancy Act, the landlord of the Seabreeze Mobile Home Park at 25 Maki Road, Nanaimo, BC, intends to dispose of a 1994 Moduline Industries Ltd., Gibraltar 24077, 44' x 24', and its contents, ("the Property") located in Seabreeze Mobile Home Park, Nanaimo, BC, 30 days after the publication date of this notice, unless you take legal possession of the Property.

After the expiration of the 30 day period, the Property will be disposed of with no further notice to you.

Landlord:

Lisa Buchanan,

Seabreeze Mobile Home Park, 25 Maki Road, Nanaimo, BC

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PUBLIC NOTICE NOTIFICATION DU PUBLIC

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Property: 6675 Mary Ellen Drive, Nanaimo, BC V9V 1T7 (Woodgrove Crossing Shopping Centre)

Geographic Coordinates: 49.240320, -124.0561713

Objective: To improve wireless coverage in Nanaimo and to meet rising demands for wireless services.

Details: An equipment compound will also be installed at the base of the proposed tower and the entire site will be surrounded by a security fence with a locked gated access point.

The public is invited to provide written comments by end of business day on **March 18th, 2024** to the contact information shown below. Please include a return address.

Tower Installation Project:

Projet d'installation de communication sans fil
Reference: W5729 – Woodgrove Centre

Contact Information for Rogers' Representative:

Brian Gregg, SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO,
Fairview, BC V5Z 0C1
Phone: 778-870-1388
Email: brianregg@sitepathconsulting.com



EMPLACEMENT PROPOSÉ PAR ROGERS POUR L'IMPLANTATION D'UNE TOUR AUTOPORTANTE D'ENVIRON 31.0 MÈTRES DE HAUTEUR

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Propriété: 6675 Mary Ellen Drive, Nanaimo, BC V9V 1T7 (Woodgrove Crossing Shopping Centre)

Les coordonnées géographiques: 49.240320, -124.0561713

Objectif: Améliorer la couverture sans fil à Nanaimo et répondre à la demande croissante de services sans fil.

Détails: Un complexe d'équipement sera également installé à la base de la tour proposée et l'ensemble du site sera entouré d'une clôture de sécurité avec un point d'accès verrouillé.

Les citoyens sont invités à faire part de leurs commentaires, avant la fermeture des bureaux de Rogers le **18 mars 2024** soit à l'adresse indiquée (avec une adresse de retour).



Notice

This is an Official Notice to any and all Creditors of the late Rev. David S. Fearon of #54, 5854 Turner Road, Nanaimo, who passed away on January 8, 2023. Please submit verifiable documentary evidence of any outstanding debt owing from his Estate to his Trustee and Executor, Bruce Armstrong, at #407, 310 St. James Street, Victoria, B.C., V8V 1J8, no later than Friday, March 15, 2024.

NOTICE OF DISPOSITION

TO:

Gail Beaudoin

Gisele Beaudoin

Daniel Beaudoin, formerly of Space 13, Seabreeze Mobile Home Park, Nanaimo, BC

Take notice that pursuant to section 37(3) of the Regulation to the Manufactured Home Park Tenancy Act, the landlord of the Seabreeze Mobile Home Park at 25 Maki Road, Nanaimo, BC, intends to dispose of a 1994 Moduline Industries Ltd., Gibraltar 24077, 44' x 24', and its contents, ("the Property") located in Seabreeze Mobile Home Park, Nanaimo, BC, 30 days after the publication date of this notice, unless you take legal possession of the Property.

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Landlord:

Lisa Buchanan,

Seabreeze Mobile Home Park, 25 Maki Road, Nanaimo, BC

Warehouseman's Lien Act

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Rogers Cell Tower Proposal-- Nanaimo, Woodgrove Mall

Brian Gregg <briangregg@sitepathconsulting.com>
To: Wendy Farrington [REDACTED]

Thu, Feb 8, 2024 at 12:18 PM

Hello Wendy,

I'll have to ask the team about the coverage at your specific location, I believe there may be another proposal for the Hammond Bay area in the works (though, there have been several unsuccessful attempts in the past is my understanding).

Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Thu, Feb 8, 2024 at 12:00PM Wendy Farrington [REDACTED] wrote:
Fingers crossed: I am assuming that this tower will provide reliable cell coverage to my area of the North end of Nanaimo (4604 Hammond Bay Road, V9T 5B1)?

Wendy

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From: Brian Gregg <briangregg@sitepathconsulting.com>
Sent: Thursday, February 8, 2024 10:50:56 AM
To: Wendy Farrington [REDACTED]
Subject: Re: Rogers Cell Tower Proposal-- Nanaimo, Woodgrove Mall

Good Morning Wendy:

Thanks very much for sharing your comments. We will save your input in the consultation file for the decision makers at the City of Nanaimo, ISED and Rogers.

As you noted, ensuring reliable connectivity is not only a matter of convenience but also public safety for many given that greater than 80% of calls to emergency responders such as 911 are now placed via wireless devices.

If you have any further questions or comments, please feel free to let me know.

Finally, please kindly note that as per ISED (federal) protocols we are required to advise you that you will have 21 days if you wish to submit further comments.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Thu, Feb 8, 2024 at 10:44AM Wendy Farrington [REDACTED] wrote:
Hi, Brian.

I wholeheartedly support Rogers' proposal to install a cell phone tower at Woodgrove Mall.

Poor cell phone service in my area has been a health and safety concern for me as long as I've lived in the north end of Nanaimo.

I have no comment other than to say I look forward to the installation of this cell tower.

Wendy Farrington

Nanaimo [REDACTED]

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Tower at Mary Ellen Drive, Nanaimo

Brian Gregg <briangregg@sitepathconsulting.com>
To: Deborah Cooper [REDACTED]

Thu, Feb 8, 2024 at 11:28 AM

Good Morning Deborah,

Thank you for sharing your input. We will save this in the consultation file for the City of Nanaimo, ISED and Rogers to take into account. If you have any further questions or comments please feel free to reach out at any time.

Please also kindly note that as per ISED (federal) protocols I am required to advise you that you will have 21 days if you wish to comment further.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-8424 | www.sitepathconsulting.com



On Thu, Feb 8, 2024 at 11:13AM Deborah Cooper [REDACTED] wrote:

Hello Mr Gregg,
Tower is much anticipated and will be appreciated. Thanks.
deborah cooper
[REDACTED]

D. Cooper,
Sent from my iPhone

Cell tower

Brian Gregg <briangregg@sitepathconsulting.com>
To: Mary Seeton [REDACTED]

Thu, Feb 8, 2024 at 11:28 AM

Good Morning Mary:

Thank you for sharing your input. We will save this in the consultation file for the City of Nanaimo, ISED and Rogers to take into account. If you have any further questions or comments please feel free to reach out at any time.

Please also kindly note that as per ISED (federal) protocols I am required to advise you that you will have 21 days if you wish to comment further.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Thu, Feb 8, 2024 at 11:08AM Mary Seeton [REDACTED] wrote:

Hello Brian,
I totally agree with a new cell tower installation in Nanaimo at 6675 Mary Ellen Drive.
It is long overdue.
Thank you for assisting in this process.
Mary Seeton

proposed cell tower on Mary Ellen Drive

Brian Gregg <briangregg@sitepathconsulting.com>
To: Mary Seeton [REDACTED]

Fri, Feb 9, 2024 at 3:46 PM

Hello Mary,

Thanks for your email. This proposal is primarily intended to service the commercial areas near Woodgrove and along the highway. However, we have asked Rogers as to whether there may be spillover coverage into your area on Hammond bay Road.

As you may be aware, there has been a separate proposal for the Hammond Bay area but nothing has yet been finalized or approved.

If you have any further questions, please kindly note that I am required to advise you that you will have 21 days to comment as per ISED (federal) protocols.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Fri, Feb 9, 2024 at 9:52AM Mary Seeton [REDACTED] wrote:
Morning Brian,
With this new tower on Mary Ellen Drive, will this improve cell accessibility on Hammond Bay Road, in particular near the water treatment plant?
Thank you
Mary

Cellphone Tower

Brian Gregg <briangregg@sitepathconsulting.com>
To: Jenna Nielsen [REDACTED]

Thu, Feb 8, 2024 at 1:39 PM

Hello Jenna,

Thank you for sharing your input. We will save this in the consultation file for the City of Nanaimo, ISED and Rogers to take into account. If you have any further questions or comments please feel free to reach out at any time.

Please also kindly note that as per ISED (federal) protocols I am required to advise you that you will have 21 days if you wish to comment further.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-8424 | www.sitepathconsulting.com



On Thu, Feb 8, 2024 at 11:37 AM Jenna Nielsen [REDACTED] wrote:

We would love to have another tower added so that we can get signal!

We are located at [REDACTED].

Feel free to reach out if you have any questions or need any other information.

Thank you,

Jenna Nielsen

Sent from my Bell Samsung device over Canada's largest network.

Rocky Point Coverage?

Brian Gregg <briangregg@sitepathconsulting.com>
To: Dave Rowe [REDACTED]

Thu, Feb 8, 2024 at 1:47 PM

Hello Dave,

I will ask Rogers about your coverage question regarding Hammond Bay Road. It is my understanding that there may have recently been a separate tower proposal for the Hammond Bay area as well. I will look into that for you.

For any tower, any third party carrier is welcome to apply to co-locate on or share the tower. The federal protocols from ISED require that the carriers cooperate with tower sharing. At this time, the proposal is for Rogers, however TELUS and other third parties are welcome to apply to share the facility if desired.

Finally, please kindly note that as per ISED protocols I am required to advise you that you will have 21 days if you wish to comment further.

Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Wed, Feb 7, 2024 at 4:21 PM Dave Rowe [REDACTED] wrote:
Woodgrove

On Feb 7, 2024, at 14:09, Brian Gregg <briangregg@sitepathconsulting.com> wrote:

Hello Dave,

Thanks for reaching out. Which tower are you referring to? My apologies, I have a number of proposals at any given time.

Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Wed, Feb 7, 2024 at 1:17 PM Dave Rowe [REDACTED] wrote:
Hi Brian
Will this tower improve coverage on Hammond Bay Road, specifically Rocky Point neighbourhoods? We're lucky to get one bar here through Telus which brings me to the next question, will you share your tower with Telus?
Dave Rowe

SUPPORT for Project W5729 - Woodgrove Centre

Brian Gregg <briangregg@sitepathconsulting.com>
To: Leilani Taylor [REDACTED]

Mon, Feb 12, 2024 at 1:15 PM

Good Morning Leilani:

Thank you for sharing your email. As you noted, existing connectivity via the wireless network is very limited. This is not only an inconvenience for many but can also pose some public safety concerns given that greater than 80% of calls to emergency responders are now placed via cell phones. The comments you made resonated with us and we've heard similar feedback from many people who share your thoughts.

For clarity, the subject proposal is primarily intended to provide better connectivity in the commercial and expanding residential areas near Woodgrove Centre and along the highway. We've asked Rogers' engineering team to confirm the extent to which coverage will extend into Hammond Bay from this tower. There is actually another tower proposal that has been in the works for some time, I believe, for Hammond Bay however that is still in progress I believe. I am not working on that Hammond Bay project but will ask for a status update. Suffice it to say, we are well aware of the service issues and are actively working to resolve them.

Thanks and please kindly note that you will have 21 days to comment further as per ISED (federal) protocols if you desire to do so. In the interim, we've saved your comments in the consultation file for the City of Nanaimo, Rogers and ISED to take into account.

Kind Regards,

Brian Gregg, RPP, MCIP
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PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
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Fax: 604-829-6424 | www.sitepathconsulting.com



On Mon, Feb 12, 2024 at 10:22AM Leilani Taylor [REDACTED] wrote:
Re: Rogers Communications Tower Installation Project Number W5728 - Woodgrove Centre

Mr. Gregg,

I am writing on behalf of my family to express our support for the proposed Rogers Communications Tower Installation Project W5729 at Woodgrove Centre, Nanaimo, BC.

We live approximately 5.5 km away from Woodgrove Centre. We moved to the area last spring, from Ottawa, Ontario. We were shocked that the cellular coverage at our home and in the surrounding neighbourhood is weak to non-existent. We do not know if the installation of this tower will improve the cellular reception in our particular neighbourhood, but it will improve the quality of coverage along Hammond Bay Road and in neighbourhoods closer to Woodgrove.

As a member of a First Responder family, I have witnessed the unreliability of communications and data services on hand-held radios and in-car systems in North Nanaimo. The quality of communications services in the area is unacceptable; it puts both First Responders and the public at risk. When First Responders require urgent assistance, or when a small or large-scale response requires multi-agency coordination, such as an evacuation, our community will face incredible, unnecessary challenges. As a city of 100000+ people, it is unacceptable to have large gaps in coverage in communication systems.

If you have any questions or comments, please do not hesitate to contact me.

Kind regards,
LT

Leilani Taylor
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

tower in Nanaimo

Brian Gregg <briangregg@sitepathconsulting.com>

To: MARGARET LITCH [REDACTED]

Thu, Feb 15, 2024 at 5:47 PM

Hello Margaret,

We are very pleased to receive your comments and are thankful that you took the time to do so.

Thank you and please feel free to reach out at any time.


Brian Gregg, RPP, MCIP

SitePath Consulting Ltd.

PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1

Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

Fax: 604-829-6424 | www.sitepathconsulting.com



On Thu, Feb 15, 2024 at 9:52AM MARGARET LITCH [REDACTED] wrote:

Thank you very much. I appreciate this information. I'm sure you are busy and it means a lot that you answered me so quickly. MArgaret

From: "Brian Gregg" <briangregg@sitepathconsulting.com>

To: "MARGARET LITCH" [REDACTED]

Sent: Thursday, February 15, 2024 8:00:26 AM

Subject: Re: tower in Nanaimo

Good Morning Margaret,

Thanks for sharing your email. This proposed installation is primarily intended to deliver service into the commercial and residential areas near Woodgrove Centre and along the highway; however there may be additional spillover coverage extending along Hammond Bay Road. As you may be aware, there is a separate tower proposal in the Hammond Bay area that I believe is being handled by others. I will seek an update on that however ultimately we think that more than one facility will be needed to service these areas that you reference. We understand that this is critical for many people for safety reasons.

Thanks and please kindly note that as per ISSED protocols you will have 21 days if you wish to comment further.

Kind Regards,


Brian Gregg, RPP, MCIP

SitePath Consulting Ltd.

PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1

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Fax: 604-829-6424 | www.sitepathconsulting.com



On Wed, Feb 14, 2024 at 6:05 PM MARGARET LITCH [REDACTED] wrote:

I was very pleased to read in the Nanaimo News Bulletin (Feb. 14/24) that there is a proposed tower in north Nanaimo for wireless.

Will this be of help for cell phone reception along the Hammond Bay Road corridor? This is a very big issue in Nanaimo and I'm hoping this is part of the plan. Thank you for your reply.

Margaret Litch

--

[REDACTED]

--

[REDACTED]

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Re: Cell Tower in North Nanaimo

Brian Gregg <briangregg@sitepathconsulting.com>
To: Kathy GILLIES [REDACTED]

Tue, Feb 20, 2024 at 3:53 PM

Thank you, Kathy. I have passed your contact information along the the appropriate contacts and am hopeful that you will garner a response. I do believe that there are people actively working to resolve the coverage gaps in your area.

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Sat, Feb 17, 2024 at 2:34 PM Kathy GILLIES [REDACTED] wrote:
Hello Mr. Gregg,
Thank you for replying to my inquiry about the Mary Ellen Drive cell Tower. It is very disappointing that your proposal does not include Hammond Bay Road.

You may share my comments with Rogers and I will await your response to which consulting company is dealing with a cell tower for Hammond Bay and the status.

I appreciated your prompt reply.
Sincerely,
Kathy Gillies
Sent from my iPad

On Feb 15, 2024, at 6:44 PM, Brian Gregg <briangregg@sitepathconsulting.com> wrote:

Hello Kathy,

I sincerely appreciate your comments and the story that you have provided underscores why having cell service is important for many in emergency situations. I am very sorry to hear about your husband. Thank you for sharing that.

I will share your comments with Rogers if that is okay for you and will ask about the status as to the proposal in Hammond Bay. I do believe that another consulting company may be working on that proposal; however I do not know the details and will ask for you.

If you have any further comments or questions, please kindly note that I am required to advise you that you will have 21 days to do so via this process as per ISED protocols.

