



AGENDA
REGULAR COUNCIL MEETING

Monday, June 7, 2021

4:30 to Proceed "In Camera", Reconvene Open Meeting at 7:00 p.m.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 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 <i>Community Charter</i> :	
Section 90(1) A part of the Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:	
(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;	
(c) labour relations or other employee relations; 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. <u>Minutes</u>	9 - 10
Minutes of the Special Council Meeting held virtually on Monday, 2021-MAY-10 at 12:31 p.m.	
b. <u>Minutes</u>	11 - 17
Minutes of the Regular Council Meeting held virtually on Monday, 2021-MAY-17 at	

3:00 p.m.

6. **MAYOR'S REPORT:**

7. **RISE AND REPORT**

8. **PRESENTATIONS:**

9. **COMMITTEE MINUTES:**

- | | | |
|----|---|---------|
| a. | <u>Minutes</u>

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-MAR-11 at 5:00 p.m. | 18 - 21 |
| b. | <u>Minutes</u>

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-APR-08 at 5:00 p.m. | 22 - 24 |
| c. | <u>Minutes</u>

Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-APR-14, at 9:00 a.m. | 25 - 34 |
| d. | <u>Minutes</u>

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-APR-22 at 5:00 p.m. | 35 - 37 |
| e. | <u>Minutes</u>

Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-APR-26, at 1:00 p.m. | 38 - 47 |
| f. | <u>Minutes</u>

Minutes of the Governance and Priorities Committee Meeting held virtually on Monday, 2021-MAY-10 at 1:00 p.m. | 48 - 58 |
| g. | <u>Minutes</u>

Minutes of the Finance and Audit Committee Meeting held virtually on Wednesday, 2021-MAY-19 at 9:00 a.m. | 59 - 67 |

Minutes of the Special Advisory Committee on Accessibility and Inclusiveness Meeting held virtually on 2021-MAY-26 at 4:00 p.m.

10. **CONSENT ITEMS:**

a. Finance and Audit Committee Meeting 2021-MAY-19

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[Note: A link to the 2021-MAY-19 Finance and Audit Committee Meeting Agenda is provided for information.]

1. Increase Unallocated Pedestrian Funding

That Council direct Staff to allocate \$700,000 from the Community Works Fund to year 2022 of the 2021-2025 Financial Plan for pedestrian unallocated projects.

2. Connectivity Projects

That Council direct Staff to include the Buttertubs Bridge project in the Draft 2022 – 2026 Financial Plan for Council consideration.

3. Stadium District Development

That Council direct Staff to include the stadium improvement projects in 2021 and 2022 of the 2021 – 2025 Financial Plan.

4. Westwood Lake Park Amenities

That Council direct Staff to include the Westwood Lake Park Amenities project in the Draft 2022 – 2026 Financial Plan for Council consideration.

5. Draft Amenity Improvement Concepts for Westwood Lake Park

That Council receive the draft ideas and improvement options at Westwood Lake Park for public review and direct Staff to return with feedback and refined improvement concepts for Council's consideration.

6. Marie Davidson BMX Track Improvements

That Council direct Staff to include the Marie Davidson BMX Track Improvements in the Draft 2022 – 2026 Financial Plan for Council consideration.

7. Maffeo Sutton Park Inclusive Playground

That Council direct Staff to accelerate the Maffeo Sutton Park inclusive Playground Phase 2 project to 2022 in the Draft 2022 – 2026 Financial

Plan for Council consideration.

8. Long Lake Paddling & Rowing Centre

That Council direct Staff to include the Long Lake Paddling & Rowing Centre including park improvements and playground upgrades to the Draft 2022 – 2026 Financial Plan for Council consideration.

9. Heritage Home Grant Application - 347 Milton Street

That Council approve a \$2,500 Heritage Home Grant to repair and repaint the exterior of the Ledingham Residence at 347 Milton Street.

10. Nanaimo Search & Rescue Development of 195 Fourth Street - Phase 2

That Council approve moving the Phase 2 project budget of \$1,367,100 from 2022 to 2021 in the 2021-2025 Financial Plan.

11. Two Billion Tree Request for Information

That Council direct Staff to submit the Growing Canada's Forests: Future Respondent form to Natural Resource Canada in response to the Two Billion Tree Request for Information for the Millstone / Nanaimo Riparian Restoration Project.

12. 2020 Statement of Financial Information

That Council approve the City of Nanaimo 2020 Statement of Financial Information for filing with the Ministry of Municipal Affairs and Housing.

b. Advisory Committee on Accessibility and Inclusiveness Meeting 2021-MAY-26

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[Note: A link to the 2021-MAY-26 Advisory Committee on Accessibility and Inclusiveness Meeting Agenda is provided for information.]

1. Allocation of Pedestrian Budget to Enhance Accessibility

That the Advisory Committee on Accessibility and Inclusiveness recommend the following allocations of Pedestrian Unallocated Funds for Council's consideration:

- \$200,000 for transit stop accessibility improvements
- \$250,000 for traffic signal accessibility improvements
- \$45,000 for miscellaneous accessibility improvements allocated to the Small Scale Road Improvement budget.

2. Spinal Cord Injury BC Universal Design Workshop

That Staff return to the Committee with a report outlining the possibility

and feasibility for members of the Advisory Committee on Accessibility and Inclusiveness and interested City of Nanaimo Staff to participate in the Spinal Cord Injury BC Universal Design Workshop.

c. Governance and Priorities Committee Meeting 2021-MAY-31

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[Note: A link to the 2021-MAY-31 Governance and Priorities Committee Meeting Agenda is provided for information.]

1. Councillor Maartman re: Permanent Recreational Vehicle Accommodation

That Council direct Staff to prepare a report on the options available to support permanent recreation vehicle accommodation.

d. Separately Addressed Consent Items

1. Advisory Committee on Accessibility and Inclusiveness Meeting 2021-MAY-26

1. Advisory Committee on Accessibility and Inclusiveness Recommendations

That Council and municipal Staff adopt the use of pronouns in all written and electronic communications.

That the City of Nanaimo use gender-inclusive and gender-neutral language, including communications, print and electronic materials.

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

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

11. **DELEGATIONS:**

12. **REPORTS:**

a. Bylaw Notice Enforcement Amendment Bylaw - To Authorize the District of North Cowichan to Participate in the Dispute Adjudication Registry System

77 - 87

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

Purpose: To replace Schedule B (The Registry Agreement) to formally authorize

the District of North Cowichan to participate in the City's Dispute Adjudication Registry System (DARS).

Recommendation:

1. That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10" (to replace Schedule B – Registry Agreement to authorize the District of North Cowichan to participate in the City's Dispute Adjudication Registry System) pass first reading.
2. That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10" pass second reading.
3. That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10" pass third reading.

b. Ministry Approval Update - Animal Responsibility Bylaw

88 - 138

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

Purpose: To seek Council's approval of the amended provisions that regulate wildlife in the Animal Responsibility Bylaw as required by the Ministry of Forests, Lands and Natural Resource Operations.

Recommendation:

That Council rescind third reading of "ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316".

That Council give third reading, as amended, to "ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316" as attached to the June 7, 2021 report by the Deputy City Clerk.

c. 2021 UBCM Community Excellence Awards

139 - 148

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

Purpose: To obtain Council's support for an application to Union of British Columbia Municipalities 2021 Community Excellence Awards.

Recommendation: That Council support the application for Nanaimo's Complete Street Engineering Standards and Design Guidelines to be considered for a 2021 Community Excellence Award for Excellence in Sustainability.

d. Lease to Double H Holdings Ltd. - 2280 Bowen Road (Beban Park Pitch and Putt)

149 - 155

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

Purpose: To provide Council with background information on an existing lease for the Beban Park Pitch and Putt, operated by Double H Holdings Ltd., and to obtain Council approval to enter into a new ten-year lease agreement for the facility.

Presentation:

1. Bill Corsan, Director, Community Development.

Recommendation: That Council:

1. approve a new ten-year lease agreement with Double H Holdings Ltd. for the Beban Park Pitch and Putt; and
2. authorize the Mayor and Corporate Officer to execute the lease agreement.

- e. Development Permit Application No. DP1151 - 3532 Stephenson Point Road 156 - 176

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

Purpose: To present for Council's consideration an aquatic development permit application for a proposed single residential dwelling at 3532 Stephenson Point Road.

Recommendation: That Council deny Development Permit Application No. DP1151 as proposed at 3532 Stephenson Point Road.

- f. Development Permit Application No. DP1191 - 326 Wakesiah Avenue 177 - 205

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

Purpose: To present for Council's consideration, a development permit for a mixed-use student housing development at 326 Wakesiah Avenue.

Delegation:

1. Patrick Brandreth, Island West Coast Development, Tim Shah, Watt Engineering and David McGrath, WD Architects.

Recommendation: That Council issue Development Permit No. DP1191 at 326 Wakesiah Avenue with a variance to reduce the required student housing parking rate from 0.4 spaces per bed to 0.3 spaces per bed (reducing the total required parking from 77 stalls to 62 stalls).

- g. Development Variance Permit Application No. DVP422 -1875 And 1885 Boxwood Road 206 - 225

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

Purpose: To present for Council's consideration, a development variance permit application to allow facia signs and a freestanding sign within the Nanaimo Parkway Buffer at 1875 and 1885 Boxwood Road.

Recommendation: That Council issue Development Variance Permit No. DVP422 at 1875 and 1885 Boxwood Road with the following variance to:

- allow 13 facia signs and 1 freestanding sign within the Parkway Buffer

that face the Nanaimo Parkway;

- Increase the maximum permitted fascia sign area from 5m² to 6.48m².

h. Chronolog Photopoint Monitoring

226 - 230

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

Purpose: To provide Council with information on Chronolog Photopoint Monitoring of park restoration sites to engage the public around environmental restoration work in the city.

Presentation:

1. Jeremy Holm, Director, Development Approvals, and Rob Lawrance, Environmental Planner.

i. UBCM Housing Needs Report Grant Application

231 - 330

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

Purpose: To obtain Council support for a grant application for \$50,000 from the Union of British Columbia Municipalities' Housing Needs Report program for the purpose of updating Nanaimo's housing needs assessment with 2021 Census information.

Recommendation: That Council support the proposed funding application to the Union of British Columbia Municipalities to update Nanaimo's Housing Needs Report.

13. BYLAWS:

a. "Highway Closure and Dedication Removal Bylaw 2021 No. 7286"

331 - 333

That "Highway Closure and Dedication Removal Bylaw 2021 No. 7286" (To provide for highway closure and dedication removal of a portion of Eighth Street adjacent to 857 Old Victoria Road) pass third reading.

b. "Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01"

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That "Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01" (To adopt amendments to reflect the change in the year of construction completion) be adopted.

14. NOTICE OF MOTION:

15. OTHER BUSINESS:

16. ADJOURNMENT:

MINUTES
SPECIAL COUNCIL MEETING
VIRTUAL MEETING
MONDAY, 2021-MAY-10, AT 12:31 P.M.

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

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer (joined electronically)
S. Legin, General Manager, Corporate Services (joined electronically)
D. Lindsay, General Manager, Development Services (joined electronically)
B. Sims, General Manager, Engineering and Public Works (joined electronically)
T. Doyle, Fire Chief (joined electronically)
L. Mercer, Director, Finance (joined electronically)
F. Farrokhi, Manager, Communications (joined electronically)
M. Desrochers, Client Support Specialist (joined electronically)
S. Gurrie, Director, Legislative Services (joined electronically)
S. Snelgrove, Recording Secretary (joined electronically)

1. CALL THE SPECIAL MEETING TO ORDER:

The Special Council Meeting was called to order at 12:31 p.m.

2. APPROVAL OF THE AGENDA:

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

3. REPORTS:

(a) Financing for Deep Energy Retrofits in the Nanaimo Region Feasibility Study

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that Council direct Staff to submit an application to the Green Municipal Fund Community Efficiency Financing program for the Financing for Deep Energy Retrofits in the Nanaimo Region Feasibility Study to explore and assess options for establishing a financing program for home energy upgrades. Should the funding application be successful, Council commits to funding \$21,850 as the City's portion of this project. The motion carried unanimously.

4. BYLAWS:

(a) “Financial Plan Amendment Bylaw 2021 No. 7320.01”

It was moved and seconded that “Financial Plan Amendment Bylaw 2021 No. 7320.01” (To amend the 2021 – 2025 Financial Plan) be adopted. The motion carried unanimously.

(b) “Property Tax Rates Bylaw 2021 No. 7321”

It was moved and seconded that “Property Tax Rates Bylaw 2021 No. 7321” (To set the property tax rates for 2021) be adopted. The motion carried unanimously.

(c) “911 Reserve Fund Amendment Bylaw 2021 No. 7295.01”

It was moved and seconded that “911 Reserve Fund Amendment Bylaw 2021 No. 7295.01” (To amend the 911 Reserve Fund Bylaw) be adopted. The motion carried unanimously.

(d) “Parcel Tax Roll Preparation Bylaw 2021 No. 7323”

It was moved and seconded that “Parcel Tax Roll Preparation Bylaw 2021 No. 7323” (To allow preparation of the Parcel Tax Roll related to the Regional District of Nanaimo Parcel Tax for Regional Parks and Trails) be adopted. The motion carried unanimously.

(e) “Regional Parks and Trails Parcel Tax Bylaw 2021 No. 7324”

It was moved and seconded that “Regional Parks and Trails Parcel Tax Bylaw 2021 No. 7324” (To provide authorization to collect a parcel tax) be adopted. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 12:37 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
REGULAR COUNCIL MEETING
VIRTUAL MEETING
MONDAY, 2021-MAY-17, AT 3:00 P.M.

- Present: Mayor L. Krog, Chair (joined electronically)
Councillor S. D. Armstrong (joined electronically)
Councillor D. Bonner (joined electronically)
Councillor T. Brown (joined electronically)
Councillor B. Geselbracht (joined electronically at 7:16 p.m.)
Councillor E. Hemmens (joined electronically)
Councillor Z. Maartman (joined electronically)
Councillor I. W. Thorpe (joined electronically)
Councillor J. Turley (joined electronically)
- Staff: J. Rudolph, Chief Administrative Officer (joined electronically)
R. Harding, General Manager, Parks, Recreation and Culture (joined electronically)
S. Legin, General Manager, Corporate Services (joined electronically)
D. Lindsay, General Manager, Development Services (joined electronically)
B. Sims, General Manager, Engineering and Public Works (joined electronically)
L. Fletcher, Inspector, Nanaimo Detachment RCMP (joined electronically)
T. Doyle, Fire Chief (joined electronically, disconnected 7:00 p.m.)
B. Corsan, Director, Community Development (joined electronically)
J. Holm, Director, Development Approvals (joined electronically)
L. Mercer, Director, Finance (joined electronically, disconnected 7:00 p.m.)
L. Bhopalsingh, Manager, Community Planning (joined electronically, disconnected 7:00 p.m.)
F. Farrokhi, Manager, Communications (joined electronically)
D. Stevens, Supervisor, Applications Support (joined electronically)
S. Gurrie, Director, Legislative Services (joined electronically)
S. Snelgrove, Recording Secretary (joined electronically)

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 3:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Remove *Community Charter* Section 90(2)(l):
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

3. PROCEDURAL MOTION TO PROCEED IN CAMERA:

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

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

Community Charter Section 90(2):

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

The motion carried unanimously.

Council moved In Camera at 3:01 p.m.

Council moved out of In Camera at 6:17 p.m.

Council recessed the Open Meeting 6:17 p.m.

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

2. INTRODUCTION OF LATE ITEMS (continued):

- (a) Agenda Item 8(a) RCMP Quarterly Update – Add PowerPoint presentation.

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Regular Council Meeting held virtually on Monday, 2021-MAY-03 at 4:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- National Nursing Week is May 10-16th and the slogan is “We Answer the Call”. During the COVID-19 pandemic nurses have continued to stand where they always do – caring for patients, families and communities when they need it most.
- National Police Week is May 9-15th. “Working together to keep our communities safe” is the theme for National Police Week 2021. Mayor Krog thanked those who work to keep our city safe.
- On May 17th we celebrate Norway’s national day to commemorate the signing of the country’s constitution in 1814. Mayor Krog wished all those with Norwegian heritage a happy celebration.

7. RISE AND REPORT

Sheila Gurrie, Director, Legislative Services, advised that Council passed the following motion at the 2021-MAY-17 In Camera Council Meeting:

“It was moved and seconded that Council amend the 2021 – 2025 Financial Plan to include \$262,193 in 2021 for the installation of security gates at the RCMP Detachment, to be funded from Payment in Lieu of Taxes (PILTs). The motion carried. Opposed: Councillors Brown, Geselbracht.”

8. PRESENTATIONS:

(a) Inspector Lisa Fletcher re: RCMP Quarterly Update

Inspector Lisa Fletcher, Nanaimo Detachment RCMP, provided Council with a presentation regarding the RCMP Quarterly Update. Highlights included:

- Overview of 2021 first quarter statistics
- Top 10 types of incidents police officers responded to during the first quarter of 2021
- Increase in violent offenses due to COVID-19 protocols where individuals are not held in custody as long as they typically would be
- Increase in child sexual exploitation as Nanaimo is one of eight communities that have advanced training and expertise in this area and is doing strong investigative work. This may impact scoring as Staff are better poised to recognize material
- Collaborative relationship with Island Health and mental health liaison officer and there may be more opportunities to collaborate in the future
- During 2020 Police took on a new role under the public health orders to provide support for BC Ferries while using an education and mediation approach
- Work with various provincial partners such as Situation Tables, School District 68
- Indigenous police services working with first nation leadership to provide a coordinated response

Councillor Geselbracht joined the meeting electronically at 7:16 p.m.

- Process for determining meaningful and translatable Nanaimo priorities for the City and citizens
- Target hardening and mitigating challenges within the community and ensuring adequate resources and redundancies are in place

9. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Advisory Committee on Accessibility and Inclusiveness Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Wednesday, 2021-APR-28 at 4:00 p.m.

10. CONSENT ITEMS:

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

(a) Advisory Committee on Accessibility and Inclusiveness Meeting 2021 APR-28

1. 2021 Advisory Committee on Accessibility and Inclusiveness Work Plan

That Council endorse the 2021 Advisory Committee on Accessibility and Inclusiveness Work Plan.

(b) Governance and Priorities Committee Meeting 2021-MAY-10

2. Lenhart Bridge Upgrade Options

That Council direct Staff to include \$237,000 for the Lenhart Bridge replacement project in 2022 of the Draft 2022 – 2026 Financial Plan for consideration during the budget review process.

The motion carried unanimously.

(c) Separately Addressed Consent Items

(1) Governance and Priorities Committee Meeting 2021-MAY-10

1. Long Lake Paddling and Rowing Centre Update

It was moved and seconded that Council:

1. receive the three concepts for public review and comment and direct Staff to return with a finalized design, plan and costing for Council consideration and deliberation during the 2022-2026 Financial Plan Review process; and,

2. consider the addition of the overall park and playground redevelopment into the same project year to minimize park disruption.

The motion carried.

Opposed: *Councillor Bonner*

11. DELEGATIONS UNRELATED TO AGENDA ITEMS:

(a) Bob Brash, Executive Director, Truck Loggers Association

Bob Brash, Executive Director, Truck Loggers Association, provided an overview of the association, value and importance of timber harvesting on Vancouver Island, the importance of collaboration and cooperation in forest policy review and development and advocacy with Federal and Provincial governments.

(b) Errin Poyner, Dan Morris and Tony Dobson re: Opal Road Traffic Calming Measures

Errin Poyner, Dan Morris and Tony Dobson, provided Council with a verbal presentation requesting that Mayor and Council reconsider Council's 2021-MAY-03, decision to remove traffic calming measures on Opal Road at Rock City Road and spoke regarding the negative impact the removal of the barriers will have on those living in the area.

12. REPORTS:

(a) Development Variance Permit Application No. DVP416 – 701 & 702 Fern Ridge Place, 1031-1047 Harewood Mines Road, 1018-1046 Palomino Place, and 703 & 729 Trailside Road

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

Delegations:

1. Brock Williamson, Williamson and Associates Professional Surveyors, advised he was in attendance to answer questions, noted his company petitioned the neighbourhood which had no comments or concerns. John Larson, CA Designs and Guy Wannacott were in attendance but did not speak.

It was moved and seconded that Council issue Development Variance Permit No. DVP416 with variances to:

- increase the maximum permitted building height from 9.0m to 10.4m on Lots 1-6 and Lots 12-19; and,
- reduce the minimum rear yard setback from 7.5m to 3.0m on Lots 6, 11, 20, and 30.

The motion carried unanimously.

(b) Development Variance Permit Application No. DVP417 – 1925 Bowen Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Jason Hendricks, Eldorado Development Corp Ltd., provided a brief history of the property, noted challenges finding a suitable tenant, and noted due to the limited size of the electrical and hydro capacity, if the unit was separated into two units, high cost electrical upgrades at a would be required.

It was moved and seconded that Council issue Development Variance Permit No. DVP417 at 1925 Bowen Road with the following variance to:

- increase the maximum permitted gross floor area for an individual retail use in the COR3 zone within existing Unit 17 from 750m² to 940m².

The motion carried unanimously.

(c) Regional Growth Strategy Amendment - Nanaimo Airport

Introduced by Bill Corsan, Director, Community Development.

It was moved and seconded that Council:

1. support the proposed Regional Growth Strategy amendment; and,
2. direct Staff to forward Council's decision to the Regional District of Nanaimo's Board.

The motion carried.

Opposed: *Councillor Maartman*

(d) Land Exchange and Road Closure - 857 Old Victoria Road

Introduced by Bill Corsan, Director, Community Development.

It was moved and seconded that Council authorize the road closure and disposition of a portion of Eighth Street adjacent to 857 Old Victoria Road, and direct Staff to enter into a Road Closure and Land Exchange Agreement. The motion carried unanimously.

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2021 No. 7286" (To provide for highway closure and dedication removal of a portion of Eighth Street adjacent to 857 Old Victoria Road) pass first reading. The motion carried unanimously.

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2021 No. 7286" pass second reading. The motion carried unanimously.

It was moved and seconded that that Council direct Staff to proceed with public notice for the closure and disposition of a portion of Eighth Street. The motion carried unanimously.

(e) Morningside Drive Sewer Parcel Tax Amendment Bylaw

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

It was moved and seconded that “Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01” (To adopt amendments to reflect the change in the year of construction completion) pass first reading. The motion carried unanimously.

It was moved and seconded that “Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01” pass second reading. The motion carried unanimously.

It was moved and seconded that “Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01” pass third reading. The motion carried unanimously.

13. BYLAWS:

(a) “Zoning Amendment Bylaw 2020 No. 4500.181”

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.181” (To rezone 5485 and 5495 Godfrey Road from Single Dwelling residential [R1] to Low Density Residential [R6]) be adopted. The motion carried unanimously.

Councillor Bonner moved a motion to delay the deconstruction of the traffic calming measures at Opal and Rock City Roads until a thorough community engagement process has taken place and a report has been brought forward to Council.

Councillor Brown called a Point of Order on the proposed motion. Mayor Krog ruled the Point of Order sustained.

14. ADJOURNMENT:

It was moved and seconded at 8:26 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

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

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

 Staff: L. Brinkman, Planner, Current Planning Section
 L. Nielsen, Recording Secretary

1. CALL THE DESIGN ADVISORY PANEL MEETING TO ORDER:

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-FEB-25 at 5:05 p.m. be adopted as circulated. The motion carried unanimously.

Charles Kierulf, Chair, declared a conflict of interest due to business affiliation with the presentation team for DP1216-3180 Island Highway N.; appointed Kevin Krastel as Acting Chair for the following presentation, and vacated the meeting at 5:06 p.m.

4. PRESENTATIONS:

(a) Development Permit Application No. DP1216 – 3180 Island Highway North

Introduced by Lisa Brinkman, Planner, Current Planning Section

Presentations:

1. Glenn Hill, Architect of dhkArchitecture presented the project, and spoke regarding site and neighbourhood context, and provided an overview of the architectural plans and building features.
 - Historical property use created environmental challenges which are being addressed
 - Access to the carwash is provided from Norwell Drive via a shared drive aisle with the existing Dairy Queen location. Exit routes are to Norwell Drive or to the Island Highway
 - The form and character of the building expresses the motion of vehicles on the highway
 - A residential (manager's) suite is located on the 2nd floor, complete with a rooftop patio
 - Exterior materials include corrugated metal and stucco panelling
 - Landscape buffers are created to soften views from Norwell Drive and the Island Highway
2. Jack Tupper, Landscape Architect of Jack Tupper Studio, presented the landscape plan and spoke regarding tree replacement, hardscape elements and the planting plan.
 - One existing tree will be removed and several ornamental trees will be planted
 - The proposed planting plan consists of predominately hardy native species
 - The retention pond will be vegetated
 - An evergreen hedge (4 feet high) will border much of the carwash drive aisle to limit vehicle headlights from conflicting with the adjacent roadways
3. Scott Lewis, Civil Engineer of Aplin Martin Consultants Ltd., provided an overview of the proposed site servicing plans.

Panel discussions took place regarding the following:

- Sidewalk and crosswalk connections
- Pedestrian access to the residential unit
- Tree selection to possibly reconsider the paper bark birch
- The possibility of adding a green roof to the building
- Screening of potential rooftop equipment
- The possible expansion of the proposed rooftop deck
- Location of garbage enclosure and proposed pickup service
- Weather protection at entrance to residential unit stairway

It was moved and seconded that Development Permit Application No. DP1216 be accepted as presented. The following recommendation was provided:

- Consider alternatives to the birch and arbutus trees in the landscape concept;
- Look at adding evergreen trees to the landscape concept;
- Consider adding a pedestrian link to the public sidewalk; and,

- Ensure any rooftop equipment is screened.

The motion carried unanimously.

Charles Kierulf, returned to the meeting and resumed the Chair position at 5:58 p.m.
Gur Minhas declared a conflict of interest due to involvement with the presentation for 30 and 32 Lorne Place and vacated the Panel at 5:59 p.m.

(b) Development Permit Application No. DP1217- 30 and 32 Lorne Place

Introduced by Lisa Brinkman, Planner, Current Planning Section

Presentations:

1. Will Melville, Designer of Delinea Design Consultants Ltd., accompanied by Gur Minhas, principal of Satgur Development, presented the project. Mr. Melville spoke regarding site and neighbourhood context, density increase, and provided an overview of the architectural plans and proposed height variance.
 - The property is located on the Lorne Place cul-de-sac and backs on to Beaufort Park
 - An existing duplex is to remain on-site
 - Four individual residential units are proposed to be added on-site (three 2-bedroom units and one 1-bedroom unit) with a mid-site courtyard area
 - Site access is from a narrow laneway just off Lorne Place
 - Pedestrian connections are available to all four units and Beaufort Park
 - Exterior materials include vinyl siding, asphalt shingles, with wood-look vinyl products
 - Each entrance includes a canopy over the doors for weather protection
 - Exterior improvements are proposed for the existing duplex to tie it into the new project
 - Each unit has a small room with an exterior door to manage garbage, recycling and bike storage
 - Bollard lighting is proposed for the courtyard and the entrance laneway
2. Victoria Drakeford, Landscape Architect of Victoria Drakeford Landscape Architecture presented the landscape plan and spoke regarding neighbourhood context, and provided an overview of the planting palette.
 - Each unit has its own private southeast facing outdoor space
 - A considerable buffer of blackberries and old trees currently exists along the rear property line
 - Plantings will include those that attract birds
 - Over 20 trees (narrow conifers) are proposed to be planted
 - The rear yard of the existing duplex is to remain in its current state

- A rain garden and rock pit are incorporated into the landscape design

Panel discussions took place regarding the following:

- The possibility of extending the landscape buffer along to the rear yard of the existing duplex
- The possibility of further integrating the existing duplex in the proposed development through form and character and landscape improvements
- Garbage/recycling storage and movement of bins for pickup service
- The possibility of expanding the mechanical room area slightly to incorporate a common garbage enclosure
- The possibility of working with the City to clear the rear property line of invasive species
- The pedestrian connection between the parking stalls and Units 1 to 4
- A great model for increasing density within an existing residential neighbourhood

It was moved and seconded that Development Permit Application No. DP1217 be accepted as presented with support for the proposed variances. The following recommendation was provided:

- Consider further integrating the existing duplex with the new construction through the use of colour, materials, and landscaping.

The motion carried unanimously.

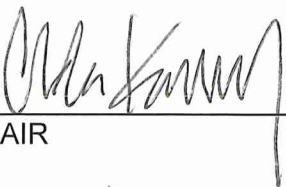
Gur Minhas returned to the Panel at 6:54 p.m.

5. OTHER BUSINESS:

A conversation ensued among Panel members regarding conflict of interest and protocol. Further clarity was requested.

6. ADJOURNMENT:

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


CHAIR


ACTING CHAIR

CERTIFIED CORRECT:


RECORDING SECRETARY

MINUTES
DESIGN ADVISORY PANEL MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2021-APR-08, AT 5:00 P.M.

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

 Absent: Gur Minhas, At Large

 Staff: L. Rowett, Manager, Current Planning Section
 C. Horn, Planner, Current Planning Section
 L. Nielsen, Recording Secretary

1. CALL THE DESIGN ADVISORY PANEL MEETING TO ORDER:

 The Design Advisory Panel Meeting was called to order at 5:04 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

 It was moved and seconded that the Minutes of the Regular Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2021-MAR-11 at 5:03 p.m. be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

(a) Development Permit Application No. DP1218 – 41/45 Haliburton Street

 Introduced by Caleb Horn, Planner, Current Planning Section

Presentations:

1. Matt Hansen, principal of Matthew T. Hansen Architect presented the project and spoke regarding site and neighbourhood context, and provided an overview of the proposed architectural plans and building features.

- A minor height variance is requested to accommodate the five storey building and rooftop patio
 - Street level units will have individual patios separated by landscape buffers and fences, with secure direct access from the street
 - All parking is underground with access provided from Haliburton Street along the north end of the property
 - The underground parking area will provide bike parking area and electric vehicle charging receptacles
 - Studio, 1 and 2 bedroom units each take advantage of views and natural light where possible
 - Each unit will have access to outdoor space (patio or deck space)
 - Heritage elements include: strong building base and massing, high quality detailing (ie. custom brackets, dentils, curved cornices)
 - The upper two floors are stepped back to reduce building massing on the west elevation as recommended by the South End Neighbourhood Plan Design Guidelines
 - Exterior materials include brick cladding, Hardie panel siding, granite tile, and cedar soffits in an overall earth tone colour palette
 - Materials change and soften on the upper two levels
 - The south stairwell is capped with a lighthouse form, an illuminated lantern room with pergola shaped roof
 - Crime prevention methods include secured street level patios and street lighting
2. Cameron Murray, Landscape Architect of Topographics Landscape Architecture, presented the landscape plan, and spoke regarding the proposed planting plan, hedges, trees, and amenity spaces.
- Existing trees along Haliburton Street will be retained where possible
 - A rooftop garden courtyard is proposed to include container and mixed low level meadow plantings and a couple of small trees for shade
 - Gardening space for residents may be provided on the east side
3. Scott Jensen, Engineer in Training of Herold Engineering Ltd., provided an overview of the proposed civil site servicing plans and spoke regarding building and parkade access, water and sanitary service, and the proposed storm water management plan.

Panel discussions took place regarding the following:

- A question was raised regarding the need for building setback variances for the front & rear yard
 - Staff clarified that setbacks are measured to building not to underground parking structure, and no setback variances are anticipated
- Underground parking and building height variance allowance
- The possibility of carrying the scale and textural elements from the west elevation (front side) of the building to the remaining elevations

- The possible consideration of reducing the heaviness of the building's roof overhang
- The building's fit to the existing neighbourhood and similarity to a newly constructed building along Haliburton Street
- The possibility of adding more trees to the landscape plan
- Street frontage upgrade requirements for Haliburton Street
- The inclusion of lighting to the proposed plans
- The possible addition of a green screen/wall to the north side

It was moved and seconded that Development Permit Application No. DP1218 be accepted as presented with support for the proposed height variance. The following recommendation was provided:

- Consider carrying the form and character of the west elevation around to all sides of the building.
- Consider an alternate design and a lighter shade for the roof overhang fascia

The motion carried unanimously.

5. OTHER BUSINESS:

Charles Kierulf, Chair announced Sky Snelgrove, Steno Coordinator of Legislative Services will attend the meeting of 2021-APR-22 to discuss meeting protocol and the City's Conflict of Interest Policy. Panel members were encouraged to review the policy prior to the meeting.

Kevin Krastel suggested the City revisit and review the Urban Design Guidelines due to changes occurring in the downtown area.

6. ADJOURNMENT:

It was moved and seconded at 6:07 p.m. that the meeting terminate. The motion carried unanimously.



CHAIR

CERTIFIED CORRECT:



RECORDING SECRETARY

MINUTES
SPECIAL FINANCE AND AUDIT COMMITTEE MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2021-APR-14, AT 9:00 A.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong (joined electronically 9:15 a.m., disconnected 1:17 p.m.)
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
S. Legin, General Manager, Corporate Services
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
Insp. L. Fletcher, A/OIC, Nanaimo Detachment RCMP
T. Doyle, Fire Chief
A. Groot, Director, Facilities and Parks Operations
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance
D. Bailey, Manager, Accounting Services
F. Farrokhi, Manager, Communications
W. Fulla, Manager, Business, Asset & Financial Planning
S. Gurrie, Director, Legislative Services
K. Lundgren, Recording Secretary

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

The Special Finance and Audit Committee Meeting was called to order at 9:00 a.m.

2. PROCEDURE 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 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:

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

- (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.

The motion carried unanimously.

The Finance and Audit Committee moved In Camera at 9:01 a.m.
The Finance and Audit Committee moved out of In Camera at 9:45 a.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 6(b) 2021-2025 Financial Plan Update - Replace PowerPoint presentation slides.
- (b) Reorder Agenda Item 7(b) - Freezing Property Tax Revenues for Business Class Properties to follow Agenda Item 6(b) 2021-2025 Financial Plan Update.

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2021-MAR-17, at 9:01 a.m. be adopted as circulated. The motion carried unanimously.

6. PRESENTATIONS:

- (a) KPMG 2020 Financial Statement Audit Presentation

Liette Bates-Eamer and Sarah Burden, Chartered Professional Accountants, KPMG, provided a PowerPoint presentation via Zoom. Highlights included:

- Received full cooperation from management throughout the 2020 Financial Statement Audit
- Anticipate a “clean” audit after Council’s approval of the financial statement
- Provided an overview of the areas addressed in the audit
- The impact of COVID-19 and decline in revenue
- Issued management letter stating that no significant or other control deficiencies were identified in the current year

Committee discussion took place regarding conducting audits virtually.

(b) 2021-2025 Financial Plan Update

Introduced by Shelley Legin, General Manager, Corporate Services.

Laura Mercer, Director, Finance, provided a PowerPoint presentation. Highlights included:

- The development of the 2021-2025 Financial Plan to date
- Current projected property tax increases of 2.8% in 2021
- Noted the assumption that 2021 continues to be a pandemic year and 2022 is assumed be a recovery year in relation to revenues
- Ten year average property tax increase of 2.4%
- Property tax impact on an average home

Committee discussion took place regarding changes in property assessed values and the impact on revenue if a consistent property tax increase of 2.4% were implemented.

Laura Mercer, Director, Finance continued her presentation. Highlights included:

- Distribution of property tax towards city services paid by an average home
- Noted the key changes made to the final budget since the provisional budget had been adopted

Committee discussion took place regarding growth being substantially higher than what was predicted, and the conservative approach that was taken in the preliminary budget.

Laura Mercer, Director, Finance, continued her presentation. Highlights included:

- Council allocated \$500,000 from the Special Initiatives Reserve to a 2021 COVID-19 Internal Order to cover costs related to the pandemic
- Outlined the following decision points for the committee to consider:
 - Property Tax Freeze for Business Class 6
 - Presented four possible scenarios for freezing property taxes for Business Class 6 for one year
 - Noted that as relief is given in one area, it will have to be picked up in another
 - Records and Information Specialist position
 - To ensure capacity to implement the records management project
 - Development Service Recommendations – Two New Staff Positions
 - Building Supervisor and Building Official positions
 - To support the creation of two building permit fast track streams
 - Development Service Recommendations – Software
 - To support online applications
 - Development Service Recommendations – Implementation
 - Consulting services to assist with the implementation of the recommendations in the Building Permit Function Review
 - South End Recreation Centre Feasibility Study

- Feasibility study will inform future financial plan funding needs for a South End Recreation Centre

Councillor Turley returned to the Shaw Auditorium at 10:48 a.m.

- Downtown Security
 - Additional \$400,000 in funding to expand security services in the downtown core
- Haliburton Street Sidewalk
 - To amend the funding source for the Haliburton Street Sidewalk project
- Health and Housing Task Force Funding
 - To remove the earmarked funds in the Special Initiative Reserve as a budget line has been added

The Finance and Audit Committee recessed the meeting at 10:50 a.m.

The Finance and Audit Committee reconvened the meeting at 11:00 a.m.

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Property Tax Freeze for Business Class 6”.

Committee discussion took place. Highlights included:

- Not all business are struggling at this time, and a property tax freeze does not discriminate between businesses in need
- The responsibility of senior government
- Encouraging the community to support local businesses
- Freezing Property Tax for Business Class 6 would give signal to the business community of Council support; however, this tool would not target individual businesses needing the support

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Records and Information Specialist Position”.

Jake Rudolph, Chief Administrative Officer, noted that there are quite a few pressure points in staffing capacity and that this position is necessary to move forward with the records management project.