I will report back once I garner more information re: Hammond Bay.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
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Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Thu, Feb 15, 2024 at 11:05AM Kathy GILLIES [REDACTED] wrote:

Mr. Gregg,
I am emailing you in response to a public notice in the Nanaimo bulletin regarding an installation of a 31.0 m cell tower being installed at 6675 Mary Ellen Dr. My friend Margaret Litch, sent you an email in which you responded to this morning and she sent it along to me. Reading your response it seems there maybe spillover coverage, extending along Hammond Bay Road. Is there anyway to know how far it would extend along Hammond Bay Road?

On July 12, 2023 my husband had a massive heart attack at the bottom of Vistaview street, approximately 4 feet from the entrance to Hammond Bay Road. I could not get through to the dispatcher of 911 on my cell phone. I had to flag down a car and that person did get the dispatcher, but kept cutting out and was told they had to go further up the road. A number of minutes past before an ambulance arrived on the scene and by that point it was too late for my husband. He could not be resuscitated. My husband had not had any previous issues with his heart. Various media outlets came to me to tell the story of what had happened to my husband due to the lack of cell service. My family did not want anyone else to have to suffer this kind of a shock and loss. Needless to say I was hoping that when I saw this proposal it was the one that people had been signing petitions on to get cell service along Hammond Bay Road. There are two schools and three parks along Hammond Bay Road where cell service is not accessible.

When you say there is another cell tower proposal along Hammond Bay, and it is being handled by others, what do you mean by others? Your company or another cell tower provider?

I look forward to a reply to my questions.
Regards,
Kathy Gillies
Sent from my iPad

W5729 Woodgrove Centre

Brian Gregg <briangregg@sitepathconsulting.com>

To: Linda marquard [REDACTED]

Tue, Feb 20, 2024 at 4:11 PM

Thank you, Linda. I've shared your feedback with both Rogers and TELUS and will advise you if I obtain any useful information. Thanks for sharing your comments.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Tue, Feb 20, 2024 at 3:35 PM Linda marquard [REDACTED] wrote:
Thank you Brian for your response.

I really hope Rogers and Telus reach out to me about the Hammond Bay Project because the last I heard Telus pulled out and was going alone leaving Rogers to figure out a plan. That said the grapevine is not always accurate

I am just not sure why establishing a cell tower is so difficult especially in this day and age and when badly needed.

Sincerely,
Linda

On Tue, Feb 20, 2024, 11:20 a.m. Brian Gregg <briangregg@sitepathconsulting.com> wrote:
Good Morning Linda,

I can certainly appreciate this feedback. It is my understanding that Rogers and TELUS are working together cooperatively on a separate proposal for the Hammond Bay area and the areas you reference.

The project I am working on near Woodgrove Centre is, as you noted, primarily intended to deliver connectivity to the commercial/residential and highway corridor areas in that vicinity.

I will certainly share your comments with the Rogers and TELUS representatives that are working on the project you referenced for Hammond Bay and perhaps they may reach out to you directly.

Thanks again and please kindly note that as per ISED (federal) protocols, I am required to advise you that you will have 21 days if you wish to comment further on this proposal.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
Fax: 604-829-6424 | www.sitepathconsulting.com



On Sun, Feb 18, 2024 at 11:31AM Linda marquard [REDACTED] wrote:
Hello Brian,

While I applaud any attempts to improve cellular service in Nanaimo, I can't help believe this cell tower will have much impact for single families, but rather businesses and corporations.

So I ask what is Rogers doing to bring cellular service to the Rocky Point and Neck Point areas several kilometers south of 6675 Mary Ellen Drive? If you can assure me this new tower will reach our area, I am satisfied. But I am skeptical.

On the other hand, are Rogers and Telus still working together to choose a cellular site for the areas I mentioned above? If not, what plans does Rogers have to keep our area safe? Unless we are in our home with wifi calling, 911 calls are dropped. You may be aware a life was lost last summer on Hammond Bay road for this very reason.

This is up to Rogers (and Telus) to make a tower happen. The city is awaiting for you to tag team or go alone for a Tower.

Thank you for listening and I look forward to a response.

Linda Marquard
[REDACTED]

—
Linda Marquard

Subject: Proposed Rogers 31.0 Meter Tall Wireless Tower at Woodgrove

Brian Gregg <briangregg@sitepathconsulting.com>
To: Ron Bolin [REDACTED]

Mon, Feb 26, 2024 at 2:01 PM

Good Evening Ronald:

Thanks for your inquiry. Please find below our responses in green text.

Brian Gregg, SitePath Consulting Ltd.
PO Box 20138, Vancouver RPO
Fairview, BC V5Z 0C1

Dear Mr. Gregg:

I write this to you to reflect more on what you have not stated in the recent Public Notice of same in the Nanaimo Daily News rather than with that which is overtly disclosed.

A tower is a danger to birds, to other forms of flight and to the area covered by its radius should it fall.
Although we are not experts on birds or biology, we have worked with a number of qualified environmental professionals and biologists over the years including quite recently. Under their advisement, we have often been informed that it is towers with guy wires (typically much taller structures) that some research has indicated a minor number of bird collisions with (specifically, ultra tall towers with guy wires). We've also been advised that in urban areas with substantial backlight where birds are already attracted in some cases, towers that have flashing beacons on them may attract certain but not all bird species. The proposed tower has neither guy wires nor is it likely to require any marking or lighting as it is only proposed to be approximately 31 meters tall and is a relatively compact self supporting monopole. Below is a sample photo rendering. This is not the type of structure that the research we are aware of shows impacts to birds or wildlife.



However there is a great deal of evidence concerning the dangers to health which are represented by the wavelengths of the electro-magnetic spectrum which are generated and broadcast from the transmitters which may be mounted on that tower.

What is needed for a clear public understanding of the dangers that can be ascribed to that tower, i.e. the nature of the electromagnetic waves which are to be broadcast from it especially as they interact with the variety of reflections, absorption, diffraction and scatter of the physical environment as well as those of other transmitters in the area and can thus seriously impact the health of life, human or otherwise.
Rogers attests that its proposed facility with comply with Health Canada's Safety Code 6. This is the applicable regulatory requirement. More information on the safety code can be found at the following link.
<https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/occupational-exposure-regulations/safety-code-6-radiofrequency-exposure-guidelines.html>

Please advise at your earliest convenience on the number and nature of the transmitters which will be attached to this tower and those which may be susceptible to other towers and thus can have effect far beyond its danger of simple mechanical failure?

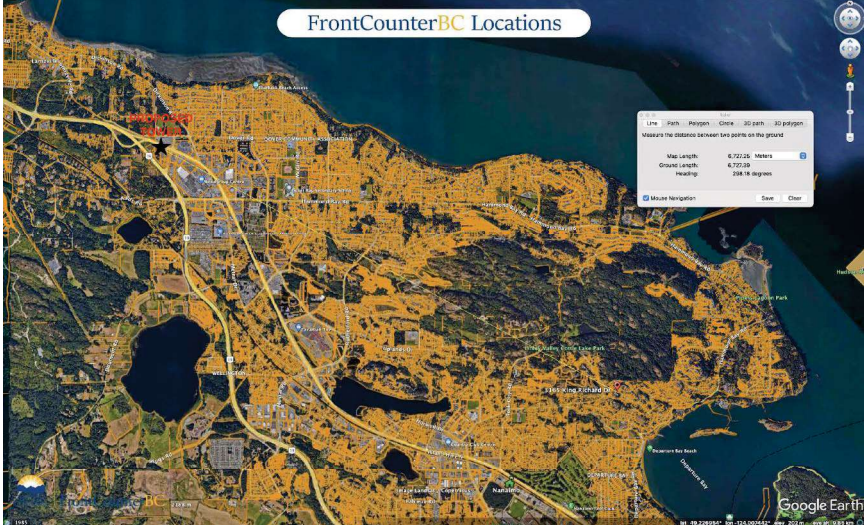
At this time, the following equipment is proposed; however, as with every tower the technology is subject to change over time.

Model	Number of antennas	Approximate Dimensions in mm (Length x Width x Depth)	Height in Tower (m)	Technology (4G or 5G)
FFV4S4-65C-R7-V2	6	2000 X 498 X 197	29.9 and 26.35	4G
GPSGLONASS-36-N-S	1	685 mm diameter	5.0	GPS

We are not clear as to what you mean by "...those which may be susceptible to other towers and thus can have effect far beyond its danger of simple mechanical failure". If you are referring to microwave dish technology in terms a facility connecting to an adjacent tower, this facility is currently intended to be tied into the network via fibre optic cabling rather than a dish.

Ronald Bolin
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Thanks for sharing your address and contact information. Your stated address appears to be just under 7 kilometers away from the proposed facility and likely is not within the coverage or service area.



While there is a great deal of literature about the dangers of electromagnetic radiation to health, I have chosen to use as the basis for this query: Tour of the Electromagnetic Spectrum

<https://gpm.nasa.gov/education/websites/tour-electromagnetic-spectrum>

<https://www.inspiritvr.com/electromagnetic-spectrum-study-guide/>

With regards to your concerns about health and safety, as stated above Rogers attests that its proposed installation will comply with Health Canada's Safety Code 6. This is the applicable safety standard and a regulatory requirement.

Additionally, the subject of debating the validity of Health Canada's Safety Code 6 is outside the scope of this consultation as per ISED (federal) protocols. Please kindly see the excerpt below from the ISED CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems, section 4.2:

<https://ised-isde.canada.ca/site/spectrum-management-telecommunications/en/learn-more/key-documents/procedures/client-procedures-circulars-cpc-2-0-03-radiocommunication-and-broadcasting-antenna-systems>

Concerns that are not relevant include:

- *disputes with members of the public relating to the proponent's service, but unrelated to antenna installations*
- *potential effects that a proposed antenna system will have on property values or municipal taxes*
- *questions whether the Radiocommunication Act, this document, **Safety Code 6**, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner*

While your concerns have been noted, you may consider that having limited connectivity as is currently the case can pose some challenges in terms of public safety given that greater than 80% of calls to emergency responders such as 911 are now placed via cell phones. You may find the following article from your local area to be of interest in this regard, for example.

<https://www.nanaimobulletin.com/local-news/nanaimo-mans-death-underlines-need-for-better-cell-coverage-in-hammond-bay-4993709>

We hope that our thorough response has been helpful. Please kindly note that as per ISED (federal) protocols, we are required to advise you that you will have 21 days if you wish to comment further.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
 PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
 Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
 Fax: 604-829-6424 | www.sitepathconsulting.com



On Sun, Feb 25, 2024 at 8:37 PM Ron Bolin [REDACTED] wrote:

Brian Gregg, SitePath Consulting Ltd.
 PO Box 20138, Vancouver RPO
 Fairview, BC V5Z 0C1

Dear Mr. Gregg:

I write this to you to reflect more on what you have not stated in the recent Public Notice of same in the Nanaimo Daily News rather than with that which is overtly disclosed.

A tower is a danger to birds, to other forms of flight and to the area covered by its radius should it fall.

However there is a great deal of evidence concerning the dangers to health which are represented by the wavelengths of the electro-magnetic spectrum which are generated and broadcast from the transmitters which may be mounted on that tower.

What is needed for a clear public understanding of the dangers that can be ascribed to that tower, i.e. the nature of the electromagnetic waves which are to be broadcast from it especially as they interact with the variety of reflections, absorption, diffraction and scatter of the physical environment as well as those of other transmitters in the area and can thus seriously impact the health of life, human or otherwise.

Please advise at your earliest convenience on the number and nature of the transmitters which will be attached to this tower and those which may be susceptible to other towers and thus can have effect far beyond its danger of simple mechanical failure?

Ronald Bolin

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

While there is a great deal of literature about the dangers of electromagnetic radiation to health, I have chosen to use as the basis for this query: Tour of the Electromagnetic Spectrum

<https://gpm.nasa.gov/education/websites/tour-electromagnetic-spectrum>

<https://www.inspiritvr.com/electromagnetic-spectrum-study-guide/>



Brian Gregg <briangregg@sitepathconsulting.com>

Tower Installation Project. Reference W5729 - Woodgrove Centre

Brian Gregg <briangregg@sitepathconsulting.com>
To: Wally Roth [REDACTED]

Mon, Feb 26, 2024 at 4:16 PM

Dear Wally:

Thanks very much. CIP is the Canadian Institute of Planners. I am a registered professional planner (urban planning is my background).

With regards to your concerns about health and safety, as stated previously Rogers attests that its proposed installation will comply with Health Canada's Safety Code 6. This is the applicable safety standard and a regulatory requirement.

Additionally, the subject of debating the validity of Health Canada's Safety Code 6 is outside the scope of this consultation as per ISED (federal) protocols. Please kindly see the excerpt below from the ISED CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems, section 4.2:

<https://ised-isde.canada.ca/site/spectrum-management-telecommunications/en/learn-more/key-documents/procedures/client-procedures-circulars-cpc/cpc-2-0-03-radiocommunication-and-broadcasting-antenna-systems>

Concerns that are not relevant include:

- *disputes with members of the public relating to the proponent's service, but unrelated to antenna installations*
- *potential effects that a proposed antenna system will have on property values or municipal taxes*
- *questions whether the Radiocommunication Act, this document, **Safety Code 6**, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner*

While your concerns have been noted, you may consider that having limited connectivity as is currently the case can pose some challenges in terms of public safety given that greater than 80% of calls to emergency responders such as 911 are now placed via cell phones. You may find the following article from your local area to be of interest in this regard, for example.

<https://www.nanaimobulletin.com/local-news/nanaimo-mans-death-underlines-need-for-better-cell-coverage-in-hammond-bay-4993709>

We hope that our thorough response has been helpful. Please kindly note that as per ISED (federal) protocols, we are required to advise you that you will have 21 days if you wish to comment further.

Kind Regards,

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.

PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1

Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

Fax: 604-829-6424 | www.sitepathconsulting.com



On Mon, Feb 26, 2024 at 3:09 PM Wally Roth [REDACTED] wrote:

Thank you for your reply.

Countering my objections with "science" that's been vetted by Health Canada doesn't impress me, I'm afraid. Since I'm not a scientist trained to determine whether the "studies" vetted are legitimate, I would however like to know who, if any, of the persons, including yourself, are in any way connected to any corporations, businesses, or companies that

develop, sell or promote cell towers. If so, the decisions are biased. Are the members of Health Canada who make these decisions knowledgeable enough to make such decisions and do they benefit in any way from the decisions they make? If Health Canada is considered to have the final say, I'm afraid their past record of approving products, medicines, drugs, etc., are highly questionable. Thalidomide is just one example of many. Standards are often set to too high a threshold and the testing can be too limited in scope, especially time-wise, to be accurate. As far as I'm concerned, we're playing with fire and will eventually regret it.

I see that you are a member of the CIP-ICU. From what I can gather it is an NGO, funded in part by the government, with the goal of advising the governments of Canada with regard to planning communities. I may not be completely accurate with my cursory exploration, but it does give the impression that the government and corporations are working hand-in-hand. It's hard to speak truth to power when such relationships exist. I could go on, but considering who's making these decisions, I'm now even more convinced that cell towers are of questionable safety to all living creatures.

On Mon, Feb 26, 2024 at 2:12 PM Brian Gregg <briangregg@sitepathconsulting.com> wrote:

Dear Wally:

Thanks for sharing your comments. Please find our responses below in green text.

Please add my name to the list of objectors to the installation of another cell tower, this one in the Woodgrove Centre location. I'm guessing this will also use 5G transmission. From what I've learned this is potentially dangerous for all living creatures.

The proposed tower has neither guy wires nor is it likely to require any marking or lighting as it is only proposed to be approximately 31 meters tall and is a relatively compact self supporting monopole. Below is a sample photo rendering. This is not the type of structure that the research we are aware of shows impacts to wildlife.



I refer you to an interview with a well-known scientist, Arthur Firstenberg, who has researched the dangers of electromagnetic transmissions for many years.

<https://5g-emf.com/arthur-firstenberg-the-hidden-dangers-of-wireless-cell-phone-radiation/>

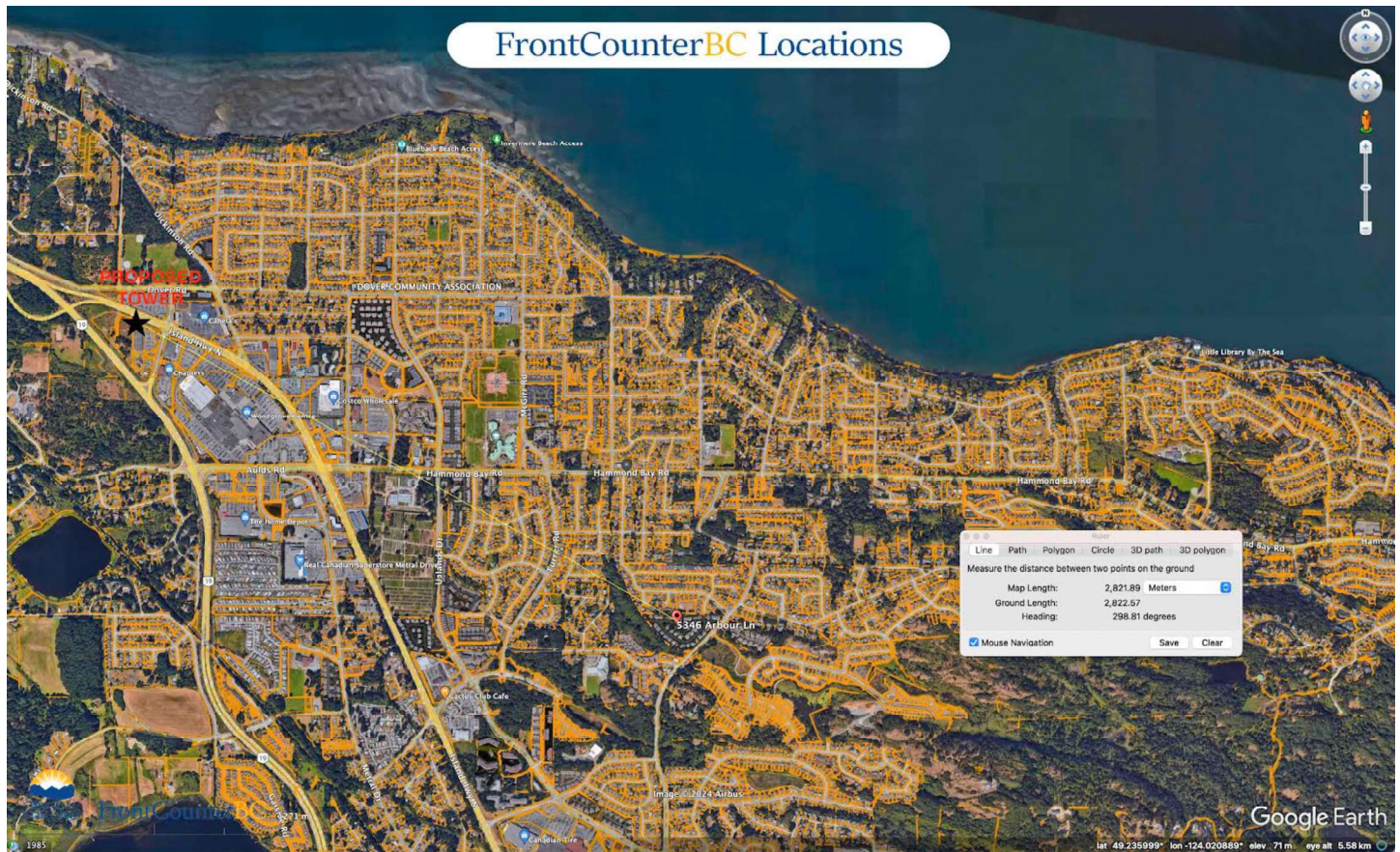
It's not worth the risks!

Rogers attests that its proposed facility will comply with Health Canada's Safety Code 6. This is the applicable regulatory requirement. More information on the safety code can be found at the following link.

<https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/occupational-exposure-regulations/safety-code-6-radiofrequency-exposure-guidelines.html>

Wally Roth

Thank you for providing your address. It appears that you are located just under 3 kms away from the proposed facility. Below is a distance map for your reference measuring the approximate distance to your stated address. As per the below map, it has been Rogers' intent to site the facility in a commercial area setback a reasonable distance from residential areas to the extent feasible.



We hope that our thorough response has been helpful. Please kindly note that as per ISED (federal) protocols, we are required to advise you that you will have 21 days if you wish to comment further.

Kind Regards,

Brian Gregg, RPP, MCIP

SitePath Consulting Ltd.

PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1

Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

Fax: 604-829-6424 | www.sitepathconsulting.com



On Fri, Feb 23, 2024 at 7:55 PM Wally Roth [REDACTED] wrote:

Please add my name to the list of objectors to the installation of another cell tower, this one in the Woodgrove Centre location.

I'm guessing this will also use 5G transmission. From what I've learned this is potentially dangerous for all living creatures. I refer you to an interview with a well-known scientist, Arthur Firstenberg, who has researched the dangers of electromagnetic transmissions for many years.

<https://5g-emf.com/arthur-firstenberg-the-hidden-dangers-of-wireless-cell-phone-radiation/>

It's not worth the risks!

Wally Roth
[REDACTED]
[REDACTED]

----- Forwarded message -----
From: **Brian Gregg** <briangregg@sitepathconsulting.com>
Date: Fri, Mar 15, 2024 at 4:32 PM
Subject: Re: Skyline / Rogers: Public Consultation - Proposed Rogers Communications Facility at WoodGrove Crossing (Rogers File: W5729) - 6971, 6973 & 6975 Island Highway North, Nanaimo
To: Mark Sekenda [REDACTED]
Cc: heatheroliver@sitepathconsulting.com <heatheroliver@sitepathconsulting.com>

Good Evening Mark:

Please find our initial responses below in green text. I have attempted to copy and paste your letter below for ease of responding via email.

W5729 - Woodgrove Centre
Dear Mr. Gregg:
RE: Rogers Communications Inc. ("Rogers") public consultation regarding the potential installation of a monopole telecommunications tower, antenna, and related telecommunications equipment (the "Equipment") at 6675 Mary Ellen Drive, Nanaimo, British Colombia ("Woodgrove Crossing Shopping Centre") pursuant to a public consultation proposal dated February 2, 2024, (the "Proposal")

0911872 B.C. LTD (BSkyline) is the registered owner of the property directly abutting the western boundary of the Woodgrove Crossing Shopping Centre, municipally known as 6971, 6973 & 6975 Island Highway North, Nanaimo, British Columbia ("Skyline's Property"). Skyline has received the Proposal and would request Rogers address questions and concerns Skyline has with the Proposal, as follows:

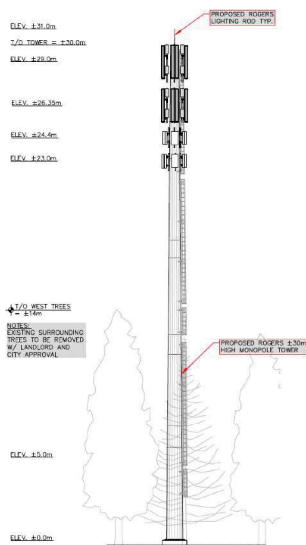
1. There are a number of commercial and retail properties within a 1 kilometer radius from the Woodgrove Crossing Shopping Centre that do not directly abut residential homes / buildings. Has Rogers considered alternative properties for the installation of the Equipment and/or approached other landowners regarding same? Is an alternative property other than the Woodgrove Crossing Shopping Centre available for the installation of the Equipment? If so, why are alternative options not being pursued?
The objective of this proposed facility is to deliver reliable wireless connectivity to the commercial premises and residences within the area that you have described, as well as along the adjacent highway. Rogers has explored numerous properties within the surrounding area and indeed completed a site visit to the rooftop of your company's apartment building to explore whether it would be viable to install rooftop antennas.

Unfortunately, the rooftop of your building (and other adjacent buildings) was deemed not tall enough to deliver reliable connectivity to the surrounding area.

Rogers also explored other adjacent commercial properties, however there was no space available for the proposed facility and as of this time the subject location is the only tower location that we are aware of with a willing landlord that meets Rogers' coverage objectives within the target service area.

2. The proposed installation of the Equipment as described in the Proposal is only meters away from the residential building on Skyline's Property. The Woodgrove Crossing Shopping Centre property is quite large and expansive, with its northern, eastern, and southern borders abutting roadways. Is it possible to install the Equipment in an alternative area on the Woodgrove Crossing Shopping Centre property which is further away from the residential buildings on Skyline's Property? If so, why is that option not being pursued?
Rogers does not have land rights in other locations on the subject property. Other locations on the subject property were preliminarily explored however one challenge that arose is that we were advised that the parking stalls were largely assigned or allocated to tenants so there is little or no viable surplus common property space for a tower compound. Rogers also desires to have its facility located on the side of the property near the highway to be central to the intended coverage area rather than on the rear side of the lot.

3. Currently, a number of trees and bushes occupy the proposed location for the Equipment as described in the Proposal. What steps will Rogers take to try to integrate the Equipment into local surroundings? Will Rogers update landscaping to hide the base of the Equipment?
Rogers' footprint has been shrunk down to the minimum required to enable the proposed installation. At this time, the design is conceptual and we will discuss with the municipality to ensure that the proposed facility is permitted. We understand that there is a desire to retain landscaping to the extent possible and this can be explored however the space is tight. Often we can do much with design in terms of considering a small landscape buffer, cedar fencing rather than chainlink fencing, and by designing the tower to be a slim monopole (as is currently proposed) rather than a larger lattice tower or guyed tower. Indeed, the tower as proposed is one of the slimmest and shortest tower types available to us. It is known as a "flush mount monopole" with the antennas mounted flush to the pole as you can see below.



4. With the residential buildings on Skyline's Property being in close proximity to the proposed location of the Equipment as described in the Proposal, what are the detailed steps Rogers is taking to make the construction, maintenance, and long-term presence of the Equipment safe? Additionally, what steps is Rogers taking to ensure it is compliant with all safety legislation during construction, maintenance, and operation of the Equipment, including compliance with Safety Code 6 (2015)?

Rogers will adhere to professional engineering standards to ensure structural adequacy and compliance with the electrical code. Rogers attests that its proposed facility will comply with Health Canada's Safety Code 6 – the applicable regulatory requirement from a safety code perspective.

5. Will the Equipment emit any sort of audible sound / noise after it is installed and operating? If so, what decibel level can be expected from the Equipment and will such sound / noise be constant or periodic?

In our experiences, the tower installations are very quiet. In fact, the same antennas and equipment are often installed onto the rooftops of residential buildings similar to the subject apartment that your business owns directly adjacent.

With that said, below are some detailed comments that we put together for another commenter on another file that may help.

- Generator – Many of our sites have a generator as a form of back-up power in the event that the grid goes down; however the generators *only run if there is a power outage (i.e. in rare emergency scenarios)*. The generator operates at an estimated 65dBa at a 10m distance. We assume it would drop off substantially over distance and with tree coverage. We also have back up battery power so the generator will only turn on in the rare case of a longer power outage. This is important since people will want their phones to work during an emergency scenario.
- HVAC – These units will only run whenever environmental control is required (i.e. extreme temperature situations). The specifications I was given previously state that the noise level is 62,3dBa at 10ft. Again, we assume the sound levels would drop off substantially over distance.

For reference, we understand that a common dishwasher operates at around 60dBa at a 10 ft distance. Depending on what is around to absorb sound and what the air pressure is at the location, we think that the sound will be significantly reduced. For instance, the background noise of the commercial activities in the area, the highway, etc. likely will generate more noise than the aforementioned equipment.

For reference:

- 20dBa – leaves rustling (considered faint)
- 30dBa – whisper (considered soft)
- 40dBa – quiet library (considered soft)
- 50dBa – moderate rainfall (considered moderate)
- 60dBa – normal conversation or a dishwasher at 10 ft. (considered moderate)
- 70dBa – vacuum (considered moderate - loud)
- 80dBa – alarm clock (considered loud)
- 90dBa – lawn mowers, blenders, hair dryers, power tools (considered very loud)
- 100dBa – snowmobiles (considered very loud)
- 110dBa – concerts, horns, sporting events (considered uncomfortable and potentially dangerous)
- 120dBa – jet plane taking off (considered uncomfortable and dangerous)

I should note that I am not an expert on decibel levels however I have provided you with as much information as I have available. I hope this helps.

6. In the event the installation of the Equipment proceeds as detailed in the Proposal, will Rogers agree to cover the costs of updating the landscaping on Skyline's Property to better hide / obstruct the base of the Equipment from residents on Skyline's Property? That is an interesting question beyond the scope of my authority as a consultant to Rogers. I do not think we've seen this done before on other files however we do appreciate the idea and will share it with Rogers' management. As noted above, we do think that there may be ways for us to explore retaining some of the existing landscape buffer and understand that this likely may be desired. As the design is currently conceptual this level of detail with landscaping is to be determined however we will review with your input in mind and understand that some landscape cover between your apartment and the proposed facility would likely be a desirable outcome for your business. If there is space available to retain or add landscaping, this seems like a reasonable concept in principle that ought to be discussed and explored.

7. In the event the installation of the Equipment proceeds as detailed in the Proposal, Skyline would like to enter into an agreement with Rogers confirming that Rogers will not enter onto Skyline's Property during construction or maintenance of the Equipment and that Rogers will indemnify Skyline against any damages or injuries sustained from Rogers' installation, maintenance, and operation of the Equipment. Please confirm Rogers is agreeable to entering into such an agreement. A draft of Skyline's proposed indemnity language, which is subject to amendment by Skyline and Rogers, is as follows:

"Rogers Communications Inc. ("Rogers") shall exercise due care to avoid any action that may cause damage to any part of 0911872 B.C. LTD.'s ("Skyline") property, municipally known as 6971, 6973 & 6975 Island Highway North, Nanaimo, BC ("Skyline's Property"), any part of any building on Skyline's Property, any electrical or telecommunication components on Skyline's Property, or injury to Skyline's tenants or other occupants, invitees, or users of Skyline's Property. Rogers shall indemnify, exonerate and hold Skyline its principals, officers, directors, shareholders, agents, employees, contractors and servants harmless from and against any action, cause of action, suit, liability claim, loss, cost, damage, award proceeding, and expense relating to personal injury, death, or property damage, and arising indirectly from the construction, installation, maintenance, and operation of Rogers' telecommunications equipment on the property municipally known as 6675 Mary Ellen Drive, Nanaimo, BC including, but not limited to, reasonable solicitor's fees and disbursements and court costs."

As we have no authority to discuss legal matters such as indemnity for Rogers, we will share this input with Rogers' management.

Please kindly note that as per ISED (federal) protocols, I am required to advise you that you will have 21 days if you wish to comment further.

Thank you for your thoughtful submission. We will share this correspondence with Rogers management including your letter as attached in its original format.

Brian Gregg, RPP, MCIP
SitePath Consulting Ltd.
 PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1
 Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com
 Fax: 604-829-6424 | www.sitepathconsulting.com



On Fri, Mar 15, 2024 at 1:50 PM Mark Sekenda [REDACTED] wrote:

Hi Brian,

I represent 0911872 B.C. LTD, the owner of the property municipally known as 6971, 6973 & 6975 Island Highway North, Nanaimo, British Columbia. My client and I are in receipt of Roger's Public Consultation Proposal dated February 2, 2024 (Ref. W5729 – Woodgrove Centre). We have reviewed the aforementioned proposal and would like Rogers to address a few questions and concerns we have with the proposed installation of the telecommunications equipment pursuant to the public consultation process described in the proposal. I have attached our correspondence to this email for your review and response. We look forward to hearing from you.

Thank you,

Mark Sekenda
 [REDACTED]
 [REDACTED]
 [REDACTED]



Skyline Private Investment Capital Inc.
 [REDACTED]

Visit us at www.SkylineGroupOfCompanies.ca

Recognizing our responsibility to our communities, to our people, and to the environment.