Committee discussion took place regarding alternative sources to fund the position.

Laura Mercer, Director, Finance, noted that as this is an ongoing cost, it is not recommended to be funded from reserves.

Committee discussion continued regarding:

- The significant use of reserves in the past year due to COVID-19
- Reviewing the business case for this ask in the Fall
- The option to fund the position from the Special Initiatives Reserve for the first two years

It was moved and seconded that the Finance and Audit Committee recommend that Council add a Records and Information Specialist position to the 2021-2025 Financial Plan effective July 1, 2021 funded from general revenue. The motion carried.

Opposed: *Councillor Brown*

It was moved and seconded that funding for the Records and Information Specialist position for year 2021 and 2022 be taken from the Special Initiatives Reserve to reduce property tax increase to 3%. The motion was defeated.

Opposed: *Mayor Krog, Councillors Armstrong, Brown, Geselbracht, Hemmens, Maartman and Thorpe*

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Development Service Recommendations – Two New Staff Positions”.

Committee discussion took place regarding increasing building permit fees as a source to help cover costs associated with improved efficiencies.

It was moved and seconded that the Finance and Audit Committee recommend that Council add a Building Supervisor position and a Building Official position to the 2021-2025 Financial Plan effective July 1, 2021 funded from general revenue. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Development service Recommendations – Software”.

It was moved and seconded that the Finance and Audit Committee recommend that Council add \$375,000 to 2021 of the 2021 – 2025 Financial Plan for online application system improvements funded from the Special Initiatives Reserve and \$150,000 for annual operating costs effective 2022 funded from the general revenues. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Development Service Recommendations – Implementation”.

It was moved and seconded that the Finance and Audit Committee recommend that Council add \$25,000 to 2021 of the 2021 – 2025 Financial Plan to support implementation of the recommendations in the Building Permit Function Review funded from the Special Initiatives Reserve. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding the “South End Recreation Centre Feasibility Study”.

Committee discussion took place. Highlights included:

- The growth and development of the south end of Nanaimo and the demand for increased recreation facilities in that area
- Prefer to receive a preliminary staff report before making a decision

Richard Harding, General Manager, Parks, Recreation and Culture, noted that if Council approves the feasibility study, Staff will return to Council with a detailed report on how to proceed with this project.

Committee discussion took place regarding:

- The high demand for City parks
- The opportunity to take advantage of available infrastructure grants

It was moved and seconded that the Finance and Audit Committee recommend that Council add \$200,000 to 2021 in the 2021 – 2025 Financial Plan for a South End Recreation Centre Feasibility Study funded from the Special Initiatives Reserve. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding “Downtown Security”. She noted that if the City is successful with a grant application for the Strengthening Communities Services Program, grant funding received will offset a portion of City funding.

Committee discussion took place. Highlights included:

- The grant application for the Strengthening Communities Services Program
- Increasing the number of bylaw officers

Jake Rudolph, Chief Administrative Officer, spoke regarding a business case for allocating \$50,000 toward developing a Public Safety Action Plan.

Committee discussion continued regarding:

- Many businesses downtown are concerned regarding the homeless population in the downtown area
- Owe it to business community and residents to do something in the short term
- Potentially making the decision at a later date when more informed
- Not the most ideal plan going forward, but understand the need for having additional security presence downtown
- Taking into consideration a street person’s viewpoint regarding housing

Dale Lindsay, General Manager, Development Services, noted that the Community Connect Program expires at the end of June. The purpose of this recommendation is to allow security to continue in that area as a short-term measure.

Committee discussion continued regarding:

- \$50,000 toward the development of a Public Safety Action Plan
- Need to do something in the interim to allow people in the downtown to feel safe
- Recommendation is not intended to be a solution but rather to provide support for the tax payers and local business
- Possibility of drawing \$50,000 for a Public Safety Action Plan from the \$400,000 ask for expanding downtown security

It was moved and seconded that the Finance and Audit Committee recommend that Council add \$400,000 to 2021 in the 2021-2025 Financial Plan for expanded downtown security to the downtown area funded from the Special Initiatives Reserve. The motion carried.

Opposed: *Councillor Brown*

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to allocate \$50,000 from the Special Initiatives Reserve to complete a comprehensive Public Safety Action Plan. The motion carried unanimously.

The Finance and Audit Committee Meeting recessed at 12:25 p.m.

The Finance and Audit Committee Meeting reconvened at 12:50 p.m.

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Haliburton Street Sidewalk”.

It was moved and seconded that the Finance and Audit Committee recommend that Council amend the funding source of the acceleration of the Haliburton Street Sidewalk project to 2021/2022 from the Special Initiatives Reserve to the Community Works Reserve Fund. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding the “Health and Housing Task Force Funding”.

It was moved and seconded that the Finance and Audit Committee recommend that Council not reserve \$400,000 in funding from the Special Initiatives Reserve for recommendations coming from the Health and Housing Task Force as a budget line item has been added to 2021 to 2025 of the 2021-2025 Financial Plan. The motion carried unanimously.

Laura Mercer, Director, Finance, continued her presentation as follows:

- Financial Plan Amendment Bylaw and Property Tax Bylaw to go to Council for first three readings on 2021-MAY-03 and for final adoption on 2021-MAY-10

7. REPORTS:

(a) 2020 Annual Financial Statements

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that the Finance and Audit Committee recommend that Council accept the 2020 Annual Financial Statements for the City of Nanaimo. The motion carried unanimously.

(b) Property Tax Due Date

Shelley Legin, General Manager, Corporate Services, spoke regarding changes to the 2021 property tax penalty scheme in order to provide leniency in property tax due dates.

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

- Keep the property tax due date at 2021-JUL-02;
- Change the first property tax penalty due to 1% on 2021-JUL-02; and,
- Extend the second property tax penalty due date to 2021-SEP-10 and change to 9%

The motion carried unanimously.

(c) Serauxmen Stadium Outfield Fencing Project Update

Richard Harding, General Manager, Parks, Recreation and Culture, provided an update on the status of the Serauxmen Stadium outfield fencing project and the additional requirement of \$328,000.

Committee discussion took place. Highlights included:

- The total amount spent on Serauxmen Stadium including the cost of the lighting
- Funding from the asset management reserve

It was moved and seconded that the Finance and Audit Committee recommend that Council provide additional funding to the 2021 Serauxmen Stadium Outfield Fence Project as follows:

1. \$175,000 for project contingency and possible soil removal and disposal, funded from the Asset Management Reserve; and,
2. \$153,000 for left and right foul line fencing, funded from the Asset Management Reserve.

The motion carried unanimously.

(d) Asset Management Planning Program

Introduced by Shelley Legin, General Manager, Corporate Services.

- Staff is seeking a Council resolution to submit an application to the 2021 Asset Management Planning Program for the Sanitary Lift Station Condition Assessment Project

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to submit an application to the 2021 Asset Management Planning Program for the Sanitary Lift Station Condition Assessment Project, and provide overall grant management. The motion carried unanimously.

(e) Local Government Development Approvals Program

Introduced by Shelley Legin, General Manager, Corporate Services.

- Staff is seeking Council's approval for submitting an application to the Local Government Development Approvals program for the development approval improvement project
- Municipalities may submit one application for 100% funding of eligible project costs up to \$500,000 and eligible projects must be completed within two years of grant approval
- Grant application deadline is 2021-MAY-07

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to submit an application to the Local Government Development Approvals Program for the Development Approval Improvement project, and provide overall grant management. The motion carried unanimously.

(f) Canada Healthy Communities Initiative - Second Intake

Introduced by Shelley Legin, General Manager, Corporate Services.

- Application to the Canada Healthy Communities Initiative for the Maffeo Sutton Playground Phase 2
- Maffeo Sutton Playground Phase 2 project is currently budgeted for 2023; and if successful in this grant, project would be accelerated to 2021

Committee discussion took place. Highlights included:

- Maffeo Sutton Playground Phase 2 focuses on the age group of 2 – 5 year olds and includes natural play spaces
- Grant would not cover the full project and remaining cost would be funded through PILTS (Payment in Lieu of Taxes)
- Recognized the positive feedback received in response to Maffeo Sutton Playground Phase 1

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to submit an application to the Canada Healthy Communities Initiative for the Maffeo Sutton Playground Phase 2. The motion carried unanimously.

(g) Tire Stewardship BC Grant

Shelley Legin, General Manager, Corporate Services, advised the committee that the City has submitted a grant application totaling \$14,635 for the Harewood Centennial Park Accessible and Inclusive Playground Upgrade project.

(h) Vancouver Island Economic Alliance - 2021 Conference Sponsorship

Introduced by Dale Lindsay, General Manager, Development Services.

- Council is being asked to consider sponsoring the 2021 Vancouver Island Economic Alliance Conference at the Platinum Level (\$10,000)
- City has previously sponsored this conference in 2017
- Conference is scheduled for October 2021

Councillor Armstrong disconnected at 1:17 p.m.

It was moved and seconded that the Finance and Audit Committee recommend that Council sponsor the 2021 Vancouver Island Economic Alliance Summit as a platinum sponsor with a \$10,000 financial contribution. The motion carried unanimously.

8. ADJOURNMENT:

It was moved and seconded at 1:18 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
DESIGN ADVISORY PANEL MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2021-APR-22, AT 5:00 P.M.

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

 Absent: Gur Minhas, At Large

 Staff: L. Rowett, Manager, Current Planning Section
 L. Brinkman, Planner, Current Planning Section
 K. Berke, Community Development Clerk
 L. Nielsen, Recording Secretary

1. CALL THE DESIGN ADVISORY PANEL MEETING TO ORDER:

The Design Advisory Panel Meeting was called to order at 5:01 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

 It was moved and seconded that the Minutes of the Regular Design Advisory Panel Meeting held via Zoom from the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2021-APR-08 at 5:03 p.m. be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

(a) Development Permit Application No. DP1220 – 4961 Songbird Place

 Introduced by Lisa Brinkman, Planner, Current Planning Section

Presentations:

1. Daryoush Firouzli, Architect and principal of Daryoush Firouzli Architecture Inc., presented the project accompanied by Chris Lundy, President of Westmark Construction Ltd. Mr. Firouzli spoke regarding site

and neighbourhood context, and provided an overview of the proposed development, and building floor plans and features.

- Songbird Place is to be upgraded as part of the community amenity contribution
 - Exterior building materials include Hardie panel wall and Hardie panel plank in smooth finishes, and wood accent siding.
 - Several trees along Rutherford Road and close to the pond are proposed to be retained
 - Proposed variances include: decreasing the front yard setback, increasing the building height and a minor parking variance
 - Rooftop mechanical will be screened as required
 - On-site pedestrian walkways connect to adjacent amenities
2. Victoria Drakeford, Landscape Architect of Victoria Drakeford Landscape Architect, presented the landscape plan, and spoke regarding the proposed planting plan, amenity spaces, pedestrian connections, outdoor furnishings and tree retention.
- The landscape design is based on the existing wetland area which will be restored, and mature trees will be retained to support the natural habitat for birds and wildlife
 - Tall columnar trees will be planted to create a screen from the traffic in the southeast corner amenity space
3. Scott Jensen, EIT of Herold Engineering Ltd., provided an overview of the proposed civil site servicing plans and spoke regarding site access, pedestrian access and sidewalks, water service from Songbird Place, existing sanitary sewer and the proposed Storm Water Management Plan.

Panel discussions took place regarding the following:

- Suggested screening for the amenity area facing Rutherford Road
- The possible provision of accessible/adaptable units and spaces
- Infrastructure upgrades (ie streets and sidewalks)
- Pedestrian connections and accessibility
- The importance of the existing wetland area and the use of plant material and trees to retain site conditions
- The materials proposed for the balconies and railings, and ways to soften the building aesthetic
- The main entrance in proportion to the size of the building; and, ways to strengthen/frame the entry design through landscaping/hardscape plan adjustments
- The possibility of locating the garbage enclosure in the underground parking area

It was moved and seconded that Development Permit Application No. DP1220 be accepted as presented with support for the proposed setback and height variances. The following recommendations were provided:

- Consider opportunities for taller plantings in the main courtyard to help frame the entrance;
- Consider using an alternate type of railing for the balconies;
- Consider ways to enhance and increase the prominence of the main entrance; and,
- Consider moving the garbage enclosure to the underground parking area.

The motion carried unanimously.

5. OTHER BUSINESS:

a) Sky Snelgrove, Steno Coordinator of Legislative Services spoke regarding Meeting Protocol and the City's Conflict of Interest Policy. Ms. Snelgrove provided Conflict of Interest scenario examples, and required meeting procedures when a panel member declares a conflict.

b) Questions/Comments to Staff:

- A suggestion was made for the information provided regarding Conflict of Interest be documented and provided to panel members for reference.
- Does the City of Nanaimo have a policy requiring adaptable/accessible units in a development?
- Panel Member Recruitment Status

Lainya Rowett, Manager, Current Planning provided that Charles Kierulf's term is extended for one year or until a replacement is found through AIBC. Ms. Rowett will follow up on recruitment for the member-at-large vacancy.

6. ADJOURNMENT:

It was moved and seconded at 6:21 p.m. the meeting be adjourned. The motion carried unanimously.



CHAIR

CERTIFIED CORRECT:



RECORDING SECRETARY

MINUTES
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2021-APR-26, AT 1:00 P.M.

Present: Acting Mayor Armstrong, Chair
Mayor L. Krog
Councillor D. Bonner
Councillor T. Brown (joined electronically 1:03 p.m.)
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
S. Legin, General Manager, Corporate Services
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
T. Doyle, Fire Chief (joined electronically)
B. Corsan, Director, Community Development
J. Holm, Director, Development Approvals
L. Bhopalsingh, Manager, Community Planning
F. Farrokhi, Manager, Communications
L. Rowett, Manager, Current Planning
C. Horn, Planner
K. Kronstal, Social Planner
K. MacDonald, Parks & Open Space Planner
C. Sholberg, Community Heritage Planner
S. Gurrie, Director, Legislative Services
S. Snelgrove, Recording Secretary

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

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

2. INTRODUCTION OF LATE ITEMS:

- (a) Reorder the agenda as follows:
6(c)(1) Neighbourhood Association Organizational Capacity Review, Support and Engagement
6(c)(2) Affordable Housing Strategy - Annual Implementation Update
6(c)(3) Zoning Bylaw 'Schedule D' - Affordable Housing Amendments
7(a) Councillor Maartman re: Recreational Vehicle Permanent Accommodation
- (b) Agenda Item 6(c)(1) Neighbourhood Association Organizational Capacity Review, Support and Engagement – Add the following delegations:

1. Tim McGrath
2. Barry Lyseng
3. Sharon L. Kofoed
4. Robyn Winkler
5. Nancy Mitchell

(c) Agenda Item 6(c)(2) Affordable Housing Strategy - Annual Implementation Update – Replace PowerPoint Presentation.

(d) Agenda Item 7(a) Councillor Maartman re: Recreational Vehicle Permanent Accommodation - Add presentation from Jeremy Holm, Director, Development Approvals and Lainya Rowett, Manager, Current Planning.

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 Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2021-APR-12, at 1:00 p.m. be adopted as circulated. The motion carried unanimously.

5. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

Introduced by Sheila Gurrie, Director, Legislative Services.

Councillor Brown joined the meeting electronically at 1:03 p.m.

- May 10th is proposed as a transportation day
- Status column has been added to the matrix

Committee discussion took place. Highlights included:

- Adding Westwood Lake as a topic for discussion
- Capital planning process scheduled for May

It was moved and seconded that the Governance and Priorities Committee recommend that Council add as a future Governance and Priorities Committee topic a staff update on issues related to Westwood Lake as a recreational facility specific to trail usages and parking issues. The motion carried unanimously.

6. REPORTS:

a. COMMUNITY WELLNESS/LIVABILITY:

1. Neighbourhood Association Organizational Capacity Review, Support and Engagement

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Chris Sholberg, Community Heritage Planner, provided a PowerPoint presentation. Highlights included:

- Report is a follow up from discussion one year ago regarding how neighbourhood association engagement takes place
- Presentation has two key focus areas: Neighbourhood Association Organizational Capacity Review and Recognition Criteria and Expansion of the Partners in Parks (PIP) program into a Partners in Community (PIC) program
- Neighbourhood policy history and support for associations
- Various organizational structures of the neighbourhood groups and self defined boundaries, various capacity and activity levels and generally collaborative relationship with some occasional exceptions
- Some groups are formally organized as registered non-profits while others are issues based
- Neighbourhood association organization capacity questionnaire response summary highlights:
 - Responses confirmed wide range of organizational capacity with the majority having some form of organized structure
 - Top priorities provided by each group are useful in understanding where neighbourhood needs lay
 - Responses felt associations should be community building, community networkers, liaison with the City of Nanaimo, monitor progress and be social organizers
 - Lack of consensus on structure that should be in place for neighbourhood associations

Committee discussion took place. Highlights included:

- Methods to monitor criteria noted in staff report such as requesting minutes be required
- For grant purposes there needs to be an organizational structure
- Purpose to encourage community within community and provide Council with useful information and commentary about development proposals

- If Council formalizes neighbourhood associations other groups can still participate in the planning cycle process
- Recognizing and supporting neighbourhood groups even if they aren't neighbourhood associations
- Structure of the groups including an executive, regular membership and meetings
- The impact of Facebook neighbourhood groups and how they are recognized
- Staff encourage the connection between Parent Advisory Councils and Blockwatch

Kirsty McDonald, Parks and Open Space Planner, continued the presentation. Highlights included:

- Proposed a new approach to neighborhood engagement, support and priority implementation
- Potentially expand Partners in Parks program
- Partners in Parks policy developed in the 1980s
- Variety of group activities include building playgrounds, edible landscapes, productive food forests, maintaining parks, working with up to 700 volunteers to remove invasive plants in the community
- Volunteers adopt parks to help beautify the community and there are many recreational amenities that wouldn't be created without partnerships with service clubs and volunteers
- PIP program process includes an initial on site meeting, brainstorming session, proposal development and funding strategy, then idea implementation
- PIP participation is not limited to neighbourhood associations
- PIP is not a grant process but is a capital planning process where the City supplies funding
- Noted the benefits of the potential for a Partners in Community Program such as collaborative process to keep public spaces relevant to neighbourhoods and increase networking for neighbourhood groups
- Implications include long term capital investments that must be maintained and would require additional staff resources
- Proposed next steps are to develop a detailed PIC program and annual and operating budgets, engage with neighbourhood associations and PIP volunteers
- Community engagement on the PIC program will take place through the REIMAGINE Nanaimo phases

Council and Staff discussion took place. Highlights included:

- Partners in Parks is one of the most successful and positive programs the City has put forward, see results as neighbourhood groups create something they want to see in their neighbourhood
- Rethinking the budget process as currently it is a first come first served process

- Currently 50 projects on hold due to the pandemic
- Program increasing in popularity
- Funding goal is always 50/50 between the City and community

Delegations:

1. Tim McGrath spoke on behalf of the Harewood Neighbourhood Association and requested that the report be sent back to Staff, that the committee not act on the report and noted concerns with the timing for neighbourhood associations to respond and suggested that a workshop be held to discuss the topic in more detail before deciding on a method.
2. Barry Lyseng, Chair, Stephenson Point Neighbourhood Association, asked that a decision on the report be deferred and the report sent to Staff for corrections and refinement. He noted the Stephenson Point Neighbourhood Association interacts with City departments other than Planning but the report does not mention other departments. He noted errors that affect boundaries and organizational capacity and requested it be sent back to staff for strategic revision and wider consultation.
3. Sharon Kofoed advised that the only option provided is a prescriptive set of rules which do not articulate how the City will support neighbourhood associations. She noted the format is a negative form of engagement which creates more bureaucracy and advised that conflict within associations is a rarity. She noted that for the past three decades residents of the Westwood Lake area have worked on initiatives, all without formal representation. She noted that not everyone wants to maintain a structure as for issues based groups, regimentation takes away time from their goals. She requested the report be set aside and Council engage when the pandemic is over.

The committee noted that one of the challenges is that Council is unsure when people are representing groups and how to legitimize those groups who represent a significant amount of people. Council is looking for a way to put weight on an organization as a reliable place to engage in the development process.

4. Robyn Winkler, spoke as a 30 year member of the Westwood Lake Neighbourhood Group, and advised that she viewed the group as flexible and issue driven which is a strength as there has never been a problem with formalized representation. She noted that formalization of neighbourhood groups is undemocratic and asked the Governance and Priorities Committee to reimagine this issue.
5. Nancy Mitchell, spoke on behalf of the Newcastle Community Association, and noted there has been problems between community associations and there is now an organization in the Newcastle area that meets the criteria with elections and annual general meetings. She noted concerns that the report does not address how to engage with the City on development applications. She asked for a better system and advised that often associations end up butting heads at Council when the community is not involved in a project from the beginning. She advised that there should

have been a discussion before the report came forward and thought there would be discussion on how groups would engage with the City.

Committee discussion took place. Highlights included:

- The missing piece is the benefits for neighbourhood associations for using this proposed structure
- History of report and it being brought forward to answer Council's question of how they know who is representing which group
- Other options available such as referring the report to Staff and Staff requesting guidance on what areas they should focus on
- Expansion of Partners in Parks program for broader community development
- Nanaimo Neighbourhood Network and City not involved with their governance method
- Inability to give money to organizations that don't have society status
- Providing additional support to Nanaimo Neighbourhood Network so groups can build their capacity
- Options such as providing a stipend to neighbourhood associations that have a formalized level of organization in order to manage their affairs
- Further conversation that need to be workshopped and more inclusive process in making changes

It was moved and seconded that the Governance and Priorities Committee recommend that Council refer the Neighbourhood Association Organizational Capacity Review, Support and Engagement topic to Staff to provide the minutes and a summary report to share with neighbourhood associations, asking them to provide further comment, and return to a Governance and Priorities Committee meeting at least two months following the April 26, 2021 meeting, potentially in September. The motion carried unanimously.

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct Staff to develop a detailed Partners in Community program and annual budget for consideration. The motion carried unanimously.

The meeting recessed at 3:17 p.m.

The meeting reconvened at 3:32 p.m.

2. Affordable Housing Strategy - Annual Implementation Update

Introduced by Lisa Bhopalsingh, Manager, Community Planning.

Presentation:

1. Karin Kronstal, Social Planner, provided a PowerPoint presentation. Highlights included:
 - Affordable Housing Strategy is about what the City can do to move the needle on affordability
 - There are five objectives in the strategy
 - Vacancy rates currently at 1% in Nanaimo

- Between October 2019-2020 average price of rent went up 2.4% which is relatively low compared to previous years
- 8.8% increase in house prices from 2019-2020
- Key targets and measurements
- Housing targets are to increase supply of rental housing
- Support infill and diverse housing forms
- Through REIMAGINE Nanaimo process, determining how to offer different housing options
- City will start tracking by units and suggestion to track by square footage
- 60% of new homes had suites
- 2020 projects include the zoning bylaw update, Community Amenity Contribution Policy, Density Bonus Policy review, Health and Housing Task Force Action Plan, rent bank established, short term rental regulations, Memorandum of Understanding (MOU) with BC Housing
- Projects planned for 2021 include rental zoning, Land Acquisition Policy, updates to the Housing Legacy Reserve Policy, Family Friendly Housing Policy, continue work to deliver MOUs with BC Housing, implementation of Health and Housing Task Force Action Plan

Committee discussion took place. Highlights included:

- How well the City is doing in terms of meeting goals in the affordable housing strategy
- Targets the City is reaching due to the policies in place such as allowing secondary suites, parking standards, MOUs
- Measurement between 2-3 bedroom units may be looked at more closely
- Rental zoning exploration and protecting rental buildings
- Land acquisition strategy in preparation and including funding strategies and staff actively looking for opportunities to acquire land
- Revisit targets with REIMAGINE Nanaimo
- Targets are grounded in fairly recent studies
- Cannot track suite occupancy, the City doesn't control rent and rental buildings will charge what the market will bear
- Cost of rentals and cost of housing driven by the market

3. Zoning Bylaw 'Schedule D' - Affordable Housing Amendments

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Caleb Horn, Planner, provided a PowerPoint presentation. Highlights included:

- Draft amendments to schedule D of “City of Nanaimo Zoning Bylaw 2011 No. 4500” related to the Affordable Housing Strategy
- Zoning bylaw affects Affordable Housing Strategy objectives to increase supply of rental housing and to continue to support low income and special needs housing
- Schedule D is proposed to be revised to specifically include affordable housing as an amenity that can result in additional density in a new development
- Examination of proposed rental housing amendments and points associated with each amendment
- Affordable homeownership examples include:
 - Apartment unit no more than \$303,120
 - Townhouse unit no more than \$348,750
- Affordable rental category examples:
 - One bedroom renting for no more than \$1,009/month
 - Two bedroom renting for no more than \$1,263/month
 - Numbers may fluctuate once more data is gathered
- Non-market and Supportive Housing amounts:
 - One bedroom renting for no more than \$925/month
 - Two bedroom renting for no more than \$1,188/month
- Not requirements imposed on new developments but offered as incentives used to gain additional density and as incremental steps to allow flexibility
- All information comes from the Affordable Housing Strategy action items

Committee discussion took place. Highlights included:

- Two tiers to Schedule D and in order to achieve tier 1 must meet minimum amount of points in three categories
- Methods to incentivize density versus requirements for density
- Uncertainty regarding base densities at the right level
- Having a certain percentage of units be adaptable in each project
- Finding a balance so that projects are viable to build
- Items are weighted in terms of the points they grant and based on experience of what has and hasn't been attainable and stakeholder feedback
- Fine line between incentives and what building industry would find restrictive
- Engagement with development community and opportunity for them to respond
- Closeness in amounts between non-market housing and affordable housing

It was moved and seconded that the Governance and Priorities Committee recommend that Council pass two readings to “Zoning Amendment Bylaw 2021 No. 4500.180” (To amend Schedule D of the Zoning Bylaw to provide density bonusing points for rental and affordable housing developments). The motion carried unanimously.

It was moved and seconded that the Governance and Priorities Committee recommend that future amendments to Schedule D of the Zoning Bylaw be brought forward to a Governance and Priorities Committee meeting at a later date. The motion carried unanimously.

It was moved and seconded that the Governance and Priorities Committee defer consideration of the topic “Councillor Maartman re: Recreational Vehicle Permanent Accommodation” to a future date and Staff will return with options for when to have this discussion. The motion carried unanimously.

b. GOVERNANCE AND MANAGEMENT EXCELLENCE:

1. 2021 Council Alignment Update

Introduced by Jake Rudolph, Chief Administrative Officer.

- Council priorities section of the chart originated from Council’s workshop
- Noted high priorities for Council and how they cascade to staff
- Illustration shows how priorities are linked to various departments
- Intention is for GPC to agree these are the top items
- Once have consensus plan to revisit every quarter
- Have discussion on top five items

Committee discussion took place. Highlights included:

- Defer consideration of the 2021 Council Alignment Update to a future meeting for more in depth discussion

Sheila Gurrie, Director, Legislative Services, provided the committee with information regarding virtual meetings:

- All of May’s meetings will be held completely virtually to accommodate upgrades happening in the Shaw Auditorium
- Staff ran one mock meeting and will host another practice session on Wednesday
- Shaw Cable will still show Regular Council Meetings on TV
- Livestreaming of meetings will continue
- The public can expect to see Council on the screen and delegations will be able to hear and see Council

7. ADJOURNMENT:

It was moved and seconded at 5:00 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
VIRTUAL MEETING
MONDAY, 2021-MAY-10, AT 1:00 P.M.

Present: Councillor Z. Maartman, Chair (joined electronically)
Mayor L. Krog (joined electronically)
Councillor S. D. Armstrong (joined electronically at 2:06 p.m., disconnected 4:25 p.m.)
Councillor D. Bonner (joined electronically)
Councillor T. Brown (joined electronically)
Councillor B. Geselbracht (joined electronically at 1:02 p.m.)
Councillor E. Hemmens (joined electronically at 2:06 p.m., disconnected 4:58 p.m.)
Councillor I. W. Thorpe (joined electronically at 2:10 p.m.)
Councillor J. Turley (joined electronically)

Staff: J. Rudolph, Chief Administrative Officer (joined electronically)
R. Harding, General Manager, Parks, Recreation and Culture (joined electronically)
S. Legin, General Manager, Corporate Services (joined electronically)
D. Lindsay, General Manager, Development Services (joined electronically)
B. Sims, General Manager, Engineering and Public Works (joined electronically)
T. Doyle, Fire Chief (joined electronically)
A. Groot, Director, Facilities and Parks Operations (joined electronically)
L. Mercer, Director, Finance (joined electronically)
P. Rosen, Director, Engineering (joined electronically)
F. Farrokhi, Manager, Communications (joined electronically)
J. Rose, Manager, Transportation (joined electronically)
K. Kronstal, Social Planner (joined electronically)
A. Manhas, Economic Development Officer (joined electronically)
M Desrochers, Client Support Specialist (joined electronically)
S. Gurrie, Director, Legislative Services (joined electronically)
S. Snelgrove, Recording Secretary (joined electronically)

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

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

2. APPROVAL OF THE AGENDA:

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

3. ADOPTION OF THE MINUTES:

It was moved and seconded that Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial

Street, Nanaimo, BC, on Monday, 2021-APR-26, at 1:00 p.m. be adopted as circulated. The motion carried unanimously.

Councillor Geselbracht joined the meeting at 1:02 p.m.

4. AGENDA PLANNING:

a. Governance and Priorities Committee Agenda Planning

Introduced by Sheila Gurrie, Director, Legislative Services:

- Recreational vehicle accommodation will be on the May 31, 2021 Governance and Priorities Committee (GPC) agenda
- Items that aren't dealt with today will be moved to the next GPC meeting
- There may be a desire to move the REIMAGINE Nanaimo workshop scheduled for May 20th to May 31st

Committee discussion took place. Highlights included:

- Inviting groups to speak in an open workshop format within a GPC meeting when topics such as neighbourhood associations and the Community Amenity Contribution Policy are addressed in order to understand details and concerns
- Groups to invite include the Nanaimo development group and neighbourhood associations
- Timing of topics to be addressed including the Community Amenity Contribution Policy in June and a follow-up meeting regarding neighbourhood associations in September

5. REPORTS:

a. COMMUNITY WELLNESS/LIVABILITY:

1. Update on Capital Projects and Potential Additions

Introduced by Jake Rudolph, Chief Administrative Officer:

- Workshop format to inform Council of upcoming decisions to make at the Finance and Audit Committee Meeting next week
- History on the process and noting that last year Council expressed an interest to get involved earlier in the capital planning process
- Presentation is to present the big picture, take stock of what Council has been involved in and lay the groundwork for next year
- Multi-departmental presentation to follow

Presentation:

1. Bill Sims, General Manager, Engineering and Public Works, provided a presentation. Highlights included:

- The Capital Plan supports all pillars of Council’s Strategic Plan
- The majority of work is asset management related, such as renewals and making sure the City is sustainable long term
- Intention to combine active transportation projects with asset management updates
- Capital project productivity has grown due to the focus on governance excellence

Richard Harding, General Manager, Parks, Recreation and Culture, continued the presentation. Highlights included:

- The current Parks, Recreation and Culture Master Plan is dated and was last updated in 2005
- The master plan will be updated through REIMAGINE Nanaimo and Staff see it as a tool for long and medium term priorities
- There is no shortage of amenities the community would like to see developed
- Staff are hearing that people want more open spaces and access to facilities
- Parks, Recreation and Culture is working with Engineering to coordinate priorities
- A number of projects achieved over the last two years were highlighted:
 - Serauxmen Stadium lighting which was key for the baseball community and attracting the Nanaimo Night Owls
 - Harewood Youth Park
 - Maffeo Sutton inclusive playground and working with the Advisory Committee on Accessibility and Inclusiveness and the Child Development Centre as key partners
 - Rotary Garden at Maffeo Sutton Park
 - Lighting upgrades to civic facilities and HVAC systems
 - Adapting facilities for COVID-19
 - 2005 Parks, Recreation and Culture Master Plan recommendation included a south end community centre and Staff believe there is still a need which will be shown in a feasibility study and engagement process
 - Neck Point washroom upgrade project slated for this year and both washrooms will be universal
 - Roof replacement at Nanaimo Aquatic Centre
 - Bowen Park bridge replacement
 - Protection Island ramp and dock at Gallows Point
 - Harewood Search and Rescue building
- Potential Projects for 2021-2022 include:
 - Stadium district development and interim improvements
 - Phased improvement plan for Serauxmen Stadium and opportunities to expedite improvements
 - Rotary Bowl and track

- Artificial turf field at Harewood Centennial Park
- Westwood Lake Park amenity improvements
- Marie Davidson BMX track improvements
- Maffeo Sutton Park inclusive playground phase two
- Long Lake paddling centre and rowing centre at Loudon Park

Committee discussion took place. Highlights included:

- REIMAGINE process will help Council note what key projects will most benefit the community
- Process for debating and selecting priorities
- Staff wanting to determine Council's areas of interest
- Process for funding projects

Poul Rosen, Director, Engineering, continued the presentation. Highlights included:

- Staff are working diligently to update project budgets, reassess priorities and have included a series of slides that are a mix of what is in the existing financial plan, changes and new items that may be proposed as part of the next budget cycle
- Noted active transportation projects planned for 2021, significant 2022 projects that Staff think Council would be interested in and 2023 projects:
 - Midtown Water Supply identified as a result of water main break on Bowen Road
 - Terminal Avenue project separated into three phases to focus on high priority areas first
 - Fitzwilliam and Third Street project is currently in the capital plan as there is a large sewer that needs to be replaced and opportunity for enhancement
 - Signalization of Fifth Street and Bruce Avenue and an opportunity to construct active transportation components
 - Wakesiah Avenue project separated into three phases driven by the need to replace utilities, phased to be affordable and minimize impact on schools and Vancouver Island University
 - Hammond Bay Road, Turner Road to Emil Place project driven by the need to replace the sewer and presents an opportunity to re-establish a cycling track in line with current standards on Hammond Bay Road
 - Madsen Road/East Wellington Road signalizing intersection and bringing East Wellington Road geometry up to current standards
 - Stewart Avenue complete streets project originally planned for public consultation prior to the pandemic and now Staff are in negotiations with the Ministry of Transportation and Infrastructure and BC Ferries
- Unallocated pedestrian project funding is proposed to be raised to \$500,000/year to complete pedestrian projects as needed

- Downtown tree program will address 100 trees per year where tree roots have become too constrained and are damaging sidewalks and creating safety hazards
- Projects constrained by funding and driven by storm, sanitary sewer needs and active transportation opportunities
- With current project portfolio, Staff are subscribed into 2022 but new project options for consideration include:
 - Bowen Park Lenhart bridge
 - E&N Trail lighting as a scalable project
 - Buttertubs Bridge related to the off Bowen Road Bikeway which connects Fuller Street to Buttertubs as an important link over the Millstone River
 - Haliburton Farquar – Woodhouse

Councillor Hemmens joined the meeting at 2:06 p.m.
Councillor Armstrong joined the meeting at 2:06 p.m.

- Other projects of note dated for 2026-2027

Councillor Thorpe joined the meeting at 2:10 p.m.

Committee discussion took place:

- Interested in moving up projects that connect active transportation links
- Mid-town gateway work planned for Northfield area not included in the presentation as it has previously been before Council and phase 1 has already been constructed

Poul Rosen, Director, Engineering, continued the presentation. Highlights included:

- Off Bowen Road bikeway requires a development to proceed which is not in the entire control of the City of Nanaimo
- Madsen Road connection is important as the existing road is narrow and inappropriate for large vehicle turning movements

Committee discussion took place:

- Council setting priorities
- Models for transportation project prioritization
- Funding envelopes to be discussed next week at the Finance and Audit Committee meeting
- Working on complete and connected streets
- Missing end of trip facilities where major populations move to and from

Laura Mercer, Director, Finance, continued the presentation:

- Information from today's meeting will be incorporated in the Finance and Audit Committee Meeting presentation on 2021-MAY-19

- Presentation will include a recap of projects in and out of the current capital plan
- Potential for additional gas tax revenue and if passed the City will receive that money in the fall
- Staff will review unallocated funding and provide Council with an opportunity to provide more input on the budget cycle
- In May draft 10-year project plans should be complete and Council input will be incorporated
- Draft operating budgets will be completed in June and July
- From July to October budget information is compiled to create the draft budget to present to Council in late October or early November
- Plan is to adopt the provisional financial plan prior to end of the year

Committee discussion continued:

- Increase of allotment of pedestrian safety funds to \$1 million
- Bringing forward motion to have Lenhart Bridge added to the capital plan
- Midtown gateway proposal and no opportunity for Council input
- Corridor upgrades at the Bowen Road/Northfield Road entrance to the City are not required when there is the ability to upgrade other entrances
- Having an agreed upon goal or common value of what Council is trying to achieve
- Options for Midtown gateway redesign at the Northfield Road and Bowen Road intersection
- Terminal Avenue trench and opportunities for improvement
- Creating a strategic dashboard completed by each department to show why items are considered a priority and include the cost of each project
- Connectivity for commercial vehicles and connectivity being more than for pedestrians and cyclists
- End of trip facilities being taken into consideration for vehicles
- Viable networks for automobiles and creating a minimum grid for bike travel

Jake Rudolph, Chief Administrative Officer, advised:

- Current documents directing Staff are pre REIMAGINE Nanaimo
- Strategically tying everything together

It was moved and seconded that the Governance and Priorities Committee Meeting recess at 2:48 p.m. The motion carried unanimously.

The Governance and Priorities Committee Meeting recessed at 2:48 p.m.
The Governance and Priorities Committee Meeting reconvened at 3:00 p.m.