[Click here to read our latest Sustainability Report.](#)

Skyline Correspondence re Antenna v1.1 (Mar 15, 2024).pdf
 534K

ATTACHMENT D
TOWER ELEVATIONS & COMPOUND DETAILS



PROJECT NAME:	NEW SITE – GREENFIELD
PROJECT TYPE:	30m MONOPOLE TOWER & EQUIPMENT INSTALLATION
PROJECT SITE No.:	W5729–C – WOODGROVE CENTRE
TOWER OWNER:	ROGERS
ADDRESS:	6675 MARY ELLEN DRIVE, NANAIMO, BC

DRAWING INDEX			
SHEET	DRAWING DESCRIPTION	NO.	DATE
COV.	TITLE SHEET & SITE KEY PLAN	5	23 OCT 24
A01	TOWER PROFILE	5	23 OCT 24
A02	ANTENNA ORIENTATION PLANS	1	12 DEC 23
A03	SITE PLAN	5	23 OCT 24
A03A	SITE PLAN – CLOSE-UP	5	23 OCT 24
A04	COMPOUND PLAN	5	23 OCT 24
E01	ELECTRICAL ROUTING	5	23 OCT 24

ISSUE		
0	PRELIMINARY	16 NOV 23
1	RF QUAL UPDATE	12 DEC 23
2	CLIENT COMMENT	12 JAN 24
3	TOWER LOCATION UPDATE	08 JUL 24
4	CLIENT COMMENTS	16 JUL 24
5	CLIENT COMMENTS	23 OCT 24



SITE PHOTO



GEOGRAPHIC COORDINATES	
LATITUDE:	N 49.240325°
LONGITUDE:	W 124.056122°

UTILITY – CONTACT	
BRITISH COLUMBIA ONE CALL: (BEFORE YOU DIG) 1-800-474-6886	

NOTES:	
1. ENSURE ALL ASPECTS OF WORK CONFORM TO ROGERS SPECIFICATIONS.	
2. CONTRACTOR TO VERIFY NORTH DIRECTION AND REPORT ANY DISCREPANCIES.	
3. ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE.	
4. READ THESE DRAWINGS IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS.	
5. CONTRACTOR TO VERIFY EXISTING CONDITIONS ON SITE PRIOR TO FABRICATION FOR EXACT FIT. NOTIFY CONSULTANT/ENGINEER REGARDING ANY DISCREPANCIES.	
6. DO NOT SCALE DRAWINGS.	



**ROEHAMPTON
WEST**
409 GRANVILLE ST,
SUITE 1051
VANCOUVER, BC V6C 1T2
TEL. (778)228-4228
VANCOUVER | KELOWNA | EDMONTON | CALGARY

ELEV. ±31.0m

T/O TOWER = ±30.0m

ELEV. ±29.0m

ELEV. ±26.35m

ELEV. ±24.4m

ELEV. ±23.0m

PROPOSED ROGERS
LIGHTING ROD TYP.

① ② ③

④ ⑤ ⑥

⑦ ⑧

⑨ ⑩

T/O WEST TREES
= ±14m

NOTES:
SURROUNDING
VEGETATION/MATURE
TREES TO BE
RETAINED. IF ANY
VEGETATION OR TREES
WILL REQUIRE
REMOVAL, THIS WILL
NEED TO BE REVIEWED
AND APPROVED PRIOR
TO ANY REMOVAL.

ELEV. ±5.0m

ELEV. ±0.0m

PROPOSED ROGERS ±30m
HIGH MONOPOLE TOWER

DESIGN SPECIFICATIONS:
-TOWER COLOR TO BE
PAINTED FLAT WHITE.

⑪

① TOWER PROFILE

#	ELEV. (m)	Antennas & Equipment						TX Lines			
		QTY	Ant. ID	Model	Azimuth	MDT (°)	Status	QTY	Type	Length (m)	Status
1	±29.0m	3	LTE - 1/2/3	FFV4S4-65B-R7-V2	40°/160°/280°	0°	PROPOSED	60	JUMPERS	±5.0m	PROPOSED
2	±29.0m	12	-	RRU	-	-	PROPOSED	-	-	-	-
3	±29.0m	3	-	MLUP	-	-	PROPOSED	3	DC	±31.9m	PROPOSED
		3	-	MLUF	-	-	PROPOSED	3	FIBRE	±31.9m	PROPOSED
4	±26.35m	3	OFFSET - 1/2/3	FFV4S4-65B-R7-V2	100°/220°/340°	0°	PROPOSED	60	JUMPERS	±5.0m	PROPOSED
5	±26.35m	12	-	RRU	-	-	PROPOSED	-	-	-	-
6	±26.35m	3	-	MLUP	-	-	PROPOSED	3	DC	±28.9m	PROPOSED
		3	-	MLUF	-	-	PROPOSED	3	FIBRE	±28.9m	PROPOSED
7	±24.4m	3	NR - 1/2/3	AIR 3258	40°/160°/280°	TBD	FUTURE	9	JUMPERS	±5.0m	FUTURE
8	±24.4m	2	-	MLUP	-	-	FUTURE	2	DC	±26.8m	FUTURE
		2	-	MLUF	-	-	FUTURE	2	FIBRE	±26.8m	FUTURE
9	±23.0m	3	NR - A/B/C	AIR 3228	100°/220°/340°	TBD	FUTURE	9	JUMPERS	±5.0m	FUTURE
10	±23.0m	2	-	MLUP	-	-	FUTURE	2	DC	±25.3m	FUTURE
		2	-	MLUF	-	-	FUTURE	2	FIBRE	±25.3m	FUTURE
11	±5.0m	1	GPS - 1	GPSGLONASS-36-N-S	-	-	PROPOSED	1	RG-8U	±6.0m	PROPOSED
TX LINES:		TYPE:	SIZE								
JUMPERS		LDF4	1/2"								
DC		-	1/2" - 3/4"								
FIBRE		-	3/8" - 1/2"								

PROPOSED LADDER
LOCATION AT ±0"PROPOSED ROGERS
FULLY ENCLOSED
CABLE TRAY ROUTED
ALONG THE GROUNDPROPOSED ROGERS ±30m
HIGH MONOPOLE TOWERPROPOSED TOWER
FOUNDATION

② TOWER BASE PLAN

NOTES:

1. TOWER DESIGN IS CONCEPTUAL FOR TENDER PURPOSES AND IS NOT FOR CONSTRUCTION, OBTAIN SITE SPECIFIC WIND FOR FINAL DESIGN.
2. ALL WORK TO CONFORM TO LATEST ROGERS SPECIFICATIONS.
3. ALL DIMENSIONS ARE IN MM UNLESS NOTED OTHERWISE.
4. DRAWINGS ARE NOT TO BE SCALED.

CLIENT:

CARRIER:



5	NT	CLIENT COMMENTS	23 OCT 24
4	MJ	CLIENT COMMENTS	16 JUL 24
3	AR	TOWER LOCATION UPDATE	08 JUL 24
2	AR	CLIENT COMMENT	12 JAN 24
1	AR	RF QUAL UPDATE	12 DEC 23
0	AR	PRELIMINARY	16 NOV 23
NO.	BY	DESCRIPTION	DATE



**ROEHAMPTON
WEST**
409 GRANVILLE ST.
SUITE 1001
VANCOUVER, BC V6C 1T2
TEL. (778)225-4228
VANCOUVER | KELLOWNA | EDMONTON | CALGARY

LOCATION:
6675 MARY ELLEN DRIVE, NANAIMO, BC

TITLE:
TOWER PROFILE

PROJECT NAME: NEW SITE - GREENFIELD PROJECT NO: W5729-C DWG. NO: A01

NOTES:

1. MOUNTS SHOWN HERE ARE CONCEPTUAL. TOWER DESIGN & MOUNTS TO BE COMPLETED BY OTHERS.

CLIENT:

CARRIER:



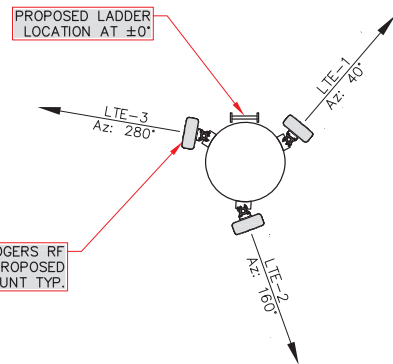
5			
4			
3			
2			
1	AR	RF QUAL UPDATE	12 DEC 23
0	AR	PRELIMINARY	16 NOV 23
NO. BY	DESCRIPTION		DATE



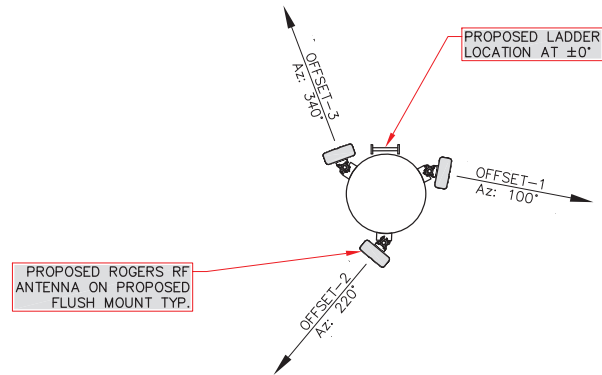
LOCATION:
6675 MARY ELLEN DRIVE, NANAIMO, BC

TITLE:
ANTENNA ORIENTATION PLANS

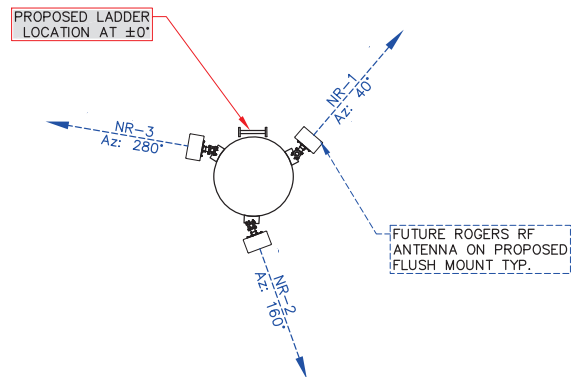
PROJECT NAME: NEW SITE - GREENFIELD PROJECT NO: W5729-C DWG. NO: A02



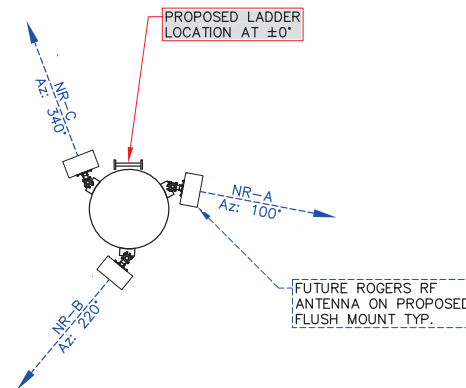
1 ANTENNA LAYOUT @ 29.0m



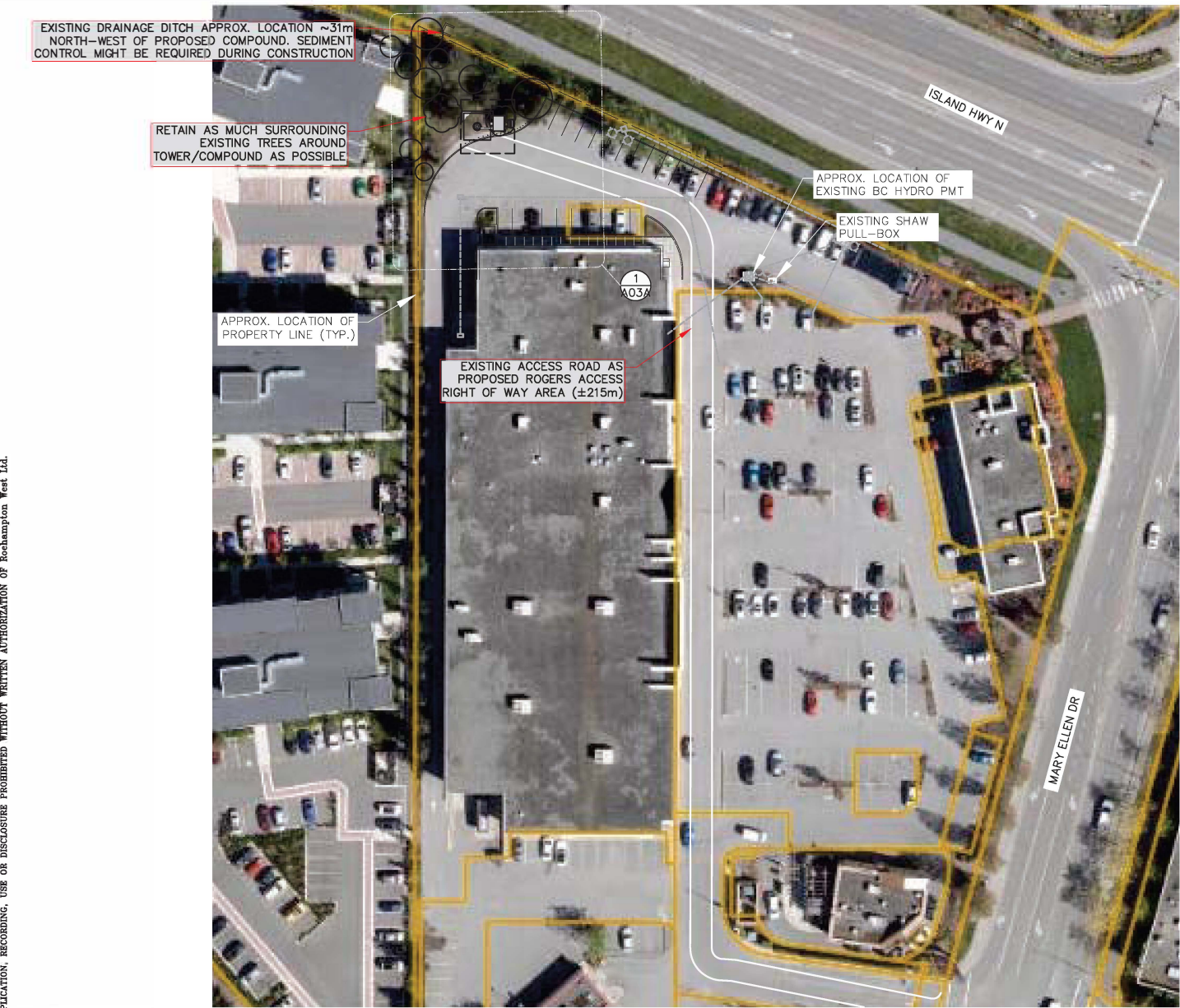
2 ANTENNA LAYOUT @ 26.35m



3 ANTENNA LAYOUT @ 24.4m



4 ANTENNA LAYOUT @ 23m



NOTES:
SURROUNDING VEGETATION/MATURE TREES TO BE
RETAINED. IF ANY VEGETATION OR TREES WILL
REQUIRE REMOVAL, THIS WILL NEED TO BE
REVIEWED AND APPROVED PRIOR TO ANY REMOVAL.

1 SITE PLAN


- NOTES:
- 1. SITE PLAN OBTAINED FROM GOOGLE MAPS. PROPERTY LINE TO BE CONFIRMED BY SURVEYOR.
 - 2. DO NOT SCALE DRAWINGS. ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE.
 - 3. ONLY RELEVANT INFORMATION FOR THE PROJECT SHOWN ON THESE DRAWINGS.

CLIENT:

CARRIER:



5	NT	CLIENT COMMENTS	23 OCT 24
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NO.	BY	DESCRIPTION	DATE



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SUITE 1001
VANCOUVER, BC V6C 1T2
TEL: (778)228-4228
VANCOUVER | KELLOWNA | EDMONTON | CALGARY

LOCATION:
6675 MARY ELLEN DRIVE, NANAIMO, BC

TITLE:
SITE PLAN

PROJECT NAME:
NEW SITE - GREENFIELD

PROJECT NO:
W5729-C

DWG. NO:
A03

NOTES:

1. SITE PLAN OBTAINED FROM GOOGLE MAPS. PROPERTY LINE TO BE CONFIRMED BY SURVEYOR.
2. DO NOT SCALE DRAWINGS. ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE.
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CLIENT:

CARRIER:



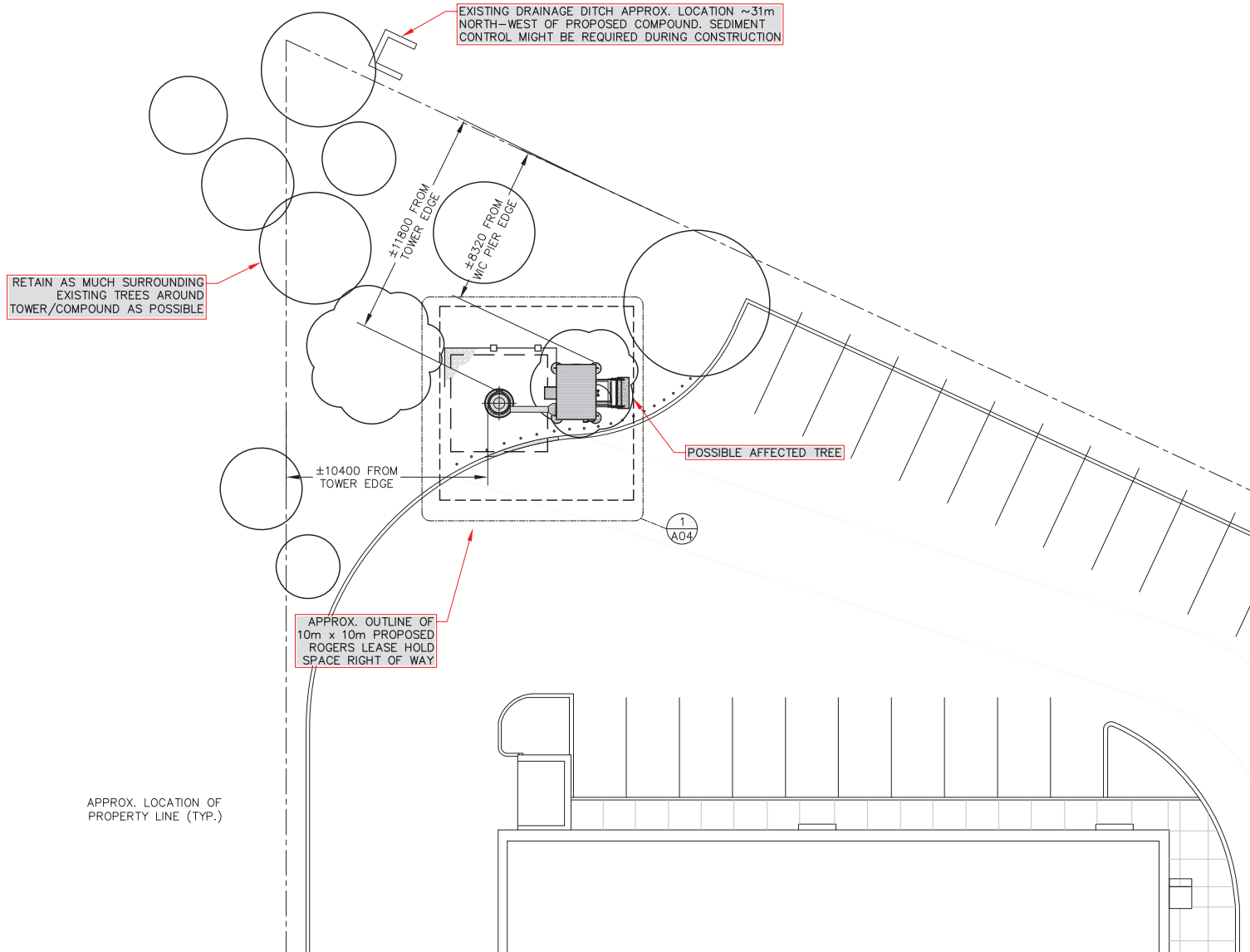
5	NT	CLIENT COMMENTS	23 OCT 24
4	MJ	CLIENT COMMENTS	16 JUL 24
3	AR	TOWER LOCATION UPDATE	08 JUL 24
2	AR	CLIENT COMMENT	12 JAN 24
1	AR	RF QUAL UPDATE	12 DEC 23
0	AR	PRELIMINARY	16 NOV 23
NO.	BY	DESCRIPTION	DATE



LOCATION:
6675 MARY ELLEN DRIVE, NANAIMO, BC

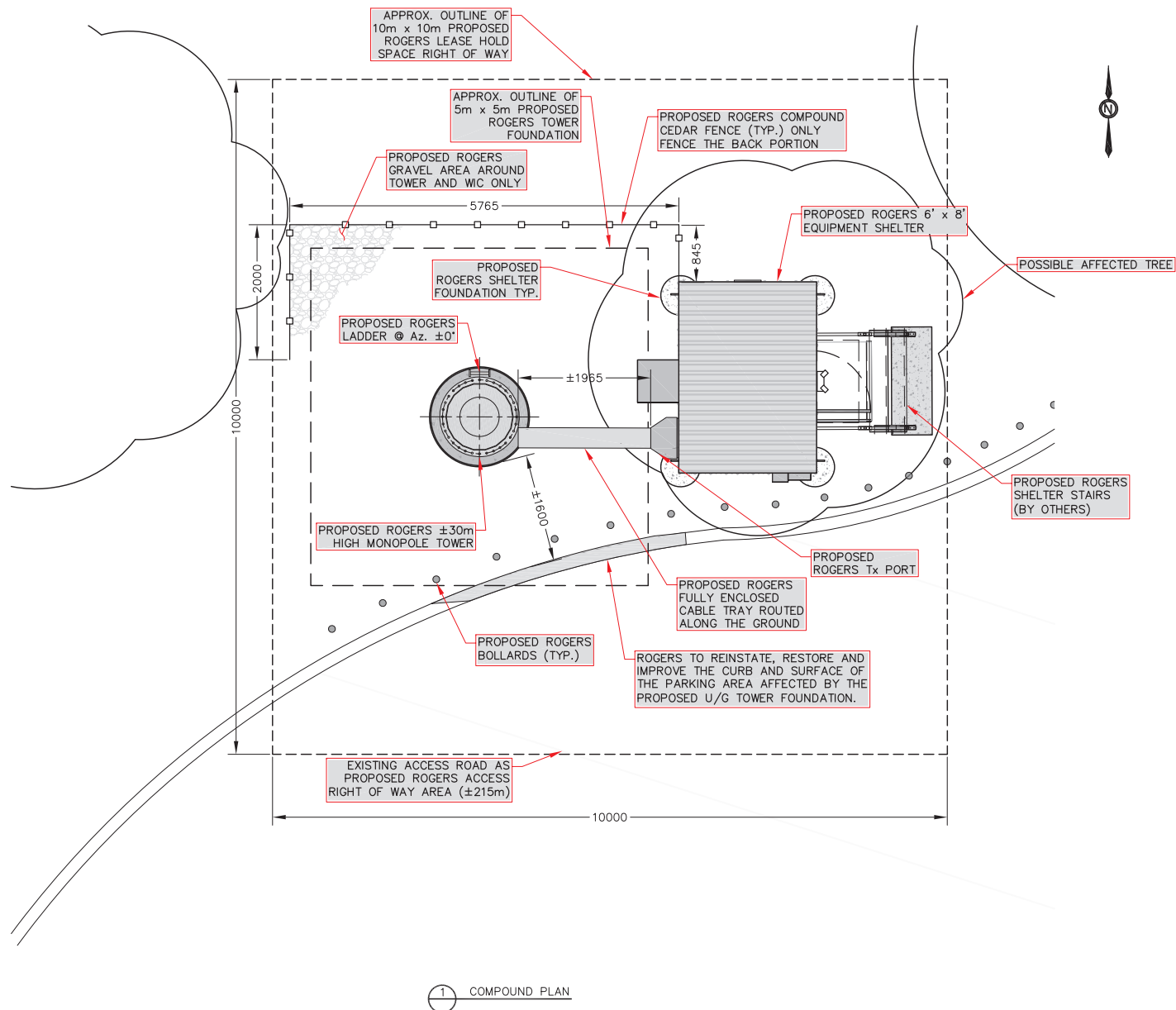
TITLE:
SITE PLAN - CLOSE-UP

PROJECT NAME: NEW SITE - GREENFIELD PROJECT NO: W5729-C DWG. NO: A03A



1 SITE PLAN - CLOSE-UP

NOTES:
SURROUNDING VEGETATION/MATURE TREES TO BE RETAINED. IF ANY VEGETATION OR TREES WILL REQUIRE REMOVAL, THIS WILL NEED TO BE REVIEWED AND APPROVED PRIOR TO ANY REMOVAL.



NOTES:

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CLIENT:

CARRIER:



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2	AR	CLIENT COMMENT	12 JAN 24
1	AR	RF QUAL UPDATE	12 DEC 23
0	AR	PRELIMINARY	16 NOV 23
NO.	BY	DESCRIPTION	DATE

ROEHAMPTON
WEST409 GRANVILLE ST.
SUITE 1001
VANCOUVER, BC V6C 1T2
TEL. (778)226-4228

VANCOUVER | KELLOWNA | EDMONTON | CALGARY

LOCATION:
6675 MARY ELLEN DRIVE, NANAIMO, BCTITLE:
COMPOUND PLANPROJECT NAME:
NEW SITE - GREENFIELDPROJECT NO:
W5729-CDWG. NO:
A04

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NOTES:
SURROUNDING VEGETATION/MATURE TREES TO BE RETAINED. IF ANY VEGETATION OR TREES WILL REQUIRE REMOVAL, THIS WILL NEED TO BE REVIEWED AND APPROVED PRIOR TO ANY REMOVAL.

1 ELECTRICAL ROUTING




- NOTES:
1. SITE PLAN OBTAINED FROM GOOGLE MAPS. PROPERTY LINE TO BE CONFIRMED BY SURVEYOR.
 2. DO NOT SCALE DRAWINGS. ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE.
 3. ONLY RELEVANT INFORMATION FOR THE PROJECT SHOWN ON THESE DRAWINGS.

CLIENT:

CARRIER:



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VANCOUVER | KELLOWNA | EDMONTON | CALGARY

LOCATION:
6675 MARY ELLEN DRIVE, NANAIMO, BC

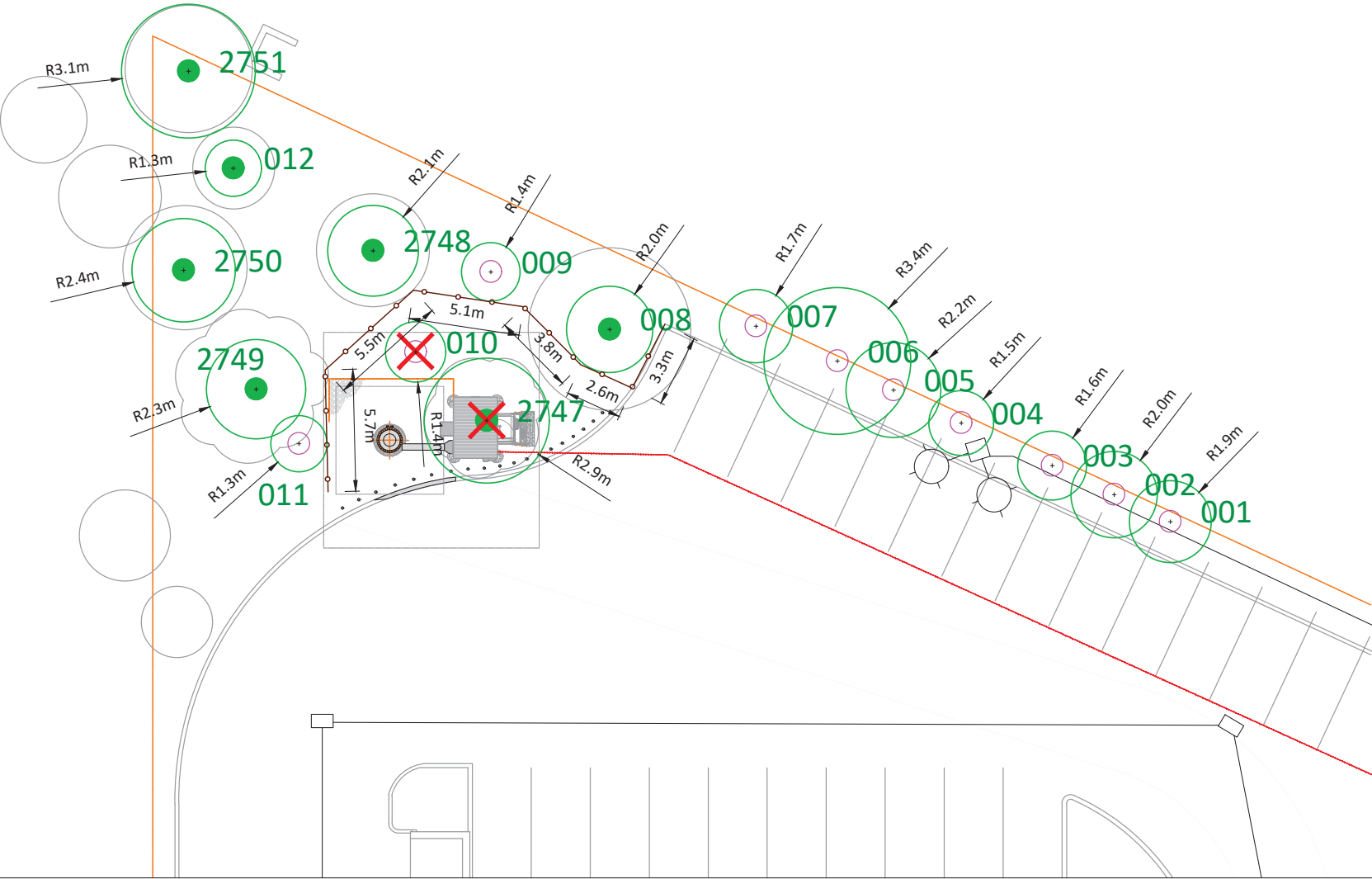
TITLE:
ELECTRICAL ROUTING

PROJECT NAME:
NEW SITE - GREENFIELD

PROJECT NO.:
W5729-C

DWG. NO.:
E01

ATTACHMENT E PRELIMINARY TREE SURVEY



- LEGEND**
- CRITICAL ROOT ZONE
 - TREE PROTECTION ZONE AND FENCING
 - SURVEYED TREE TO BE RETAINED
 - UN-SURVEYED TREE TO BE RETAINED (MUST BE SURVEYED)
 - SURVEYED TREE TO BE REMOVED
 - UN-SURVEYED TREE TO BE REMOVED (MUST BE SURVEYED)

- NOTES**
- The location of un-surveyed trees on this plan is approximate. Their location and ownership cannot be confirmed without being surveyed by a Registered BC Land Surveyor.
 - All tree protection fencing must be built to the relevant municipal bylaw specifications. The dimensions shown are from the outer edge of the stem of the tree.
 - The tree protection zone shown is a graphical representation of the critical root zone, measured from the outer edge of the stem of the tree. (½ the trees diameter was added to the graphical tree protection circles to accommodate the survey point being in the center of the tree)
 - Any construction activities or grade changes within the Root Protection Zone must be approved by the project arborist.
 - This plan is based on a topographic and tree location survey provided by the owners' Registered British Columbia Land Surveyor (BCLS) and layout drawings provide by the owners' Engineer (P Eng).
 - This plan is provided for context only, and is not certified as to the accuracy of the location of features or dimensions that are shown on this plan. Please refer to the original survey plan and engineering plans.

- REFERENCE DRAWINGS**
- Base Site Plan provided by client. Dated July 16, 2024

Delegation Request

Delegation's Information:

Brian Gregg, SitePath Consulting Ltd., has requested an appearance before Council.

City: Vancouver

Province: BC

Delegation Details:

The requested date is 2025-MAR-17

Bringing a presentation: No

Details of the Presentation: Rogers will not be making a formal presentation and will rather be available to answer questions.

Delegation Request

Delegation's Information:

Edward Hulshof, Associate, Bennet Jones, on behalf of Skyline Private Investment Capital Inc., has requested an appearance before Council.

City: Vancouver

Province: BC

Delegation Details:

The requested date is 2025-MAR-17

Bringing a presentation: Yes

Details of the Presentation: Opposing construction of Rogers antenna as presented.

DATE OF MEETING March 17, 2025

AUTHORED BY PAYTON CARTER, PLANNER, CURRENT PLANNING

SUBJECT HOUSING AGREEMENT NO. HA12 – 11 DANCER ROAD

OVERVIEW

Purpose of Report

To present Council with a Housing Agreement Bylaw to secure the terms and conditions of occupancy for a residential shelter at 11 Dancer Road.

Recommendation

That:

1. "Housing Agreement Bylaw 2025 No. 7394" (to secure the terms and conditions of occupancy for a residential shelter at 11 Dancer Road) pass first reading;
2. "Housing Agreement Bylaw 2025 No. 7394" pass second reading;
3. "Housing Agreement Bylaw 2025 No. 7394" pass third reading; and,
4. Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement prior to bylaw adoption.

BACKGROUND

An application to operate a supportive recovery house, defined as a 'residential shelter' in the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") was received from 1111127 BC Ltd. The subject property contains a single residential dwelling constructed in 1993. The Zoning Bylaw permits residential shelters in a single residential dwelling in any zone; however, where a residential shelter is occupied by more than five unrelated persons (defined as a 'family' in the Zoning Bylaw), Section 6.21 of the Zoning Bylaw requires the operator of the residential shelter to enter into a Housing Agreement with the City to secure the terms and conditions for occupancy. Under Section 483 of the *Local Government Act*, a local government may enter into a Housing Agreement enacted by bylaw.