Committee discussion continued:

- Clarification required regarding how bigger projects are chosen and how Council can select projects that aren't open to lobby
- Projects are generally based on opportunities available and what group is ready to go forward

2. Long Lake Paddling and Rowing Centre Update

Richard Harding, General Manager, Parks, Recreation and Culture, advised:

- Project is a tangible example of working with community groups for a number of years
- Project will provide permanent amenities for two long standing youth organizations in Loudon Park area
- Staff are asking for approval of drafts and incorporating other parts of Loudon Park into the development process

Presentation:

1. Art Groot, Director, Facilities, and Michael Van Bakel, Iredale Architecture, provided a PowerPoint presentation. Highlights included:

- The architect has been working on this process for one year
- An initial plan was developed but once priced, numbers were higher than anticipated so the architect found ways to bring the costs down
- Architect was asked to consider park improvements, develop an overall concept for the park and upgrade the park for visitors
- Landscape architect was engaged and study completed regarding how boats will manoeuvre within the site
- Design adapted to accommodate boats and inform the park layout
- Mandate to improve access for those with mobility issues and developments in design are related to how boats move in and out of the building
- Topography of the site was considered as it moves steadily down toward the beach and the building has the boat storage element in the north east
- Relative size of storage and public washrooms were part of original mandate and needed to be upgraded
- Multipurpose room included a small kitchenette and was intended to be rented to the public; however, with costs so high the transition to another version reduces everything to a minimum and loses the ability to rent areas to the public
- Removed exterior walls around boat storage area to reduce costs
- Landscape vegetation is to include native species

Committee discussion took place. Highlights included:

- Losing space and appearance in versions two and three compared to version one drawings
- Removing walls from boat storage area allowed views through the boat storage to the lake and reduced overall impression of the building mass
- Retaining rental facility benefits entire community
- Orientation of first design was revised and improved in second version as the movement studies were completed
- Won't be able to use version one as drawn
- Not asked to incorporate indigenous design elements into the building although timber works speaks to First Nation aesthetics,
- The use of natural elements such as roof form speaking to activity housing everything on the water and expression of wave form
- Building will be used for canoes and indigenous nations yet little indigenous design or partnership in the project
- Architect noted version one is not an option but versions two or three can be considered
- Including a commercial kitchen and meeting rooms in the design
- Incorporating indigenous design in the building
- Development based on the Loudon Park Master Plan and and public consultation which included objectives to upgrade washrooms and consolidate the paddling/canoe and kayak club

It was moved and seconded that the Governance and Priorities Committee recommend that Council:

1. receive the two concepts for public review and comment and direct Staff to return with a finalized design, plan and costing for Council consideration and deliberation during the 2022-2026 Financial Plan Review process; and,
2. consider the addition of the overall park and playground redevelopment into the same project year to minimize park disruption.

It was moved and seconded that the motion be amended to include option number one, for all three concepts to be considered for public review and comment. The motion carried. Opposed: *Councillors Armstrong and Bonner*

The vote was taken on the main motion, as amended, as follows:

That the Governance and Priorities Committee recommend that Council:

1. receive the three concepts for public review and comment and direct Staff to return with a finalized design, plan and costing for Council consideration and deliberation during the 2022-2026 Financial Plan Review process; and,

2. consider the addition of the overall park and playground redevelopment into the same project year to minimize park disruption.

The motion carried.

Opposed: *Councillor Bonner*

3. Lenhart Bridge Upgrade Options

Bill Sims, General Manager, Engineering and Public Works, advised:

- The existing bridge is insufficient for cyclists and Staff hoped to simply widen the deck but the footings don't support widening
- It is a stand alone project important to connectivity between the hospital area, Townsite area and downtown

Committee discussion took place. Highlights included:

- Importance of the bridge for connectivity to Bowen Park
- Requirements for environmental approvals and timing of fish window to design, fabricate and build project
- Proposal for construction in summer 2022

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct Staff to include \$237,000 for the Lenhart Bridge replacement project in 2022 of the Draft 2022 – 2026 Financial Plan for consideration during the budget review process. The motion carried unanimously.

- b. REIMAGINE NANAIMO

1. Confirming Indicators for REIMAGINE NANAIMO

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

Presentation:

1. Karin Kronstal, Social Planner, provided a PowerPoint presentation. Highlights included:
 - Crime severity index (CSI) not used as it is not useful for determining safety as an event may spike the CSI but the event does not impact overall safety
 - Housing mix indicator looks at mix of housing and establishes targets for housing in different areas
 - Diversity and inclusion topic is still under development as the City doesn't have baseline data
 - Traffic injury rate measures the likelihood of collisions
 - Ample and diverse employment opportunities which consider both the number and size of businesses
 - A few high level indicators have been selected for the doughnut scenarios

- Options for economic indicators include economic diversity index, green jobs and low income measures
- Businesses include the social service sector
- Asking for Council direction to confirm indicators as attached to the report as a preliminary set to be used at Council's workshop
- Council workshop on May 20th or 31st, will look for Council discussion, dialogue, debate and is an opportunity for Council to ask questions and provide feedback prior to phase two engagement
- Phase two engagement is set to be launched in June and Staff are currently putting together an engagement campaign

Councillor Armstrong disconnected from the meeting at 4:25 p.m.

Committee discussion took place. Highlights included:

- Council hasn't spent enough time deciding what the goals are
- Identifying indicators without a clear goal of what is trying to be achieved
- There are some specific indicators that Council needs to have more conversation about and address
- Targets have not been established as indicators need to be set for various scenarios
- Identify targets and goals first, then determine indicators
- Some targets have been set for some topics, such as economic development and growth
- Some indicators are not fully considered because of cost associated with them
- Timelines for the project had to be taken into account to move forward in the process
- Council needs to be notified if resourcing considerations are affecting the project in order to make that decision
- Transportation targets are noted in the Transportation Master Plan
- Some targets are in the Affordable Housing Strategy
- Some targets are directional in nature
- Some targets are known in accepted standards such as the vacancy rate

Councillor Hemmens disconnected from the meeting at 4:58 p.m.

- Targets and indicators are an iterative process
- Council needing to spend time determining goals

2. Mobility Update for REIMAGINE NANAIMO

Due to time constraints it was noted this item will be discussed at the 2021-MAY-31 GPC Meeting.

6. ADJOURNMENT:

It was moved and seconded at 4:59 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
FINANCE AND AUDIT COMMITTEE MEETING
VIRTUAL MEETING
MONDAY, 2021-MAY-19, AT 9:01 A.M.

- Present:** Mayor L. Krog, Chair (joined electronically)
Councillor S. D. Armstrong (joined electronically)
Councillor D. Bonner (joined electronically)
Councillor T. Brown (joined electronically)
Councillor E. Hemmens (joined electronically)
Councillor Z. Maartman (joined electronically)
Councillor I. W. Thorpe (joined electronically)
Councillor J. Turley (joined electronically)
- Absent:** Councillor B. Geselbracht
- Staff:** J. Rudolph, Chief Administrative Officer (joined electronically)
R. Harding, General Manager, Parks, Recreation and Culture (joined electronically)
S. Legin, General Manager, Corporate Services (joined electronically)
D. Lindsay, General Manager, Development Services (joined electronically)
T. Doyle, Fire Chief (joined electronically)
L. Mercer, Director, Finance (joined electronically)
A. Groot, Director, Facilities and Parks Operations (joined electronically)
P. Rosen, Director, Engineering (joined electronically)
D. Bailey, Manager, Accounting Services (joined electronically)
W. Fulla, Manager, Business, Asset & Financial Planning (joined electronically)
D. Blackwood, Client Support Specialist (joined electronically)
C. Sholberg, Community Heritage Planner (joined electronically)
S. Gurrie, Director, Legislative Services (joined electronically)
S. Snelgrove, Deputy Corporate Officer (joined electronically)
K. Lundgren, Recording Secretary (joined electronically)

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

The Finance and Audit Committee Meeting was called to order at 9:01 a.m.

2. **INTRODUCTION OF LATE ITEMS:**

- (a) Add scheduled recess at 10:30 a.m.
- (b) Agenda Item 5(b) Project Planning Overview – Add 2021 – 2025 Project Plan Handout and 2021 – 2025 Reserve Balances Handout.
- (c) Agenda Item 7(c) – Add report titled “Stadium District Development Plan and Potential Interim Improvements”.
- (d) Add report titled “Draft Amenity Improvement Concepts for Westwood Lake Park” to become Agenda Item 7(e) and re order the remaining items.

(e) Agenda Item 7(k) – Add report titled “One Time Bonus Gas Tax Funding”.

3. APPROVAL OF THE AGENDA:

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

4. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2021-APR-14, at 9:00 a.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

(a) 2022 – 2026 Financial Plan Development

Introduced by Shelley Legin, General Manager, Corporate Services.

Laura Mercer, Director, Finance, provided a PowerPoint presentation. Highlights included:

- Overview of the proposed timeline and process for the 2022 – 2026 Financial plan development
- Projected property tax increase of 3.6% (1.0% General Asset Management Reserve and 2.6% in General Property Tax Increases) for 2022
- Projected increase of 4.0% for sanitary sewer user rate fee increase and 5.0% in water user rate fee increase
- Assumptions in the Financial Plan include revenues returning to pre-pandemic levels, expenditures associated with facilities reopening, and growth

Committee discussion took place regarding Casino Revenue.

Laura Mercer, Director, Finance, continued her presentation and listed the 2022 budget drivers.

Committee discussion took place regarding accounting in the budget for the upcoming RCMP salary negotiations and request for additional members.

Laura Mercer, Director, Finance, continued her presentation. Highlights included:

- 2022 budget drivers relate to a 3.6% tax increase in year 2022
- Additional items to note in 2020
 - Funding requirement to operate new Nanaimo Prosperity Agency

- Funding for extension of the Community Clean Team Pilot ends 2021-DEC-31
- Public safety action plan and funding to address any recommendations from the plan
- Overview of funding sources for capital projects
- Business cases and feasibility studies in progress (RCMP current space, Nanaimo Operations Centre, South End Recreation Centre)
- Overview of outstanding debt at 2020-DEC-31 and anticipated debt in the 2021 – 2025 Financial Plan
- Provided a graphical representation of project outstanding debt
- City of Nanaimo's current maximum debt servicing limit at 2020-DEC-31 is \$46.4 million for annual principal and interest payments (11.61% of current limit)
- Staff are seeking input from Council on the 2022 property tax increase target of 3.6%, as well as Council direction on specific priorities, focus areas or other changes

Committee discussion took place. Highlights included:

- The accuracy of the estimated long term debt ratio graphs presented
- Presented debt graph does not reflect the changes on the water supply modeling projection that occurred after the presented graph was created
- Acknowledging use of reserves in 2021 to offset property tax increases and being cautious moving forward
- Necessary and ambitious projects that would require long-term borrowing
- The COVID-19 Safe Restart Grant
- Ensuring that the City is adequately resourced to match ambitions and deliver capital projects to the community

(b) Project Planning Overview

Laura Mercer, Director, Finance, provided a PowerPoint Presentation. Highlights included:

- Presentation is a continuation of project discussion that took place at the 2021-MAY-10 Governance and Priorities Committee meeting
- Project planning process and the many elements involved in developing a five-year financial plan
- Total investment in projects over the next five years
- Reserves are the biggest funding source when it comes to project planning
- Asset management plan update expected to be presented to Council in Spring 2022
- Provided the projected end balances of each reserve type
- General reserves, used for projects, usually have very defined criteria
- Listed the projected closing balances for six reserves (General Capital Reserve, Special Initiatives Reserve, Strategic Infrastructure Reserve, Casino Reserve, Community Works Reserve and General Asset Management Reserve)
- In March 2021, the federal government announced that it intended to top-up the Gas Tax Fund allocations to local governments

- Overview of projects in the current financial plan (Corporate Services, Engineering and Public Works and Parks Recreation and Culture)

Committee discussion took place regarding clarification of the budget in the event that items, such as the artificial turf field at Harewood Centennial Park, are unsuccessful in their grant application.

Laura Mercer, Director, Finance, continued her presentation and provided an overview of the projects that are not currently in the financial plan.

Committee discussion took place regarding:

- The temporary washrooms and change rooms included in the stadium improvement interim plan to accommodate events that will take place before the project is complete
- Funding sources for debt servicing are related to the type of debt and not necessary funded from taxation
- Staff determine the funding sources for debt servicing based on the bylaw requirements

Laura Mercer, Director, Finance, continued her presentation. Highlights included:

- Three types of capacity considerations include funding limitations, required staffing to manage and complete project work, and availability of contractors

The Finance and Audit Committee recessed at 10:35 a.m.

The Finance and Audit Committee reconvened at 10:53 a.m.

Laura Mercer, Director, Finance, continued her presentation and noted potential additions to the draft 2022 – 2026 Financial plan for Council consideration.

Poul Rosen, Director, Engineering, spoke regarding Engineering and Public Works projects not in the current plan:

- Increase funding for unallocated pedestrian funding allows Staff to respond in a more timely manner on public concerns
- Presented an active transportation connectivity map GIS application tool used to identify gaps, connections and priorities

Richard Harding, General Manager, Parks, Recreation and Culture, spoke regarding Parks, Recreation and Culture projects not in the current plan:

- Adding a number of stadium amenities to the stadium district development to 2021 and 2022 of the 2022 – 2026 Financial Plan
- Accelerating the Rotary Bowl oval track replacement, currently in the budget for 2024, to be completed in conjunction with the sprint track in 2021
- Artificial Turf Field at Harewood Centennial Park is contingent on a successful grant application
- Adding Westwood Lake Park amenities for consideration in the 2022 – 2026 Financial Plan
- Track upgrades to the Marie Davidson BMX Track Improvements

- Accelerating Maffeo Sutton Park Inclusive Playground Phase 2 to 2022 (currently in 2023 of the 2021-2025 Financial Plan)
- Long Lake Paddling and Rowing Centre

Laura Mercer, Director, Finance, continued her presentation and presented a summary of the possible additions to the 2022 – 2026 Financial plan, including potential costs and funding sources.

Committee discussion took place. Highlights include:

- The amount of funding available in a reserve's balance before triggering a tax increase
- Strong desire from the community for pedestrian projects
- Consideration for staffing resources required to implement Council direction
- Pedestrian funding should be a priority and support for a one-time increase of \$700,000 to pedestrian unallocated projects

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to allocate \$700,000 from the Community Works Fund to year 2022 of the 2021-2025 Financial Plan for pedestrian unallocated projects. The motion carried unanimously.

Committee discussion took place regarding Staff resources to deliver the one-time top-up to the pedestrian fund.

Poul Rosen, Director, Engineering, suggested that a report could be brought to Council fairly soon with a list of potential projects. Early direction from Council would allow Staff to start projects sooner.

Laura Mercer, Director, Finance, introduced the discussion point regarding connectivity projects.

Committee discussion took place regarding utilizing/expanding existing Quarterway bridge instead of the Buttertubs Bridge project.

Poul Rosen, Director, Engineering, noted that this is not a mature project and suggested the option to allocate a small amount to start rather than including the potential cost of the whole project.

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to include the Buttertubs Bridge project in the Draft 2022 – 2026 Financial Plan for Council consideration. The motion carried.

Opposed: *Councillor Turley*

Laura Mercer, Director, Finance, introduced the discussion point regarding the stadium district development improvements.

Committee discussion took place. Highlights included:

- Long term positive impact for both local sports user groups and spectators
- Great infrastructure for sports tourism and recovery after COVID-19

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to include the stadium improvement projects in 2021 and 2022 of the 2021 – 2025 Financial Plan. The motion carried unanimously.

Laura Mercer, Director, Finance, noted that the funding source for the stadium improvement projects will be divided between Community Works Fund and Special Initiatives Reserve.

Laura Mercer, Director, Finance, introduced the discussion point regarding Rotary Bowl (Track & Field).

Art Groot, Director, Facility & Parks Operation, noted that accelerating the Oval Track Replacement would limit disruption to the use of the track; however, from a replacement perspective, this project can wait until 2024.

Committee discussion took place regarding cost savings associated with accelerating the project by bundling the two phases together.

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to accelerate the Oval Track Replacement from 2024 to 2021 in the 2021 – 2025 Financial Plan. The motion was defeated.

Opposed: *Councillors Bonner, Brown, Hemmens, Thorpe and Turley*

Laura Mercer, Director, Finance, introduced the discussion point regarding the artificial turf field at Harewood Centennial Park.

Committee discussion took place. Highlights included:

- Whether the decision to not include the artificial turf field in the financial plan would impact the grant application
- Opportunity to complete this project through other means
- Outcome of the grant application before making a decision
- The requirement of turf fields for certain sport competitions
- The importance of making decisions today to provide direction to Staff to move forward with project planning

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to include the Artificial Turf Field project at Harewood Centennial Park in the Draft 2022 – 2026 Financial Plan for Council consideration if grant application is unsuccessful. The motion was defeated.

Opposed: *Councillors Bonner, Brown, Hemmens, Turley*

Laura Mercer, Director, Finance, introduced the discussion point regarding Westwood Lake Park Amenities.

Committee discussion took place. Highlights included:

- Strong return on investment and popularity of Westwood Lake
- Improvements to Westwood Lake Park are necessary

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to include the Westwood Lake Park Amenities project in the Draft 2022 - 2026 Financial Plan for Council consideration. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding the Marie Davidson BMX track improvements.

Committee discussion took place. Highlights included:

- This track is very popular in the community and improvements would see a strong return on investment
- Potential private contribution
- BMX track provides an avenue to participation in individual sport

Richard Harding, General Manager, Parks, Recreation and Culture, noted that the BMX track is open to the public when not in use by the Nanaimo BMX Association.

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to include the Marie Davidson BMX Track Improvements in the Draft 2022 - 2026 Financial Plan for Council consideration. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding Maffeo Sutton Park Inclusive Playground.

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to accelerate the Maffeo Sutton Park Inclusive Playground Phase 2 project to 2022 in the Draft 2022 – 2026 Financial Plan for Council consideration. The motion carried unanimously.

Laura Mercer, Director, Finance, introduced the discussion point regarding the Long Lake Paddling and Rowing Centre.

Committee discussion took place. Highlights included:

- Project needed in the community and has been in the works for quite a while
- This amenity seems very specific and not convinced that it serves the broader community
- The impact on funding sources and budget when accelerating projects
- Potential for federal government funding for this project
- The message that would be sent to the community partnering groups if this project is not supported
- The value and added bonus of the included playground improvements
- Strong indigenous use of the facility as well as the range of activities and users

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to include the Long Lake Paddling & Rowing Centre including park improvements and playground upgrades to the Draft 2022 – 2026 Financial Plan for Council consideration. The motion carried.

Opposed: Councillors Bonner and Hemmens

Laura Mercer, Director, Finance, continued her presentation and spoke regarding the next steps and proposed timeline for the 2022 – 2026 Financial Plan Development.

6. REPORTS:

(a) Heritage Home Grant Application – 347 Milton Street

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that the Finance and Audit Committee recommend that Council approve a \$2,500 Heritage Home Grant to repair and repaint the exterior of the Ledingham Residence at 347 Milton Street. The motion carried unanimously.

(b) Nanaimo Search & Rescue Development of 195 Fourth Street - Phase 2

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

It was moved and seconded that the Finance and Audit Committee recommend that Council approve moving the Phase 2 project budget of \$1,367,100 from 2022 to 2021 in the 2021-2025 Financial Plan. The motion carried unanimously.

(c) Two Billion Tree Request for Information

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

It was moved and seconded that the Finance and Audit Committee recommend that Council direct Staff to submit the Growing Canada's Forests: Future Respondent form to Natural Resource Canada in response to the Two Billion Tree Request for Information for the Millstone/Nanaimo Riparian Restoration Project. The motion carried unanimously.

(d) Draft Amenity Improvement Concepts for Westwood Lake Park

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

- Primary focus is the initial amenity area of the park, including the swimming beach and parking lot area
- Reaching out to the Advisory Committee on Accessibility and Inclusiveness and the Environment Committee as part of the engagement process

It was moved and seconded that the Finance and Audit Committee recommend that Council receive the draft ideas and improvement options at Westwood Lake Park for public review and direct Staff to return with feedback and refined improvement concepts for Council's consideration. The motion carried unanimously.

(e) 2020 Statement of Financial Information

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that the Finance and Audit Committee recommend that Council approve the City of Nanaimo 2020 Statement of Financial Information for filing with the Ministry of Municipal Affairs and Housing. The motion carried unanimously.

(f) FortisBC Vehicle Incentive Program

Laura Mercer, Director, Finance, informed the committee that the City submitted an application and has been awarded a Natural Gas Vehicle Incentive totaling \$13,600 from the FortisBC Vehicle Incentive Program.

(g) 2020 Annual Parking Reserve Fund Report

Introduced by Laura Mercer, Director, Finance.

Committee discussion took place regarding whether the bylaw requirements of the Parking Reserve fund would allow funds to be allocated to bicycle storage/parking.

(h) 2020 Development Cost Charge Reserve Fund Report

Introduced by Laura Mercer, Director, Finance.

- 2020-DEC-31 the balance in the Development Cost Charges (DCC) Reserve was \$56,751,702
- Noted the requirements of the DCC Reserve

(i) Quarterly Purchasing Report (Single and Sole Source, Purchases in Excess of \$250,000 and Instances of Non-Compliance Purchases)

Laura Mercer, Director, Finance, informed the Committee that the City undertook 23 Single and Sole Source purchases, 8 purchases in excess of \$250,000 and 1 instance of Procurement Policy non-compliance purchases for the quarter ending 2021-MAR-31.

(j) One Time Bonus Gas Tax Funding

Laura Mercer, Director, Finance, noted that this funding has already been allocated.

7. ADJOURNMENT:

It was moved and seconded at 12:36 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER

MINUTES
SPECIAL ADVISORY COMMITTEE ON ACCESSIBILITY AND INCLUSIVENESS MEETING
VIRTUAL MEETING
WEDNESDAY, 2021-MAY-26, AT 4:01 P.M.

- Present: Councillor Maartman, Chair (joined electronically)
Councillor Armstrong (joined electronically)
A. Breen, At Large Member (joined electronically)
R. Harlow, At Large Member (joined electronically)
D. Hollins, At Large Member (joined electronically)
J. Maffin, At Large Member (joined electronically)
R. Pike, At Large Member (joined electronically)
E. Williamson, At Large Member (joined electronically)
- Absent: S. Cameron, At Large Member
L. Derksen, At Large Member
S. Hamel, At Large Member
- Staff: R. Harding, General Manager, Parks, Recreation and Culture (joined electronically)
B. Sims, General Manager, Engineering and Public Works (joined electronically)
L. Wark, Director, Recreation and Culture (joined electronically)
L. Clarkson, Manager, Recreation Services (joined electronically)
J. Rose, Manager, Transportation (joined electronically)
D. Blackwood, Client Support Specialist (joined electronically)
S. Snelgrove, Deputy Corporate Officer (joined electronically)
K. Lundgren, Recording Secretary (joined electronically)

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

The Special Advisory Committee on Accessibility and Inclusiveness Meeting was called to order at 4:01 p.m.

2. APPROVAL OF THE AGENDA:

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

3. PRESENTATIONS:

a. Jacquelyn Novak, TOA Consulting, re: Adaptive Sport

Jacquelyn Novak, TOA Consulting, provided a PowerPoint presentation. Highlights included:

- TOA Consulting is working with the City of Nanaimo, as well as different stakeholder groups, in the area of sport tourism
- Key initiatives and projects focused on equity, diversity, inclusion and accessibility
- Removing barriers to sport and tourism
- New accessibility legislation, if passed, will allow BC to establish accessibility standards aimed at identifying, removing and preventing barriers to accessibility and inclusion
- Opportunities as a community to better engage and support adaptive sport and accessible recreation
- A lot of work to do around awareness, education and engagement with user groups
- Working to identify and assess funding opportunities
- Identifying quick wins for Nanaimo
- Finding opportunities for pilot projects in Nanaimo
- Spinal Cord BC is offering foundational training on universal design and accessibility
- Purpose of the universal design training is to provide knowledge to incorporate universal design into programming, facility design, construction and maintenance programs
- Identifying opportunities for Nanaimo to better engage in and support adaptive sport and accessible recreation
- Goal of the Nanaimo Inclusive Trails Project is to assess the region's trail network and infrastructure through the lens of accessibility and inclusion, with the goal of creating more universal outdoor recreation spaces and opportunities to enhance the trail network for all users
- Seeking gap identification and recommendations to help boost the trail network in the region
- Funding to create additional jobs to support skill development of persons with disabilities

Committee discussion took place. Highlights included:

- Engagement with Indigenous communities
- Large number of trails fall within the Regional District of Nanaimo (RDN)
- Pilot with a smaller trail in Nanaimo and expanding into transit (improving accessibility to the trail)
- Westwood Lake Park lacks accessibility all the way around the trail
- Potentially arranging presentation from Jacquelyn Novak, TOA Consulting, to the RDN Parks and Trails Committee
- Finding a balance among trail users and accommodating not only sports and recreation users, but also people who seek to enjoy the natural habitat
- Limited accessibility to some benches at Colliery Dam that are set off the paved path
- Clearly communicating the accessibility of spaces

4. REPORTS:

(a) Leisure Economic Access Policy (LEAP) Program Review - Phase 3

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

Lynn Wark, Director, Recreation and Culture, spoke regarding the LEAP Program Review. Highlights included:

- Outlined proposed recommended changes to the LEAP program for potential implementation by September 2021
 - Reduce stigma by changing the name of the program
 - Reduce supporting documentation needed to apply
 - Give flexibility to the requirements
 - Create an online self assessment eligibility tool
 - Provide the application form/process online
 - Work with Literacy Central Vancouver Island to proof read materials
 - Reduce stigma by offering private appointments with recreation coordinators for applicants who wish to discuss the program
 - Extend the requirement to reapply, from every year to every two years, for people whose situation is unlikely to change
 - Provide opportunity to renew drop-in pass
 - Create a marketing and communication plan to improve community awareness
 - Create enhanced program information materials
 - Target measures to re-evaluate the program
- Outlined proposed recommended changes to the LEAP program that would require further exploration:
 - Expand eligibility to included post-secondary students and partnership with Vancouver Island University
 - Provide alternate options to show proof of need

Committee discussion took place. Highlights included:

- Applaud the work that has been done for the LEAP program review
- Not in support of changing the name of the program and consideration for having to update all related documents with a new name
- Ability for non-profits and care providers to write referrals to the program
- Non-profit groups would be great partners in marketing the program
- Post-secondary students provided access to the program
- In addition to the online application form, it is important to still have opportunity to apply at a facility front desk
- Introducing a mechanism to appeal a decision
- Making the process as easy as possible to give many users the opportunity to access the program
- Expanding the requirement to reapply to five years, rather than two, for individuals with permanent disabilities

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness approve the recommendations, with revisions, in the LEAP Program Review and recommend Staff forward them to Council for consideration. The motion carried unanimously.

(b) Allocation of Pedestrian Budget to Enhance Accessibility

Introduced by Jamie Rose, Manager, Transportation:

- Allocation of the remainder of the pedestrian unallocated funds
- Identifying projects that will have a significant impact in the community

Committee discussion took place. Highlights included:

- Annual collision statistics to identify accident prone intersections
- Transit stops where the curb makes it difficult for people with walkers
- Disability parking at the BC Services building on Selby Street
- Tactile panel to identify bus stops helpful for people with low vision
- The use of grooves instead of rumble strips to avoid people getting caught up on the rumble strips
- Working with transit company to contribute funds towards transit accessibility
- Supportive of the list of proposed accessibility upgrades to transit stops listed in Attachment B of the report
- The use of high contrast paint to aid individuals with low vision
- Adding covered areas at the more frequently used bus stops

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend the following allocations of Pedestrian Unallocated Funds for Council's consideration:

- \$200,000 for transit stop accessibility improvements
- \$250,000 for traffic signal accessibility improvements
- \$45,000 for miscellaneous accessibility improvements allocated to the Small Scale Road Improvement budget.

The motion carried unanimously.

5. OTHER BUSINESS:

(a) Proposed Recommendations from Sarah Cameron

Introduced by Deborah Hollins, At Large Member.

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that Council and municipal Staff adopt the use of pronouns in all written and electronic communications. The motion carried unanimously.

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that the City of Nanaimo use gender-inclusive and gender-neutral language, including communications, print and electronic materials. The motion carried unanimously.

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that the City of Nanaimo update and revise all print and electronic materials to include the use of gender-inclusive and gender-neutral language. The motion carried unanimously.

Deborah Hollins disconnected from the meeting at 5:25 p.m. stating a conflict of interest as she works at an agency that offers diversity and inclusion training.

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that the City of Nanaimo arrange for the availability of diversity and inclusion training for Council members and City Staff. This would include both LGBTQIA2+ and gender competency training, either online or in-person workshops, or both. The motion carried unanimously.

Deborah Hollins rejoined the meeting at 5:26 p.m.

(b) Richard Harlow re: Pedestrian Island to Accommodate Bike Lanes

Introduced by Richard Harlow, At Large Member:

- The concern regarding floating transit stops was brought to his attention by a member of the community
- Support for the bike lanes; however, need to ensure safety for people, who are vision impaired, trying to cross to the floating transit stops

Bill Sims, General Manager, Engineering and Public Works, spoke regarding the B.C. Human Rights Tribunal case in Victoria. A solution is to be determined; however, Staff are addressing the situation in the mean time with signage directing cyclists to yield to pedestrians.

Committee discussion took place. Highlights included:

- Motion censored lights to indicate to cyclists that a pedestrian is crossing
- Setting funds aside for any future resolution that comes out of the tribunal case in Victoria

(c) Checkered Eye - Low Vision Proposal

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

Laara Clarkson, Manager, Recreation Services, informed the Committee that the checkered eye proposal was brought forward by a member of the community.

- The purpose of the Checkered Eye project is for individuals with low vision to have a button to wear to identify themselves as having low vision

Committee discussion took place. Highlights included:

- Training and awareness for the community to understand what to do when they see the button
- Would take time for this symbol to gain recognition
- Vision impairment logos and symbols currently in use (white cane and guide dog) and difficulty in communicating what the checkered eye indicates
- Using an existing day, that recognizes vision impairment, as an avenue for education
- Not having to always place the onus on the individual with the disability to indicate their disability
- Concerns from Canadian National Institute for the Blind (CNIB) regarding the checkered eye proposal

(d) Correspondence, dated 2021-MAY-12, re: Handicap Parking at BC Service Location

Councillor Maartman noted that this correspondence was provided for information.

6. OTHER BUSINESS:

(a) Spinal Cord Injury BC Universal Design Workshop

It was moved and seconded that the Advisory Committee on Accessibility and Inclusiveness recommend that Staff return to the Committee with a report outlining the possibility and feasibility for members of the Advisory Committee on Accessibility and Inclusiveness and interested City of Nanaimo Staff to participate in the Spinal Cord Injury BC Universal Design Workshop. The motion carried unanimously.

7. ADJOURNMENT:

It was moved and seconded at 5:50 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

Please click on the link below to access the Agenda from the 2021-MAY-19 Finance and Audit Committee Meeting.

<https://pub-nanaimo.escribemeetings.com/Meeting.aspx?Id=47e329cb-618c-4e23-9365-88a29447ede7&Agenda=Merged&lang=English>

Please click on the link below to access the Agenda from the 2021-MAY-26 Advisory Committee on Accessibility and Inclusiveness Meeting.

<https://pub-nanaimo.escribemeetings.com/Meeting.aspx?id=85c3f3b3-6a2c-408e-a609-80106e1e2fca&Agenda=Agenda&lang=English>

Please click on the link below to access the Agenda from the 2021-MAY-31 Governance and Priorities Committee Meeting.

<https://pub-nanaimo.escribemeetings.com/Meeting.aspx?id=43b5d97e-8858-4f75-87b6-6205a7dd4757&Agenda=Agenda&lang=English>

DATE OF MEETING JUNE 7, 2021

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

SUBJECT BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW – TO AUTHORIZE THE DISTRICT OF NORTH COWICHAN TO PARTICIPATE IN THE DISPUTE ADJUDICATION REGISTRY SYSTEM

OVERVIEW

Purpose of Report

To replace Schedule B (The Registry Agreement) to formally authorize the District of North Cowichan to participate in the City’s Dispute Adjudication Registry System (DARS) |

Recommendation

Bylaw Notice Enforcement Amendment Bylaw

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” (to replace Schedule B – Registry Agreement to authorize the District of North Cowichan to participate in the City’s Dispute Adjudication Registry System) pass first reading.

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass second reading.

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass third reading.

BACKGROUND

On April 26, 2021, the City of Nanaimo received an email from the Corporate Officer for the District of North Cowichan advising that North Cowichan wished to participate in the City’s Dispute Adjudication Registry System (DARS). This is the system that the City, as well as other participating local governments, utilize to adjudicate disputed tickets under \$500.

Costs to run the program are shared amongst the participants and the City of Nanaimo oversees administration of the program. As such, both the City of Nanaimo, and the District of North Cowichan, must adopt the Agreement to authorize North Cowichan’s participation, by bylaw. The District of North Cowichan Council adopted its bylaw on May 17, 2021 and it is recommended that Nanaimo Council also give the bylaw attached to the staff report its first three readings.

DISCUSSION

Currently, there are 8 local governments that participate and share in the costs of running the DARS program. The most recent local governments to join the program were the City of Port Alberni, The Regional District of Nanaimo, the Regional District of Alberni Clayoquot and the Village of Port Clements. They were formally endorsed to participate by Council on October 19,

2020. The City of Duncan, District of Tofino, and City of Parksville have been with the program since 2014.

It is recommended that Council support inclusion of North Cowichan as the more local governments that participate, the more timely adjudication hearings can be held as hearings are only booked when there are enough cases to warrant bringing in an adjudicator.

OPTIONS

Option 1:

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” (to replace Schedule B – Registry Agreement to authorize the District of North Cowichan to participate in the City’s Dispute Adjudication Registry System) pass first reading;

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass second reading;

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass third reading.

Implications:

By authorizing the District of North Cowichan’s inclusion into the DARS program, it will assist in offsetting the costs associated with administering the Adjudication Hearings for all local governments who participate in the program and also result in more timely hearings.

Option 2:

That Council decline the District of North Cowichan’s participation in the Dispute Adjudication Registry System.

Implications:

Should Council not be supportive of the District of North Cowichan’s participation in the program, North Cowichan would continue to administer all of its ticket disputes through the Provincial Court system as it would likely be cost prohibitive for them to run a DARS program independently.

SUMMARY POINTS

- There are currently 8 local governments that participate and share in the costs of running the Dispute Adjudication Registry System program.
- By adding the District of North Cowichan into the DARS program, it will further assist in offsetting the costs associated with administering the Adjudication Hearings for all local governments who participate.

ATTACHMENTS:

Attachment 1 – BL 7159.10 – Bylaw Notice Enforcement Amendment

Submitted by:

Karen Robertson
Deputy City Clerk

Dave Laberge
Manager of Bylaw Services

Concurrence by:

Sheila Gurrie
Director of Legislative Services

Dale Lindsay
General Manager, Development Services

CITY OF NANAIMO

BYLAW NO. 7159.10

A BYLAW TO AMEND THE CITY OF NANAIMO "BYLAW NOTICE ENFORCEMENT
BYLAW 2012 NO. 7159"

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

1. Title

This Bylaw may be cited as "BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW
2021 NO. 7159.10"

2. Amendments

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

- 2.1 By deleting Schedule "B" in its entirety and replacing it with the Schedule "B"
attached to and forming part of this Bylaw.

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

MAYOR

CORPORATE OFFICER

SCHEDULE “B”

NANAIMO BYLAW NOTICE DISPUTE ADJUDICATION

REGISTRY AGREEMENT

This Agreement dated _____ day of _____, 2021 (the “Agreement”).

BETWEEN:

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

(“Nanaimo”)

AND:

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

(“Duncan”)

AND:

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

(“Parksville”)

AND:

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

(“Tofino”)

AND:

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

(“Port Clements”)

AND:

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

(“Regional District of Nanaimo”)

AND:

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

("Regional District of Alberni-Clayoquot")

AND:

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

("Port Alberni")

AND:

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN, 7030 Trans Canada Highway, Box 278, Duncan, BC V9L 3X4

("North Cowichan")

AND:

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

(the "Parties")

WHEREAS:

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

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

INTRODUCTORY PROVISIONS

1. Definitions

1.1 In this Agreement, the following definitions apply:

“Act”	Means the <i>Local Government Bylaw Enforcement Act</i> .
“Adjudication Fee”	Means the sum of \$25.00 payable to the applicable Party should the disputant be unsuccessful in the dispute adjudication.
“Agreement”	Means this Agreement.
“Authorizing Bylaw”	Means a bylaw adopted by each Party for the purposes of section 2 of the <i>Act</i> (application of the <i>Act</i>).
“Bylaw Adjudication Clerk”	Means a person who facilitates a hearing and assists the adjudicator.
“Bylaw Notice”	Has the same meaning as in the <i>Act</i> .
“Consult”	Means to contact the Screening Officer via telephone, email, regular mail, or in-person for the purpose of obtaining information.
“Disputant”	Has the same meaning as in the Regulation.
“Dispute Adjudication Registry System” or “DARS”	Means a system established in accordance with the <i>Act</i> that provides for the hearing and determination of disputes in respect of whether: a) a contravention in a Bylaw Notice occurred as alleged; or b) the terms and conditions of a compliance agreement were observed or performed.
“Host Municipality”	Means the City of Nanaimo.
“Parties”	Means all of Nanaimo, Duncan, Parksville, Tofino, Port Clements or any additional local governments that may be added later in Schedule A
“Party”	Means any one of Nanaimo, Duncan, Parksville, Tofino, , Port Clements or any additional local governments that may be added later in Schedule A
“Regulation”	Means the Bylaw Notice Enforcement Regulation.
“Roster Organization”	Has the same meaning as the Regulation.
“Screening Officer”	Has the same meaning as in the <i>Act</i> .
“Terms”	Means the terms of this Agreement as set out herein.