DISCUSSION

Proposed "Housing Agreement Bylaw 2025 No. 7394" is attached to this report, and the terms of the agreement are consistent with the terms used for residential shelters in Nanaimo with occupancy for more than five unrelated persons. The terms of the agreement will stipulate operational requirements for the residential operator and will restrict occupancy to no more than ten unrelated persons, in accordance with the Zoning Bylaw.

SUMMARY POINTS

- The City of Nanaimo Zoning Bylaw permits residential shelters in a single residential dwelling in any zone.
- Where a residential shelter is occupied by more than five unrelated persons, Section 6.21 of the Zoning Bylaw requires the operator to enter into a Housing Agreement with the City of Nanaimo.
- The terms of the Housing Agreement will stipulate operational requirements for the residential shelter operator.

ATTACHMENTS

“Housing Agreement Bylaw 2025 No. 7394” |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Planning & Development |

CITY OF NANAIMO

BYLAW NO. 7394

A BYLAW TO AUTHORIZE A HOUSING AGREEMENT

WHEREAS Section 483 of the *Local Government Act* provides that Council may enter into a Housing Agreement, which may include terms and conditions agreed to regarding the occupancy of the housing units identified in the Agreement;

AND WHEREAS the Council wishes to enter into such an Agreement with respect to certain housing units located in the City of Nanaimo;

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

1. This Bylaw may be cited for all purposes as the City of Nanaimo "Housing Agreement Bylaw 2025 No. 7394".
2. The Council of the City of Nanaimo hereby authorizes the Mayor and Corporate Officer to enter into an Agreement, on behalf of the City of Nanaimo, in substantially the form attached hereto as Schedule 'A', which sets out the terms and conditions of the occupancy of the housing units identified in the Agreement. The land identified in the Agreement is legally described as PID: 029-960-690, LOT 2 SECTION 2 RANGE 19 NANAIMO DISTRICT PLAN EPP61859.
3. Upon execution of the Agreement by the Mayor and Corporate Officer and application of the seal of the City of Nanaimo, this Agreement shall be validly entered into as authorized by this Bylaw.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PASSED THIRD READING: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

Schedule A

TERMS OF INSTRUMENT - PART 2

HOUSING AGREEMENT AND SECTION 219 COVENANT

THIS AGREEMENT made this ____ day of _____, 202__.

BETWEEN:

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

(the "City")

OF THE FIRST PART

AND:

1111127 BC LTD., INC. NO. BC1111127
1-100 WALLACE ST
NANAIMO, BC V9R 5B1

(the "Owner")

OF THE SECOND PART

W H E R E A S:

- A. Under section 483 of the *Local Government Act*, the City may, by bylaw, enter into a housing agreement regarding the occupancy of housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*;
- B. The Owner is the registered owner of fee-simple of the lands legally described as:

PID: 029-960-690
Legal Description: LOT 2 SECTION 2 RANGE 19 NANAIMO DISTRICT PLAN
EPP61859

(the "Land")
- C. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of a municipality in respect of the use of land or construction on land;
- D. The Owner intends to operate a Residential Shelter, as defined in the Zoning Bylaw, on the Land by entering into a Housing Agreement with the City pursuant to Section 6.21 of the Zoning Bylaw; and

- E. The City and Owner wish to enter into this Agreement to establish terms and conditions regarding the occupancy of the Residential Shelter as identified in the Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of one dollar (\$1.00) and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by both parties), and in consideration of the promises exchanged below, the Owner and the City covenant and agree pursuant to section 483 of the *Local Government Act* and section 219 of the *Land Title Act* as follows:

1. Definitions

In this Agreement:

- (a) “Residential Shelter” means a single-family dwelling located on the Land used for the purpose of temporary residents providing the following services:

- (i) emergency and support services for persons leaving physically, psychologically or sexually abusive relationships; or
- (ii) shelter and support services for persons during the immediate post-acute phase of recovery from drug and alcohol dependency or addiction,

but does not include the use of land for halfway house use in conjunction with the administration of justice for the purpose of shelter and support of persons serving or on parole from any part of a sentence (including unconditional sentence) imposed by a court.

- (b) “Zoning Bylaw” means the City of Nanaimo Zoning Bylaw 2011 No. 4500, as amended from time to time, and any enactment that may replace it.

2. Maximum Occupancy

The Owner covenants and agrees that the Land shall be used for the provision of housing for no more than ten (10) unrelated persons.

3. Administration, Management and Nuisance

The Owner shall ensure that the Residential Shelter is managed according to the following rules:

- (a) the Land must remain clear of debris and refuse which would result in an unsightly premises;
- (b) all landscaping, including yards, on the Land must be maintained;
- (c) the Owner will not carry on, or do, or allow to be carried on or done on the Land anything that may be or become a nuisance to the City or the public;
- (d) the Owner, if non-resident in the Residential Shelter, will delegate authority to an Operator (the “Operator”). The Operator will be empowered to promptly respond to and address issues that may arise from the operation of the Residential Shelter. The Operator will be responsible to bring to the attention of the Owner any issues that arise in a timely manner. Ultimately the

responsibility, management, and any delegation of authority related to the management and operation of the Residential Shelter will reside with the Owner;

- (e) the Owner will undertake to operate or cause to be operated the Residential Shelter as a good neighbour ensuring that the operation of the Residential Shelter does not detract from the surrounding residents' right to peaceful enjoyment of their homes. The Owner or the Operator will regularly seek and give due consideration to feedback received from the surrounding residents as to the operation and impact of the Residential Shelter. Should it be deemed necessary by the City, in its sole discretion, the Owner will enter into a Good Neighbour Agreement, developed and monitored jointly by the Owner, the Operator, and the City; and
- (f) the Owner will comply or cause compliance with all laws that relate to this Agreement.

4. Compliance

The Owner hereby irrevocably authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is in compliance with this Agreement.

5. Term

Subject to early termination in accordance with this Agreement, the term of this Agreement will be for an initial term of one (1) year commencing on the date first written above on these Terms of Instrument and ending on the ___ day of _____ 202___. This Agreement will automatically be renewed on the same terms herein for a period of one (1) year, upon the expiry of the previous term, unless the City has issued written notice of default, as set out in section 6, and in the City's sole opinion the Owner has not taken reasonable steps to correct the default set out in the written notice.

6. Termination

The Owner and City acknowledge and agree that:

- a) notwithstanding any provision to the contrary in this Agreement, if the Owner is in default of its obligations in this Agreement then the City may, by written notice to the Owner, require such default to be corrected within thirty (30) days after receipt of such notice or in the case of a default which cannot reasonably be cured within the thirty (30) day period, if the Owner does not take reasonable steps to commence to correct the defect within the said thirty (30) day period and thereafter diligently and continuously proceed with such correction;
- b) if within the thirty (30) days after receipt of such notice the default has not been corrected or reasonable steps to correct the default have not been taken, the City, without limiting any other right it might have, may withdraw the rights it has granted herein and terminate this Agreement. The City will provide to the Owner ninety (90) days' written notice of its intent to terminate the Agreement. The City will not be liable in any way to the Owner for any cost, damage, liability or loss suffered as a result of the termination of this Agreement;
- c) the Owner may at any time, by written notice to the City, terminate this Agreement as of a date specified in such notice; and
- d) notwithstanding termination under this section, the City will be entitled to proceed with the

enforcement of any indemnity or other term or condition of this Agreement in satisfaction of any claim, loss, damage or expense of the City arising under this Agreement.

7. Indemnity

The Owner must indemnify, defend and save harmless the City and each of its elected officials, officers, directors, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:

- a) any negligent act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;
- b) the construction, maintenance, repair, ownership, lease, license, operation, management or financing of the Land or Residential Shelter; or
- c) without limitation, any legal or equitable wrong on the part of the Owner or any breach of this Agreement by the Owner.

8. Release

The Owner hereby releases and forever discharges the City and each of its elected officials, officers, directors, and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of or which would or could not occur but for the:

- a) construction, maintenance, repair, ownership, lease, license, operation or management of the Land or Residential Shelter under this Agreement; or
- b) except to the extent arising from the negligence or wilful misconduct of the City or those for whom it is at law responsible, the exercise by the City of any of its rights under this Agreement.

9. City's Powers Unaffected

This Agreement does not:

- a) affect, fetter or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Land;
- b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
- c) affect or limit any enactment relating to the use or subdivision of the Land; or
- d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

10. Agreement for the Benefit of the City Only

The Owner and the City agree that:

- a) this Agreement is entered into only for the benefit of the City;
- b) this Agreement is not intended to protect the interests of the Owner, any future Owner, lessee, occupier, or user of the Land or the Residential Shelter.

11. No Public Law Duty

Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.

12. Time

Time is of the essence in this Agreement.

13. Binding Effect

This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

14. No Waiver

The waiver by a party or any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement will not be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and any waiver by the City must be in writing to be a valid waiver.

15. No Relief

It is understood, covenanted and agreed by and between the parties hereto that no provision of these presents and no act or omission or finding of negligence, whether joint or several, as against the City, in favour of any third party, shall operate to relieve, or be deemed to relieve, the Owner in any manner whatsoever from any liability to the City with respect to this Agreement, or under the provisions of the *Community Charter*, the *Local Government Act*, or any bylaw of the City and amendments thereto.

16. Notice to be Registered in Land Title Office

Notice of this Agreement shall be registered in the *Land Title Act* by the City, at the cost of the Owner, in accordance with section 483 of the *Local Government Act*, and this Agreement shall be binding on all persons who acquire an interest in the Land after registration of this notice.

17. Terminology

Wherever singular, masculine or gender neutral terms are used throughout this Agreement, the same shall be construed as meaning the plural or the feminine or the body corporate or politic, as the context requires.

18. Entire Agreement

This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

19. Law Applicable

This Agreement shall be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

20. Priority

At the Owner's expense, the Owner must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Land.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

CITY OF NANAIMO, by its authorized signatories:

_____)
_____)
Mayor, _____)
_____)
_____)
Corporate Officer _____)

1111127 BC LTD., by its authorized signatories:

_____)
_____)
_____)
_____)
_____)
_____)

CITY OF NANAIMO

BYLAW NO. 7272.05

A BYLAW TO AMEND COUNCIL PROCEDURE BYLAW 2018, NO. 7272

WHEREAS City Council has enacted Council Procedure Bylaw 2018, No. 7272 under the *Community Charter* to govern the proceedings of Council and its Committee Meetings;

AND WHEREAS Council deems it expedient to amend its Procedure Bylaw.

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 "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05".

2. Amendments

"Council Procedure Bylaw 2018 No. 7272" is hereby amended as follows:

2.1 By adding the following to the Definitions' section:

"COUNCIL BODY"	means the Council or Committee, as applicable.
"ELECTRONIC DEVICE"	means any device capable of transmitting and/or recording data or audio, including cameras, video recorders, smartphones, cellular phones, computers, laptops, tablets, notebooks, personal digital assistants, or other similar devices.
"INAPPROPRIATE BEHAVIOUR"	means behaviour by a member of the public that obstructs or interferes with the orderly conduct of business at a Council or Committee meeting, including by contravening subsection 16.5.
"PRESENTER"	means a person(s) or organization(s) invited by Council or staff to make a presentation to a Council Body.
"PROHIBITED DISPLAY OF SIGNAGE"	means a display of signage that contravenes any of the requirements set out in Appendix A of this Bylaw.
"PROHIBITED USE OF AN ELECTRONIC DEVICE"	means use of an electronic device by a member of the public that: interferes with the sound system or other technology; interferes with decorum or is inconsistent with orderly conduct of business; generates sound or requires speaking into the device; or to take photographs or record video unless expressly authorized by the Chair.

- 2.2 By adding the word “sub” in front of the word “section” in sections 4.2, 5.2, 7.2, 8.3, 8.5, 9.2, 9.3, 9.4, 12.3, 12.4, 12.5, 17.4, 20.1, 23.3, 24.2, 24.3, 24.4, 25.3, 27.7, 27.12, 28.3, 46.3, 47.2, 48.1, 51.4, 51.8, 52.2.
- 2.3 By adding the following after subsection 9.4:
- “9.5 Further to subsection 9.4, Committees that do not consist of all members of Council will not have a Question Period.”
- 2.4 By deleting “he or she” after the word “which” and replacing it with “they” and deleting the words “reading it aloud and” in subsection 11.1.
- 2.5 By adding the “in writing,” prior to the words “to the Chief Administrative Officer” in subsection 12.4.
- 2.6 By adding the following after subsection 13.1:
- “Presentations
- 13.2 Council or staff may invite a person(s) or organization(s) to make a presentation to a Council Body.
- 13.3 A Presenter does not have to request to be a Delegation and is not subject to the speaking limitation.”
- 2.7 By capitalizing “Tax Roll Review Panel” in subsection 16.2(b) and the word “Variance” in subsection 16.2(c).
- 2.8 By addition the following after subsection 16.3:
- “16.4 Without limiting any other provision of this Bylaw, members of the public shall not engage in Inappropriate Behavior while attending a Council meeting or a meeting referred to in subsection 16.2.
- 16.5 The following is deemed to constitute Inappropriate Behaviour by a member of the public:
- (a) Disrupting the conduct of business;
 - (b) Prohibited Use of an Electronic Device
 - (c) Prohibited Display of Signage”
- 2.9 By deleting section 19 in its entirety and replacing it with the following:

“Delegations

Screening Delegations:

- 19.1 The Corporate Officer will screen Delegation requests and may do any of the following:
- (a) Schedule the Delegation to a later Council meeting, or Committee meeting as deemed appropriate according to the subject matter of the written request.

- (b) Schedule the Delegation to a Council or Committee meeting as deemed appropriate for Delegations pertaining to Council or Committee agendas as outlined in subsection 19.3 through 19.7.
- (c) Schedule the Delegation to a Council or Committee meeting as deemed appropriate for Delegations not pertaining to Agenda items as outlined in subsection 19.8 through 19.12.
- (d) Refer the matter to the appropriate department if the matter has already been acted upon by Council, or has been referred to staff by Council.
- (e) Refuse to place a Delegation on the Council or Committee agenda if the Delegation has already spoken to Council or the Committee on the same matter and no new significant information is provided.
- (f) When a Delegation is of the opinion that new information regarding a topic has become available for the purpose of a subsequent Delegation on the same topic, as identified in subsection 19.1(e), it is the responsibility of the applicant to prove to the Corporate Officer's satisfaction that any new information is sufficiently substantive to warrant another Delegation on the matter.
 - (i) If the Corporate Officer refuses to place the Delegation on the Council agenda pursuant to subsection 19.1(e), then:
 - (i) the Delegation shall be offered the opportunity to appeal the decision in writing to Council.
 - (ii) the Corporate Officer will distribute the written appeal and copy of the Delegation request to Council via email.
 - (iii) The appeal will be considered when Council is adopting the agenda for the meeting at which the Delegation requested to appear.
 - (iv) If a motion is passed by a unanimous vote of all Council Members present at the start of the meeting, the Delegation may address Council as outlined in subsection 19.12.
- (j) If the Corporate Officer refuses to place the Delegation on the Committee agenda pursuant to section 19.1(e), the Corporate Officer shall offer the Delegation an opportunity to apply as a Delegation to a Council meeting.

Delegations Not Permitted:

- 19.2 Council will not permit a Delegation to address Council regarding the following:
- (a) if the matter relates to a bylaw in respect of which a public or statutory hearing has already been held or a public hearing is prohibited.
 - (b) matters on which the City had commenced legal proceedings and on which judgment has not been rendered;
 - (c) matters for which legal proceedings have commenced against the City on which judgement has not been rendered;
 - (d) publicly tendered contracts or proposal calls for the provision of goods or services for the City between the time that such contract or proposal has been authorized and the time such contract or proposal call has been awarded wither by Council or staff;
 - (e) a hearing pertaining to an application, permit or license which has not yet been considered by Council;
 - (f) other Delegation's requests;
 - (g) solicitation of services or goods;

- (h) matters that are or have been the subject of a claim for damages against the City of Nanaimo;
 - (i) personal or personnel matters about an individual;
 - (j) matters that are outside the mandate or jurisdiction of Council.
 - (k) election campaigning or an election related issue.
 - (l) matters that are contrary to a City policy or legislative requirement.
- These topics may be addressed to the Mayor and Council in writing for a response.