2. Establishment of DARS

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

ADJUDICATION

3. Screening Officer

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

4. Dispute Adjudication Registry System

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

DARS OPERATIONS

5. Location

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

6. Services Provided

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

7. Payments and Disbursements

- 7.1 The Parties agree to pay the City of Nanaimo proportionate costs of the fees charged by the Roster Organization. Amounts owing are to be calculated based on the Fee Schedule at Schedule B and in accordance with the Municipality Rate Schedule at Schedule C.

- 7.2 Nanaimo will issue an invoice to the applicable Party within 30 days of the service being rendered. Amounts owing are due and payable within 30 days of receipt of the invoice.
- 7.3 For certainty, the Parties agree that hearing costs relating to witnesses, screening officers, bylaw enforcement officers or prosecuting lawyers will be borne by the Party that issued the Bylaw Notice and not by DARS.

GENERAL PROVISIONS

8. Amendments

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

9. Dispute Resolution

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

10. Term

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

11. Execution of Agreement

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

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

THE CITY OF Nanaimo

THE City of Duncan

Mayor

Mayor

Corporate Officer

Corporate Officer

THE CITY OF Parksville

Mayor

Corporate Officer

THE DISTRICT OF Tofino

Mayor

Corporate Officer

THE REGIONAL DISTRICT OF Nanaimo

Chair

Corporate Officer

THE VILLAGE OF Port Clements

Mayor

Corporate Officer

THE CITY OF Port Alberni

Chair

Corporate Officer

**THE REGIONAL DISTRICT OF ALBERNI
CLAYOQUOT**

Chair

Corporate Officer

THE DISTRICT OF North Cowichan

Mayor

Corporate Officer

(FEES)

DARS will operate under the following cost recovery fees:

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

(ADDITIONAL LOCAL GOVERNMENTS)

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

Local Government	Date Joined	Fee Level

SCHEDULE C (MUNICIPALITY RATES)

This is the rate schedule for the following parties:

LEVEL	MUNICIPALITIES
Level 1	Village of Port Clements
Level 2	City of Duncan City of Parksville District of Tofino City of Port Alberni Regional District of Alberni Clayoquot
Level 3	Corporation of the District of North Cowichan City of Nanaimo Regional District of Nanaimo

DATE OF MEETING JUNE 7, 2021

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

SUBJECT MINISTRY APPROVAL UPDATE - ANIMAL RESPONSIBILITY BYLAW

OVERVIEW

Purpose of Report

To seek Council's approval of the amended provisions that regulate wildlife in the Animal Responsibility Bylaw as required by the Ministry of Forests, Lands and Natural Resource Operations.

Recommendation

That Council rescind third reading of "ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316".

That Council give third reading, as amended, to "ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316" as attached to the June 7, 2021 report by the Deputy City Clerk.

BACKGROUND

On 2021-FEB-01 Council gave three readings to "ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316. From there, the bylaw was forwarded to the Ministry of Forests, Lands and Natural Resource Operations for the Minister's approval.

The review was conducted by the policy and legal staff at the Ministry and they requested clarifications be made to the provisions that regulate "Wildlife" in the bylaw prior to recommending approval by the Minister.

DISCUSSION

Since receiving a copy of the City's Animal Responsibility Bylaw, the Ministry's policy and legal staff have been conducting their review of the bylaw sections that required Ministerial authorization.

On April 22, 2021, City staff were advised by the Ministry that the definition of "Owner" was problematic in that the Ministry is considered an "Owner" of "Wildlife" and Sections 90, 102 and 103, as worded, had the potential to conflict with the *Wildlife Act*. As such, they wanted to see amendments to those sections to help clarify the intent prior to recommending approval to the Minister.

City staff, with input from legal counsel, provided the Ministry with proposed amendments to address their concerns and the proposed revisions, as identified in the attached bylaw, were accepted by Ministry staff on May 28, 2021. They are now prepared to move forward with

seeking approval from the Minister once Council has formally given the bylaw third reading, as amended, to accept the changes.

The specific amendments Ministry staff wanted to see addressed are as follows:

1. To include a Scope provision (Sections 1.1, 1.2, and 1.3) to clarify:
 - a) that the bylaw does not apply to the government of British Columbia;
 - b) that the bylaw doesn't apply to an activity or conduct that has been authorized by a permit or licence issued under the *Wildlife Act* or the *Animal Health Act*.
 - This is due to the fact that the Ministry has issued one permit to a person in Nanaimo to possess a small number of controlled alien species for personal use under the authority of the *Wildlife Act's* Controlled Alien Species Regulation; and
 - c) that the bylaw does not relieve any person from complying with any Provincial enactment governing "Wildlife".
2. Expanding the definition of "Owner" to specifically exclude the government of British Columbia as the Province is deemed an "Owner" when it comes to "Wildlife".
3. Adding a definition of "Wildlife" to correlate with the "Wildlife Act";
4. To exclude "Wildlife" from the seize and impound provisions (Section 90) and the disposition of unredeemed Animals provision (Section 102 and 103).
 - Ministry staff want to ensure that the Province, through its Conservation Officers, would be the individuals responsible for assisting with any calls associated with wildlife that may be injured or suffering.
5. Poultry was also added to any provisions associated with Aggressive Dogs.
 - This was an omission that needed to be added to clarify that dogs would be deemed aggressive for attacking or killing poultry.

OPTIONS

Option 1:

That Council rescind third reading of "ANIMAL RESPONSIBILITY BYLAW 2021, NO. 7316".

That Council give third reading, as amended, to "ANIMAL RESPONSIBILITY BYLAW 2021, NO. 7316" as attached to the June 7, 2021 report by the Deputy City Clerk.

As noted in the staff report, the proposed amendments have been vetted by the City's lawyer and address the Ministry's concerns regarding the provisions to regulate "Wildlife". Should Council support the amendments, the approval process would be expedited by the Ministry's staff to seek the Minister's approval given they have already done their review and provided preliminary approval to the changes proposed by the City. Final approval still rests with the Minister.

Option 2:

That Council direct staff to make the following amendments to "ANIMAL RESPONSIBILITY BYLAW 2021, NO. 7316": (insert proposed changes here) and bring back a staff report to a future Council meeting.

Should Council wish to make further amendments to the bylaw outside of those proposed in the bylaw attached to the staff report, specific direction from Council would be sought and a future report to highlight any implications would be required. It would also prolong the RFP process for the Animal Services contract (which expired in August 20, 2020) as any contractor bidding on

the RFP would be doing so based on the new bylaw, which requires Minister approval prior to advertising.

SUMMARY POINTS

- The Ministry’s policy and legal staff concluded their review of the sections within the Animal Responsibility Bylaw that required Ministerial authorization.
- The Ministry requested that amendments be made to the bylaw to clarify the provisions that regulate “Wildlife”.
- Proposed amendments were provided to Ministry staff, which have been accepted. If endorsed by Council, Ministry staff will proceed with recommending the Minister’s approval of the bylaw.

ATTACHMENTS:

Attachment 1 - BL 7316 – Animal Responsibility Bylaw (with tracked changes)

Attachment 2 - BL 7316 – Animal Responsibility (clean copy)

Submitted by:

Karen Robertson,
Deputy City Clerk

Concurrence by:

Sheila Gurrie,
Director of Legislative Services

CITY OF NANAIMO
BYLAW NO. 7316
ANIMAL RESPONSIBILITY BYLAW

A Bylaw to Establish Provisions for Animal Welfare, Control, Licensing, Duties of Animal Owners,
Penalties, and Enforcement in the City of Nanaimo

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WHEREAS section 8(3)(k) of the *Community Charter* provides municipalities with fundamental powers to regulate, prohibit, and impose requirements in relation to Animals;

AND WHEREAS section 47 of the *Community Charter* permits municipalities to establish different classes of Animals on the basis of sex, age, size, or breed;

AND WHEREAS section 48 of the *Community Charter* provides seizure and related powers in respect of Animals;

AND WHEREAS section 49 of the *Community Charter* provides municipalities with special powers in relation to Dangerous Dogs;

THEREFORE BE IT RESOLVED that the City of Nanaimo, in open meeting assembled, pursuant to powers vested in it by Part 2, Division 1, and Part 3, Division 6 of the *Community Charter*, SBC 2003, c.26, as amended, ENACT AS FOLLOWS:

PART 1 – INTRODUCTION

Title:

1. This Bylaw may be cited as “ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316.”

Scope:

- 1.1 This Bylaw does not apply to the government of British Columbia.
- 1.2 This Bylaw does not apply to an activity or conduct that is authorized by a permit or licence issued under the *Wildlife Act* or the *Animal Health Act*.
- 1.3 This Bylaw does not relieve any person from the requirement to comply with any applicable Provincial enactment governing wildlife, as defined in the *Wildlife Act*.

Definitions:

2. In this Bylaw unless the context otherwise requires:

“Aggressive Dog”	means any Dog that meets any one of the following criteria: (a) has attacked, bitten or caused injury to a Person or has demonstrated a propensity, tendency or disposition to do so; (b) has bitten, killed or caused injury to a Companion Animal, <u>Poultry</u> or to Livestock; (c) has aggressively pursued or harassed a Person or Companion Animal, <u>Poultry</u> or Livestock; (d) has a known propensity to attack or injure a Person without provocation; (e) is owned or kept primarily, or in part, for the purpose of dog fighting or is trained for dog fighting; or is a Dangerous Dog as defined by Section 49 of the <i>Community Charter</i> .
“Animal Control Officer”	means any Person who is designated by the City to administer and enforce this Bylaw, and includes: a) A Peace Officer; b) A Bylaw Enforcement Officer; c) A Poundkeeper; or d) A Person appointed by the City as an Animal Control Officer.
“Animal”	Includes any living member of the Kingdom Animalia excluding humans and bees.
“Apiary”	means a place where bees or beehive or beekeeping equipment is kept.
“At Large”	means an Animal: a) in or upon a Public Place, or b) in or upon the lands or premises of any Person other than the Owner of the Animal without the express or implied consent of that Person while not under the direct and continuous control of the Owner or a Competent Person.

“Bee”	means any of a various winged, hairy-bodied insects of the order <i>Hymenoptera</i> , characterized by specialized structures for gathering nectar and pollen from flowers, except wasps.
“Bird”	means a member of the class <i>Aves</i> , which includes warm-blooded, egg-laying, feathered vertebrates having forelimbs modified to form wings.
“Biting”	means the breaking, puncturing or bruising of the skin by an Animal with its teeth.
“Bylaw Enforcement Officer”	means a Person appointed by the City to the position of Bylaw Enforcement Officer or who otherwise, by virtue of that Person’s appointment or position with the City, is authorized to enforce this Bylaw.
“Cat”	means a male or female of the species <i>Felis catus</i> .
“Choke Collar”	means a slip collar or chain that may constrict around the animal’s neck as a result of pulling on one end of the collar or chain and includes pinch or prong collars, but does not include a martingale collar.
"City"	means the City of Nanaimo.
“Companion Animal”	means a domesticated Animal kept as a pet for companionship to a Person rather than other forms of utility or profit and which may lawfully be kept on residential Property in accordance with this Bylaw and the City’s zoning regulations, but does not include Livestock, or Poultry.
“Competent Person”	means a Person of sufficient age, capacity, height and weight to ensure an Animal under their control will be obedient to their commands or to physically restrain the Animal if required.
"Council"	means the Council of the City of Nanaimo.
“Distress”	Includes, but is not limited to, an Animal which is exhibiting any of the following signs of heat distress: (a) Excessively panting or drooling; (b) Dark purple or grey tongue; (c) Loss of bowel control; or (d) Lethargic and unresponsive behaviour.
"Dog"	means any Animal of the <i>Canis familiarise</i> species, irrespective of age or sex.
"Dog Licence"	means a licence for a Dog for the current licensing year that is paid for and that has been issued by the City under this Bylaw.
“Dwelling Unit”	means a detached building, or self-contained unit within a detached building, which is used or intended to be used as a residence for only one family, and which contains a separate entrance, and contains separate eating, living, sleeping, and sanitary facilities and not more than one kitchen, but excludes a Bed and Breakfast and a hotel / motel room.
“Ear tipping”	means the removal of the ¼ inch tip of a Feral Cat’s ear (usually left), performed while the Cat is under anesthesia under the supervision of a licensed veterinarian.
“Enclosure”	means a structure forming a pen suitable to confine the Animal being,

	or intended to be, confined within the structure, and which meets any dimensions required of a specific enclosure under this Bylaw.
"Feral Cat"	means a cat that is unsocialized to humans and has a temperament of extreme fear and resistance to contact with humans.
"Feral Rabbit"	means any Rabbit that is found in a public place or found trespassing on private lands, that bears no form of Identification.
"Hook Bill Birds"	Means birds of the tropical and subtropical order Psittaciformes but excludes budgies and love birds.
"Identification"	means: (a) a collar or tag worn by an Animal which includes the name, current address, and telephone number of the Owner; (b) A tattoo or traceable microchip that leads to the name, current address, and telephone number of the Owner; or (c) A valid licence tag issued by a local government in Canada.
"Leash"	means a line or chain that does not exceed 6 feet (1.83 meters) in length and is of sufficient strength to restrain a Dog without breaking.
"Licensed Dog"	means a Dog for which a Dog Licence has been issued, and that is wearing on its collar or harness, a tag corresponding to a Dog Licence for that specific Dog.
"Licensing Year"	means January 1st to December 31st in any year.
"Livestock"	means an Animal normally raised or kept for food, milk or for wool or fiber, or a beast of burden, and includes, but is not limited to, alpaca, cows, donkeys, emus, goats, horses, llamas, mules, ostriches, sheep, or swine, including miniature pigs, and all other animals that are solely used for agricultural purposes.
"Muzzle" "Muzzled"	means a humane basket-style fastening or covering device that is strong enough and well-fitted enough to prevent a Dog from Biting, without interfering with its breathing, panting, vision, or its ability to drink.
"Nuisance"	includes, without limiting its general meaning, an intimidating, aggravating, upsetting or harassing situation, or a situation that prohibits a Person or group of Persons from entering a building or area because of an Animal's behaviour.
"Off-Leash Area"	means any area designated by resolution of Council as a place where a Dog need not necessarily be on a Leash but must still be under the care and control of a Competent Person such that it will obey verbal or hand commands to come when directed to do so.
"Owner"	means, any Person (a) to whom a licence for a Dog has been issued pursuant to this Bylaw; (b) who owns, is in possession of, or has the care or control of any Animal; or (c) who harbours, shelters, permits or allows any Animal to remain on or about the Owner's land or premises; excluding the government of British Columbia.
"Person"	means a natural or legal Person.

"Prohibited Animal"	means: (a) controlled alien species as defined by the Controlled Alien Species Regulation, BC Reg. 94/2009; and (b) wildlife species identified in Schedule "B" or "C" to the Designation and Exemption Regulation, BC Reg. 168/90, except Feral Rabbits.
"Poultry"	means any bird normally raised for food or egg production, and without limiting the generality of the foregoing includes: hens or pullets, rooster or cockerels, ducks, geese, turkeys, artificially reared grouse, partridge, quail, pigeons, pheasant, rock doves, quail or ptarmigan.
"Pound"	means premises used by the Poundkeeper to harbour and maintain Animals pursuant to this Bylaw.
"Poundkeeper"	means the Person appointed as Poundkeeper by Council and any Person or Persons appointed from time to time by Council for the purpose of administering, enforcing and carrying out the provisions of this Bylaw including employees of the Poundkeeper and Animal Control Officers.
"Property"	means real property as defined in the <i>Community Charter</i> .
"Public Beach"	means any beach area adjacent to a lake or ocean located within a park.
"Public Place"	means all land owned, held, operated or administered by any level of government, including a school district.
"Rabbit"	means a burrowing gregarious herbivorous mammal of the <i>Leporidae</i> family.
"Reptile"	means a vertebrate Animal of the class <i>Reptilia</i> that includes snakes, lizards, turtles and tortoises.
"Small Flock Birds"	means finches, canaries, budgies and love birds.
"Sterilized"	means an Animal that is spayed or neutered or otherwise rendered incapable of reproducing by a method approved by the Canadian Veterinary Medical Association.
"Unlicensed Dog"	means a Dog, which is not a Licensed Dog and which is over the age of 16 weeks.
" <u>Wildlife</u> "	<u>has the same meaning as in the <i>Wildlife Act</i></u>

PART 2 – ESTABLISHMENT OF A POUND FACILITY

Appointing a Poundkeeper

3. Council may establish one or more Pounds for the keeping and impounding of Dogs and other Animals, and the Poundkeeper may make rules and regulations not inconsistent with this Bylaw pertaining to the administration of the Pound(s).
4. Council may enter into an agreement with any Person or organization to act as a Poundkeeper, for the establishment, maintenance, operation, and regulation of a Pound, and the enforcement of any of the provisions of this Bylaw.

5. Every Poundkeeper must keep the Pound clean and in good repair, and must supply the Animals impounded therein with sufficient and wholesome food and water, and with reasonable shelter, segregation and care as circumstances may warrant.

PART 3 - APPLICATION

Limits on Animals

6. Unless expressly permitted by this Bylaw, no Person shall keep, on any Property, more than 12 Animals.
7. No Person shall keep, on any Property, more than:
 - (a) 12 Small Flock Birds, domestic mice, domestic rats, gerbils, or hamsters, or combination thereof;
 - (b) 4 Hook Bill Birds, chinchillas, domestic ferrets, hedgehogs, Rabbits, sugar gliders, or combination thereof;
 - (c) 6 guinea pigs or Reptiles, or combination thereof.
8. A Person who is a member of a certified pigeon racing club may keep up to a maximum of fifty (50) racing pigeons on any parcel of land over .4 hectares.
- 9.1 No Person shall keep, on any Property, more than:
 - (a) 4 Dogs over the age of 16 weeks; or
 - (b) 5 Cats over the age 12 weeks; or
 - (c) 6 Companion Animals.
- 9.2 Notwithstanding Section 9.1, a Person may temporarily care for more than 4 Dogs over the age of 16 weeks, or more than 5 Cats over the age of 12 weeks on any Property as part of an Animal rescue organization operated by a society registered under the *Societies Act*, (SBC 2015) c.18, as amended, subject to notifying the Poundkeeper of the number and species of the Dogs or Cats, the reason for, and estimated length of time they will be providing care.
- 9.3 Notwithstanding Section 9.1, a Person may keep or maintain more than 4 Dogs, or board Dogs for purposes of utility or profit, if that Person meets the requirements as outlined in the City of Nanaimo's Zoning Bylaw and has obtained a valid Business Licence.
- 9.4 The limits on Animals do not apply to:
 - (a) the premises of a local government facility used for keeping impounded Animals;
 - (b) the premises operated by the BC Society for the Prevention of Cruelty to Animals;
 - (c) the premises of a veterinarian licensed by the College of Veterinarians of BC.
 - (d) The keeping of Livestock or Poultry on a Property on which agriculture is a permitted use pursuant to the applicable zoning bylaw.

Prohibited Animals

10. No Person may, breed, possess, ship, release, sell, exhibit for entertainment, or display in public any Prohibited Animal.
11. No Person may keep or possess, sell or transport to or from any place within the City, any poisonous or venomous Reptile, whether or not that Reptile has venom glands.

12. Sections 10 and 11 do not apply to:
 - (a) the premises of a local government facility used for keeping impounded Animals;
 - (b) the premises operated by the BC Society for the Prevention of Cruelty to Animals;
 - (c) the premises of a veterinarian licensed by the College of Veterinarians of BC, providing the veterinarian is providing temporary care for a prohibited Animal;

Store Sales

13. No Person owning, operating, or in direct control of a retail or wholesale store or business, shall offer for sale or sell, or display to the public any Dog, Cat, or Rabbit.
14. Notwithstanding Section 13, a Dog, Cat or Rabbit that has been Sterilized may be offered for adoption through the Poundkeeper, the SPCA or a rescue organization that is registered under the *Societies Act*.
15. At the time of adoption, the Poundkeeper, SPCA or rescue organization must provide:
 - (a) the adopting Person with a written record of adoption, including proof of Sterilization; and
 - (b) the record of adoption must contain the date of adoption, the description of the Animal, and a description of any Identification or other markings on the Animal.

PART 4 – LICENSING

Licence Requirement

16. No Person shall own, possess or harbour an Unlicensed Dog within the boundaries of the City.
17. A Person who owns, possesses or harbours any Dog over the age of 16 weeks shall obtain a Dog Licence before the first day of January each year, in accordance with the provisions of this Bylaw.
18. Every Dog Licence and corresponding licence tag issued under this Bylaw:
 - (a) expires on the 31st day of December of the year in which it is issued; and
 - (b) is valid only in respect of the Dog for which it is issued.
19. Every Owner must ensure that a valid licence tag is affixed and displayed on a collar, harness or other suitable device that is worn at all times by the Dog for which the licence is issued.
20. Where a licence tag is lost or destroyed, the Owner must promptly make application to the City to replace the licence tag and pay the fee prescribed in the City's Fees and Charges Bylaw.
21. No Person other than the licensed Owner of the Dog, or the Poundkeeper, may remove a licence tag issued pursuant to this Bylaw from the subject Dog.
22. Where the Owner of a Dog in respect of which a licence has been issued under this Bylaw sells or otherwise ceases to be the Owner of the Dog, the licence is automatically invalid upon the expiry of 14 days from the change in ownership.
23. If the licensed Owner of a Dog transfers the ownership of the Dog to another Person, that Person must obtain a new licence for that Dog by paying the licence transfer fee as prescribed in the City's Fees and Charges Bylaw and surrendering the licence tag previously held by that

Dog to the Municipality, on or before the expiry of 14 days from the date of change of ownership.

24. Where a Dog has been duly licensed in another municipality or regional district, that Dog may be licensed in the City upon registration of the dog with the City and payment of the licence transfer fee prescribed in the City's Fees and Charges Bylaw.
25. Where a City bylaw provides for a reduced licence fee for a Dog that is Sterilized, the application shall be accompanied by a certificate signed by a veterinarian indicating that the Dog has been Sterilized, or other evidence that satisfies the Poundkeeper that the Dog has been Sterilized.

Licensing of an Aggressive Dog

26. An Owner must apply for an Aggressive Dog licence within 14 days of receiving a notice under Section 74.
27. No Person may own or keep any Aggressive Dog unless the Dog is licensed as an Aggressive Dog with the City by an Owner who is over 19 years of age, who has paid the applicable fee as outlined in the City's Fees and Charges Bylaw, and who keeps the Dog in compliance with Sections 78 through 81 of this Bylaw.
28. An Owner of an Aggressive Dog shall supply the following documentation to the City when first applying for a licence for an Aggressive Dog:
 - (a) A complete licence application for the Dog;
 - (b) Written confirmation from a licenced veterinarian that the Dog has been Sterilized; and
 - (c) Proof that the Dog has permanent Identification, in the form of a traceable tattoo or microchip that leads to the name, current address, and telephone number of the Owner.
29. In addition, the Owner of an Aggressive Dog shall supply the following documentation to the City each calendar year by no later than January 30th:
 - (a) Proof that a policy of liability insurance is in force that provides third party liability coverage in the form satisfactory to the City, and that names the City as an additional insured, in the minimum amount of \$1,000,000, for any injuries which may be caused by the Dog;
 - (b) A side view, full body colour photo of the Dog; and
 - (c) Payment of the Aggressive Dog licence fee as outlined in the Fees and Charges Bylaw.
30. If the Owner of an Aggressive Dog does not comply with Sections 78 through 81 of this Bylaw, the Aggressive Dog's Licence is subject to immediate cancellation and the Dog may be seized or otherwise dealt with as an Unlicensed Dog.
 - (a) If a licence is cancelled under Section 30 of this Bylaw, the Owner of the Dog may appeal the cancellation in writing to the Manager, Bylaw Services within 7 days of such cancellation, by providing written submissions setting out why the Owner believes the Aggressive Dog's licence should not be cancelled.
 - (b) After considering the submission, the Manager, Bylaw Services may confirm, reverse, or amend the decision to cancel the Aggressive Dog Licence.

PART 5 – ANIMAL WELFARE

Animal Cruelty

31. Notwithstanding any other provision of this Bylaw, no Person shall:
- (a) abandon any Animal;
 - (b) in any way use poison, air pellet guns, bows and arrows, firearms, sling shots, or similar on any Animal, except as exempted under the City's Firearms Regulation Bylaw or the *Wildlife Act* ;
 - (c) tease, torment, beat, kick, punch, choke, or provoke an Animal;
 - (d) cause, permit or allow an Animal to suffer; or
 - (e) train or allow any Animal to fight.

Basic Animal Care Requirements

32. The Owner of an Animal must ensure that the Animal is provided with:
- (a) sufficient clean, potable drinking water at all times;
 - (b) suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - (c) clean and disinfected food and water receptacles that are located so as to avoid contamination by excreta;
 - (d) the opportunity for regular exercise sufficient to maintain good health; and
 - (e) necessary veterinary care to maintain the health and comfort of the Animal or when the Animal exhibits signs of pain, injury, illness or suffering.

Outdoor Shelter Requirements

33. An Owner of an Animal must ensure that the Animal has protection from all elements and must not allow the Animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing pain, suffering, or injury.
34. A Person must not keep an Animal outside, unless the Animal is provided with a shelter that provides:
- (a) protection from heat, cold and wet that is appropriate to the Animal's weight and type of coat;
 - (b) sufficient space to allow the Animal the ability to turn about freely and to easily stand, sit and lie in a normal position; at least two times the length of the Animal in all directions, and at least as high as the Animal's height measured from the floor to the highest point of the Animal when standing in a normal position, plus 10%;
 - (c) protection from the direct rays of the sun at all times; and
 - (d) bedding that will assist with maintaining normal body temperature.
35. A Person must not confine a Dog to an Enclosure for a period in excess of 10 hours within any 24 hour period.

Sanitation Requirements

36. A Person must not keep an Animal in an Enclosure, pen, shelter, cage, or run unless the shelter, Enclosure, pen, cage or run is regularly cleaned and sanitized with all excreta removed and properly disposed of at least once a day and is kept free from wild vermin.

Tethering Animals

37. A Person must not cause, allow or permit an Animal to be:
- (a) tethered to a fixed object or vehicle where:
 - (i) a Choke Collar forms part of the securing apparatus, or
 - (ii) a rope, cord or chain is tied directly around the Animal's neck, or
 - (iii) the Animal's collar or harness is not properly fitted, or is attached in a manner that could injure the Animal or enable the Animal to injure itself by pulling on the tether;
 - (b) tethered to a fixed object, except with a tether of sufficient length to enable the Animal to sit, stand, and lie normally;
 - (c) tethered to a fixed object for longer than 2 hours within a 24 hour period;
 - (d) tethered to a traffic control device or support thereof, any fire hydrant or fire protection equipment, handrails or any other object in such a way as to obstruct the public or create a Nuisance; or
 - (e) tethered within 3 metres of an entrance or exit from any public building.

Transport of Animals in Motor Vehicles

38. No Person shall:
- (a) transport any Animals in a motor vehicle outside the passenger compartment or in an uncovered passenger compartment unless the Animal is adequately confined in a cage which is securely fastened to the vehicle, or secured in a body harness or other manner of fastening adequate to prevent the Animal from jumping or falling off the vehicle or otherwise injuring itself; or
 - (b) keep an Animal confined in an Enclosure, including a motor vehicle, without sufficient ventilation to prevent the Animal from suffering discomfort or heat or cold-related injury. Such enclosed space or vehicle, if stationary, shall be in an area providing sufficient shade to protect the Animal from the direct rays of the sun at all times, and shall, by means of open windows or operating mechanical device, supply fresh or cooled air to prevent the Animal from suffering Distress, discomfort or heat related injury.

Exercising Dogs from a Motor Vehicle or Bicycle

39. A Person must not:
- (a) exercise a Dog by allowing it to walk or run next to a moving motor vehicle; or
 - (b) exercise a Dog by allowing it to walk or run next to a bicycle, unless the Dog is attached to the bicycle by an apparatus that allows the Person to retain two-handed control of the bicycle at all times.
40. Section 39(b) does not apply to a Person exercising a Dog in a Designated Off-Leash Area if the Dog is not tethered and bicycle riding is allowed in the area.

PART 6 – ANIMAL CONTROL

Animals on Private Property

41. The Owner of an Animal must not allow the Animal to trespass on any private property without the consent of the occupier or Owner of the lands or premises.

Animals at Large

42. A Person who finds and takes possession of an Animal At Large in the City shall immediately notify the Poundkeeper with a description and photo of the Animal, where possible, provide that Person's name and address for contact purposes, and surrender the Animal to the Poundkeeper on demand.

Dogs in Public Places

43. The Owner of a Dog must not allow the Dog to be in a Public Place unless the Dog is on a Leash with one end securely affixed to a collar or harness securely attached to the Dog, and the other end held by a Competent Person.
44. Every Owner of a Dog must ensure that any Person who has care, custody or control of their Dog is a Competent Person.
45. Despite Section 43, the Owner of a Dog may allow the Dog to be Off-Leash in the areas listed in Schedule "B" to this Bylaw, so long as the Dog is under the effective control of a Competent Person such that it will obey verbal or hand commands to come when directed to do so.
46. No Person may permit a Dog in their care or custody to obstruct other users of a pathway or City sidewalk.

Other Animals in Public Places

47. The Owner of an Animal, other than a Dog, must not allow the Animal to be in any Public Place unless the Animal is under the direct control of a Competent Person.
48. Despite any other provision of this Bylaw, no Owner may permit any Animal to:
- (a) be on a Public Beach during the months of May through September inclusive; or
 - (b) be on the deck of a wading pool or a spray pool.

Animal Performances

49. No Person shall operate or carry on a public show, exhibition, carnival or performance, in which Animals are required to perform tricks, fight, participate in, or otherwise accompany exhibitions or performances for the entertainment of an audience; however, nothing in this Section shall prohibit or restrict the following:
- (a) exhibitions, parades or performances involving horses or ponies or in which individuals ride horses or ponies;
 - (b) exhibitions involving Dogs;
 - (c) displays or showings of animals in agricultural fairs or pet shows; or
 - (d) magic acts
- provided that the exhibition, parade or performance in no way causes an Animal to be treated in an inhumane manner.

Animals Damaging Public Property

50. The Owner of an Animal must not allow the Animal to damage or destroy any building, structure, playground equipment, tree, shrub, plant, or turf in a Public Place.

51. The Owner of any Animal must reimburse the City for any and all damage done by that Animal to City property in contravention of Section 50.

Animals Chasing or Harassing

52. Every Person must ensure an Animal in their care or custody does not chase, harass, molest, attack, injure or kill a Person or Animal.
53. Despite Section 52, Dogs may be used to carry out wildlife management activities as permitted by the General Manager of Development Services or their designate.

Dogs in Heat

54. Every Owner of a female Dog in heat must ensure that the Dog remains within an enclosed building, Enclosure, or pen until she is no longer in heat.
55. Despite Section 54, the Owner of a female Dog in heat may allow the Dog to leave the building or Enclosure in order to urinate or defecate on the Owner's lands, or go for a walk, if a Competent Person:
- (a) firmly holds the Dog on a Leash; and
 - (b) immediately returns the Dog to the building or Enclosure upon completion of the urination, defecation, or walk.

Keeping of Bees

56. No Person shall keep or harbour bees in excess of 1 beehive, consisting of no more than 1 hive box and 2 nucs on top, on any parcel of land under .4 hectares.
57. On parcels of land greater than .4 hectares, no Person shall keep or harbour Bees in excess of 3 beehives, consisting of no more than 1 hive box and 2 nucs per hive, per .4 hectares.
58. A person who keeps Bees must comply with the following:
- (a) Apiaries shall not be located within 7.5 meters of an adjacent property line unless:
 - (i) the hives are behind a solid fence, or a hedge that is at least 1.83 meters in height located parallel to an adjacent property line and extending a minimum of 6.0 meters horizontally beyond the hive in either direction; and
 - (ii) the entrance to the hive faces away from adjacent property dwellings, entrances and walkways.
 - (b) Every Person who keeps Bees must have sufficient clean water within 1 metre of the Apiary to prevent the Bees from seeking water from other sources, such as neighbourhood swimming pools, birdbaths, ponds, or other bodies of water.
 - (c) Every Person who keeps Bees on their property must maintain the bees in a condition that will reasonably prevent swarming behaviour by the bees.
 - (d) Every Person keeping Bees must be registered under the *Bee Act*, RSBC 1996, Chapter 29 and amendments thereto.
59. Notwithstanding Section 58, Bee uses on land zoned agriculturally (AR1 and AR2) shall follow the setback requirements as outlined in the City of Nanaimo's Zoning Bylaw.

Keeping of Cats

60. Every Owner of a Cat over the age of 12 weeks shall affix and keep affixed sufficient Identification on the Cat by means of a collar, harness, traceable tattoo, microchip or other suitable device.
61. Every Owner of a Cat over the age of 12 weeks shall immediately, or as soon as practicable, upon request by the Animal Control Officer, provide evidence to the Animal Control Officer's satisfaction, that such Cat has Identification in accordance with Section 60 of this Bylaw.
62. No Person shall own, keep, possess or harbour any Cat apparently over the age of 6 months in the City unless:
 - (a) the Cat has been Sterilized by a veterinarian; or
 - (b) the Person has a valid and subsisting business licence to breed Cats.
63. A Person must not intentionally feed or leave food out for any Feral Cat.
64. Despite Section 63, any Person may feed Feral Cats subject to the following:
 - (a) the Person must be registered with a City-approved organization with a Trap Neuter Release program;
 - (b) the Person must maintain a plan for the care, feeding and mandatory Sterilization, tattooing or Eartipping, and vaccination of each Feral Cat;
 - (c) the plan must be in writing and registered with a City-approved organization with a Trap Neuter Release program, the City's Poundkeeper, and the local office of the Society for the Prevention of Cruelty to Animals (SPCA);
 - (d) outdoor feeding stations must be located on private Property and may only contain food and be available for feeding for up to 45 minutes maximum, once per day; and
 - (e) outdoor shelter must be provided for any Feral Cat on the Property where the feeding station is located.

Keeping of Poultry

65. No Person shall keep or harbour any Poultry on any parcel of land unless that parcel of land has an area greater than .4 hectares.
66. Notwithstanding Section 65, a Person may keep:
 - (a) a maximum of 6 hens or ducks, or combination thereof, on a parcel of land less than .4 hectares in size but greater than .045 hectares in size; or
 - (b) if the parcel of land is smaller than .045 hectares in size, a maximum of 4 hens or ducks, or combination thereof;

provided that in any case:

- (c) no roosters, cocks, cockerels, or peafowl are kept on the Property;
- (d) a minimum Enclosure of .37m² must be provided per hen or duck;
- (e) any Enclosure containing hens or ducks, whether portable or stationary, must comply with the setback requirements of the zone;
- (f) Enclosures housing hens or ducks and the areas around them must be kept clean, dry, and free of odours and vermin;
- (g) any diseased hen or duck is euthanized and its carcass destroyed;
- (h) no butchering or euthanizing of hens or ducks occurs on the Property; and
- (i) hen and duck manure and waste products are composted, in an enclosed bin, or otherwise disposed of to prevent odours.

67. No Person shall keep any Poultry:
- (a) within any Dwelling Unit, or on a balcony or deck; or
 - (b) in a cage, carry-cage, or portable cage other than for the purpose of transport of the Poultry.
68. No Person who has possession or control of Poultry shall allow Poultry to:
- (a) stray or trespass or graze in any highway or Public Place;
 - (b) stray or trespass or graze on private Property, except with the consent of the Owner of that private Property;
 - (c) stray or trespass or graze on unfenced land; or
 - (d) be released or abandoned anywhere within the City.

Keeping of Livestock

69. No Person shall keep any Livestock on any property, within the City, other than property zoned for such uses in the City's Zoning Bylaw.
70. No Person shall permit any Livestock to graze on unfenced land, unless securely tethered.
71. No Person shall keep any Livestock within any Dwelling Unit.

Keeping of Rabbits

72. A Person must not keep Rabbits in an outdoor Enclosure, pen, cage or run unless the Enclosure, pen, cage or run is:
- (a) securely enclosed to prevent escape and to ensure the safety of the Rabbits from predators; and
 - (b) situated at least 3 metres away from each Property line.
73. A Person must not keep any Rabbit which is not Sterilized.

PART 7 – AGGRESSIVE DOGS

Aggressive Dog

74. Where the Poundkeeper determines that a Dog meets the definition of an Aggressive Dog, the Poundkeeper will issue a written notice to the Owner of that Dog, with a copy provided to the property owner, if applicable, advising of the determination and advising the Owner of the requirements of this Bylaw with respect to Aggressive Dogs.
75. The notice set out in Section 74 may be served on the Owner in one or more of the following ways:
- (a) personally, by handing the notice to the Owner;
 - (b) by handing the notice to a Person on the Owner's Property who appears to be over the age of 16 years;
 - (c) by posting the notice upon some part of the Owner's Property and by sending a copy to the Owner by regular mail, in which case the notice is deemed to have been received by the Owner 5 days after the notice was mailed;
 - (d) by emailing a copy to the Owner, in which case the notice is deemed to have been received by the Owner 48 hours after the notice was emailed; or
 - (e) by mailing a copy by prepaid registered mail to the last known address of the Owner, in which case the notice is deemed to have been received by the Owner 72 hours after the notice was mailed.

76. A Dangerous Dog may also be dealt with by the City in accordance with Section 49 of the *Community Charter*.
77. All Animal Control Officers are designated as animal control officers for the purpose of Section 49 of the *Community Charter*.

Duties of an Aggressive Dog Owner

78. Every Owner of an Aggressive Dog must:
- (a) secure the Dog by a collar or harness and a Leash that is a maximum length of 1.83 metres or 6 feet when not on the Owner's property;
 - (b) keep the Dog Muzzled when not on the Owner's property;
 - (c) prominently display at each entrance to the property and building in, or upon which the Dog is kept, a sign similar to the one shown on Schedule "A" to this Bylaw, which must be posted so that it cannot be removed and which will be visible and capable of being read from the sidewalk, street or lane abutting the entrances to the property or building.
 - (d) at all times when the Dog is on the Owner's property, keep the Dog securely confined either indoors or, if outdoors:
 - (i) behind a secure fence at least 6 feet in height capable of preventing the entry of a child under the age of 10 years and adequately constructed to prevent a Dog from escaping; or
 - (ii) in an Enclosure that is located in a rear yard, locked to prevent casual entry by another Person, and has been inspected and approved by the Poundkeeper.
79. An Enclosure referred to in Section 78(d) must:
- (a) be of sufficient height and strength and stability to contain the Dog and form a confined area with no side in common with a perimeter fence;
 - (b) be located in a rear yard; and
 - (c) have a secure top attached to all sides, and have a single entrance which is self-closing and has a lock.
80. An Owner of an Aggressive Dog must not allow the Aggressive Dog to be:
- (a) on any school grounds, which means any portion of the Property of the School as defined in the *School Act* and *Independent School Act*;
 - (b) within 30m of any playground apparatus;
 - (c) in the areas listed in Schedule B to this Bylaw; or
 - (d) in a park.
81. The Owner of an Aggressive Dog must:
- (a) Allow an Animal Control Officer to photograph the Dog, on demand.
 - (b) Within two (2) days of moving the Dog to a new place of residence, provide the Poundkeeper with the new address where the Aggressive Dog is kept.
 - (c) Within two (2) days of selling or giving away the Dog, provide the Poundkeeper with the name, address and telephone number of the Person to whom the Dog was sold or given.
 - (d) Within two (2) days of the death of the Dog, provide the Poundkeeper with a veterinarian's certificate of death.
 - (e) Advise an Animal Control Officer immediately if the Aggressive Dog is At Large.
 - (f) Advise an Animal Control Officer immediately if the Aggressive Dog has bitten or attacked any Person, Companion Animal, Poultry or Livestock.
82. If the Poundkeeper considers that an Aggressive Dog can be retrained and socialized, or that the bite or injury from any attack was the result of improper or negligent training, handling, or maintenance, the Poundkeeper may impose, as a condition of licensing, conditions and

restrictions in respect of the training, socialization, handling and maintenance of the Aggressive Dog.

83. Where the Owner of an Aggressive Dog requests that the Aggressive Dog be destroyed, the Poundkeeper may arrange to have the Aggressive Dog humanely destroyed. In such cases, the Owner must sign a form for the release of the Aggressive Dog to the City or Poundkeeper for the purposes of humane destruction.

Application for Relief from Aggressive Dog Designation

84. An Owner, following a period of at least 2 years from the date stated on the written notice under Section 74, may apply to the Manager, Bylaw Services for relief from the requirements of Section 29, and Sections 78 through 81 provided that:
- (a) The City has received no further complaints regarding the Dog's aggressive behaviour during the two-year period; and
 - (b) The Owner provides satisfactory proof that the Owner and the Dog have successfully completed a course designed and delivered by a qualified dog behaviour professional to address the Dog's aggressive behaviour.
85. If a Dog displays aggressive behaviour again after relief has been granted pursuant to Section 84, the requirements of Section 29 and Sections 78 through 81 shall apply in perpetuity.

PART 8 – ANIMAL NUISANCES

Animal Waste

86. Every Person must immediately remove and lawfully dispose of any excrement deposited by a Dog in their care and custody on any Public Place, Public Beach, or private property not owned or occupied by the Owner.
87. No Person who has removed Dog excrement may deposit same into a public litter receptacle except where the excrement is securely contained in an impermeable bag or other impermeable container so as not to ooze, leak or fall out in the public litter receptacles.

Noisy Dogs

88. The Owner of a Dog must not allow or permit a Dog to bark, howl, yelp, cry or make other noises:
- (a) sporadically for a cumulative total of 15 or more minutes within any 60 minute period;
 - (b) in a manner that that unduly disturbs the peace, quiet, rest, comfort or tranquility of the surrounding neighbourhood or vicinity, or of Persons in the neighbourhood or vicinity; or
 - (c) otherwise in such a manner as to cause a Nuisance.

Feeding Wildlife

89. A Person must not intentionally feed or leave food out for the purposes of feeding:
- (a) *Cervidae* (deer)
 - (b) *Procyon lotor* (racoons);
 - (c) *Sciurus* (squirrels);
 - (d) Feral Rabbits; or
 - (e) bears, coyotes, cougars, wolves, or other Animals designated as dangerous wildlife under the *Wildlife Act*, RSBC 1996, c. 488.

PART 9 – SEIZING AND IMPOUNDING ANIMALS

Authority to Seize and Impound

90. The Poundkeeper may immediately seize and impound:
- (a) a Dog that is At Large in contravention of this Bylaw;
 - (b) any Unlicensed Dog;
 - (c) any Animal, other than Wildlife, that is straying or trespassing on private Property;
 - (d) any Animal, other than Wildlife, that is on unfenced land and not securely tethered or contained; and
 - (e) any Animal, other than Wildlife, that exhibits signs of pain, injury, illness, or suffering that Council or the Poundkeeper considers cannot be otherwise reasonably addressed.
91. The Poundkeeper may impound any Animal brought to the Pound by any other Person.
92. The Poundkeeper may, where they have reason to believe that an Unlicensed Dog has taken refuge on a premises:
- (a) require the occupant of such premises to provide proof that the Dog is the subject of a current and valid licence and is wearing the associated licence tag, or to surrender the Dog to the Poundkeeper;
 - (b) enter and search any place, including a place that is occupied as a private dwelling, subject to the requirements of Section 16 of the *Community Charter*.
93. The Poundkeeper is authorized to employ such assistance as is deemed necessary or advisable to seize and impound any Animal pursuant to this Bylaw, and the expense shall be added to the fees chargeable by the Animal Control Officer as outlined in the Fees and Charges Bylaw.

Care of Impounded Animal

94. If the Poundkeeper considers that an impounded Animal requires one or more of:
- (a) a vaccination;
 - (b) flea treatment;
 - (c) worm treatment;
 - (d) examination by a veterinarian; or
 - (e) urgent veterinary care to alleviate any pain or suffering as recommended by a veterinarian;

then the Poundkeeper may cause such care to be provided at the sole cost and expense of the Animal's Owner.

Informing the Owner of Impoundment

95. Where an Animal is impounded pursuant to this Bylaw, within 24 hours, or in cases where the Pound is closed, on the next business day, the Poundkeeper must make reasonable effort to:
- (a) contact the Owner of an impounded Animal if known to the Poundkeeper or the Animal is wearing Identification, by calling the telephone number in the Identification;
 - (b) contact the Owner of an impounded Dog if the Dog is wearing a licence tag, by calling the telephone number in the licence information;
 - (c) ascertain the Owner of the Animal, other than a Dog wearing a licence tag, by posting a notice on the Pound's website and social media site, including a photograph, when possible, and/or description of the Animal and the contact information for the Poundkeeper.

96. Where the Poundkeeper is unable to reach the identified Owner of an impounded Animal by telephone, a notice of impoundment may be delivered by mail and shall be sent to the last known address of the Owner, in which case the notice shall be deemed to have been received by the Owner 72 hours after being deposited in any post box within the City.
97. Notices of impoundment shall include the following information:
- (a) date and time of the impoundment;
 - (b) description of the Animal;
 - (c) how application may be made for release of the Animal;
 - (d) costs of seizure, expenses to the date of the notice and any continuing costs and expenses; and
 - (e) that the Animal will become the property of the City and may be put up for adoption or destroyed after the expiration of 96 hours from the date and time the notice of impoundment is given, or deemed to be given, to the Owner, unless redeemed.

Redeeming an Animal from the Pound

98. The Owner of an impounded Animal or the Owner's authorized agent may redeem the Animal from the Pound by:
- (a) proving Ownership of the Animal to the satisfaction of the Poundkeeper and, in the case of an Owner's agent, satisfying the Poundkeeper of the agent's authority to act on the Owner's behalf;
 - (b) paying to the Poundkeeper:
 - (i) any applicable licence fees as outlined in the Fees and Charges Bylaw;
 - (ii) the applicable impoundment fees as outlined in the Fees and Charges Bylaw;
 - (iii) the applicable maintenance fees as outlined in the Fees and Charges Bylaw;
 - (iv) the City's actual incurred costs and expenses in respect of any and all damage done by the Animal to City Property in accordance with Section 50;
 - (v) any veterinary costs incurred in respect of the Animal during the impoundment period; and
 - (c) satisfying the Poundkeeper that the Owner is in compliance with Part 5 of this Bylaw.
99. The Poundkeeper may refuse to release the impounded Animal to the Owner or the Owner's agent in accordance with Section 112.
100. The Owner of an Impounded Animal is liable to pay the seizure and impoundment fee and boarding and maintenance fees, including costs of veterinary treatment and the cost of transport to the nearest available veterinary practitioner, whether or not the Owner redeems the Animal.

No Liability for Injury to Animal

101. No provision of this Bylaw shall be construed as making the Poundkeeper, the City, or their agents liable to any Person for injury to, sickness or death of an Animal, whether or not incurred while the Animal is in the custody of the Poundkeeper.

Disposition of Unredeemed Animals

102. An Animal, other than Wildlife, becomes the property of the City if it is not redeemed within 72 hours after:
- (a) it is impounded; or
 - (b) in the case of a licensed Dog, within 96 hours of the Owner being notified of the impoundment pursuant to Section 95 and 96 of this Bylaw.

103. If an Animal, other than Wildlife, becomes the property of the City, the Poundkeeper may:
- (a) put the Animal up for adoption;
 - (b) cause the Animal to be surrendered to the British Columbia Society for the Prevention of Cruelty to Animals or any other organization or Person for the purpose of adoption;
 - (c) deal with the Animal in accordance with the requirements of applicable federal or provincial legislation; or
 - (d) cause the Animal to be humanely destroyed.
104. Where any Animal is adopted out pursuant to Section 103 above, all property and interest any previous Owner had in that Animal will pass to the purchaser, and all rights of property in the Animal that existed before the adoption shall be extinguished.
105. Where an impounded Animal is adopted out pursuant to this Bylaw, any monies received by the Poundkeeper for the Animal will be applied against the fees and costs of outstanding licences, veterinary care and adopting out the Animal.

Euthanization of Impounded Animals

106. Notwithstanding any other provisions of this Bylaw, if an impounded Animal is suffering from an injury, sickness or incurable disease or from any other cause, the Poundkeeper may euthanize, by lethal injection of a barbiturate approved by the College of Veterinarians of British Columbia, any Animal deemed to be seriously ill or injured, for humane reasons and in prior consultation with a veterinarian, if all reasonable efforts to contact the Owner of the Animal have failed.

Adoption of Animals

107. Every Person wishing to adopt an Animal from the Pound must:
- (a) make an application to the Poundkeeper on the form prescribed by the Poundkeeper and pay the fees set out in the Fees and Charges Bylaw; and
 - (b) if the Animal is a Dog, licence the Dog pursuant to this Bylaw, where applicable.

PART 10 – PENALTIES AND ENFORCEMENT

Enforcement

108. This Bylaw may be enforced by a Poundkeeper, and any other Person or class of Persons designated by Council to enforce City bylaws.

Provision of Information

109. If a Person occupies premises where a Dog is kept or found, the Person must provide the following information when requested by the Poundkeeper:
- (a) the Person's name, address and telephone number;
 - (b) if the Person is not the Dog's Owner, the Owner's name, address and telephone number;
 - (c) the number of Dogs kept on the premises;
 - (d) the breed, sex, age, name and general description of each Dog kept on the premises;
 - (e) whether each Dog kept on the premises is licensed, and if so, the licence number(s).
110. If a Person has care or custody of a Dog, the Person must provide the following information when requested by an Animal Control Officer:
- (a) the Person's name, address and telephone number;

- (b) if the Person is not the Dog's Owner, the Owner's name, address and telephone number;
- (c) the breed, sex, age, name and general description of each Dog owned by or in the custody of the Person;
- (d) whether each Dog owned or in the custody of the Person is licensed, and if so, the licence number(s).

Entering Property for Inspection

111. In accordance with Section 16 of the *Community Charter*, an Animal Control Officer at reasonable times may enter onto and into real Property to inspect and determine whether the requirements and prohibitions of this Bylaw are being complied with.

Right of Refusal to Release from Impoundment

112. The Poundkeeper may refuse to release an Animal to any Person, including its Owner, where:
- (a) the Animal has been seized by the Poundkeeper under Section 49 of the *Community Charter* less than 21 days prior, or is the subject of an application under Section 49 of the *Community Charter*;
 - (b) authorized or required under applicable federal or provincial legislation;
 - (c) the Poundkeeper has determined under Section 106 of this Bylaw that the Animal is subject to suffering that cannot be reasonably addressed other than by the Animal's humane destruction; or
 - (d) if any fees under this Bylaw remain owing.

Offences

113. No Person shall hinder, delay, or obstruct in any manner, directly or indirectly, the Poundkeeper from carrying out their duties and powers under this Bylaw, including, without limitation by:
- (a) providing false information;
 - (b) unlocking or unlatching or otherwise opening a vehicle or Enclosure in which an impounded Animal has been placed;
 - (c) removing or attempting to remove any Animal from the possession of the Poundkeeper; or
 - (d) removing, or attempting to remove, an Animal from the Pound except in accordance with this Bylaw.
114. Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the *Community Charter* and *Offence Act*.
115. Where an offence under this Bylaw is of a continuing nature, each day that an offence continues, or is permitted to exist, constitutes a separate offence.
116. Section 114 shall not prevent the City, or an authorized Person on behalf of the City, issuing and enforcing a bylaw notice under the City's Bylaw Notice Enforcement Bylaw.

PART 11 – GENERAL PROVISIONS

Severability

117. If any part, section, sub-section, sentence, clause or sub-clause of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid section shall be severed and the severance shall not affect the validity of the remaining portions of this Bylaw.

Repeal

118. “Licencing and Control of Animals Bylaw 1995 No. 4923” and all amendments thereto, are hereby repealed.
“Animal Performance Bylaw 1992 No. 4504” and all amendments thereto, are hereby repealed.
“Faeces Removal Bylaw 1980 No. 2190” and all amendments thereto, are hereby repealed.

PASSED FIRST READING: 2021-FEB-01
PASSED SECOND READING: 2021-FEB-01
PASSED THIRD READING: 2021-FEB-01
THIRD READING RESCINDED: _____
PASSED THIRD READING, AS AMENDED: _____

Approved by the Minister of Forests, Lands and Natural Resource Operations _____

ADOPTED _____

MAYOR

CORPORATE OFFICER

SCHEDULE "A" to Animal Responsibility Bylaw No. 7316

Actual Size of Sign: 30.5 cm x 23.5 cm [12 inches x 9.25 inches]
Red lettering. Black graphic of Dog's head.

WARNING
AGGRESSIVE DOG ON PREMISES



SCHEDULE “B” to Animal Responsibility Bylaw No. 7316

Designated Off-Leash Dog Areas

PARK NAME	PARK ADDRESS	SPECIAL CONDITIONS
Beaufort Park	69 Lorne Place	Only areas as designated by signage in park
Beban Park	2300 Bowen Road	Fenced area only
Cable Bay Trail	ROW Cable Bay, Lot 114	Entire park
Colliery Dam Park	635 Wakesiah Avenue	Only areas as designated by signage in park
Diver Lake Park	2430 Black Frank Drive	Only areas as designated by signage in park
Gallows Point	208 Colville Ton Trail	Only areas as designated by signage in park
Invermere Beach Park	6420 Invermere Road	Entire park
May Richards Bennett Pioneer Park	6780 Dover Road	Only areas as designated by signage in park
Northfield Rotary Lookout Park	2450 Northfield Road	Fenced area only
St. George Ravine Park	1060 St. George Street	Only areas as designated by signage in park
Wardropper Park	2957 Departure Bay Road	Fenced area only
Westwood Lake Park	231 Westwood Road	Only areas as designated by signage in park

CITY OF NANAIMO
BYLAW NO. 7316
ANIMAL RESPONSIBILITY BYLAW

A Bylaw to Establish Provisions for Animal Welfare, Control, Licensing, Duties of Animal Owners,
Penalties, and Enforcement in the City of Nanaimo

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WHEREAS section 8(3)(k) of the *Community Charter* provides municipalities with fundamental powers to regulate, prohibit, and impose requirements in relation to Animals;

AND WHEREAS section 47 of the *Community Charter* permits municipalities to establish different classes of Animals on the basis of sex, age, size, or breed;

AND WHEREAS section 48 of the *Community Charter* provides seizure and related powers in respect of Animals;

AND WHEREAS section 49 of the *Community Charter* provides municipalities with special powers in relation to Dangerous Dogs;

THEREFORE BE IT RESOLVED that the City of Nanaimo, in open meeting assembled, pursuant to powers vested in it by Part 2, Division 1, and Part 3, Division 6 of the *Community Charter*, SBC 2003, c.26, as amended, ENACT AS FOLLOWS:

PART 1 – INTRODUCTION

Title:

1. This Bylaw may be cited as “ANIMAL RESPONSIBILITY BYLAW 2021 NO. 7316.”

Scope:

- 1.1 This Bylaw does not apply to the government of British Columbia.
- 1.2 This Bylaw does not apply to an activity or conduct that is authorized by a permit or licence issued under the *Wildlife Act* or the [Animal Health Act](#).
- 1.3 This Bylaw does not relieve any person from the requirement to comply with any applicable Provincial enactment governing wildlife, as defined in the *Wildlife Act*.

Definitions:

2. In this Bylaw unless the context otherwise requires:

“Aggressive Dog”	means any Dog that meets any one of the following criteria: (a) has attacked, bitten or caused injury to a Person or has demonstrated a propensity, tendency or disposition to do so; (b) has bitten, killed or caused injury to a Companion Animal, Poultry or Livestock; (c) has aggressively pursued or harassed a Person or Companion Animal, Poultry or Livestock; (d) has a known propensity to attack or injure a Person without provocation; (e) is owned or kept primarily, or in part, for the purpose of dog fighting or is trained for dog fighting; or is a Dangerous Dog as defined by Section 49 of the <i>Community Charter</i> .
“Animal Control Officer”	means any Person who is designated by the City to administer and enforce this Bylaw, and includes: a) A Peace Officer; b) A Bylaw Enforcement Officer; c) A Poundkeeper; or d) A Person appointed by the City as an Animal Control Officer.
“Animal”	Includes any living member of the Kingdom Animalia excluding humans and bees.
“Apiary”	means a place where bees or beehive or beekeeping equipment is kept.
“At Large”	means an Animal: a) in or upon a Public Place, or b) in or upon the lands or premises of any Person other than the Owner of the Animal without the express or implied consent of that Person while not under the direct and continuous control of the Owner or a Competent Person.
“Bee”	means any of a various winged, hairy-bodied insects of the order <i>Hymenoptera</i> , characterized by specialized structures for gathering

	nectar and pollen from flowers, except wasps.
“Bird”	means a member of the class <i>Aves</i> , which includes warm-blooded, egg-laying, feathered vertebrates having forelimbs modified to form wings.
“Biting”	means the breaking, puncturing or bruising of the skin by an Animal with its teeth.
“Bylaw Enforcement Officer”	means a Person appointed by the City to the position of Bylaw Enforcement Officer or who otherwise, by virtue of that Person’s appointment or position with the City, is authorized to enforce this Bylaw.
“Cat”	means a male or female of the species <i>Felis catus</i> .
“Choke Collar”	means a slip collar or chain that may constrict around the animal’s neck as a result of pulling on one end of the collar or chain and includes pinch or prong collars, but does not include a martingale collar.
“City”	means the City of Nanaimo.
“Companion Animal”	means a domesticated Animal kept as a pet for companionship to a Person rather than other forms of utility or profit and which may lawfully be kept on residential Property in accordance with this Bylaw and the City’s zoning regulations, but does not include Livestock, or Poultry.
“Competent Person”	means a Person of sufficient age, capacity, height and weight to ensure an Animal under their control will be obedient to their commands or to physically restrain the Animal if required.
“Council”	means the Council of the City of Nanaimo.
“Distress”	Includes, but is not limited to, an Animal which is exhibiting any of the following signs of heat distress: (a) Excessively panting or drooling; (b) Dark purple or grey tongue; (c) Loss of bowel control; or (d) Lethargic and unresponsive behaviour.
“Dog”	means any Animal of the <i>Canis familiaris</i> species, irrespective of age or sex.
“Dog Licence”	means a licence for a Dog for the current licensing year that is paid for and that has been issued by the City under this Bylaw.
“Dwelling Unit”	means a detached building, or self-contained unit within a detached building, which is used or intended to be used as a residence for only one family, and which contains a separate entrance, and contains separate eating, living, sleeping, and sanitary facilities and not more than one kitchen, but excludes a Bed and Breakfast and a hotel / motel room.
“Ear tipping”	means the removal of the ¼ inch tip of a Feral Cat’s ear (usually left), performed while the Cat is under anesthesia under the supervision of a licensed veterinarian.
“Enclosure”	means a structure forming a pen suitable to confine the Animal being, or intended to be, confined within the structure, and which meets any dimensions required of a specific enclosure under this Bylaw.

"Feral Cat"	means a cat that is unsocialized to humans and has a temperament of extreme fear and resistance to contact with humans.
"Feral Rabbit"	means any Rabbit that is found in a public place or found trespassing on private lands, that bears no form of Identification.
"Hook Bill Birds"	Means birds of the tropical and subtropical order Psittaciformes but excludes budgies and love birds.
"Identification"	means: (a) a collar or tag worn by an Animal which includes the name, current address, and telephone number of the Owner; (b) A tattoo or traceable microchip that leads to the name, current address, and telephone number of the Owner; or (c) A valid licence tag issued by a local government in Canada.
"Leash"	means a line or chain that does not exceed 6 feet (1.83 meters) in length and is of sufficient strength to restrain a Dog without breaking.
"Licensed Dog"	means a Dog for which a Dog Licence has been issued, and that is wearing on its collar or harness, a tag corresponding to a Dog Licence for that specific Dog.
"Licensing Year"	means January 1st to December 31st in any year.
"Livestock"	means an Animal normally raised or kept for food, milk or for wool or fiber, or a beast of burden, and includes, but is not limited to, alpaca, cows, donkeys, emus, goats, horses, llamas, mules, ostriches, sheep, or swine, including miniature pigs, and all other animals that are solely used for agricultural purposes.
"Muzzle" "Muzzled"	means a humane basket-style fastening or covering device that is strong enough and well-fitted enough to prevent a Dog from Biting, without interfering with its breathing, panting, vision, or its ability to drink.
"Nuisance"	includes, without limiting its general meaning, an intimidating, aggravating, upsetting or harassing situation, or a situation that prohibits a Person or group of Persons from entering a building or area because of an Animal's behaviour.
"Off-Leash Area"	means any area designated by resolution of Council as a place where a Dog need not necessarily be on a Leash but must still be under the care and control of a Competent Person such that it will obey verbal or hand commands to come when directed to do so.
"Owner"	means, any Person (a) to whom a licence for a Dog has been issued pursuant to this Bylaw; (b) who owns, is in possession of, or has the care or control of any Animal; or (c) who harbours, shelters, permits or allows any Animal to remain on or about the Owner's land or premises; excluding the government of British Columbia
"Person"	means a natural or legal Person.
"Prohibited Animal"	means: (a) controlled alien species as defined by the Controlled Alien Species

	Regulation, BC Reg. 94/2009; and (b) wildlife species identified in Schedule “B” or “C” to the Designation and Exemption Regulation, BC Reg. 168/90, except Feral Rabbits.
"Poultry"	means any bird normally raised for food or egg production, and without limiting the generality of the foregoing includes: hens or pullets, rooster or cockerels, ducks, geese, turkeys, artificially reared grouse, partridge, quail, pigeons, pheasant, rock doves, quail or ptarmigan.
"Pound"	means premises used by the Poundkeeper to harbour and maintain Animals pursuant to this Bylaw.
"Poundkeeper"	means the Person appointed as Poundkeeper by Council and any Person or Persons appointed from time to time by Council for the purpose of administering, enforcing and carrying out the provisions of this Bylaw including employees of the Poundkeeper and Animal Control Officers.
"Property"	means real property as defined in the <i>Community Charter</i> .
"Public Beach"	means any beach area adjacent to a lake or ocean located within a park.
"Public Place"	means all land owned, held, operated or administered by any level of government, including a school district.
"Rabbit"	means a burrowing gregarious herbivorous mammal of the <i>Leporidae</i> family.
"Reptile"	means a vertebrate Animal of the class <i>Reptilia</i> that includes snakes, lizards, turtles and tortoises.
"Small Flock Birds"	means finches, canaries, budgies and love birds.
"Sterilized"	means an Animal that is spayed or neutered or otherwise rendered incapable of reproducing by a method approved by the Canadian Veterinary Medical Association.
"Unlicensed Dog"	means a Dog, which is not a Licensed Dog and which is over the age of 16 weeks.
"Wildlife"	has the same meaning as in the <i>Wildlife Act</i>

PART 2 – ESTABLISHMENT OF A POUND FACILITY

Appointing a Poundkeeper

3. Council may establish one or more Pounds for the keeping and impounding of Dogs and other Animals, and the Poundkeeper may make rules and regulations not inconsistent with this Bylaw pertaining to the administration of the Pound(s).
4. Council may enter into an agreement with any Person or organization to act as a Poundkeeper, for the establishment, maintenance, operation, and regulation of a Pound, and the enforcement of any of the provisions of this Bylaw.
5. Every Poundkeeper must keep the Pound clean and in good repair, and must supply the Animals impounded therein with sufficient and wholesome food and water, and with reasonable shelter, segregation and care as circumstances may warrant.

PART 3 - APPLICATION

Limits on Animals

6. Unless expressly permitted by this Bylaw, no Person shall keep, on any Property, more than 12 Animals.
7. No Person shall keep, on any Property, more than:
 - (a) 12 Small Flock Birds, domestic mice, domestic rats, gerbils, or hamsters, or combination thereof;
 - (b) 4 Hook Bill Birds, chinchillas, domestic ferrets, hedgehogs, Rabbits, sugar gliders, or combination thereof;
 - (c) 6 guinea pigs or Reptiles, or combination thereof.
8. A Person who is a member of a certified pigeon racing club may keep up to a maximum of fifty (50) racing pigeons on any parcel of land over .4 hectares.
- 9.1 No Person shall keep, on any Property, more than:
 - (a) 4 Dogs over the age of 16 weeks; or
 - (b) 5 Cats over the age 12 weeks; or
 - (c) 6 Companion Animals.
- 9.2 Notwithstanding Section 9.1, a Person may temporarily care for more than 4 Dogs over the age of 16 weeks, or more than 5 Cats over the age of 12 weeks on any Property as part of an Animal rescue organization operated by a society registered under the *Societies Act*, (SBC 2015) c.18, as amended, subject to notifying the Poundkeeper of the number and species of the Dogs or Cats, the reason for, and estimated length of time they will be providing care.
- 9.3 Notwithstanding Section 9.1, a Person may keep or maintain more than 4 Dogs, or board Dogs for purposes of utility or profit, if that Person meets the requirements as outlined in the City of Nanaimo's Zoning Bylaw and has obtained a valid Business Licence.
- 9.4 The limits on Animals do not apply to:
 - (a) the premises of a local government facility used for keeping impounded Animals;
 - (b) the premises operated by the BC Society for the Prevention of Cruelty to Animals;
 - (c) the premises of a veterinarian licensed by the College of Veterinarians of BC.
 - (d) The keeping of Livestock or Poultry on a Property on which agriculture is a permitted use pursuant to the applicable zoning bylaw.

Prohibited Animals

10. No Person may, breed, possess, ship, release, sell, exhibit for entertainment, or display in public any Prohibited Animal.
11. No Person may keep or possess, sell or transport to or from any place within the City, any poisonous or venomous Reptile, whether or not that Reptile has venom glands.
12. Sections 10 and 11 do not apply to:
 - (a) the premises of a local government facility used for keeping impounded Animals;

- (b) the premises operated by the BC Society for the Prevention of Cruelty to Animals;
- (c) the premises of a veterinarian licensed by the College of Veterinarians of BC, providing the veterinarian is providing temporary care for a prohibited Animal;

Store Sales

- 13. No Person owning, operating, or in direct control of a retail or wholesale store or business, shall offer for sale or sell, or display to the public any Dog, Cat, or Rabbit.
- 14. Notwithstanding Section 13, a Dog, Cat or Rabbit that has been Sterilized may be offered for adoption through the Poundkeeper, the SPCA or a rescue organization that is registered under the *Societies Act*.
- 15. At the time of adoption, the Poundkeeper, SPCA or rescue organization must provide:
 - (a) the adopting Person with a written record of adoption, including proof of Sterilization; and
 - (b) the record of adoption must contain the date of adoption, the description of the Animal, and a description of any Identification or other markings on the Animal.

PART 4 – LICENSING

Licence Requirement

- 16. No Person shall own, possess or harbour an Unlicensed Dog within the boundaries of the City.
- 17. A Person who owns, possesses or harbours any Dog over the age of 16 weeks shall obtain a Dog Licence before the first day of January each year, in accordance with the provisions of this Bylaw.
- 18. Every Dog Licence and corresponding licence tag issued under this Bylaw:
 - (a) expires on the 31st day of December of the year in which it is issued; and
 - (b) is valid only in respect of the Dog for which it is issued.
- 19. Every Owner must ensure that a valid licence tag is affixed and displayed on a collar, harness or other suitable device that is worn at all times by the Dog for which the licence is issued.
- 20. Where a licence tag is lost or destroyed, the Owner must promptly make application to the City to replace the licence tag and pay the fee prescribed in the City's Fees and Charges Bylaw.
- 21. No Person other than the licensed Owner of the Dog, or the Poundkeeper, may remove a licence tag issued pursuant to this Bylaw from the subject Dog.
- 22. Where the Owner of a Dog in respect of which a licence has been issued under this Bylaw sells or otherwise ceases to be the Owner of the Dog, the licence is automatically invalid upon the expiry of 14 days from the change in ownership.
- 23. If the licensed Owner of a Dog transfers the ownership of the Dog to another Person, that Person must obtain a new licence for that Dog by paying the licence transfer fee as prescribed in the City's Fees and Charges Bylaw and surrendering the licence tag previously held by that Dog to the Municipality, on or before the expiry of 14 days from the date of change of ownership.

24. Where a Dog has been duly licensed in another municipality or regional district, that Dog may be licensed in the City upon registration of the dog with the City and payment of the licence transfer fee prescribed in the City's Fees and Charges Bylaw.
25. Where a City bylaw provides for a reduced licence fee for a Dog that is Sterilized, the application shall be accompanied by a certificate signed by a veterinarian indicating that the Dog has been Sterilized, or other evidence that satisfies the Poundkeeper that the Dog has been Sterilized.

Licensing of an Aggressive Dog

26. An Owner must apply for an Aggressive Dog licence within 14 days of receiving a notice under Section 74.
27. No Person may own or keep any Aggressive Dog unless the Dog is licensed as an Aggressive Dog with the City by an Owner who is over 19 years of age, who has paid the applicable fee as outlined in the City's Fees and Charges Bylaw, and who keeps the Dog in compliance with Sections 78 through 81 of this Bylaw.
28. An Owner of an Aggressive Dog shall supply the following documentation to the City when first applying for a licence for an Aggressive Dog:
 - (a) A complete licence application for the Dog;
 - (b) Written confirmation from a licenced veterinarian that the Dog has been Sterilized; and
 - (c) Proof that the Dog has permanent Identification, in the form of a traceable tattoo or microchip that leads to the name, current address, and telephone number of the Owner.
29. In addition, the Owner of an Aggressive Dog shall supply the following documentation to the City each calendar year by no later than January 30th:
 - (a) Proof that a policy of liability insurance is in force that provides third party liability coverage in the form satisfactory to the City, and that names the City as an additional insured, in the minimum amount of \$1,000,000, for any injuries which may be caused by the Dog;
 - (b) A side view, full body colour photo of the Dog; and
 - (c) Payment of the Aggressive Dog licence fee as outlined in the Fees and Charges Bylaw.
30. If the Owner of an Aggressive Dog does not comply with Sections 78 through 81 of this Bylaw, the Aggressive Dog's Licence is subject to immediate cancellation and the Dog may be seized or otherwise dealt with as an Unlicensed Dog.
 - (a) If a licence is cancelled under Section 30 of this Bylaw, the Owner of the Dog may appeal the cancellation in writing to the Manager, Bylaw Services within 7 days of such cancellation, by providing written submissions setting out why the Owner believes the Aggressive Dog's licence should not be cancelled.
 - (b) After considering the submission, the Manager, Bylaw Services may confirm, reverse, or amend the decision to cancel the Aggressive Dog Licence.

PART 5 – ANIMAL WELFARE

Animal Cruelty

31. Notwithstanding any other provision of this Bylaw, no Person shall:
- (a) abandon any Animal;
 - (b) in any way use poison, air pellet guns, bows and arrows, firearms, sling shots, or similar on any Animal, except as exempted under the City's Firearms Regulation Bylaw or the *Wildlife Act* ;
 - (c) tease, torment, beat, kick, punch, choke, or provoke an Animal;
 - (d) cause, permit or allow an Animal to suffer; or
 - (e) train or allow any Animal to fight.

Basic Animal Care Requirements

32. The Owner of an Animal must ensure that the Animal is provided with:
- (a) sufficient clean, potable drinking water at all times;
 - (b) suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - (c) clean and disinfected food and water receptacles that are located so as to avoid contamination by excreta;
 - (d) the opportunity for regular exercise sufficient to maintain good health; and
 - (e) necessary veterinary care to maintain the health and comfort of the Animal or when the Animal exhibits signs of pain, injury, illness or suffering.

Outdoor Shelter Requirements

33. An Owner of an Animal must ensure that the Animal has protection from all elements and must not allow the Animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing pain, suffering, or injury.
34. A Person must not keep an Animal outside, unless the Animal is provided with a shelter that provides:
- (a) protection from heat, cold and wet that is appropriate to the Animal's weight and type of coat;
 - (b) sufficient space to allow the Animal the ability to turn about freely and to easily stand, sit and lie in a normal position; at least two times the length of the Animal in all directions, and at least as high as the Animal's height measured from the floor to the highest point of the Animal when standing in a normal position, plus 10%;
 - (c) protection from the direct rays of the sun at all times; and
 - (d) bedding that will assist with maintaining normal body temperature.
35. A Person must not confine a Dog to an Enclosure for a period in excess of 10 hours within any 24 hour period.

Sanitation Requirements

36. A Person must not keep an Animal in an Enclosure, pen, shelter, cage, or run unless the shelter, Enclosure, pen, cage or run is regularly cleaned and sanitized with all excreta removed and properly disposed of at least once a day and is kept free from wild vermin.

Tethering Animals

37. A Person must not cause, allow or permit an Animal to be:
- (a) tethered to a fixed object or vehicle where:
 - (i) a Choke Collar forms part of the securing apparatus, or
 - (ii) a rope, cord or chain is tied directly around the Animal's neck, or
 - (iii) the Animal's collar or harness is not properly fitted, or is attached in a manner that could injure the Animal or enable the Animal to injure itself by pulling on the tether;
 - (b) tethered to a fixed object, except with a tether of sufficient length to enable the Animal to sit, stand, and lie normally;
 - (c) tethered to a fixed object for longer than 2 hours within a 24 hour period;
 - (d) tethered to a traffic control device or support thereof, any fire hydrant or fire protection equipment, handrails or any other object in such a way as to obstruct the public or create a Nuisance; or
 - (e) tethered within 3 metres of an entrance or exit from any public building.

Transport of Animals in Motor Vehicles

38. No Person shall:
- (a) transport any Animals in a motor vehicle outside the passenger compartment or in an uncovered passenger compartment unless the Animal is adequately confined in a cage which is securely fastened to the vehicle, or secured in a body harness or other manner of fastening adequate to prevent the Animal from jumping or falling off the vehicle or otherwise injuring itself; or
 - (b) keep an Animal confined in an Enclosure, including a motor vehicle, without sufficient ventilation to prevent the Animal from suffering discomfort or heat or cold-related injury. Such enclosed space or vehicle, if stationary, shall be in an area providing sufficient shade to protect the Animal from the direct rays of the sun at all times, and shall, by means of open windows or operating mechanical device, supply fresh or cooled air to prevent the Animal from suffering Distress, discomfort or heat related injury.

Exercising Dogs from a Motor Vehicle or Bicycle

39. A Person must not:
- (a) exercise a Dog by allowing it to walk or run next to a moving motor vehicle; or
 - (b) exercise a Dog by allowing it to walk or run next to a bicycle, unless the Dog is attached to the bicycle by an apparatus that allows the Person to retain two-handed control of the bicycle at all times.
40. Section 39(b) does not apply to a Person exercising a Dog in a Designated Off-Leash Area if the Dog is not tethered and bicycle riding is allowed in the area.