Delegations Pertaining to Council Agenda Items:

- 19.3 A Delegation requesting to appear before Council for a matter that is on the agenda must submit a written request, including an outline on the agenda matter to the Corporate Officer by 11:00 am the Friday prior to the Monday meeting, or in the case of a Committee meeting, 11:00 am the day prior the scheduled meeting.
- 19.4 PowerPoint presentations and/or handout materials from Delegations must be received by the Legislative Services Department by 11:00 am the Friday prior to a Monday meeting. In the case of a Committee that meets on another day, 11:00 am the day prior to the scheduled meeting. No late PowerPoint presentations will be displayed at the meeting. Handouts must not be more than ten pages long.
- 19.5 There shall be no limit to the number of delegations included on the Council Meeting Agenda for items that have been included on the agenda.
- 19.6 A Delegation will be:
- (a) restricted to the subject matter contained in the written request; and
 - (b) limited to five (5) minutes to verbally address Council unless a longer time period is permitted by a motion passed by a unanimous vote of all of the Council members present.
 - (c) despite subsection 19.6 (b), when there are multiple Delegations for the same item on the agenda, Council may, by a motion passed by a majority vote of Council members present, limit the time for Delegations to verbally address Council to three (3) minutes.
- 19.7 Multiple delegations from the same organization or group, regarding the same topic will be combined and treated as a single Delegation with a five-minute time limitation.

Delegations Not Pertaining to Council Agenda Items

- 19.8 A Delegation requesting to appear before Council for a matter that is not on the agenda must submit a written request, including an outline on the agenda matter to the Corporate Officer by 9:00 am, on the Monday the week prior to the Monday meeting. In the case of a Committee that meets on another day, written requests must be received seven calendar days prior to the Committee meeting.
- 19.9 PowerPoint presentations and/or handout materials from Delegations must be received by the Legislative Services Department by 11:00 am the Friday prior to a Monday meeting, or in the case of a Committee that meets on another day,

11:00 am the day prior to the scheduled meeting. No late PowerPoint presentations will be displayed at the meeting. Handouts must not be more than ten pages long.

- 19.10 A maximum of four Delegations will be permitted regarding items not listed on a Council agenda.
- 19.11 The order of Delegations will be the first four received, commencing 14 days prior to the Delegation deadline.
- 19.12 A Delegation will be:
 - (a) restricted to the subject matter contained in the written request; and
 - (b) limited to five (5) minutes to verbally address Council unless a longer time period is permitted by a motion passed by a unanimous vote of all of the Council members present.

Rules for Delegations:

- 19.13 A Council Member will:
 - (a) limit their questions to a Delegation to seek clarification or additional details; and
 - (b) not engage the Delegation in a debate or comment on the merits of the issue.
- 19.14 If a Delegation:
 - (a) speaks disrespectfully to or of any person,
 - (b) fails to adhere to the time limits;
 - (c) engages in improper conduct or address issues not within the written application; or
 - (d) disregards the authority of the Chair to run the meeting.

The Chair may do any of the following:

- (a) ask the Delegation to withdraw the offensive remarks or cease the improper conduct;
 - (b) stop the Delegation from continuing to address Council; or
 - (c) take steps to have the Delegation abide by the Chair's instructions.
- 19.15 If the Delegation fails to comply with the Chair pursuant to section 19.14, the Chair may direct the Delegation to vacate the speaker's podium and return to the public seating area.
- 19.16 If the Delegation still fails to comply with the Chair's direction pursuant to Section 19.15 then the Chair may expel or exclude a person from a Council meeting in accordance with section 133 of the *Community Charter*."
- 2.10 By deleting references to the words "his or her" in subsection 22.1 (d) and replacing them with the word "their".
- 2.11 By deleting references to the words "he or she" in subsections 22.1(d)(iii) and 50.3(a) replacing them with the word "they" and deleting the "s" of the word votes.
- 2.12 By deleting the word "or" in subsection 23.3(1)(d).

2.13 By adding the following after subsection 23.3(1)(e):

- “; or
(f) engages in Inappropriate Behaviour”

2.14 By deleting section 27.14 and replacing it with the following;

“27.14 Without limiting subsection 16.4 or 16.5, members of the public who constitute the audience at a meeting shall not disrupt the meeting and shall refrain from any activity that would affect the Council or Committee deliberations, including Inappropriate Behaviour.”

2.15 By deleting the word “He” in subsection 28.3 and replacing it with the word “They”.

2.16 By deleting subsections 50.4, 50.5, and 50.6 and replacing them with the following:

“50.4 The rules outlined in subsection 19 apply to Delegations requesting to appear before a Committee or Taskforce.”

2.17 By deleting section 53.1 and replacing it with the following:

“53.1 When any motion is under consideration, no other motion shall be received, except a motion to:

- (a) **Amend** means changing the words of a motion to add or omit words from the original motion to clarify the wording of the motion;
- (b) **Refer** (to committee or back to staff) – means to send the matter to committee or staff to address details and additional information required in order for the matter to be brought back to a meeting;
- (c) **Table** – means put the main motion temporarily aside to be dealt with within the current meeting or on next meeting Agenda as Other Business. It is not open to debate and suspends all discussions on the original motion. If the motion is not addressed by the next regular meeting, the motion dies;
- (d) **Postpone Indefinitely** – means the matter is disposed of by a majority vote;
- (e) **Postpone to a Certain Time or Date** – means the matter is rescheduled for a vote at a specified time or date; or
- (f) **Call the Question** – means to close debate. Requires 2/3rd vote.”

2.18 By deleting section 54.1 and replacing it with the following:

“54.1 A motion may be withdrawn by the mover and seconder of the motion only with consent of all Members present.”

2.19 By adding the following as an Appendix A to the Bylaw:

“Appendix A – Prohibited Display of Signage

1. These provisions apply to all meetings of Council and of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
 - a. Committees;
 - b. Parcel Tax Roll Review Panel;
 - c. Board of Variance; and
 - d. Task Forces
2. While attending a meeting governed by this Bylaw, no person shall display signage that:
 - a. Causes a disturbance or interrupts the business of the City;
 - b. Blocks any person’s view of members of Council, a Committee, Board or Task Force at any time;
 - c. Blocks any person’s view of the speaker’s podium while in use;
 - d. Blocks any audio or video equipment belonging to or used by the City for conducting the meeting;
 - e. Blocks any doorway, hallway, aisle or area of access or egress to or from the meeting;
 - f. Consists of sharp or pointed materials that may pose a danger or cause injury; or
 - g. Depicts explicit graphic violence.
3. No person shall place or leave signage unattended.
4. No person may attach a sign or any part thereof to any walls, fixtures, furniture or equipment.”

PASSED FIRST READING: 2025-FEB-24
PASSED SECOND READING: 2025-FEB-24
PASSED THIRD READING: 2025-FEB-24

Notice of intention to proceed with this bylaw was published on the 5th day of March 2025 in the *Nanaimo News Bulletin* newspaper, circulating in the City of Nanaimo, and posted on the City of Nanaimo website pursuant to Section 94.2 of the *Community Charter*.

ADOPTED: _____

MAYOR

CORPORATE OFFICER

CITY OF NANAIMO

BYLAW NO. 7381.01

A BYLAW TO AMEND THE RESPECTFUL SPACES BYLAW

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

1. Title

This Bylaw may be cited as the “Respectful Spaces Amendment Bylaw 2025 No. 7381.01”.

2. Amendments

“Respectful Spaces Bylaw 2024 No. 7381” is hereby amended as follows:

2.1 By adding the following to the Definitions section:

“ELECTRONIC DEVICE:	means any device capable of transmitting and/or recording data or audio, including cameras, video recorders, smartphones, cellular phones, computers, laptops, tablets, notebooks, personal digital assistants, or other similar devices.”
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2.2 By deleting the word “and” after the words “theft of property” and adding the words “Prohibited Use of an Electronic Device, and” in the “Inappropriate Definition”.

2.3 By deleting the definition of “Municipal Facility” and replacing it with the following:

“MUNICIPAL FACILITY”	means facilities operated or managed by the Municipality and intended for public or Municipal Staff use. This includes, but is not limited to, parks and trails, recreation facilities, staff offices and workspaces, meeting rooms, community meeting spaces, Municipal Hall, and spaces where Municipal Services are provided.
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2.4 By deleting the word “and” prior to the word “volunteer” and deleting the words “but does not include the RCMP and other policy services” after the word “events” in the “Municipal Services” definition.

- 2.5 By deleting the definition of “Municipal Staff” and replacing it with the following:

“MUNICIPAL STAFF”	means a person employed by the Municipality and includes volunteers and contractors authorized to act on behalf of the Municipality, and Municipal Employees that support the RCMP.
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- 2.6 By adding the following to the Definition Section:

“PROHIBITED USE OF AN ELECTRONIC DEVICE”	means use that: interferes with the sound system or other technology; interferes with decorum or is inconsistent with orderly conduct of business; or to take photographs or record video where unauthorized.
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- 2.7 By adding an “s” after the word “rule” and deleting the words “Municipal Staff” from the Public Code of Conduct definition.

- 2.8 By deleting section 5.3 and replacing it with the following:

“5.3 This Bylaw does not apply to the proceedings of Council and Committees for the City, governed by the Council Procedure Bylaw 2018 No. 7272 as amended or replaced.”

- 2.9 By adding the following to section 6.

“6.4 In addition to or in lieu of responding to an Incident in accordance with the procedures set out in sections 7 through 9 and the Appendices to this Bylaw, the Municipality may deal with a contravention of this Bylaw by bylaw notice.”

- 2.10 By deleting sections 7.6 and 7.7.

PASSED FIRST READING: 2025-FEB-24
PASSED SECOND READING: 2025-FEB-24
PASSED THIRD READING: 2025-FEB-24
ADOPTED: _____

MAYOR

CORPORATE OFFICER



REQUEST FOR SUPPORT APPLICATION FORM

Date of Request	March 5, 2025	
Organization/Group making the request	British Columbia Conservation Foundation	
Contact Person	Haley Tomlin	
Address	105-1885 Boxwood Road, Nanaimo, BC, V9S 5X9	
Telephone	[REDACTED]	
Email Address:	htomlin@bccf.com	
Type of Support Requested (Select one)	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;"> <input type="radio"/> Letter of Support in Principle <input checked="" type="radio"/> In-Kind Contribution <input type="radio"/> Partnership </div> <div style="border: 1px solid red; padding: 5px; width: fit-content;"> Note from Staff: This request is for a Letter of Support. </div> </div> <p><i>Note: This policy is not applicable to requests for grant funding by the City, including Permissive Tax Exemption requests, or in-kind funding for facility rentals (see Grants Policy and Guidelines for further details)</i></p>	

IF APPLICABLE:

Name of grant or program for which you are applying:

EcoAction Stream 1: Community-led freshwater action across Canada

Amount of Funding Requested: \$80,000 Grant Due Date: March 25, 2025

Grant Organization: Canada Water Agency, Government of Canada

Address: No physical address was provided in the applicant guide

City: _____ Postal Code: _____

Telephone: _____ Email provided: sgesc-gcems@ec.gc.ca

Please provide an executive summary or short narrative that addresses each of the points outlined in the "Council Support policy". Include a draft letter, any supporting documents or materials and a detailed list of other funding partners (if applicable).

Please submit this form, with accompanying materials, to the attention of the Corporate Officer, Legislative Services, City of Nanaimo, 455 Wallace St. Nanaimo, BC V9R 5J6, or by email to: legislative.servicesoffice@nanaimo.ca.

Respecting Your Privacy

Freedom of Information and Protection of Privacy Act (FOIPPA) – Information collected on this form is done so under the general authority of the *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. For more information, please visit the Legislative Services Department at 455 Wallace Street, call 250-755-4405, or email foi@nanaimo.ca.

Request for Support Application to the City of Nanaimo

Requested by: Haley Tomlin, British Columbia Conservation Foundation (BCCF)

Email: htomlin@bccf.com

Phone (cell): 778-269-0749

Office address: 105-1885 Boxwood Rd, Nanaimo, BC, V9S 5X9

Requested date: March 5, 2025

Organization Background

The British Columbia Conservation Foundation (BCCF) focuses efforts on restoring, perpetuating and expanding fish populations within healthy aquatic ecosystems. BCCF's mission is "To promote and assist in the conservation of the fish and wildlife resources in the Province of BC through the protection, acquisition and enhancement of fish and wildlife populations and habitat." The BCCF Aquatic Research & Restoration Centre conducts a variety of research, stock assessment, habitat restoration, and water monitoring projects across Vancouver Island, with efforts focused along the east coast of the Island. BCCF has expertise in conducting projects in collaboration with a wide range of partners, including local First Nations, environmental and stewardship groups, academic institutions and all levels of government (local, regional, provincial, federal and First Nation). BCCF recognizes the value of partnerships to undertake and successfully implement multi-faceted programs.

Program Overview

Discovered in 2020, a tire wear toxin, N-(1,3-dimethylbutyl)-N-phenyl-p-phenylenediamine-quinone, commonly referred to as 6PPDQ, was found in roadway runoff and identified as the cause of 'urban run-off mortality syndrome' (URMS) in multiple salmonid species. In particular coho salmon (*Oncorhynchus kisutch*), can succumb to URMS within a matter of hours when exposed to part-per-trillion concentrations. Now recognized as one of the most lethal toxicants known to fish, more attention has been paid to understanding and monitoring for 6PPDQ with the intention to mitigate effects and protect salmon.

Since 2023, the BCCF and Vancouver Island University's Applied Environmental Research Labs (VIU AERL), in partnership with 35 local First Nations and volunteer-led stewardship groups, have been undertaking a 6PPDQ monitoring program across the east coast of Vancouver Island. Through this program, the project team has identified areas of concern that would benefit from mitigation efforts.

Current investigations have found rain gardens to be effective tools in filtering 6PPDQ and other harmful pollutants from stormwater runoff, ultimately reducing the amount of these pollutants that are able to make it into local fish bearing streams. Rain gardens provide a host of co-incidental social benefits including natural habitat, erosion control, and aesthetic values.

The [EcoAction Stream 1: Community-led freshwater action across Canada](#) fund aligns well with the installation of rain gardens to remove/reduce the amount of toxic/polluted waters that are making their way to local, urban waterways. BCCF/VIU AERL are applying to undertake the following:

1. Work with project partners to design and install rain gardens (number is to be determined) in locations that have been identified as areas of concern with regard to 6PPDQ;
2. Evaluate the effectiveness of these rain gardens at removing 6PPDQ;
3. Establish best practices in construction and maintenance of rain gardens, and
4. Host a 1-day workshop targeted at sharing information about green infrastructure and mitigation strategies that are effective at removing 6PPDQ.

Ultimately the number of rain gardens that can be installed will be dependent on the amount of funding that we can apply for. It is anticipated that each rain garden will cost between \$10,000 to \$20,000 to construct and plant, depending on their size and the amount of in-kind support (i.e., donated supplies, volunteer labour, etc.) that we can generate.

If we're successful in the grant application, there are currently three groups that we have identified as potential project partners in the Nanaimo region on this initiative: Departure Creek Streamkeepers, Walley Creek Streamkeepers, and the Nanaimo Area Land Trust. We have worked closely with all three groups as part of the 6PPDQ monitoring efforts over the past couple of years. All of these groups have collected samples in their respective watersheds that have surpassed the recently released [6PPDQ Water Quality Guidelines](#) by

the Province multiple times; all this data can be found on the [BCCF/VIU data dashboard](#). Specific sites in the Departure Creek, Walley Creek, Cat Stream, Chase River, and Beck Creek watersheds have not yet been finalized, as we want to work with the City of Nanaimo and community partners to ensure consultation on site locations and designs.

The one-day workshop will be an opportunity to engage with community groups and public works departments and mobilize knowledge gained to a wider audience. The goal of the workshop will be to provide the community with the tools and network to work towards building rain gardens in their local watershed.

Currently, the project team is not aware of any other similar programs that exist within the City of Nanaimo or of any other organizations applying for the same funds.

City of Nanaimo Request

At this point, we're looking for general support in principle for the project application, as well as any in-kind support that the City of Nanaimo would be able to provide (i.e., staff time for site discussions/permit approvals/site design/on-site assistance). It is anticipated that two to three of the constructed rain gardens will be installed in the City of Nanaimo because of this project.