PART 6 – ANIMAL CONTROL

Animals on Private Property

41. The Owner of an Animal must not allow the Animal to trespass on any private property without the consent of the occupier or Owner of the lands or premises.

Animals at Large

42. A Person who finds and takes possession of an Animal At Large in the City shall immediately notify the Poundkeeper with a description and photo of the Animal, where possible, provide that Person's name and address for contact purposes, and surrender the Animal to the Poundkeeper on demand.

Dogs in Public Places

43. The Owner of a Dog must not allow the Dog to be in a Public Place unless the Dog is on a Leash with one end securely affixed to a collar or harness securely attached to the Dog, and the other end held by a Competent Person.
44. Every Owner of a Dog must ensure that any Person who has care, custody or control of their Dog is a Competent Person.
45. Despite Section 43, the Owner of a Dog may allow the Dog to be Off-Leash in the areas listed in Schedule "B" to this Bylaw, so long as the Dog is under the effective control of a Competent Person such that it will obey verbal or hand commands to come when directed to do so.
46. No Person may permit a Dog in their care or custody to obstruct other users of a pathway or City sidewalk.

Other Animals in Public Places

47. The Owner of an Animal, other than a Dog, must not allow the Animal to be in any Public Place unless the Animal is under the direct control of a Competent Person.
48. Despite any other provision of this Bylaw, no Owner may permit any Animal to:
- (a) be on a Public Beach during the months of May through September inclusive; or
 - (b) be on the deck of a wading pool or a spray pool.

Animal Performances

49. No Person shall operate or carry on a public show, exhibition, carnival or performance, in which Animals are required to perform tricks, fight, participate in, or otherwise accompany exhibitions or performances for the entertainment of an audience; however, nothing in this Section shall prohibit or restrict the following:
- (a) exhibitions, parades or performances involving horses or ponies or in which individuals ride horses or ponies;
 - (b) exhibitions involving Dogs;
 - (c) displays or showings of animals in agricultural fairs or pet shows; or
 - (d) magic acts
- provided that the exhibition, parade or performance in no way causes an Animal to be treated in an inhumane manner.

Animals Damaging Public Property

50. The Owner of an Animal must not allow the Animal to damage or destroy any building, structure, playground equipment, tree, shrub, plant, or turf in a Public Place.
51. The Owner of any Animal must reimburse the City for any and all damage done by that Animal to City property in contravention of Section 50.

Animals Chasing or Harassing

52. Every Person must ensure an Animal in their care or custody does not chase, harass, molest, attack, injure or kill a Person or Animal.
53. Despite Section 52, Dogs may be used to carry out wildlife management activities as permitted by the General Manager of Development Services or their designate.

Dogs in Heat

54. Every Owner of a female Dog in heat must ensure that the Dog remains within an enclosed building, Enclosure, or pen until she is no longer in heat.
55. Despite Section 54, the Owner of a female Dog in heat may allow the Dog to leave the building or Enclosure in order to urinate or defecate on the Owner's lands, or go for a walk, if a Competent Person:
 - (a) firmly holds the Dog on a Leash; and
 - (b) immediately returns the Dog to the building or Enclosure upon completion of the urination, defecation, or walk.

Keeping of Bees

56. No Person shall keep or harbour bees in excess of 1 beehive, consisting of no more than 1 hive box and 2 nucs on top, on any parcel of land under .4 hectares.
57. On parcels of land greater than .4 hectares, no Person shall keep or harbour Bees in excess of 3 beehives, consisting of no more than 1 hive box and 2 nucs per hive, per .4 hectares.
58. A person who keeps Bees must comply with the following:
 - (a) Apiaries shall not be located within 7.5 meters of an adjacent property line unless:
 - (i) the hives are behind a solid fence, or a hedge that is at least 1.83 meters in height located parallel to an adjacent property line and extending a minimum of 6.0 meters horizontally beyond the hive in either direction; and
 - (ii) the entrance to the hive faces away from adjacent property dwellings, entrances and walkways.
 - (b) Every Person who keeps Bees must have sufficient clean water within 1 metre of the Apiary to prevent the Bees from seeking water from other sources, such as neighbourhood swimming pools, birdbaths, ponds, or other bodies of water.
 - (c) Every Person who keeps Bees on their property must maintain the bees in a condition that will reasonably prevent swarming behaviour by the bees.
 - (d) Every Person keeping Bees must be registered under the *Bee Act*, RSBC 1996, Chapter 29 and amendments thereto.
59. Notwithstanding Section 58, Bee uses on land zoned agriculturally (AR1 and AR2) shall follow the setback requirements as outlined in the City of Nanaimo's Zoning Bylaw.

Keeping of Cats

60. Every Owner of a Cat over the age of 12 weeks shall affix and keep affixed sufficient Identification on the Cat by means of a collar, harness, traceable tattoo, microchip or other suitable device.
61. Every Owner of a Cat over the age of 12 weeks shall immediately, or as soon as practicable, upon request by the Animal Control Officer, provide evidence to the Animal Control Officer's satisfaction, that such Cat has Identification in accordance with Section 60 of this Bylaw.
62. No Person shall own, keep, possess or harbour any Cat apparently over the age of 6 months in the City unless:
 - (a) the Cat has been Sterilized by a veterinarian; or
 - (b) the Person has a valid and subsisting business licence to breed Cats.
63. A Person must not intentionally feed or leave food out for any Feral Cat.
64. Despite Section 63, any Person may feed Feral Cats subject to the following:
 - (a) the Person must be registered with a City-approved organization with a Trap Neuter Release program;
 - (b) the Person must maintain a plan for the care, feeding and mandatory Sterilization, tattooing or Eartipping, and vaccination of each Feral Cat;
 - (c) the plan must be in writing and registered with a City-approved organization with a Trap Neuter Release program, the City's Poundkeeper, and the local office of the Society for the Prevention of Cruelty to Animals (SPCA);
 - (d) outdoor feeding stations must be located on private Property and may only contain food and be available for feeding for up to 45 minutes maximum, once per day; and
 - (e) outdoor shelter must be provided for any Feral Cat on the Property where the feeding station is located.

Keeping of Poultry

65. No Person shall keep or harbour any Poultry on any parcel of land unless that parcel of land has an area greater than .4 hectares.
66. Notwithstanding Section 65, a Person may keep:
 - (a) a maximum of 6 hens or ducks, or combination thereof, on a parcel of land less than .4 hectares in size but greater than .045 hectares in size; or
 - (b) if the parcel of land is smaller than .045 hectares in size, a maximum of 4 hens or ducks, or combination thereof;

provided that in any case:

- (c) no roosters, cocks, cockerels, or peafowl are kept on the Property;
 - (d) a minimum Enclosure of .37m² must be provided per hen or duck;
 - (e) any Enclosure containing hens or ducks, whether portable or stationary, must comply with the setback requirements of the zone;
 - (f) Enclosures housing hens or ducks and the areas around them must be kept clean, dry, and free of odours and vermin;
 - (g) any diseased hen or duck is euthanized and its carcass destroyed;
 - (h) no butchering or euthanizing of hens or ducks occurs on the Property; and
 - (i) hen and duck manure and waste products are composted, in an enclosed bin, or otherwise disposed of to prevent odours.
67. No Person shall keep any Poultry:

- (a) within any Dwelling Unit, or on a balcony or deck; or
- (b) in a cage, carry-cage, or portable cage other than for the purpose of transport of the Poultry.

68. No Person who has possession or control of Poultry shall allow Poultry to:
- (a) stray or trespass or graze in any highway or Public Place;
 - (b) stray or trespass or graze on private Property, except with the consent of the Owner of that private Property;
 - (c) stray or trespass or graze on unfenced land; or
 - (d) be released or abandoned anywhere within the City.

Keeping of Livestock

69. No Person shall keep any Livestock on any property, within the City, other than property zoned for such uses in the City's Zoning Bylaw.
70. No Person shall permit any Livestock to graze on unfenced land, unless securely tethered.
71. No Person shall keep any Livestock within any Dwelling Unit.

Keeping of Rabbits

72. A Person must not keep Rabbits in an outdoor Enclosure, pen, cage or run unless the Enclosure, pen, cage or run is:
- (a) securely enclosed to prevent escape and to ensure the safety of the Rabbits from predators; and
 - (b) situated at least 3 metres away from each Property line.
73. A Person must not keep any Rabbit which is not Sterilized.

PART 7 – AGGRESSIVE DOGS

Aggressive Dog

74. Where the Poundkeeper determines that a Dog meets the definition of an Aggressive Dog, the Poundkeeper will issue a written notice to the Owner of that Dog, with a copy provided to the property owner, if applicable, advising of the determination and advising the Owner of the requirements of this Bylaw with respect to Aggressive Dogs.
75. The notice set out in Section 74 may be served on the Owner in one or more of the following ways:
- (a) personally, by handing the notice to the Owner;
 - (b) by handing the notice to a Person on the Owner's Property who appears to be over the age of 16 years;
 - (c) by posting the notice upon some part of the Owner's Property and by sending a copy to the Owner by regular mail, in which case the notice is deemed to have been received by the Owner 5 days after the notice was mailed;
 - (d) by emailing a copy to the Owner, in which case the notice is deemed to have been received by the Owner 48 hours after the notice was emailed; or
 - (e) by mailing a copy by prepaid registered mail to the last known address of the Owner, in which case the notice is deemed to have been received by the Owner 72 hours after the notice was mailed.
76. A Dangerous Dog may also be dealt with by the City in accordance with Section 49 of the *Community Charter*.

77. All Animal Control Officers are designated as animal control officers for the purpose of Section 49 of the *Community Charter*.

Duties of an Aggressive Dog Owner

78. Every Owner of an Aggressive Dog must:
- (a) secure the Dog by a collar or harness and a Leash that is a maximum length of 1.83 metres or 6 feet when not on the Owner's property;
 - (b) keep the Dog Muzzled when not on the Owner's property;
 - (c) prominently display at each entrance to the property and building in, or upon which the Dog is kept, a sign similar to the one shown on Schedule "A" to this Bylaw, which must be posted so that it cannot be removed and which will be visible and capable of being read from the sidewalk, street or lane abutting the entrances to the property or building.
 - (d) at all times when the Dog is on the Owner's property, keep the Dog securely confined either indoors or, if outdoors:
 - (i) behind a secure fence at least 6 feet in height capable of preventing the entry of a child under the age of 10 years and adequately constructed to prevent a Dog from escaping; or
 - (ii) in an Enclosure that is located in a rear yard, locked to prevent casual entry by another Person, and has been inspected and approved by the Poundkeeper.
79. An Enclosure referred to in Section 78(d) must:
- (a) be of sufficient height and strength and stability to contain the Dog and form a confined area with no side in common with a perimeter fence;
 - (b) be located in a rear yard; and
 - (c) have a secure top attached to all sides, and have a single entrance which is self-closing and has a lock.
80. An Owner of an Aggressive Dog must not allow the Aggressive Dog to be:
- (a) on any school grounds, which means any portion of the Property of the School as defined in the *School Act* and *Independent School Act*;
 - (b) within 30m of any playground apparatus;
 - (c) in the areas listed in Schedule B to this Bylaw; or
 - (d) in a park.
81. The Owner of an Aggressive Dog must:
- (a) Allow an Animal Control Officer to photograph the Dog, on demand.
 - (b) Within two (2) days of moving the Dog to a new place of residence, provide the Poundkeeper with the new address where the Aggressive Dog is kept.
 - (c) Within two (2) days of selling or giving away the Dog, provide the Poundkeeper with the name, address and telephone number of the Person to whom the Dog was sold or given.
 - (d) Within two (2) days of the death of the Dog, provide the Poundkeeper with a veterinarian's certificate of death.
 - (e) Advise an Animal Control Officer immediately if the Aggressive Dog is At Large.
 - (f) Advise an Animal Control Officer immediately if the Aggressive Dog has bitten or attacked any Person, Companion Animal, Poultry or Livestock.
82. If the Poundkeeper considers that an Aggressive Dog can be retrained and socialized, or that the bite or injury from any attack was the result of improper or negligent training, handling, or maintenance, the Poundkeeper may impose, as a condition of licensing, conditions and restrictions in respect of the training, socialization, handling and maintenance of the Aggressive Dog.

83. Where the Owner of an Aggressive Dog requests that the Aggressive Dog be destroyed, the Poundkeeper may arrange to have the Aggressive Dog humanely destroyed. In such cases, the Owner must sign a form for the release of the Aggressive Dog to the City or Poundkeeper for the purposes of humane destruction.

Application for Relief from Aggressive Dog Designation

84. An Owner, following a period of at least 2 years from the date stated on the written notice under Section 74, may apply to the Manager, Bylaw Services for relief from the requirements of Section 29, and Sections 78 through 81 provided that:
- (a) The City has received no further complaints regarding the Dog's aggressive behaviour during the two-year period; and
 - (b) The Owner provides satisfactory proof that the Owner and the Dog have successfully completed a course designed and delivered by a qualified dog behaviour professional to address the Dog's aggressive behaviour.
85. If a Dog displays aggressive behaviour again after relief has been granted pursuant to Section 84, the requirements of Section 29 and Sections 78 through 81 shall apply in perpetuity.

PART 8 – ANIMAL NUISANCES

Animal Waste

86. Every Person must immediately remove and lawfully dispose of any excrement deposited by a Dog in their care and custody on any Public Place, Public Beach, or private property not owned or occupied by the Owner.
87. No Person who has removed Dog excrement may deposit same into a public litter receptacle except where the excrement is securely contained in an impermeable bag or other impermeable container so as not to ooze, leak or fall out in the public litter receptacles.

Noisy Dogs

88. The Owner of a Dog must not allow or permit a Dog to bark, howl, yelp, cry or make other noises:
- (a) sporadically for a cumulative total of 15 or more minutes within any 60 minute period;
 - (b) in a manner that that unduly disturbs the peace, quiet, rest, comfort or tranquility of the surrounding neighbourhood or vicinity, or of Persons in the neighbourhood or vicinity; or
 - (c) otherwise in such a manner as to cause a Nuisance.

Feeding Wildlife

89. A Person must not intentionally feed or leave food out for the purposes of feeding:
- (a) *Cervidae* (deer)
 - (b) *Procyon lotor* (racoons);
 - (c) *Sciurus* (squirrels);
 - (d) Feral Rabbits; or
 - (e) bears, coyotes, cougars, wolves, or other Animals designated as dangerous wildlife under the *Wildlife Act*, RSBC 1996, c. 488.

PART 9 – SEIZING AND IMPOUNDING ANIMALS

Authority to Seize and Impound

90. The Poundkeeper may immediately seize and impound:
 - (a) a Dog that is At Large in contravention of this Bylaw;
 - (b) any Unlicensed Dog;
 - (c) any Animal, other than Wildlife, that is straying or trespassing on private Property;
 - (d) any Animal, other than Wildlife, that is on unfenced land and not securely tethered or contained; and
 - (e) any Animal, other than Wildlife, that exhibits signs of pain, injury, illness, or suffering that Council or the Poundkeeper considers cannot be otherwise reasonably addressed.
91. The Poundkeeper may impound any Animal brought to the Pound by any other Person.
92. The Poundkeeper may, where they have reason to believe that an Unlicensed Dog has taken refuge on a premises:
 - (a) require the occupant of such premises to provide proof that the Dog is the subject of a current and valid licence and is wearing the associated licence tag, or to surrender the Dog to the Poundkeeper;
 - (b) enter and search any place, including a place that is occupied as a private dwelling, subject to the requirements of Section 16 of the *Community Charter*.
93. The Poundkeeper is authorized to employ such assistance as is deemed necessary or advisable to seize and impound any Animal pursuant to this Bylaw, and the expense shall be added to the fees chargeable by the Animal Control Officer as outlined in the Fees and Charges Bylaw.

Care of Impounded Animal

94. If the Poundkeeper considers that an impounded Animal requires one or more of:
 - (a) a vaccination;
 - (b) flea treatment;
 - (c) worm treatment;
 - (d) examination by a veterinarian; or
 - (e) urgent veterinary care to alleviate any pain or suffering as recommended by a veterinarian;

then the Poundkeeper may cause such care to be provided at the sole cost and expense of the Animal's Owner.

Informing the Owner of Impoundment

95. Where an Animal is impounded pursuant to this Bylaw, within 24 hours, or in cases where the Pound is closed, on the next business day, the Poundkeeper must make reasonable effort to:
 - (a) contact the Owner of an impounded Animal if known to the Poundkeeper or the Animal is wearing Identification, by calling the telephone number in the Identification;
 - (b) contact the Owner of an impounded Dog if the Dog is wearing a licence tag, by calling the telephone number in the licence information;
 - (c) ascertain the Owner of the Animal, other than a Dog wearing a licence tag, by posting a notice on the Pound's website and social media site, including a photograph, when possible, and/or description of the Animal and the contact information for the Poundkeeper.

96. Where the Poundkeeper is unable to reach the identified Owner of an impounded Animal by telephone, a notice of impoundment may be delivered by mail and shall be sent to the last known address of the Owner, in which case the notice shall be deemed to have been received by the Owner 72 hours after being deposited in any post box within the City.
97. Notices of impoundment shall include the following information:
 - (a) date and time of the impoundment;
 - (b) description of the Animal;
 - (c) how application may be made for release of the Animal;
 - (d) costs of seizure, expenses to the date of the notice and any continuing costs and expenses; and
 - (e) that the Animal will become the property of the City and may be put up for adoption or destroyed after the expiration of 96 hours from the date and time the notice of impoundment is given, or deemed to be given, to the Owner, unless redeemed.

Redeeming an Animal from the Pound

98. The Owner of an impounded Animal or the Owner's authorized agent may redeem the Animal from the Pound by:
 - (a) proving Ownership of the Animal to the satisfaction of the Poundkeeper and, in the case of an Owner's agent, satisfying the Poundkeeper of the agent's authority to act on the Owner's behalf;
 - (b) paying to the Poundkeeper:
 - (i) any applicable licence fees as outlined in the Fees and Charges Bylaw;
 - (ii) the applicable impoundment fees as outlined in the Fees and Charges Bylaw;
 - (iii) the applicable maintenance fees as outlined in the Fees and Charges Bylaw;
 - (iv) the City's actual incurred costs and expenses in respect of any and all damage done by the Animal to City Property in accordance with Section 50;
 - (v) any veterinary costs incurred in respect of the Animal during the impoundment period; and
 - (c) satisfying the Poundkeeper that the Owner is in compliance with Part 5 of this Bylaw.
99. The Poundkeeper may refuse to release the impounded Animal to the Owner or the Owner's agent in accordance with Section 112.
100. The Owner of an Impounded Animal is liable to pay the seizure and impoundment fee and boarding and maintenance fees, including costs of veterinary treatment and the cost of transport to the nearest available veterinary practitioner, whether or not the Owner redeems the Animal.

No Liability for Injury to Animal

101. No provision of this Bylaw shall be construed as making the Poundkeeper, the City, or their agents liable to any Person for injury to, sickness or death of an Animal, whether or not incurred while the Animal is in the custody of the Poundkeeper.

Disposition of Unredeemed Animals

102. An Animal, other than Wildlife, becomes the property of the City if it is not redeemed within 72 hours after:
 - (a) it is impounded; or
 - (b) in the case of a licensed Dog, within 96 hours of the Owner being notified of the impoundment pursuant to Section 95 and 96 of this Bylaw.

103. If an Animal, other than Wildlife, becomes the property of the City, the Poundkeeper may:
- (a) put the Animal up for adoption;
 - (b) cause the Animal to be surrendered to the British Columbia Society for the Prevention of Cruelty to Animals or any other organization or Person for the purpose of adoption;
 - (c) deal with the Animal in accordance with the requirements of applicable federal or provincial legislation; or
 - (d) cause the Animal to be humanely destroyed.
104. Where any Animal is adopted out pursuant to Section 103 above, all property and interest any previous Owner had in that Animal will pass to the purchaser, and all rights of property in the Animal that existed before the adoption shall be extinguished.
105. Where an impounded Animal is adopted out pursuant to this Bylaw, any monies received by the Poundkeeper for the Animal will be applied against the fees and costs of outstanding licences, veterinary care and adopting out the Animal.

Euthanization of Impounded Animals

106. Notwithstanding any other provisions of this Bylaw, if an impounded Animal is suffering from an injury, sickness or incurable disease or from any other cause, the Poundkeeper may euthanize, by lethal injection of a barbiturate approved by the College of Veterinarians of British Columbia, any Animal deemed to be seriously ill or injured, for humane reasons and in prior consultation with a veterinarian, if all reasonable efforts to contact the Owner of the Animal have failed.

Adoption of Animals

107. Every Person wishing to adopt an Animal from the Pound must:
- (a) make an application to the Poundkeeper on the form prescribed by the Poundkeeper and pay the fees set out in the Fees and Charges Bylaw; and
 - (b) if the Animal is a Dog, licence the Dog pursuant to this Bylaw, where applicable.

PART 10 – PENALTIES AND ENFORCEMENT

Enforcement

108. This Bylaw may be enforced by a Poundkeeper, and any other Person or class of Persons designated by Council to enforce City bylaws.

Provision of Information

109. If a Person occupies premises where a Dog is kept or found, the Person must provide the following information when requested by the Poundkeeper:
- (a) the Person's name, address and telephone number;
 - (b) if the Person is not the Dog's Owner, the Owner's name, address and telephone number;
 - (c) the number of Dogs kept on the premises;
 - (d) the breed, sex, age, name and general description of each Dog kept on the premises;
 - (e) whether each Dog kept on the premises is licensed, and if so, the licence number(s).
110. If a Person has care or custody of a Dog, the Person must provide the following information when requested by an Animal Control Officer:
- (a) the Person's name, address and telephone number;
 - (b) if the Person is not the Dog's Owner, the Owner's name, address and telephone number;

- (c) the breed, sex, age, name and general description of each Dog owned by or in the custody of the Person;
- (d) whether each Dog owned or in the custody of the Person is licensed, and if so, the licence number(s).

Entering Property for Inspection

111. In accordance with Section 16 of the *Community Charter*, an Animal Control Officer at reasonable times may enter onto and into real Property to inspect and determine whether the requirements and prohibitions of this Bylaw are being complied with.

Right of Refusal to Release from Impoundment

112. The Poundkeeper may refuse to release an Animal to any Person, including its Owner, where:
- (a) the Animal has been seized by the Poundkeeper under Section 49 of the *Community Charter* less than 21 days prior, or is the subject of an application under Section 49 of the *Community Charter*;
 - (b) authorized or required under applicable federal or provincial legislation;
 - (c) the Poundkeeper has determined under Section 106 of this Bylaw that the Animal is subject to suffering that cannot be reasonably addressed other than by the Animal's humane destruction; or
 - (d) if any fees under this Bylaw remain owing.

Offences

113. No Person shall hinder, delay, or obstruct in any manner, directly or indirectly, the Poundkeeper from carrying out their duties and powers under this Bylaw, including, without limitation by:
- (a) providing false information;
 - (b) unlocking or unlatching or otherwise opening a vehicle or Enclosure in which an impounded Animal has been placed;
 - (c) removing or attempting to remove any Animal from the possession of the Poundkeeper; or
 - (d) removing, or attempting to remove, an Animal from the Pound except in accordance with this Bylaw.
114. Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the *Community Charter* and *Offence Act*.
115. Where an offence under this Bylaw is of a continuing nature, each day that an offence continues, or is permitted to exist, constitutes a separate offence.
116. Section 114 shall not prevent the City, or an authorized Person on behalf of the City, issuing and enforcing a bylaw notice under the City's Bylaw Notice Enforcement Bylaw.

PART 11 – GENERAL PROVISIONS

Severability

117. If any part, section, sub-section, sentence, clause or sub-clause of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid section shall be severed and the severance shall not affect the validity of the remaining portions of this Bylaw.

Repeal

118. “Licencing and Control of Animals Bylaw 1995 No. 4923” and all amendments thereto, are hereby repealed.
“Animal Performance Bylaw 1992 No. 4504” and all amendments thereto, are hereby repealed.
“Faeces Removal Bylaw 1980 No. 2190” and all amendments thereto, are hereby repealed.

PASSED FIRST READING: 2021-FEB-01
PASSED SECOND READING: 2021-FEB-01
PASSED THIRD READING: 2021-FEB-01
THIRD READING RESCINDED: _____
PASSED THIRD READING, AS AMENDED: _____

Approved by the Minister of Forests, Lands and Natural Resource Operations _____

ADOPTED _____

MAYOR

CORPORATE OFFICER

SCHEDULE "A" to Animal Responsibility Bylaw No. 7316

Actual Size of Sign: 30.5 cm x 23.5 cm [12 inches x 9.25 inches]
Red lettering. Black graphic of Dog's head.

WARNING
AGGRESSIVE DOG ON PREMISES



SCHEDULE “B” to Animal Responsibility Bylaw No. 7316

Designated Off-Leash Dog Areas

PARK NAME	PARK ADDRESS	SPECIAL CONDITIONS
Beaufort Park	69 Lorne Place	Only areas as designated by signage in park
Beban Park	2300 Bowen Road	Fenced area only
Cable Bay Trail	ROW Cable Bay, Lot 114	Entire park
Colliery Dam Park	635 Wakesiah Avenue	Only areas as designated by signage in park
Diver Lake Park	2430 Black Frank Drive	Only areas as designated by signage in park
Gallows Point	208 Colville Ton Trail	Only areas as designated by signage in park
Invermere Beach Park	6420 Invermere Road	Entire park
May Richards Bennett Pioneer Park	6780 Dover Road	Only areas as designated by signage in park
Northfield Rotary Lookout Park	2450 Northfield Road	Fenced area only
St. George Ravine Park	1060 St. George Street	Only areas as designated by signage in park
Wardropper Park	2957 Departure Bay Road	Fenced area only
Westwood Lake Park	231 Westwood Road	Only areas as designated by signage in park

DATE OF MEETING JUNE 7, 2021
AUTHORED BY BILL SIMS, GENERAL MANAGER, ENGINEERING AND PUBLIC WORKS
SUBJECT **2021 UBCM COMMUNITY EXCELLENCE AWARDS**

OVERVIEW

Purpose of Report

To obtain Council’s support for an application to Union of British Columbia Municipalities 2021 Community Excellence Awards.

Recommendation

That Council support the application for Nanaimo’s Complete Street Engineering Standards and Design Guidelines to be considered for a 2021 Community Excellence Award for Excellence in Sustainability.

BACKGROUND

Each year, the Union of British Columbia Municipalities (UBCM) provide BC communities an opportunity to recognize and celebrate excellence, leadership, and innovation through its Annual Award of Excellence program.

Staff submitted an application for Nanaimo’s Complete Streets Engineering Standards and Design Guidelines, in time for the deadline of May 21, 2021. The submission is in the Excellence in Sustainability category, which from the program guide “recognizes UBCM members that incorporate a long-term sustainability lens by considering the four pillars - cultural, social, economic, and environmental issues - in planning, policy and practice.” Staff believe the Complete Streets Standards support these pillars, and will be a game changer for street use in Nanaimo.

DISCUSSION

Nanaimo developed Complete Streets Engineering Standards and Design Guidelines in parallel to applying them on the Metral Drive project, showcasing sustainable urban transportation design. The Complete Streets Standards set a high bar for street design, improving equity, and greatly enhancing safety for all street users – especially the vulnerable. Council adopted Complete Streets design principles into Bylaw in its Engineering Standards in November 2020, leading the way in British Columbia. The new Standards will govern future street design, and provide examples of built infrastructure that other North American cities can draw upon to improve sustainability and livability. We believe Nanaimo to be the first to implement a true Dutch-style design in Canada and the first City in North America to include it in Engineering Standards documents.

This work contributes to the evolution of safer streets for all users across British Columbia, Canada, and North America.

Nanaimo's application will be formally accepted by UBCM should Council indicate support by resolution. Staff believe that submitting the award will further demonstrate Council's leadership in environmental and social sustainability.

OPTIONS

1. That Council support the nomination for Nanaimo's Complete Streets Engineering Standards and Design Guidelines to be considered for a 2021 Community Excellence Award for Excellence in Sustainability.
 - The advantages of this option include demonstrating Council's leadership by showcasing Nanaimo's Complete Streets Standards among BC municipalities and support their progression toward safer streets.
2. That Council decline to support the application for the Community Excellence Awards.
 - There are no significant implications for not applying, perhaps other than the missed opportunity to raise Nanaimo's profile.

SUMMARY POINTS

- In November 2020, Council adopted Complete Streets Standards by Bylaw, which will contribute to safer streets for all users – especially those most vulnerable.
- The Union of British Columbia Municipalities (UBCM) recognize and celebrate excellence, leadership and innovation through its Awards of Excellence.
- Nanaimo has applied for an Award for Excellence in Sustainability for the Complete Streets Standards.

ATTACHMENTS:

Attachment A – Application for 2021 Community Excellence Award for Excellence in Sustainability

Submitted by:

Bill Sims
General Manager
Engineering and Public Works

Concurrence by:

Jake Rudolph
CAO

Community Excellence Awards 2021 Application Form

Please complete and return the application form by May 21, 2021. All questions are required to be answered by typing directly in this form. If you have any questions, contact awards@ubcm.ca.

SECTION 1: Applicant Information	AP- <i>(For administrative use only)</i>
Local Government or First Nation: City of Nanaimo	Complete Mailing Address: 455 Wallace Street, Nanaimo, BC V9R 5J6
Contact Person: Bill Sims	Position: General Manager, Engineering & Public Works
Phone: 250-756-5302	E-mail: bill.sims@nanaimo.ca

SECTION 2: Category. Please select one:
<input type="checkbox"/> Excellence in Governance. <i>Governance processes or policies that are outcomes-based and consensus oriented; support and encourage citizen participation in civic decision-making; are efficient, equitable and inclusive, open and transparent; and exemplify best practices in accountability, effectiveness, and long term thinking.</i>
<input type="checkbox"/> Excellence in Service Delivery. <i>Projects/programs that provide effective services in a proactive manner, demonstrate benefit to the community, and utilize performance measures, benchmarks and standards to ensure sustainable service delivery.</i>
<input type="checkbox"/> Excellence in Asset Management. <i>Projects/programs that demonstrate a comprehensive system of asset management policies and practices, meeting and/or exceeding accepted best practices.</i>
<input checked="" type="checkbox"/> Excellence in Sustainability. <i>Projects/programs that incorporate a long-term sustainability lens by considering cultural, social, economic and environmental issues in planning, policy and practice.</i>

SECTION 3: Project/Program Details



1. Name of the Project/Program:

Nanaimo's Complete Streets Engineering Standards and Design Guidelines

2. Project/Program Summary. Please provide a summary of your project/program in 150 words or less.

Nanaimo developed Complete Streets Engineering Standards and Design Guidelines in parallel to applying them on a major corridor project, showcasing sustainable urban transportation design. The Complete Streets Standards set a high bar for street design, improving equity and greatly enhancing safety for all street users – especially the vulnerable. Nanaimo Council adopted Complete Streets design principles into Bylaw in its Engineering Standards in November 2020, leading in British Columbia. The new Standards will govern future street design, demonstrate benefits immediately through implementation, and provide examples of built infrastructure that other North American cities can draw upon to improve sustainability and livability. We believe Nanaimo to be the first to implement a true Dutch-style design in Canada and the first City in North America to include it in Engineering Standards documents.

Nanaimo is proud to contribute to the evolution of safer streets for all users across British Columbia, Canada and North America.

3. Demonstrating Excellence. Please describe how your project/program demonstrates excellence in meeting the purposes of local government in BC and provides promising practices for others to follow.

While there are many examples of complete street design guidelines, we believe Nanaimo to be the first municipality to embrace separated active transportation facilities and raised local intersections in detailed Engineering Standards. Other municipalities and developers are building amazing and notable Complete Streets themed projects. Nanaimo's new standards ensures that these principles are not an isolated project, but a City wide standard that will be incorporated in all new street construction.

Immediately implementing newly adopted standards on the Metral Drive project demonstrate how Complete Streets can contribute to community well-being. Complete Streets provide a safe environment for people to choose active and healthier travel options while enhancing the streetscape. Metral Drive had varying levels of pedestrian facilities from sidewalks to gravel shoulders and cycling infrastructure was nonexistent. Using the Complete Streets Standards to develop the Metral Drive Complete Street Project provides people, regardless of their age, income or physical ability, with safe active travel options. The corridor connects one of the City's longest multi-use trails, the E&N Trail to the Woodgrove Centre, one of Nanaimo's key mobility and economic hubs.

While the Complete Streets Guidelines recommend best practice levels of space and separation, they also include retrofit guidance and speaks to how similar outcomes can be achieved for lower costs or in constrained right-of-ways.

The Engineering Standards and the Metral Drive project include many best practices, but most innovative is the adoption of Dutch design principles prioritizing active modes through design with continuous sidewalks and bike paths across local roads. While this

old design technique is often used in Europe, we believe it has not been fully implemented in Canada.

4. **Category Criteria.**

A. Please describe how your project/program meets the objectives of the category you have applied under. Refer to Section 3 of the Program & Application Guide.

Nanaimo Council have placed into Bylaw a progressive set of new Engineering Standards that will improve cultural, social, economic, and environmental sustainability in the City. Through providing documentation and built examples for other cities to learn from, Nanaimo can dramatically advance urban design of Canadian cities, and is continuing the journey towards roads safe for all ages and abilities.

Embracing active transportation is an important step for municipalities in reaching their environmental and mobility-shift goals. Applying Complete Streets Guidelines and Engineering Standards speaks to how Nanaimo is advancing sustainability through planning and policy. The Metral Drive project illustrates how municipalities can take these plans and policies and put them into practice.

B. In many cases projects may meet the criteria of more than one category. If applicable, please describe how your project meets the criteria of one or more other categories.

SECTION 4: Program Criteria

5. Leadership. Describe the extent to which your local government acted as a local or regional leader in the development or implementation of the project/program.

Social Sustainability:

Like many North American cities, Nanaimo sprawled significantly in the post-war years, into single-family neighbourhoods. For decades planning and design focussed around the automobile, with four lane roadways bordered by narrow sidewalks or paved shoulders. These streets make it easy to drive, but uncomfortable and sometimes impossible to walk along, given Nanaimo's topography and only the most fearless cyclists would consider cycling.

As early as 2014, the Nanaimo Transportation Master Plan signaled a massive shift from auto-mobile dependence to pedestrians and cyclists: people-scaled streets. Since then, the City has accelerated building out its network of pedestrian and cycling facilities, but needed a standard for safety, consistency and applicability across the variety of streets.

The ability to move freely and safely around the City no matter your mode of transportation should be a minimum requirement, not localized exceptions. Those that cannot afford to own a vehicle must negotiate incomplete networks or infrequent transit services. The Complete Streets Standards and the Metral Drive project seek to provide

equitable streets and alternative transportation choices where previously there were none. While just a start, on Metral Drive at least, people will not feel excluded simply because they use a certain mode of transportation.

With the recent release of the Province of British Columbia's Active Transportation Strategy, the need to provide people with the ability to safely travel in a healthy way was further brought to the forefront of planning policy and design needs. By providing complete networks for pedestrians, cyclists, other micro-mobility modes, greater access to transit, and reduced friction for those with mobility impairments, the City will enable the community to make healthier transportation choices where previously the lack of infrastructure and risk to safety would force people into their cars. No matter their age or ability, the designs will separate and protect the most vulnerable.

Nanaimo's new Complete Streets Standards ensure that the most vulnerable street users are prioritized, providing design solutions such as the raised intersections across local streets, protected intersections for cyclists to safely make two-stage turns from raised bike paths behind a treed boulevard. The guidelines recommend these facilities for all streets where motor vehicle traffic volumes or speeds are high enough to be unsafe for shared use. On local streets where speeds are lower, shared use by cyclists is permitted, and sidewalks continue across the local street to prioritize pedestrians.

Raised intersections naturally calm vehicle traffic and demonstrate priority of non-vehicle users. Those with mobility challenges benefit from raised intersections without the need to negotiate awkward curb ramps, or travel across wide-throated intersections. The visually impaired benefit from tactile surface warning devices where they cross bike paths or vehicle lanes improving their ability to negotiate the urban environment safely.

Environmental Sustainability:

In 2019 The City of Nanaimo declared a climate emergency, and set a mandate that decisions be viewed through the lens of reducing atmospheric carbon. Transportation in the Nanaimo region accounts for 63% of community emissions, and as such, present one of the biggest opportunities for reduction.

Mitigating transportation related emissions is a difficult task in the short term. As the active transportation network is built out, the new standards will begin to enable the community to consider active modes of transportation as an alternative to the motor vehicle for everyone regardless of age or ability, reducing community emissions.

- 6. Financial management and planning.** Describe the degree to which the project and/or organization has implemented financial best practices that support long-term financial planning, value for money, financial sustainability and/or economic development.

Economic Sustainability:

When developing the Complete Streets Standards, careful attention ensured that the principles adopted are economically neutral to future city capital or development-built projects. The implementation of the Metral Drive project allowed the city to test the cost-benefit of design principles on a real-life project while refining the Guidelines and Standards. The results indicate that the raised local intersection is cost neutral, but that the safety benefits are enormous. Thus, the overall cost to society is significantly reduced. In other cases it was shown that the long term asset renewal costs for the city would be reduced. For example moving the bike facilities off-street means a facility with

full-depth pavement structure to withstand commercial traffic is replaced with one that has a much shallower, and more economic structure because it only carries low impact cyclists. Economically, Complete Streets can be less costly to construct and maintain for some components. Of course, a complete street often requires more space to make it complete.

Complete Streets can support economic vitality by enabling people on lower incomes without access to a motor vehicle improved access to employment opportunities. The Metral Drive project in particular, will connect the E&N Trail to the Woodgrove Centre, Nanaimo's largest mall, enabling a large part of the population to access the mall along a route separated from traffic.

Nanaimo's Official Community Plan contains a number of Mobility Hubs throughout the City that are essentially activity centres that attract people. The new Engineering Standards create special Mobility Street cross sections to emphasize people-friendly streetscapes. Complete Streets, when matched with land use, create attractive streets with space for the adjacent land use to spill out into the street, helping support a vibrant economy and a vibrant street life.

7. Partnerships and collaboration. Describe the breadth and depth of community and/or regional partnerships that supported the project/program and the extent to which internal and/or external collaboration was evident.

A critical part of a complete street is access to transit. The Regional District of Nanaimo operates the transit system in Nanaimo. Throughout the development of the Complete Streets Standards and the design of the Metral Drive project, collaboration with the Regional District was critical to integrating transit into our Complete Streets Standards.

Internally, collaboration was significant as several internal design workshops ensured all city departments had a voice in the development of the Complete Streets Guidelines. Specific attention was paid to emergency services and ensuring that while making the streets more comfortable for active transportation users, emergency services were not impeded.

Extensive engagement with the development community as the standards and guidelines evolved helped ensure acceptance.

8. Innovation and promising practices. Describe the degree to which the project/program demonstrated creativity and innovation, and contributed to increased efficiency or effectiveness.

The new Complete Streets Standards, Guideline, and Metral Drive design include many best practices, but most innovative is the adoption of Dutch design principles prioritising active modes of transportation through design with continuous sidewalks and bike paths across local streets. While this old design technique is often used in Europe, we believe it has not been fully implemented in Canada.

The raised intersection makes an appearance in the Transportation Association of Canada Traffic Calming Guideline, but is not featured in the Geometric Design Guideline. It is featured in the BC Road Safety Toolkit in schematic form, but we have yet to discover an example where this has been implemented.

Nanaimo's new Engineering Standards now document and illustrate how the design can work in Canada and the application on Metral Drive will provide a real-world example to show it is possible.

The benefits are unquestionable, indeed when the advantages and disadvantages are considered, it is hard to understand why local roads are designed without raised intersections. When comparing traditional curb return intersections to raised intersections, the raised intersection is far superior for:

- Pedestrians: Raised continuous sidewalk emphasizes priority for pedestrians over turning traffic. The vehicle has to cross the pedestrian space, not the other way around.
- Mobility Impaired Pedestrians: Raised continuous sidewalks remove barriers. People in wheelchairs or mobility devices do not have to negotiate curb ramps and have the same priority as pedestrians.
- Visually Impaired Pedestrians: Raised continuous sidewalks remove barriers. Visually impaired individuals do not negotiate the road, but instead, drivers negotiate the sidewalk.
- Cyclists: If provided, continuous bike paths emphasize priority for cyclists over turning traffic. The vehicle has to cross the bike path.
- Intersection Safety: The narrow entry and exit from the local road and need to cross the raised bike path and sidewalk slow traffic considerably reducing the likelihood and severity of any collisions.
- Neighbourhood Safety: Vehicle speeds are reduced entering and exiting a neighbourhood indicating to the driver that conditions are different and encouraging them to reduce their speed on the local road, benefitting the local neighbourhood.
- Motor Vehicles: While drivers may add a few seconds to their journey, given the need to negotiate the turn at a slower speed, they also benefit by the reduced likelihood and severity of a collision with a pedestrian, cyclist, or any other motor vehicle.

9. Public engagement and communications. Describe the extent to which public engagement was foundational to the success of the project/program, including the use of communication tools such as social media.

Over the course of some twenty-four months, significant public consultation was a hallmark in the development of the Complete Streets Standards. Some of the work included best practice reviews, a SWOT analysis, multiple open houses, engagement events at local malls and public surveys. Specific consultation targeted key stakeholders such as the Canadian National Institute for the Blind, cycling groups, schools and developers. Also, multiple meeting with consulting engineers within the development community lead to understanding the impacts on implementing these standards on a City wide approach to future developments.

Internal design workshops ensured that all City departments had a voice in the development of the Complete Street Guidelines. One of the most significant components of the guideline and that which has sparked most interest to date, is the inclusion of Dutch-style raised intersections. These are featured at local streets where there should be no need for drivers to enter or exit a neighbourhood at speed. Rather than traditional curb returns, they feature driveway-style letdowns and continuous raised sidewalks and bike paths. While facing some resistance at first, the concept quickly

gained support of the City team and through discussions with emergency services, all concerns were allayed. This component specifically has been extremely well received in the planning and design community through social media.

Emergency Services were engaged and involved in development of the Complete Streets Standards, ensuring passage of large emergency vehicles.

10. Transferability. Describe the degree to which the process or outcomes of the project, or other learnings, could be conveyed to other UBCM members.

Nanaimo's Complete Streets Guidelines and Engineering Standards are immediately transferable across North America. Nanaimo intentionally undertook the development of the Guidelines, Engineering Standards and the Metral Drive Complete Streets pilot project simultaneously to demonstrate how complete street principles can be applied in real situations. This allowed the guideline and standards to be tested and refined on a real project, while still in development. This was invaluable in understanding the constraints municipalities face, forcing Nanaimo to make decisions with respect to design ideas, and helping inform the retrofit section of the Guidelines, given the constraints along the corridor. The project will provide a finished example of the type of street the standards are striving to create, providing a showcase project for the guideline and sustainable transportation, particularly with respect to the Dutch-style raised intersections featured along the corridor. For the rest of Canada, and even North America, the work will provide design guidance and a built example, and is already drawing eyes to Canada and the City of Nanaimo. The safety benefits of these new standards, specifically the raised intersections, are considerable and the downsides negligible. If we are serious about the journey to safer roads, we need to build infrastructure that prioritizes and protects our most vulnerable road users.

The protected intersection and raised intersection designs in Nanaimo's Manual of Engineering Standards and Specifications aim to inspire other cities. The Transportation Association of Canada (TAC) awarded Nanaimo the 2020 Sustainable Urban Transportation Award and TAC is considering it's inclusion in a future update of their Geometric Design Guideline.

If Nanaimo can demonstrate Complete Streets work in a Canadian context, if we can demonstrate the desire for such facilities in communities across Canada, then we can inspire others in Canada to use this design and positively contribute to road safety and accessibility for decades to come.

SECTION 5: Additional Information

11. Please share any other information you think may help support your submission.

There is a further, serendipitous connection to the Netherlands: Many of the side streets featuring Dutch-style raised intersections are named for Dutch towns, in honour of the close relationship between the Canadians who liberated Holland and the Dutch people. Bergen-Op-Zoom, Arnhem Terrace, Tulip Place and Amsterdam Crescent place an historic echo to the improvements on Metral Drive.

To understand the value the new Standards and the Metral Drive design would add to the Canadian context and confirm our belief that this technique has not been previously adopted, the team queried many well respected planners, engineers, and advocates for better urban design to find examples of such designs. It revealed nobody in Canada appears to be adopting the raised intersection approach despite the overwhelming benefits that it provides. Nanaimo aims to change that! We believe Nanaimo would be the first to implement a true Dutch-style design in Canada and the first to include it in their Manual of Engineering Standards and Specifications.

The Metral Drive project will provide a Canadian showcase for Dutch-style raised intersections in Canada prioritizing the safety of our most vulnerable, and will position Nanaimo as an example of best practice for all communities in Canada to reference. Sharing of the Metral Drive project renderings has already gained significant praise from notable organizations and people through social media, further validating the design decisions made during these two projects and highlighting the interest for this kind of design in Canada

For Nanaimo's Engineering Standards, Guideline, and Metral Drive projects, the City of Nanaimo has been awarded the Transportation Association of Canada (TAC)'s 2020 National Sustainable Transportation Award and the Canadian Institute of Transportation Engineers (CITE) 2021 Nominee to the International Awards, in Transportation Achievement Award: Complete Street Category

SECTION 6: Required Attachments

- Council, Board or Band Council resolution indicating support for the project to be considered for a 2021 Community Excellence Award.
- Five representative photos of the project. Photos should be submitted as JPEG files at a resolution suitable for display.
- Optional: Links to any publicly available videos related to the project.

Applications should be submitted as Word or PDF files. Submit applications to Local Government Program Services, Union of BC Municipalities.

E-mail: awards@ubcm.ca

SECTION 7: Signature

Applications are required to be signed by an authorized representative of the applicant.

Name: William Sims

Title: General Manager, Engineering & Public Works

Signature: See next page

Date: May 21, 2021

DATE OF MEETING June 7, 2021

AUTHORED BY SEAN REILLY, PROPERTY AGENT, REAL ESTATE

**SUBJECT LEASE TO DOUBLE H HOLDINGS LTD. – 2280 BOWEN ROAD
(BEBAN PARK PITCH AND PUTT)**

OVERVIEW

Purpose of Report

To provide Council with background information on an existing lease for the Beban Park Pitch and Putt, operated by Double H Holdings Ltd., and to obtain Council approval to enter into a new ten-year lease agreement for the facility.

Recommendation

That Council:

1. approve a new ten-year lease agreement with Double H Holdings Ltd. for the Beban Park Pitch and Putt; and
2. authorize the Mayor and Corporate Officer to execute the lease agreement.

BACKGROUND

Beban Park is the community's largest City-owned recreation campus. At just under 52.6ha (130 acres), Beban Park features key indoor and outdoor recreational facilities, including more than 20 outdoor amenities and large open spaces.

In 1998, the City and Double H Holdings Ltd. ("Double H") entered into an agreement to construct and manage a pitch and putt golf course at Beban Park. The City provided 5.86ha (14.5 acres) of land within Beban Park through a market lease to Double H who constructed and operated the Beban Park Pitch and Putt (the "Course") under the agreement. The first nine holes of the Course were opened to the public on 1999-MAY-01, with the second nine holes opening a year later.

In 2010, Double H requested a lease extension and Council granted a new 13-year term for the facility from 2010-NOV-15 to 2023-OCT-31. In 2010, the lease was subject to and went through an optional Alternative Approval Process (AAP) to confirm the public's support of the commercial operation within Beban Park.

In exchange for the original lease, Double H made substantial upgrades to the facility, including the removal of seven holes to make space for the new driving range facility. The Beban Park Master Plan, adopted in 2015, supported the continuation of the golf course, which negates the need for future AAPs.

Double H has requested a new lease agreement prior to the expiration of the current term, in order to facilitate renewal in the course.

DISCUSSION

Double H has requested the City provide a new ten-year lease agreement with an optional five-year renewal term for the facility. The City solicitor has advised that an AAP is not required for this new agreement as the new lease agreement is not a parkland disposition.

As part of the lease renewal, Double H has committed to the following improvements:

- replacement of all tee boxes;
- installation of new perimeter fencing from #5 tee to # 9 tee;
- removal and replacement of some trees affecting play on the course;
- systematic replacement of current irrigation system;
- replacement of driving range support poles; and
- upgrade of driving range safety barrier netting.

As part of the lease negotiations, Staff commissioned an independent appraisal for the lease area to determine the current applicable market rent. The recommendations of the appraisal have been incorporated into the new lease terms. Under the current agreement, Double H is paying \$36,819.24 per annum, with additional rent of 10% of gross revenue over \$352,000 per annum plus operating costs, including property taxes, water, and hydro. The recent appraisal commissioned by Staff indicated an increase in the annual base rent to \$40,600. The additional rent threshold amount has been decreased by two thousand to \$350,000, with Double H still being responsible for operating costs.

Double H Lease Key Terms:

- Term: Ten years plus optional five-year renewal (commencing 2022-JAN-01).
- Base Rent: \$40,600 in annual rent, with rent reviews every three years.
- Additional Rent: 10% in excess of \$350,000 in gross revenue for each lease year of term.
- Required Investment: Approximately \$80,000 to be completed within five years, and \$160,000 to be completed between five - ten years.
- Costs: Double H responsible for operating costs, including property taxes, water, and hydro.

Conclusion

The Course has remained a popular attraction within Beban Park. It provides access to community members of all ages, abilities, and incomes. The improvements to the Course will ensure the facility remains a viable and enjoyable recreational experience for residents over the next decade.

NEXT STEPS

Should Council provide approval to a new ten-year lease agreement to Double H, Staff will publish a Notice of Disposition, as required under Section 26 and Section 94 of the *Community*

Charter. Staff will also circulate the lease agreement for signature and the new lease will commence on 2022-JAN-01.

OPTIONS

1. That Council
 1. approve a new ten-year lease agreement with Double H Holdings Ltd. for the Beban Park Pitch and Putt; and
 2. authorize the Mayor and Corporate Officer to execute the lease agreement.
 - **Advantages:** The Beban Park Pitch and Putt is consistent with the Beban Park Master Plan (2015). Double H is an experienced operator and has provided recreational golf to the general public for over two decades. Granting a new ten-year lease will enable the operator to proceed with facility improvements.
 - **Disadvantages:** By extending the lease an additional ten years, the City is forfeiting the opportunity to go to the market to identify other operators. With a new lease agreement, the City cannot use the land for any other recreational uses for ten years.
 - **Financial Implications:** A recent appraisal has identified the new market base rent of \$40,600 per annum. In addition, the City will receive 10% of revenues in excess of \$350,000 per annum. Revenue from the lease is directed to the Beban Park Reserve Fund.
2. That Council deny the new lease agreement with Double H Holdings Ltd. for the Beban Park Pitch and Putt and continue with the existing lease agreement until the term expires on 2023-OCT-31.
 - **Advantages:** The existing agreement still has term outstanding. Staff could identify a new operator for the facility through an Request for Proposals (“RFP”) in 2022 and potential complementary recreational uses for the Course and facilities.
 - **Disadvantages:** The current operator may not view this as a fair process as the City risks tarnishing the existing relationship. Also, Staff have put considerable time into negotiating the new lease agreement; some of this work can be transferred forward to the RFP process, if directed by Council.
 - **Financial Implications:** The current rent being collected – \$36,819.24 – is less than the \$40,600 indicated by the recent updated appraisal of market rent.

SUMMARY POINTS

- The Beban Park Pitch and Putt (the “Course”) was originally constructed in two nine hole phases in 1998 and 1999.
- The current 13-year lease agreement to Double H Holdings Ltd. was approved through an optional Alternative Approval Process in 2010. The current lease expires 2023-OCT-31.
- The Beban Park Master Plan (2015) identifies the Course as a permitted use in the park.

- Double H has requested a new ten-year lease with an optional five years, commencing 2022-JAN-01. In exchange for the new lease, Double H will undertake repairs and upgrades identified, estimated at approximately \$240,000.
- An independent appraisal identified a new base rent of \$40,600 per annum and 10% of Double H's revenue over \$350,000 per annum. The lease also requires rent reviews every three years.
- The Course has remained a popular attraction within Beban Park. It provides access to community members of all ages, abilities, and incomes. The improvements to the Course will ensure the facility remains a viable and enjoyable recreational experience for residents over the next decade.
- Should Council provide approval to a new ten-year lease agreement to Double H, Staff will publish a Notice of Disposition, as required under Section 26 and Section 94 of the *Community Charter*. Staff will also circulate the lease agreement for signature and the new lease will commence on 2022-JAN-01.

ATTACHMENTS:

ATTACHMENT A: Lease Area |

Submitted by:

Bill Corsan
Director, Community Development |

Concurrence by:

Richard Harding
General Manger, Parks, Recreation and
Culture

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

REFERENCE PLAN TO ACCOMPANY A LEASE OF PART OF LOT 1, SECTIONS 18, 19 AND 20, RANGE 7, MOUNTAIN DISTRICT, PLAN 27441, EXCEPT THOSE PARTS IN PLANS 40622 AND 44255 LEASE AND APPROVAL OF THE APPROVING OFFICER TO EXPIRE _____ PURSUANT TO SECTION 99(1)(K), LAND TITLE ACT

PLAN EPP106917

BCGS 920,011

0 20 40 80 120 160 200
The intended plot size of this plan is 560mm in width by 430mm in height (C size) when plotted at a scale of 1:2000

LEGEND

- denotes Control Monument found
- denotes Standard Iron Post found
- denotes Standard Iron Post placed
- ⊙ denotes post removed and Standard Iron Post placed

All distances are in metres.

This plan lies within Integrated Survey Area No. 20, Nanaimo, NAD83 (CRS) 3.0.0.BC.1.NM

Grid bearings are derived from observations between geodetic control monuments 7805466 and 7805467 and are referred to the central meridian of UTM Zone 10.

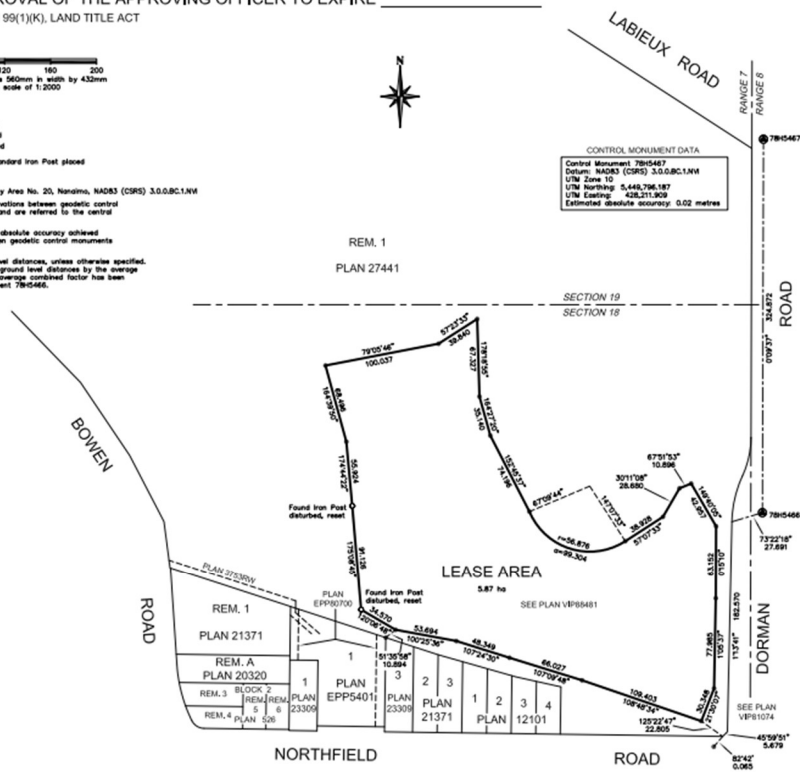
The UTM coordinates and estimated absolute accuracy achieved are derived from observations between geodetic control monuments 7805466 and 7805467.

The plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9999502. The average combined factor has been determined based on control monument 7805466.



CONTROL MONUMENT DATA
Control Monument 7805467
Datum: NAD83 (CRS) 3.0.0.BC.1.NM
UTM Zone 10
UTM Northing: 5,448,796.187
UTM Easting: 428,211.909
Estimated absolute accuracy: 0.02 metres

CONTROL MONUMENT DATA
Control Monument 7805466
Datum: NAD83 (CRS) 3.0.0.BC.1.NM
UTM Zone 10
UTM Northing: 5,448,471.430
UTM Easting: 428,211.001
Estimated absolute accuracy: 0.02 metres



J.E. ANDERSON & ASSOCIATES
B.C. Land Surveyors - Consulting Engineers
Victoria - Nanaimo - Parksville - Campbell River, B.C.
File: 89956

This plan lies within the jurisdiction of the Approving Officer for the City of Nanaimo
This plan lies within the Regional District of Nanaimo
The field survey represented by this plan was completed on the 26th day of November, 2020.
Douglas W. Home, BCLS 792

Lease to Double H Holdings Ltd.
2280 Bowen Road



Beban Park Master Plan



Double H Lease – Key Terms

- Term: Ten years, plus optional five-year renewal
- Annual Base Rent: \$40,600, with rent reviews every three years
- Additional Rent: 10% in excess of \$350,000 in gross revenue for each lease year of term
- Required Investment: Double H will conduct improvements, with \$80,000 approx., to be completed within five years, and \$160,000 to be completed between five - ten years
- Costs: Double H responsible for operating costs (property taxes, water and Hydro)



Recommendation

That Council:

1. approve a new ten-year lease agreement with Double H Holdings Ltd. for the Beban Park Pitch and Putt; and
2. Authorize the Mayor and Corporate Officer to execute the lease agreement.



DATE OF MEETING [June 7, 2021]

AUTHORED BY [CALEB HORN, PLANNER, CURRENT PLANNING]

SUBJECT [DEVELOPMENT PERMIT APPLICATION NO. DP1151 – 3532 STEPHENSON POINT ROAD]

OVERVIEW

Purpose of Report

To present for Council’s consideration an aquatic development permit application for a proposed single residential dwelling at 3532 Stephenson Point Road.

Recommendation

That Council deny Development Permit Application No. DP1151 as proposed at 3532 Stephenson Point Road.

BACKGROUND

A development permit application, DP1151, was received from Rob Turgeon to reduce the watercourse setback to facilitate the construction of a single residential dwelling at 3532 Stephenson Point Road.

Subject Property and Site Context

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located at the end of Stephenson Point Road, adjacent to the ocean.
<i>Lot Area</i>	0.23ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use – Neighbourhood Map 3 – Development Permit Area No. 2 – Environmentally Sensitive Areas

The subject property is presently undeveloped and is largely forested. Though a separate legal lot, the property previously functioned as a single parcel with the neighbouring property to the south at 3522 Stephenson Point Road. The single residential dwelling at 3522 Stephenson Point Road encroaches onto the subject property within a private easement. There is an active building permit application on the subject property (BP127238) for a 90m² single residential dwelling that meets the bylaw requirements to function as a carriage house (an accessory secondary suite) should a larger principal dwelling be constructed on the site.

The property slopes downhill from west to east, and drops significantly towards the ocean along the east property line. An unnamed creek flows through a ravine across the neighbouring property to the north. Surrounding land uses are low-density single residential dwellings, and Planta Park is located across Stephenson Point Road to the southwest.

DISCUSSION

Proposed Development

The applicant is proposing to construct a single residential dwelling with a gross floor area of approximately 707m² and a building footprint of approximately 450m². The proposed dwelling is sited centrally on the lot at the crest of the slope facing the sea to the east. No setback variance from the sea is required. A portion of the proposed dwelling also approaches the crest of the slope for the unnamed creek to the north.

The subject property falls within 'Regime VI' of the "North Slope Development Policy" area where a geotechnical assessment is required prior to any development approvals. The geotechnical assessment submitted in support of the application determined that no geotechnical setback would be required from the top of slope and that the lot was safe and suitable for the intended use as proposed.

Proposed Variance

Minimum Watercourse Setback

The minimum required watercourse setback from top-of-bank above the unnamed creek is 7.5m, as identified in 'Schedule C' of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"). The proposed watercourse setback is 0.8m; a requested variance of 6.7m.

The creek is located approximately 20m north of the subject property within a ravine with a depth of approximately 9m. Watercourse setbacks are measured in the Zoning Bylaw as from top-of-bank above a watercourse rather than from the watercourse itself. These setbacks, also known as a leavestrips, allow for not only functional riparian habitats, but also wildlife corridors across the city where there are existing watercourses.

The subject creek is non-fish-bearing and Provincial Riparian Area Protection Regulations (RAPR) do not apply to such creeks. The creek is subject to the Environmentally Sensitive Areas Development Permit Area (DPA2) as per the City of Nanaimo Official Community Plan (OCP). DPA2 applies to watercourses that do not support fish or fish habitat and the OCP recognizes that these features "have high biodiversity and maintain natural hydrology". Where an encroachment into the riparian leavestrip is proposed, the OCP provides guidelines that include requiring an environmental assessment, minimizing negative impacts, completing riparian restoration, and committing to vegetation management. In particular, DPA2 Policy #7 states that in order to minimize impacts in the Environmentally Sensitive Area (ESA), the following types of development should be avoided:

- Removal / modification of native vegetation;
- Introduction of non-native invasive vegetation;
- Impacts to the protected root zones of trees within the ESA;
- Use of fill;
- Disturbance of native soil;
- Blasting;
- Changes to hydrology; and
- Run off of sediments and construction-related contaminants into the ESA.

An environmental assessment prepared by a Qualified Environmental Professional (QEP) has been submitted in support of the application, as well as a vegetation management plan (Attachment F) that will be implemented should the development proceed.

Prior to considering the impacts of a proposed aquatic development permit, an applicant is expected to provide a rationale and demonstrate the need to encroach into any riparian leavestrip. Where no functional building envelope exists outside of the leavestrip, an encroachment can be considered. The proposed single residential dwelling will encroach into the riparian leavestrip by 6.7m, and the applicant has identified the following factors as limiting the building footprint opportunities onsite:

1. *Riparian leavestrip.* The riparian leavestrip (watercourse setback) extends nearly 10m into a portion of the subject property from the north property line.
2. *Encroachment of existing house.* A private easement for the house on the neighbouring property at 3522 Stephenson Point Road extends approximately 5m into the property from the south property line, and is approximately 13m wide.
3. *Setback from the sea.* The Zoning Bylaw requires a 15m setback from the natural boundary of the sea.
4. *Septic field siting.* As the subject property is not connected to the City's sanitary sewer service, a septic field will be required on site. A Registered Onsite Wastewater Practitioner (ROWP) determined that the optimal siting for a septic field would be in the southwest portion of the lot with a total area of approximately 111m².

In addition to the above, the applicant has proposed to register a tree protection covenant as a condition of the development permit for existing in the western portion of the property (identified in Attachment H). Staff have noted that the identified trees are currently protected under the definition of "Significant Tree" in the City of Nanaimo "Management and Protection of Trees Bylaw 2013 No. 7126".

Staff have reviewed the DPA2 guidelines and the factors identified by the applicant and determined that a viable building envelope is available outside of the riparian leavestrip. The subject property is approximately 29m wide, nearly double the width of the typical R1 lot, and the lot area of approximately 2,300m² is more than four times the minimum R1 lot size. Taking into account the site constraints, a functional building envelope with an area of at least 500m² has been identified by Staff as shown in Attachment G. A building envelope of this size could accommodate the size of the proposed single residential dwelling and would not require tree removal beyond what is currently proposed.

If a structure were built within the functional building envelope, no watercourse setback variance or development permit would be required and there would be opportunity to maintain the riparian leavestrip as a wildlife habitat. Given that a functional building envelope is achievable on the subject property without encroaching into the riparian leavestrip, Staff do not support the watercourse setback variance.

Should Council approve Development Permit Application No. DP1151, the development will be subject to the Terms and Conditions outlined in Attachment A.

OPTIONS

1. That Council deny Development Permit Application No. DP1151 at 3532 Stephenson Point Road.
 - Advantages: No encroachment into the riparian leavestrip and associated wildlife habitat will occur as the single residential dwelling can be accommodated elsewhere onsite.
 - Disadvantages: The applicant will be required to revise the proposed building plans to construct a dwelling outside of the riparian leavestrip and development permit area.
 - Financial Implications: None identified.

2. The Council approve Development Permit Application No. DP1151 at 3532 Stephenson Point Road.
 - Advantages: The applicant will be able to proceed with the current design with the condition that the property be developed as per the Vegetation Management Plan as shown in Attachment F, and a vegetation maintenance bond be secured for a period of three years; and
 - Disadvantages: The proposed siting of the single residential dwelling will result in a reduction of wildlife habitat identified under the Environmentally Sensitive Areas Development Permit Area (DPA2) in the Official Community Plan.
 - Financial Implications: None identified.

SUMMARY POINTS

- Development Permit Application No. DP1151 proposes to reduce the minimum required watercourse setback from 7.5m to 0.8m, as measured from top-of-bank above an unnamed creek, to facilitate the construction of a single residential dwelling.
- Provincial Riparian Area Protection Regulations (RAPR) do not apply to the subject creek.
- A functional building envelope is achievable on the subject property without encroaching into the watercourse leavestrip.
- Staff recommend that Council deny Development Permit Application No. DP1151.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Site Plan
ATTACHMENT E: Proposed Building Renderings
ATTACHMENT F: Vegetation Management Plan
ATTACHMENT G: Functional Building Envelope
ATTACHMENT H: Tree Protection Plan
ATTACHMENT I: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

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

1. *Section 6.3.1.5 Location and Siting of Buildings and Structures to Watercourses* – to reduce the minimum watercourse setback from 7.5m to 0.8m as measured from the top of bank above the unnamed creek.

CONDITIONS OF PERMIT

1. The subject property is developed in accordance with the proposed Site Plan prepared by Charles O. Smythies & Associates, dated 2020-JUN-02, as shown on Attachment D.
2. The subject property is developed and maintained in substantial compliance with the Vegetation Management Plan prepared by AquaTerra Environmental Ltd., dated 2020-MAR-04, as shown on Attachment F.
3. Security is to be submitted prior to building permit issuance and held for three years from the date of completion, to ensure the lot is developed in accordance with the proposed Vegetation Management Plan.
4. Temporary construction fencing identifying the 15m setback to the sea is to be in place prior to any construction activity.
5. A Section 219 Covenant is to be registered on title prior to Building Permit issuance to protect the trees in the northwest portion of the subject property identified in the Tree Protection Plan, provided by Vancouver Island Tree Service Ltd., received 2021-MAY-17, as shown on Attachment H.

ATTACHMENT B CONTEXT MAP



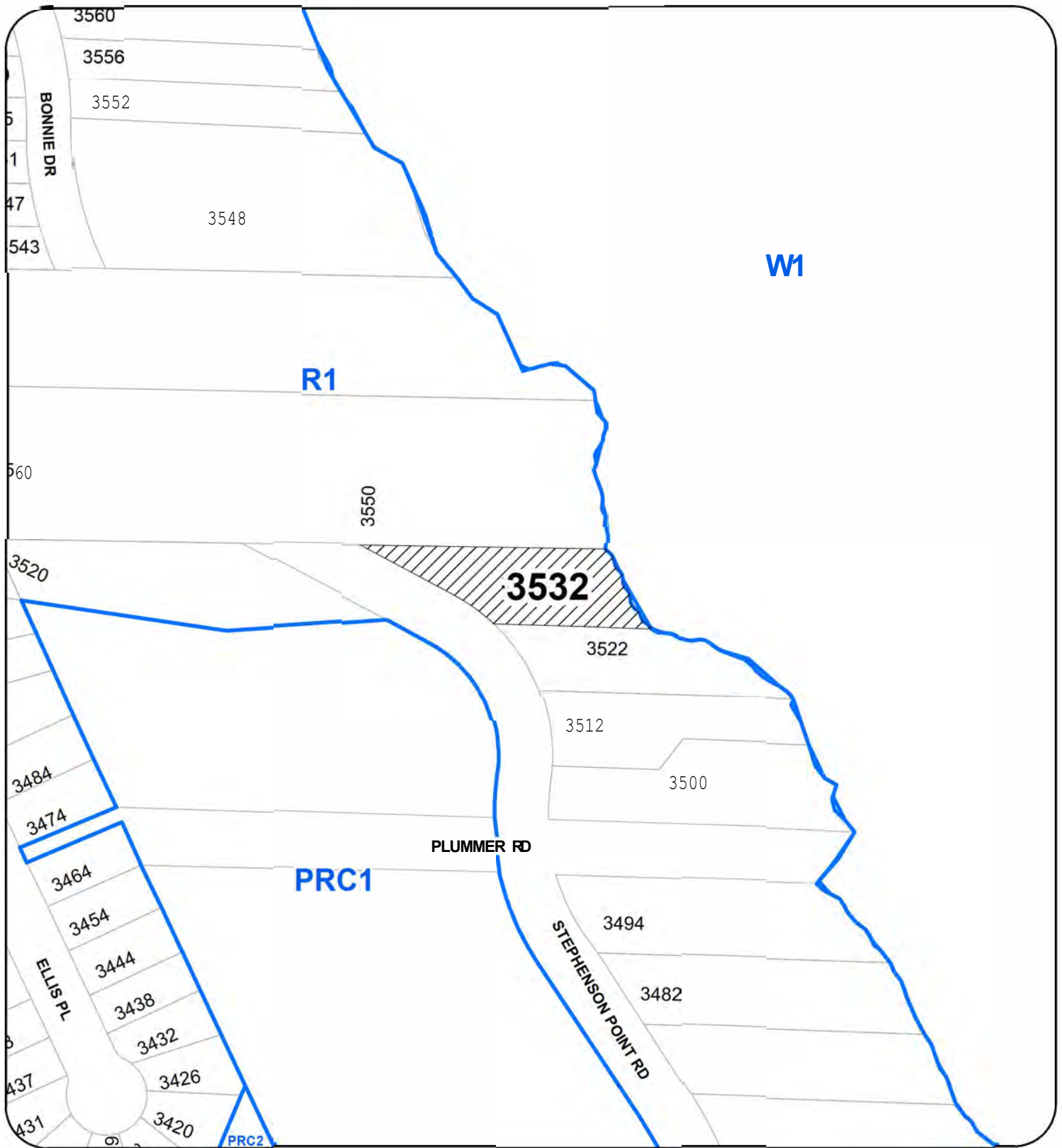
DEVELOPMENT PERMIT APPLICATION NO. DP001151



3532 STEPHENSON POINT ROAD

162

ATTACHMENT C LOCATION PLAN



DEVELOPMENT PERMIT APPLICATION NO. DP001151



Subject Property

LOCATION PLAN

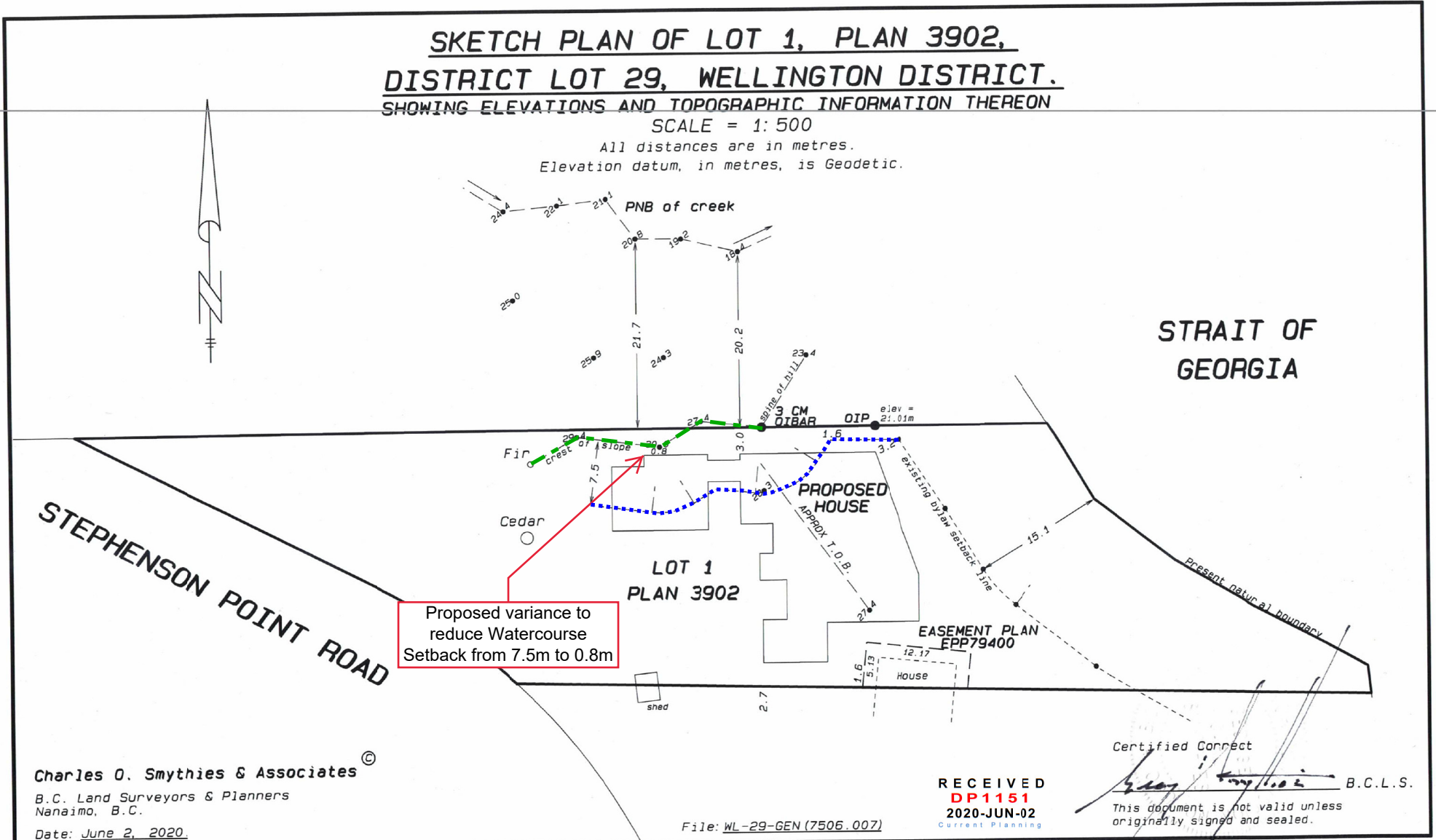
Civic: 3532 STEPHENSON PT ROAD
Legal: LOT 1, DISTRICT LOT 29
WELLINGTON DISTRICT, PLAN 3902

ATTACHMENT D PROPOSED SITE PLAN

SKETCH PLAN OF LOT 1, PLAN 3902, DISTRICT LOT 29, WELLINGTON DISTRICT. SHOWING ELEVATIONS AND TOPOGRAPHIC INFORMATION THEREON

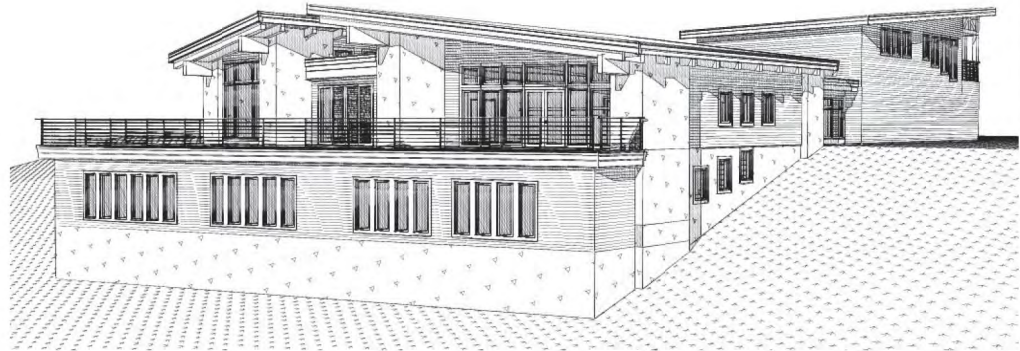
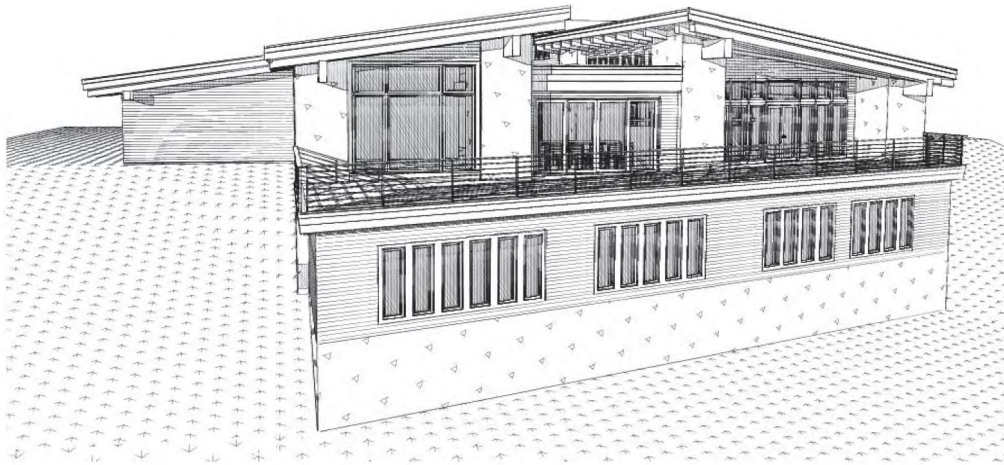
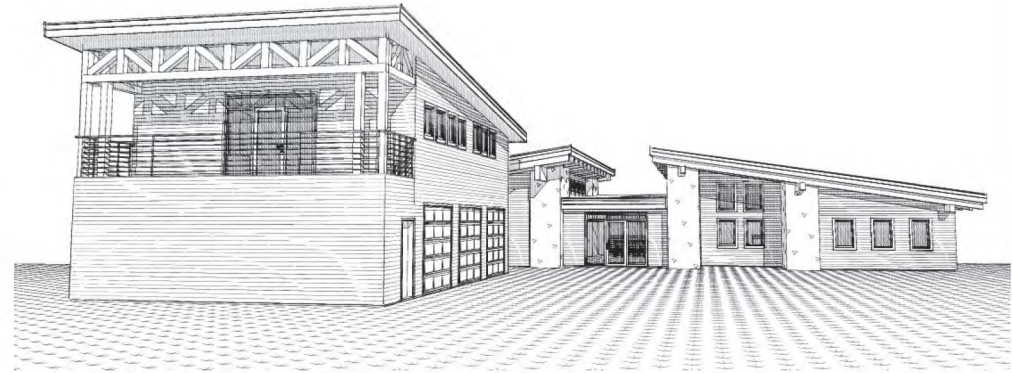
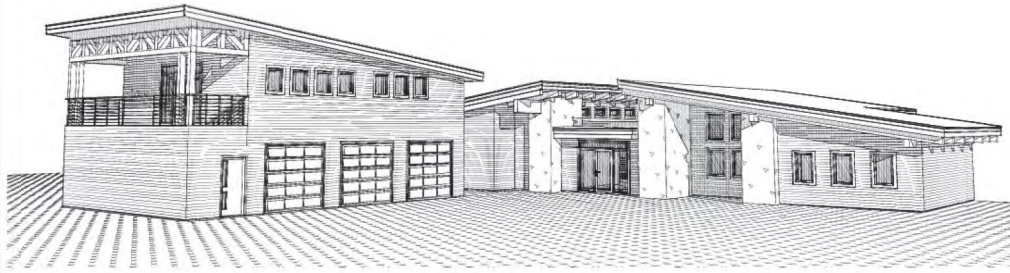
SCALE = 1: 500

All distances are in metres.
Elevation datum, in metres, is Geodetic.