An initial request was submitted to Bill Sims (General Manager, Engineering & Public Works for the City of Nanaimo) at which time he expressed interest in supporting site selection and rain garden design for this project. He directed the BCCF to the Council Support Policy COU-237 to put in the request for a letter of support.

Project Funding Sources

The primary request is going to EcoAction Stream 1: Community-led freshwater action across Canada. Additional matching funds (1:1) have been requested from the Pacific Salmon Foundation (cash) and our other project partners (in-kind; see "Coordination With Other Entities" at the end of this document).

Target Groups Served

The proposed rain garden program is intending to build two to three rain gardens within the City of Nanaimo. These rain gardens would be part of a larger initiative that will be targeting the implementation of rain gardens in 6PPDQ-impacted areas between Duncan and Campbell River; the project team is seeking support from the municipalities and regional districts throughout the study area for support with this application. The program is not intended to extend to Victoria due to a partner organization's (Peninsula Streams and Shorelines) ongoing rain garden program.

Specific to the Nanaimo area, we are proposing to work with volunteers associated with Departure Creek, Walley Creek, and Cat Stream in Nanaimo. We anticipate that there will be 5 – 10 volunteers involved at each constructed site; they will contribute to the construction and planting of these rain gardens.

Proposed Program Timeframe

The anticipated timeline for this project would be that preliminary discussions around site selection, site design, and initiating any necessary permit applications would occur in the 2025-2026 fiscal year, with the actual installation of rain gardens beginning in the summer of 2026 or 2027 (timelines will become dependent on approvals from landowners).

Once established, it is expected that the rain gardens will require minimal maintenance to remain functional. BCCF anticipates working with stewardship groups in the years to come to conduct any routine maintenance of the gardens (e.g., refreshing mulch, pulling and replanting expired plants, etc.), as needed.

Anticipated Program Outcomes

In addition to removing harmful toxins, rain gardens have a variety of other benefits that directly improve freshwater habitats and combat climate change. For example, they are known to allow 30% more water to infiltrate into groundwater than a typical lawn; therefore, during heavy rainfall periods, they can help alleviate pressure on the stormwater infrastructure and during droughts, they are able to hold more water interstitially.

Additionally, rain gardens are a low-carbon infrastructure, as they have been shown to absorb carbon dioxide.

In addition to the environmental benefits in the locations that rain gardens are installed, we anticipate that engaged volunteers will gain a better understanding of the benefits of green infrastructure and potentially implement some of what they've learned on their own properties.

Proposed Budget

Currently, the project team is intending to request ~\$80,000 from the EcoAction (this may increase if further in-kind funding is committed) and \$50,000 from the Pacific Salmon Foundation. In addition to these funders, BCCF will also apply to the Habitat Conservation Trust Foundation in the fall of 2025 for additional financial support. The amount of funding granted will determine the number of rain gardens that can be installed.

Coordination With Other Entities

To date, the organizations identified in table 1 have been invited to provide support to the project. The table also indicates whether that organization has confirmed support for the project or not. Requests were sent to organizations on February 27, 2025.

Table 1. List of organizations approached to provide support to the proposed EcoAction Stream 1 application in March 2025.

Organization Name	Contributed Support to Existing 6PPDQ Program (Yes/No)	Confirmed or Pending Support for EcoAction Stream 1 Application
A'Tlegay Fisheries Society	Yes	Confirmed
City of Campbell River	Yes	Pending
City of Courtenay	No	Pending
City of Nanaimo	Yes	Pending
City of Parksville	No	Pending
Campbell River Environmental Committee	Yes	Confirmed
Comox Valley Regional District	No	Pending
Departure Creek Streamkeepers	Yes	Confirmed

Greenways Land Trust	Yes	Pending
Mid Vancouver Island Habitat Enhancement Society	Yes	Confirmed
Millard Piercy Watershed Stewards	Yes	Confirmed
Morrison Creek Streamkeepers	Yes	Confirmed
Nanaimo Area Land Trust	Yes	Pending
Pacific Salmon Foundation	Yes	Pending
Peninsula Streams & Shorelines	Yes	Confirmed
Regional District of Nanaimo's Drinking Water & Watershed Protection Program	Yes	Pending
Save Simms Creek	Yes	Confirmed
Snuneymuxw First Nation	Yes	Confirmed
Town of Qualicum Beach	No	Pending
Qualicum Beach Streamkeepers	Yes	Confirmed
Vancouver Island University	Yes	Confirmed
Walley Creek Streamkeepers	Yes	Pending
We Wai Kai First Nation	Yes	Confirmed

March 6, 2025

Attn: Haley Tomlin, British Columbia Conservation Foundation
105-1885 Boxwood Road, Nanaimo, BC, V9S 5X9

EcoAction Stream 1: Community-led freshwater action across Canada

RE: Mitigating Tire Wear Toxicant Pollution Through Rain Gardens on Vancouver Island

Dear EcoAction Stream 1 Review Committee Members,

I am writing on behalf of the City of Nanaimo to provide support for the British Columbia Conservation Foundation's (BCCF) proposal to the EcoAction Stream 1: Community-led freshwater action across Canada fund to construct rain gardens in areas within the City of Nanaimo that they have identified as areas that require mitigation efforts from their previous tire wear toxin monitoring program's sampling results.

The tire wear toxin commonly known as 6PPDQ has been found to cause mortality at parts per trillion concentrations for coho salmon, coastal cutthroat trout, rainbow trout/steelhead, and Chinook salmon. As the waterways within the City of Nanaimo are home to these species, we support mitigation efforts that are aimed at reducing the impacts associated with stormwater runoff.

The City of Nanaimo agrees that the installation of rain gardens is important for supporting healthy fish habitat. Pending funding approval, the City of Nanaimo would be pleased to support this project with in-kind support from City staff to collaborate on site selection and rain garden design. We look forward to collaborating and building on this partnership moving forward.

Sincerely,



REQUEST FOR SUPPORT APPLICATION FORM

Date of Request	March 8, 2025
Organization/Group making the request	Art Action Earwig
Contact Person	Minah Lee
Address	██████████ Nanaimo, BC
Telephone	██████████
Email Address:	artaction@earwig.space
Type of Support Requested (Select one)	<div style="display: flex; flex-direction: column; align-items: flex-start;"> <div><input checked="" type="radio"/> Letter of Support in Principle</div> <div><input type="radio"/> In-Kind Contribution</div> <div><input type="radio"/> Partnership</div> </div> <p><i>Note: This policy is not applicable to requests for grant funding by the City, including Permissive Tax Exemption requests, or in-kind funding for facility rentals (see Grants Policy and Guidelines for further details)</i></p>

Note from Staff: This request is for a letter of support and Staff have discussed in-kind contributions which utilize existing resources with the applicant.

IF APPLICABLE:

Name of grant or program for which you are applying:

Explore and Create _____

Amount of Funding Requested: 60000 Grant Due Date: result is expected in 6 months after submitting (new rolling deadline)

Grant Organization: Canada Council for the Arts

Address: 150 Elgin St, 2nd floor

City: Ottawa Postal Code: K2P 1L4

Telephone: 1-800-263-5588

Please provide an executive summary or short narrative that addresses each of the points outlined in the "Council Support policy". Include a draft letter, any supporting documents or materials and a detailed list of other funding partners (if applicable).

Please submit this form, with accompanying materials, to the attention of the Corporate Officer, Legislative Services, City of Nanaimo, 455 Wallace St. Nanaimo, BC V9R 5J6, or by email to: legislative.servicesoffice@nanaimo.ca.

Respecting Your Privacy

Freedom of Information and Protection of Privacy Act (FOIPPA) – Information collected on this form is done so under the general authority of the *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. For more information, please visit the Legislative Services Department at 455 Wallace Street, call 250-755-4405, or email foi@nanaimo.ca.

Executive Summary

1. That the request is from a local non-profit and/or recognized community organization or other local government;

Art Action Earwig is a recognized community arts collective.

2. The name of the contact person, mailing address, email address and telephone number of the person applying for the grant on behalf of the particular organization;

Provided in the REQUEST FOR SUPPORT APPLICATION FORM

3. Background information on the organization requesting the letter;

Minah Lee and Wryly Andherson, local lead artists of Art Action Earwig, interdisciplinary multimedia and performance collective, have been based in Nanaimo since early 2022. We started collaborating/working with Snuneymuxw and other Indigenous knowledge-keepers to learn more about the place we call home. In 2023, our solo exhibition “Give Birth Love Tooth” was exhibited at Nanaimo Art Gallery where we’ve made many exciting connections to work with broader community members. As we were building more shared concerns and interests with local groups and individuals, in amplifying ecological work through arts and culture, we started seeking resources to initiate the project Pulling To Gather. With positive support from a key funder the City of Nanaimo and local stewardship and arts organizations, we successfully pulled this ambitious project together in 2024, with our Earth Day celebration, presented by the City of Nanaimo.

4. Funding source of the proposed program, including any grants from other governments;

In addition to the City of Nanaimo’s in-kind support, we are pursuing Canada Council for the Arts (CCA) grant funding to pay artists and cultural workers, and cover project costs.

5. Services that are to be offered;

Pulling To Gather 2025-26 is an eco-art project, co-produced by Art Action Earwig (AAE) and Nanaimo Forest School Co-operative, bringing ecological restoration and arts together through a series of local artist-led and community-driven activities/events. Evolving from our initial Pulling To Gather in 2024, which focused on English Ivy removal in Colliery Dam Park and arts creation using pulled ivy as the key material and inspiration, we aim to create another edition of the project to broaden creative conservation and deepen sustainable understanding of the local ecology:

Phase 1 (Aug-Oct 2025): This cleansing and seeding phase gathers diverse community members, to introduce ourselves to the land we are nurturing. River's Day in September is a great opportunity for us to inform Nanaimo community of our work for long-term health of the land and people: establishing a Coast Salish food forest and restoring salmon habitat in the Cat Stream area, which is a sensitive and important native vegetation habitat, Our partner SEED, a key neighbourhood stewardship organization, facilitates the creation of a native plant forest garden, in collaboration with Snuneymuxw First Nation knowledge-keepers and AAE.

The River's Day celebration at Robins Park features an array of local artists, both Indigenous and settler. Besides long-term residents, community participants include new immigrants and refugees who benefit from learning more about the history, people and ecology of the land as they strive to put down roots and feel deeper connections to the place. For the larger scope of the project, we are removing invasive plant species throughout the fall and planting an Indigenous Food Forest in the Cat Stream area in October.

Phase 2 (Feb-May 2026): This growing and feeding phase gathers deeper knowledge and more hands, to prepare for the summer and harvest season. The Earth Day celebration in April marks the one-year anniversary of our community initiative, removing ivy from Nanaimo's Colliery Dam Park and making art with it. For Earth Day, temporary land-art pieces are presented in the Cat Stream area through collaborations between local artists and community members. 4 diverse artists will be curated by AAE and partnered with 3-10 community participants. Invasive plants they remove together will be the key material for these ephemeral art pieces. The event celebrates and continues the legacy of cultural change we have been mobilizing. This public event gathers people to learn about upcoming needs for the food forest and encourages them to join in mulching, watering, and other care processes.

Leading up to this, we host 3 invasive plant pulling sessions in both neighbourhoods, Cat Stream and Colliery Dam. With Snuneymuxw Elder Geraldine Manson and ethnobotanist Nancy Turner, we offer a Native Plant Walk on each site. The Cat Stream walk focuses on Coast Salish food and medicine plants we've planted and are growing. The Colliery Dam walk focuses on the importance of Native plants under ecological threat from invasive species. AAE creates a contemporary ritual for the season, composing a new song for the growing food forest and recovering river stream. Michael of Nanaimo Forest School leads a biochar-creation gathering with community members. Biochar offers us a meaningful opportunity to celebrate the protective power of fire while learning to make/store it to create art, fertilize the garden and filter the water stream.

6. Target groups to be served, including the number of individuals to be served and where the services will be offered;

We aim to serve diverse community members including children, youth, university students, seniors, Indigenous People, newcomers, LGBTQIA2S+, local farmers, gardeners, biologists, and more. We estimate to serve about 300 people throughout the project periods.

7. Timeframes or dates of when the proposed program is expected to be administered.

Phase 1: September-October 2025

Key Event: Nanaimo Rivers Day celebration at Robins Park. Saturday September 20th, 11am-4pm (prep from 8am, strike by 5:30pm)

Phase 2: February-May 2026

Key Event: Earth Day celebration. Location TBD. Saturday April 26th, 2026, 12-5pm

Please note that all the above plans are dependent on securing the CCA grant, and the details of the timeline may change if needed.

8. Anticipated outcomes of the program;

-Encouraging and inviting a variety of community members and stakeholders to learn more, participate in and collaborate on the long-term stewardship process, preparing the ground for seeding/planting in the Fall 2025 and growing and harvesting in 2026.

-Implementing Indigenous Forest Garden with Snuneymuxw knowledge keepers through their protocols:

- Meaningful exchange and collaboration between Indigenous and settler communities.
- Learning about and enhancing food security in culturally and ecologically respectful ways.
- Gaining skills in growing local food and sharing among diverse community members.

As a result, a new Indigenous Forest Garden will be established in the neighbourhood, which also enhances the ecological health of the Cat Stream. Community members and stewardship groups will continue the legacy of nurturing, harvesting, and sharing through this communal asset.

9. The proposed budget, in detail;

The City of Nanaimo committed to the following in-kind items:

- The City can provide some equipment to assist with the work part activities along the Cat Stream approximate value \$500
- The City can contribute some staff time in a liaison capacity towards certain activities being planned for the event such as the restorations/work party activities along the Cat Stream. Approximate value \$2000
- The City is interested in being a participant at the event by hosting interactive booth. The City would provide all the equipment and staff to facilitate this booth at the event. Approximate value \$1000
- The City could assist in distributing marketing materials to all recreation facilities throughout the City to help promote the event. Pulling To Gather would be responsible for the creation of all marketing materials used to promote the event.

10. Indication of whether or not similar programs exist in the Regional District of Nanaimo area;

Not that I know of.

11. Indication, if known, of other organization(s) applying for the same funds;

Not that I know of.

12. If this is an on-going or continuation grant or project, indicate results of previous years, and

We initiated Pulling To Gather 2024 as a one-off project and we were successful in securing a CCA grant and The City of Nanaimo's sustainability grant. We are inspired to create a new edition of the project to continue our work in a new way. Since we are an arts collective solely dependent on one-time project grants, we will try again to secure necessary resources to make this happen.

13. Coordination with other entities.

Partners promising protocols/ in-kind resources: Snuneymuxw First Nation, SEED Neighbourhood, Nanaimo Forest School Co-operative, City of Nanaimo.

2025-February-26

Re: Grant Application to Canada Council for the Arts

To Whom It May Concern:

Please accept this letter of support for Art Action Earwig, as they seek to secure funding from Canada Council for the Arts in support of Pulling To Gather 2025-2026, a community-driven eco-art collaboration project that will bring together concepts of art and ecological restoration together through creative activities and interdisciplinary cultural projects. The City of Nanaimo's support for Pulling To Gather began in 2023, and we presented their Earth Day celebration in Colliery Dam Park in the following spring.

By engaging in the establishment of a Coast Salish food forest and removal of invasive plant species in a local watershed and park areas, Pulling To Gather will directly enhance the health of the local ecology and raise awareness in the community for better climate resiliency and food security. This year they are aiming for longer-term and broader knowledge-based ecological and cultural changes in the Cat Stream area/ Robins Park and Colliery Dam park. Plans for the project, including but not limited to recovering and enhancing habitat of the Cat Stream, collaboration with Snuneymuxw First Nation and local artists, align directly with the City of Nanaimo's City Plan, including recognizing culture as a significant contributor to quality of life, supporting community led arts and culture programs, facilitating collaboration with and between arts and culture organizations, and allowing for encounters with public art in trails and unexpected places as reflections of local environment and community history.

The City of Nanaimo plans to provide expansive in-kind support to Art Action Earwig in the facilitation of this project which will involve support from multiple city departments including Community Development, Facility & Parks, and Recreation & Culture. The City commits to provide equipment to assist with the work party activities along the Cat Stream, contribute some staff time in a liaison capacity for restoration parties and celebrations, assist in distributing marketing materials to all recreation facilities throughout the City to help promote the event. We also informed the artists of relevant grant opportunities from the City's programs from which the artists may benefit.

The City of Nanaimo heartily supports this group in their fundraising efforts via other providers. We look forward to watching this project continue to evolve and benefit current and future communities in Nanaimo and the region.

Name

Position/ Department

City of Nanaimo