- Key:
- = Top of Bank
 - ⋯ = Watercourse Setback

ATTACHMENT E PROPOSED BUILDING RENDERINGS



RECEIVED
DP1151
2019-JUL-19
Current Planning

BIG JOHN'S CUSTOM HOME DESIGN LTD.	
DRAWN BY: JOHN PHONE: 250 616 8815	
WALT/RS	
R. Turgeon	
PAGE: 1	JOB No. _____

VEGETATION MANAGEMENT PLAN

3532 Stephenson Point Road
City of Nanaimo



To: Rob Turgeon
1870 Dufferin Crescent
Nanaimo BC V9S 1H1

CC: City of Nanaimo

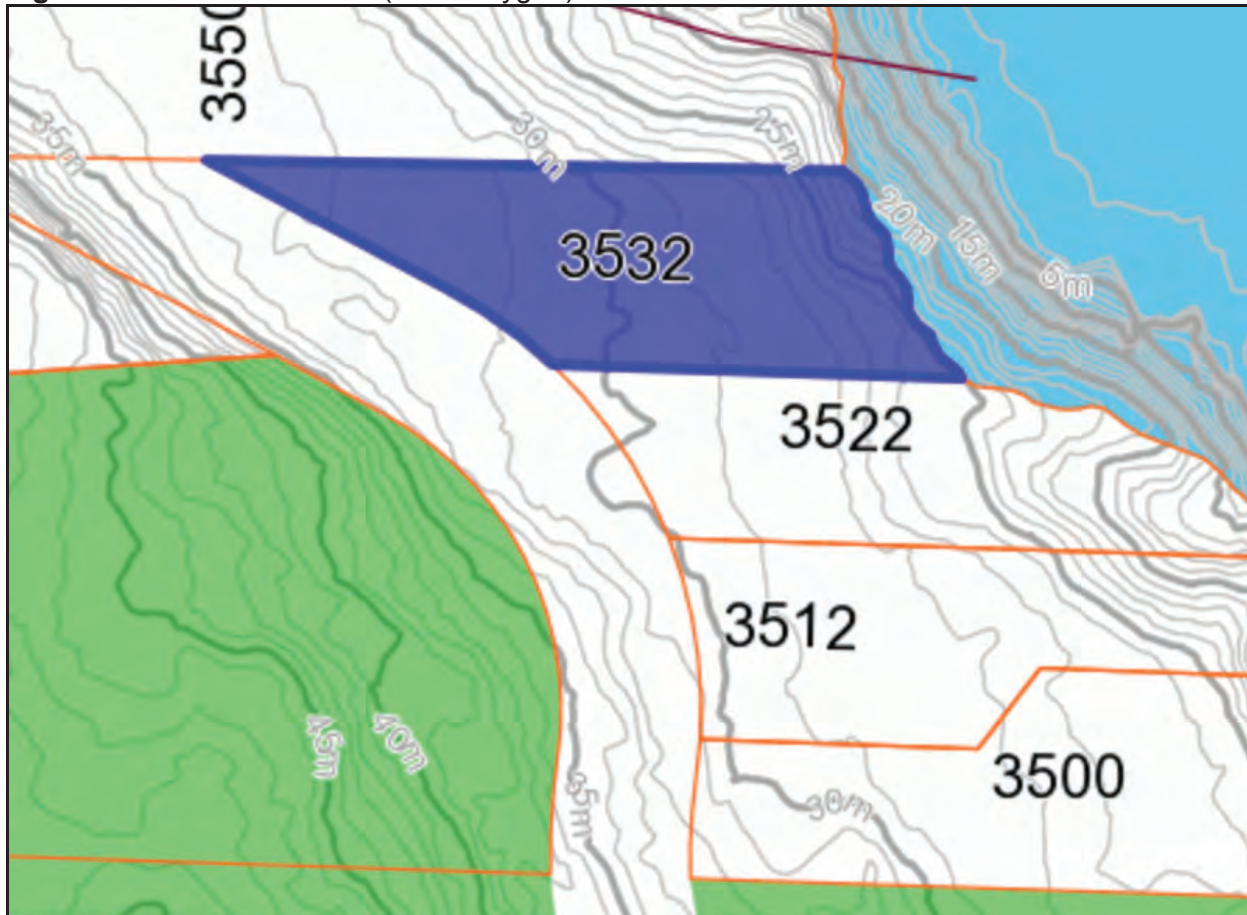
Date: 04 March 2020

1. Overview

This Vegetation Management Plan (the 'plan') was completed at the request of City of Nanaimo (the 'city') for 3532 Stephenson Point Road (**Figure 1**) per their letter dated 24 October 2019 (File DP001151). AquaTerra had previously completed and issued an Environmental Assessment (EA) for the site; however, the city specifically requested:

- 1) A Vegetation Management plan to address habitat compensation (Section 2); and
- 2) Invasive Species Management (Section 2.1).

Figure 1: Site Location Plan (Blue Polygon).



2. VEGETATION MANAGEMENT PLAN

The EA prepared by AquaTerra, and per the city letter, habitat compensation should be implemented to offset the 150 m² lost setback area. The city expressed concern that planting density would typically be 1 plant per 1 m², or denser; however, the provision of 6 trees and 17 shrubs only equated to 1 plant per 0.12 m². Therefore, based on the comments provided by the city, and in accordance with the BC Landscape Standards per the BC Society of Landscape Architects (BCSLA), AquaTerra has supplemented the habitat compensation design and invasive species management provisions (herein, referred to as the 'Vegetation Management Plan'), increasing planting density to 1 plant per 1 m².

TREES

- 10 Western Redcedar (*Thuja plicata*) (2 gallon pots)
- 10 Bigleaf Maple (*Acer macrophyllum*) (2 gallon pots)

SHRUBS AND HERBACEOUS

- 40 Salal (*Gaultheria shallon*) (2 gallon pots)
- 40 Dull Oregon-grape (*Mahonia nervosa*) (2 gallon pots)
- 20 Salmonberry (*Rubus spectabilis*) (1 gallon pots)
- 30 Swordfern (*Polystichum munitum*) (1 gallon pots)

TOTAL NUMBER OF PLANTS: 150.

A detailed, prescriptive planting plan is provided per Attachment I.

The cost of these trees/shrubs is approximately \$10.00 (1 gallon) and \$20.00 (2-gallon) + delivery (\$200.00). Estimated cost for 1 cubic yard of top-soil is \$100.00 (delivered). Estimated time for planting is approximately 2 days + time for invasive species management (1 day).

A general best management practice is to monitor the newly planted trees/shrubs and to maintain regular watering practices as well as invasive species management on a semi-annual basis for 3 years, until such time that plants are established. An additional measure to improve plant health and survival is to include some new top-soil blend with bone meal to provide nutrients for rooting establishment.

Landscaping of the area within the area is encouraged per the latest version of the BCSLA. A summary of applicable measures per the standards are provided below:

1. Import top-soil, if required, to achieve a minimum rooting depth of 0.6 m for trees and 0.3 m for shrubs
2. All tree/shrub species should be of guaranteed nursery stock.
3. Trees are to comprise at least 15% of the total planting prescription.
4. The botanical name should be used when ordering stock to ensure that the desired native species is being purchased. Each specimen should be tagged with the botanical name and the tag should be left attached after planting.
5. Stock planted during the fall (Sept. - Oct.) and spring (March - April) have the greatest likelihood of surviving. Regular watering may be required until the plants are established.
6. Additional advice on proper planting procedures should be obtained from the nursery supplying the stock.
7. Planting on a given area being enhanced must be successful to an 80% take. If more than 20% die over one year, replanting is required.
8. A minimum of 50% of trees and shrubs planted should be fruit-bearing species.

2.1 Invasive Species Management

Invasive vegetation is present throughout the site sporadically, including adjacent sites, being most prevalent in the shrub layer and ravine. Invasive vegetation should be removed from the vegetation management (habitat compensation) area, per the recommended removal methods prescribed in the following sections, and maintained twice a year for 3 years, until planted vegetation becomes well established.

2.1.1 Himalayan Blackberry

Himalayan Blackberry was initially brought over from Europe as a result of their large, delicious berries. These species results in dense thickets that often outcompete native vegetation and reduce biological diversity. In addition to reducing the plant diversity, these species also serve to limit utilization by aquatic and terrestrial wildlife, serving as a barrier to movement. Certain bird species, such as Dark-eyed Junco (*Junco hyemalis*), Black-capped Chickadee (*Poecile atricapillus*) and Yellow-breasted Chat (*Icteria virens*; provincially red-listed and federally

'threatened'), do utilize invasive blackberry species, as they provide some forage opportunities and protection; however, the impacts relating to barrier movement and loss of habitat diversity outweigh the perceived benefits.

Dispersal Capabilities: Invasive blackberry species spread by seed and vegetatively by rooting at the stem tips as well as sprouting from root buds. Birds and omnivorous mammals, such as raccoons, bears, and coyotes can consume berries and disperse seeds.



Preferred Control Method: The primary management goal is to control and manage the spread of Himalayan Blackberry into adjoining, intact habitats within the Musqueam IR#3 lands. Maintenance to prevent additional encroachment into Musqueam IR#3 lands includes persistent cultivation (tillage), fine mulching and hand removal (including roots when possible) to limit spread. Due to the fact that mechanical control can stimulate strong regrowth, removal efforts should be followed up with regular hand digging and trimming to manage the spread.

Removal Timing: Removal can proceed at any time of year, but is anticipated to be more effective during the flowering and early fruiting periods. Removal should not occur when fruits are at or nearing maturity, as it may increase the potential of spread during removal and disposal efforts. Removal and follow-up maintenance should occur a minimum of 2–3 times per year, for 2–3 years following initial removal.

Disposal: If plants are cut, all plant material must be collected in bags or tarps and incinerated or bagged and deeply buried at a landfill. Care should be taken to ensure that plant parts are not distributed during transport.

2.1.2 *Spurge Laurel*

Spurge Laurel is an evergreen shrub that was imported from Britain for ornamental use in North American gardens. Spurge Laurel is similar in appearance to Pacific Rhododendron, however it grows rapidly and outcompetes native species. In addition, the bark, berries and sap are poisonous to people and it is classified as a poisonous plant with the Canadian poisonous plant information system (Invasive Species of BC, 2014). In contrast to most invasive species, Spurge Laurel is able to establish without any ground disturbance. It is commonly found along roadsides and in moist forested lowland areas. Its rapid growth and adaptability to varying light condition allows it to quickly colonize new areas where it alters the soil chemistry displacing native species.



Dispersal Capabilities: Birds and rodents spread the seeds contained within the berries.

Preferred Control Method: Due to its toxic nature, gloves should be worn when removing Spurge Laurel. Small plants may be pulled by hand while large plants may require digging for root removal. After removal the area should be reassess bi-annually to monitor for regrowth.

2.1.3 *English Ivy*

English Ivy is a perennial evergreen vine native to Europe and Asia that is widely cultivated in North America. It is often planted for groundcover and frequently invades nearby natural and urban areas. English Ivy grows rapidly and is able to grow year-round in a wide variety of light conditions, but does best in shaded areas. It quickly outcompetes native plants and forms a dense monoculture that prevents natural seedling succession and can damage or kill trees and shrubs.

Dispersal Capabilities: English Ivy spreads vigorously by vegetative growth and by production of small black seed containing fruits that are consumed and spread by birds (Swearingen et al. 2010).



Preferred Control Method: English Ivy can be pulled and cut by hand and then left to dry. Mowing is also a viable control option, as is covering the affected areas with thick poly and/or tarps. When climbing trees it should be removed from breast height to the ground and then treated with a herbicide on the cut portions. Ivy that is above breast height in a tree should not be pulled down as it may dislodge large tree branches. After English Ivy removal, native shrubs should be replanted and the area should be reassessed to monitor for re-growth. Additional removal efforts will likely be required as re-growth from roots is common.

2.1.4 English Holly

English Holly is native to western and southern Europe, northwest Africa and southwest Asia. It was originally imported for ornamental use in North American gardens and is widely used for decorations during the Christmas season. English Holly is very adaptable and rapidly grows in well-drained soils in the shade or sun to heights of up to 10 m tall (Invasive Species Council of BC, 2014). Its broad evergreen leaves, rapid growth and overall size, shade out other native plants allowing it to form dense thickets over time. In addition, the roots of English Holly out-compete native species for nutrients and water (Klinkenberg, 2014)



Dispersal Capabilities: The bright red berries of English Holly are attractive to birds and widely dispersed.

Preferred Control Method: Small English Holly shrubs can be pulled when the ground is moist. Large trees should be cut at the base of the trunk and herbicide may be applied. Management areas should be re-assessed annual to monitor for re-growth (Sea to Sky Invasive Species Council, 2009).

3. CLOSURE

We trust this provides the necessary information regarding RAR compliance. Should you have any questions, please feel free to contact the undersigned.

Respectfully submitted,

 Digitally signed by Chris Lee
DN: cn=Chris Lee, o=AquaTerra
Environmental Ltd., ou,
email=chris@aquaterra.ca, c=CA
Date: 2020.03.14 11:00:50 -07'00'

Chris Lee, M.Sc., R.P. Bio., QEP, BC-CESCL
Principal, AquaTerra Environmental Ltd.

Attachment(s):

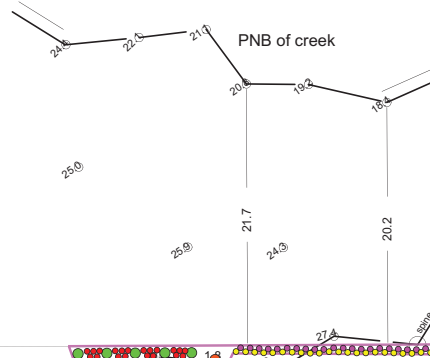
Attachment I – Detailed Restoration Planting Plan

**SKETCH PLAN OF LOT 1, PLAN 3902,
DISTRICT LOT 29, WELLINGTON DISTRICT.**
SHOWING ELEVATIONS AND TOPOGRAPHIC INFORMATION THEREON

SCALE = 1:500

All distances are in metres.

Elevation datum, in metres, is Geodetic.



PLANTING LEGEND

- Western Redcedar (*Thuja plicata*) n=10
- Big-leaf Maple (*Acer macrophyllum*) n=10
- Salal (*Gaultheria shallon*) n=40
- Dull Oregon-grape (*Mahonia nervosa*) n=40
- Swordfern (*Polystichum munitum*) n=30

STRAIT OF
GEORGIA

STEPHENSON POINT ROAD

Cedar

LOT 1
PLAN 3902

PROPOSED HOUSE

EASEMENT PLAN
EPP79400

shed

House

File: WL-29-GEN

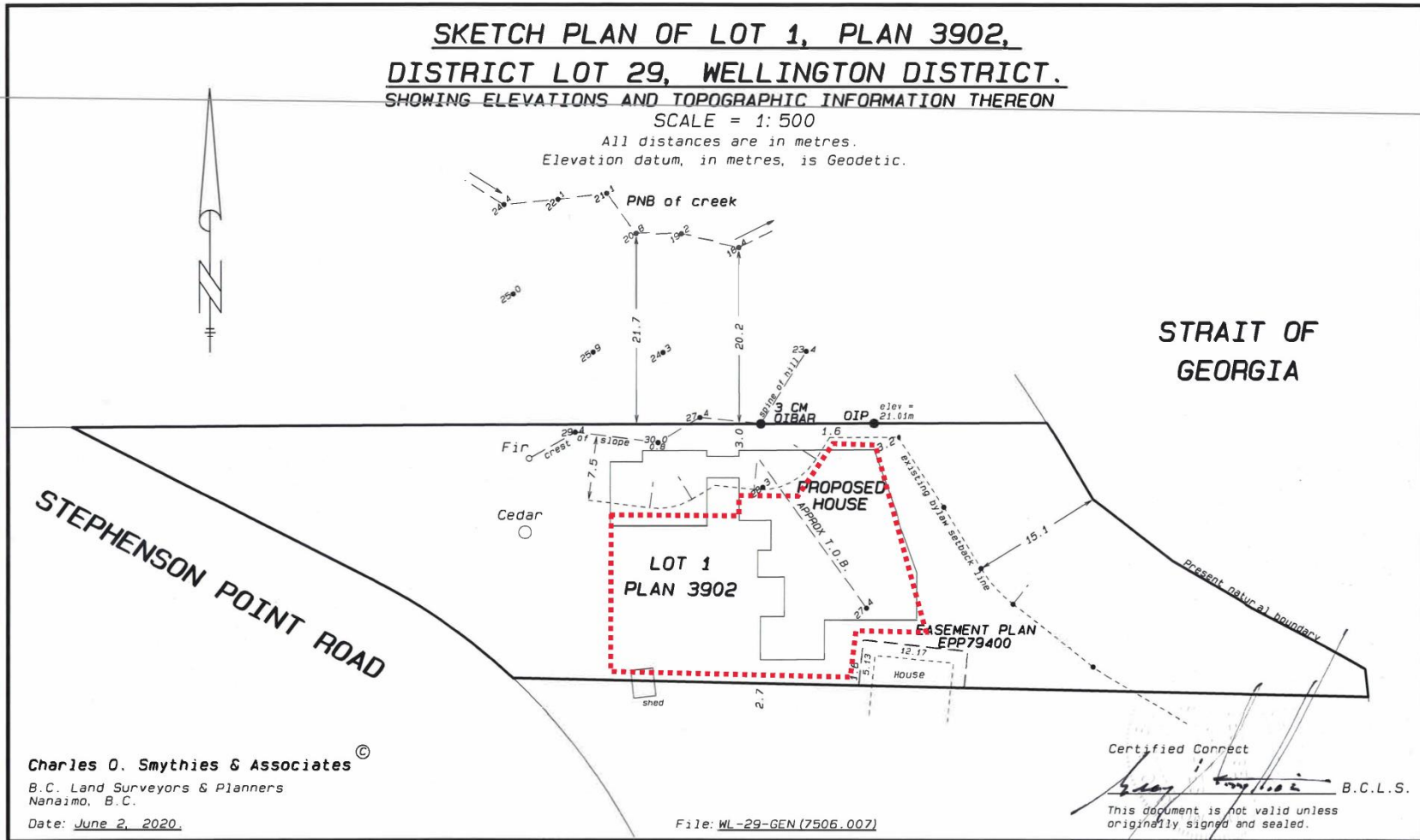
BIRD'S EYE VIEW

SCALE: 1/16" = 1'-0"

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CONSTRUCTION

Big John's Custom Home Design LTD	
250 616 8815	
R. Turgeon	
<small>2020 - FEB. 05 PRE</small>	<small>PAGE 6</small>

ATTACHMENT G FUNCTIONAL BUILDING ENVELOPE

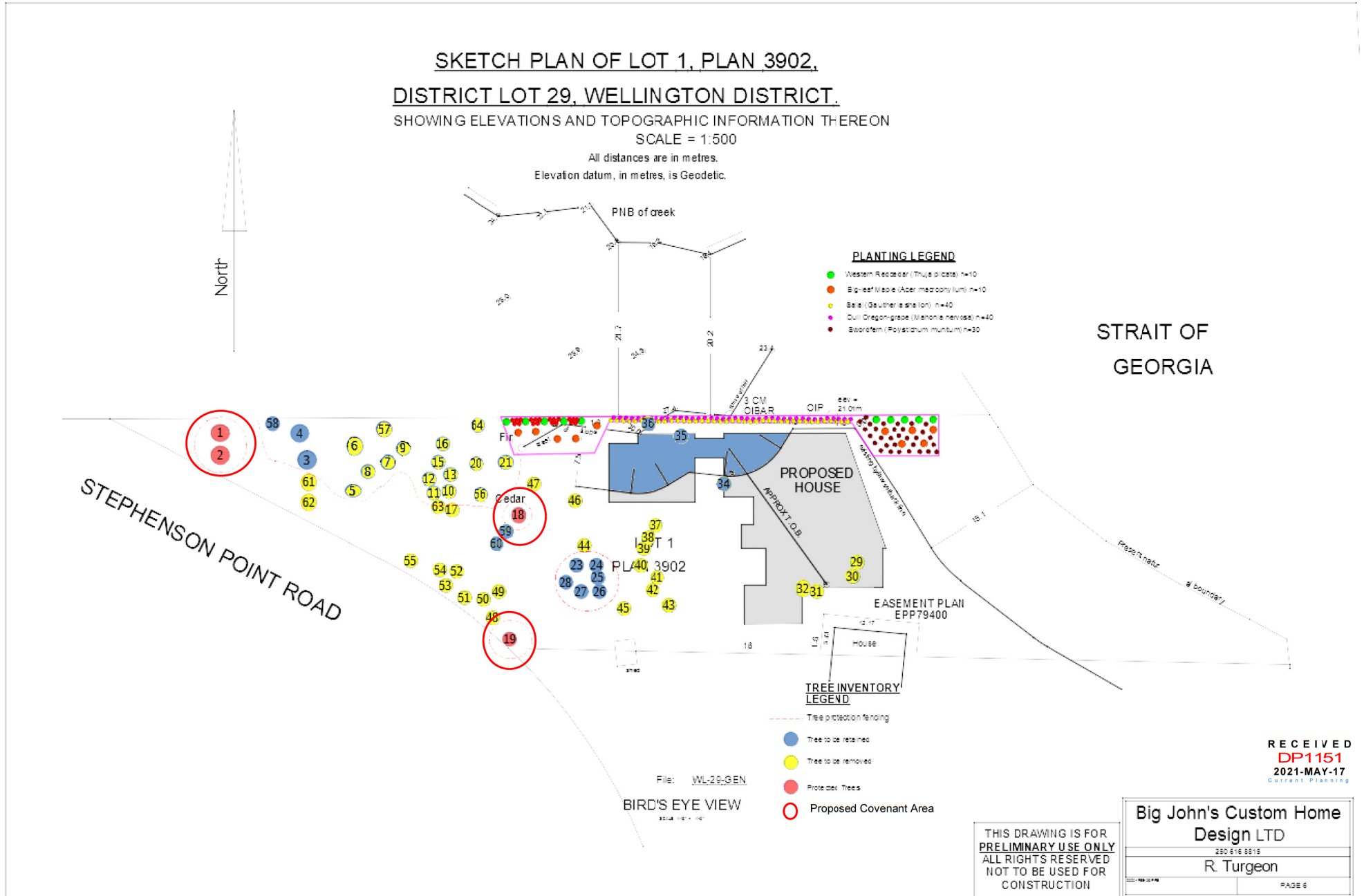


Comparison of proposed building location and functional building envelope identified by Staff.

Approximate area of functional building envelope outlined in red.

ATTACHMENT H TREE PROTECTION PLAN

Figure 1: Survey of all trees corresponding with inventory table. Tree protective fencing is also shown on map.



ATTACHMENT I
AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP001151

Legend

 Subject Property

DATE OF MEETING [June 7, 2021]

AUTHORED BY [CALEB HORN, PLANNER, CURRENT PLANNING]

SUBJECT [DEVELOPMENT PERMIT APPLICATION NO. DP1191 –
326 WAKESIAH AVENUE]

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development permit for a mixed-use student housing development at 326 Wakesiah Avenue.

Recommendation

That Council issue Development Permit No. DP1191 at 326 Wakesiah Avenue with a variance to reduce the required student housing parking rate from 0.4 spaces per bed to 0.3 spaces per bed (reducing the total required parking from 77 stalls to 62 stalls).

BACKGROUND

A development permit application, DP1191, was received from Island West Coast Developments Ltd., on behalf of S.H.Z.T. Investments Canada Inc., to permit a mixed-use student housing development at 326 Wakesiah Avenue. The subject property was rezoned by the same applicant in 2020 to Mixed Use Corridor (COR2) with student housing permitted as a site-specific use (RA398). A Housing Agreement to outline the requirements for student housing (with up to 165 student housing beds) was registered on the subject property as a condition of rezoning.

Subject Property and Site Context

<i>Zoning</i>	Mixed Use Corridor (COR2)
<i>Location</i>	The subject property is located on the east side of Wakesiah Avenue between Third Street and Foster Street, and a portion of the property fronts on the west side of Hillcrest Avenue.
<i>Total Area</i>	4,390m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Corridor Map 3 – Development Permit Area DPA No. 9 – Commercial, Industrial, Institutional, Multiple Family, Mixed Commercial / Residential Development
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines; and Harewood Neighbourhood Plan Urban Design Framework and Guidelines

The subject property was recently consolidated from three separate lots and currently contains three existing single residential dwellings. The property is located in a developing area of the Harewood neighbourhood, and Vancouver Island University (VIU) is located on the opposite

side of Wakesiah Avenue approximately 275m south of the site. Wakesiah Avenue is a major road and acts as a significant transportation corridor, providing connections between VIU and Bowen Road, and to Downtown via Third Street.

Surrounding land uses include single residential dwellings to the north, a mixed-use and residential development across Hillcrest Avenue to the east, an existing 34-unit subsidized housing development to the south, and Nanaimo District Secondary School across Wakesiah Avenue to the west.

DISCUSSION

Proposed Development

The applicant is proposing to construct a four-storey mixed-use development with 162 student housing units and 3 commercial retail units. The total proposed gross floor area is 7,940m², which includes 499m² for the commercial component. The proposed building is 'L'-shaped with the ground-level commercial units facing Wakesiah Avenue and student housing units above. The primary wing of the building will extend east towards Hillcrest Avenue. Parking is proposed in a combination of under-the-building and surface parking.

The student housing component will consist of 156 studio units, 3 one-bedroom units, and 3 two-bedroom units, with a total of 165 student housing beds. Some of the units will include outdoor balconies. Each floor of the student housing will contain a student lounge, a common laundry room, and storage facilities.

The applicant is proposing to achieve the maximum permitted Floor Area Ratio (FAR) of 1.75 through the provision of additional amenities to meet Tier 2 as outlined in 'Schedule D' of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"). Some of the proposed amenities include:

- Construction to exceed the required BC Energy Step Code by one step;
- A public pedestrian connection between Wakesiah Avenue and Hillcrest Avenue;
- A green roof;
- Dedicated outdoor garden space;
- Public art in the form of a mural wall; and
- Educational signage for the sustainable design features.

Site Design

The proposed building is sited to best utilize the irregular shape of the consolidated property. The commercial units are oriented to face Wakesiah Avenue, with ground-level entrances from the sidewalk and from the surface parking area in the rear. Articulated concrete patios will be provided in front of the commercial units. The primary pedestrian entrance to the student housing component will be from Wakesiah Avenue.

Two vehicle accesses to the parking areas are proposed, one from Wakesiah Avenue and one from Hillcrest Avenue. Of the 62 proposed parking spaces, 51 spaces will be provided for the student housing component and 11 spaces will be provided for the commercial component. The commercial parking will be accessed from Wakesiah Avenue. The required accessible parking is

proposed as well as an electric vehicle charging station. A loading space is proposed inside of the Wakesiah Avenue entrance. There are 105 secure long-term bicycle storage spaces proposed inside the building on the ground floor, as well as 21 exterior short-term bicycle parking spaces. Separate residential and commercial garbage rooms are provided on the ground floor of the building.

A 2m-wide public pedestrian walkway will connect Wakesiah Avenue and Hillcrest Avenue on the north side of the proposed building, and a public art mural wall is proposed to face the walkway. A statutory right-of-way for the walkway was secured through rezoning.

Building Design

The building design provides significant visual interest through its massing, articulation, design elements, and variety of materials, including corrugated metal, acrylic stucco, cementitious panels, and woodgrain panels. Protruding windows and recessed balconies provide a rhythm along the Wakesiah Avenue frontage. This elevation is interrupted by the prominent front entryway to the student housing component and is capped by a feature metal overhang. The ground-level commercial units feature significant fenestration that signals the commercial use and provides a visual base for the building facing Wakesiah Avenue.

The ground-level under-the-building parking will be screened by a concrete wall where the public mural will be featured. The building on the south elevation will overhang the under-the-building parking and be supported by painted columns. No balconies are proposed on the south elevation of the south wing except for the wraparound balconies of the corner units.

The proposed form and character meets the intent of the design guidelines for mixed-use corridor developments as outlined in the Harewood Neighbourhood Plan Urban Design Framework and Guidelines.

Landscape Design

Street trees are proposed in the boulevard along the Wakesiah Avenue frontage. A landscape buffer in front of a solid board with lattice fence along the east property lines will include columnar deciduous trees and rows of medium to large shrubs to provide screening from adjacent properties. A laurel hedge and black chain link fence are proposed to screen the public walkway along the north property line.

An outdoor amenity space is proposed in the rear of the building, adjacent to the surface parking area. This amenity space will include benches, garden plots for student residents, and a lawn.

Design Advisory Panel

The Design Advisory Panel (DAP), at its meeting held on 2020-AUG-13, accepted DP1191 as presented and provided the following recommendations:

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

The applicant subsequently submitted revised plans to address the DAP recommendations. Key site design revisions include the expansion of the outdoor amenity space and rearranging the parking layout for more efficient use of space.

Proposed Variance

Minimum Required Parking

The minimum required off-street parking for the proposed development is 77 parking spaces with a student housing rate of 0.4 spaces per bed, and the applicant is proposing 62 parking spaces at a rate of 0.3 spaces per bed, a requested variance of 15 spaces.

In accordance with the City of Nanaimo “Off-Street Parking Regulations Bylaw 2018 No. 7266” (the “Parking Bylaw”), the commercial component of the development requires 11 parking spaces and the applicant is proposing to provide the required amount of commercial parking. Section 7.2 of the Parking Bylaw outlines the parking requirements for student housing based on specified areas as delineated in Schedule B of the Parking Bylaw (see Attachment I). The subject property is located in Area 2 where 0.4 parking spaces per bed are required. The student housing component of 165 beds requires 66 parking spaces and the applicant is proposing to provide 50 parking spaces for student residents and 1 parking space for the student housing manager’s office.

As per the City’s Policy for Consideration of a Parking Variance, the applicant has provided the following documentation and rationale:

- The applicant commissioned a Parking Study, prepared by a professional transportation consultant, that concluded that the proposed parking variance is supportable.
- The subject property is located within the 200m buffer of the University Mobility Hub as identified by Nanaimo Transportation Master Plan (NTMP).
- The subject property is located on a frequent transit network as identified by the NTMP and is currently served by the #40 “VIU Express” RDN Transit bus route.
- The subject property is within walking distance of important amenities, including recreational facilities (Nanaimo Aquatic Centre and Nanaimo Ice Centre), Vancouver Island University, and commercial services.
- A Community Amenity Contribution was secured through the previous rezoning (RA398), to be directed towards active transportation improvements in the University Mobility Hub, including the opportunity to complete a study for a micromobility sharing program (e.g. electric bikes or electric scooters).
- The applicant has engaged with the neighbourhood and hosted an open house in November 2019 to present the proposal, including the parking variance.

The required student housing parking rate is 0.4 parking spaces per bed for the subject property; however, the property is directly across Wakesiah Avenue from Area 1 where the parking rate would be 0.2 spaces per bed. The proposed 50 student housing parking stalls equals a rate of 0.3 spaces per bed. The applicant has proposed this rate based on the recommendations of the Parking Study and to provide a transition in the parking rates at the boundary between Areas 1 and 2. Research conducted by the transportation consultant concluded that anticipated demand for the proposed student housing would be 0.25 spaces per bed, based in part on comparable off-campus student housing developments in Nanaimo, Victoria, and Prince George.

As an additional benefit to residents on site, the applicant has committed to provide for a period of ten years the following subsidized transit pass options for first-time student residents:

- a) a one-semester pass for all residents who sign a minimum one-year lease; and
- b) a one-month pass for all residents who sign a minimum semester-length lease.

The Parking Study concluded that a parking rate of 0.3 spaces per bed is supportable for the proposed student housing use, and providing the transit passes was recommended to further incentivize alternative transportation and manage parking demand on site. The commitment to pilot a transit pass program will be secured through a Section 219 covenant and is noted as a condition of the development permit.

Staff have reviewed and accepted the Parking Study, and Staff support the proposed parking variance.

SUMMARY POINTS

- Development Permit Application No. DP1191 is for a four-storey mixed-use building with 162 student housing units (with a total of 165 student housing beds) and 3 commercial retail units.
- The applicant is proposing 62 parking spaces with a student housing parking rate of 0.3 spaces per bed, a requested variance of 15 spaces.
- Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Site and Parking Plans
ATTACHMENT E: Building Elevations and Details
ATTACHMENT F: Building Renderings
ATTACHMENT G: Landscape Plan and Details
ATTACHMENT H: Schedule D – Amenity Requirements for Additional Density
ATTACHMENT I: Student Housing Parking Areas
ATTACHMENT J: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

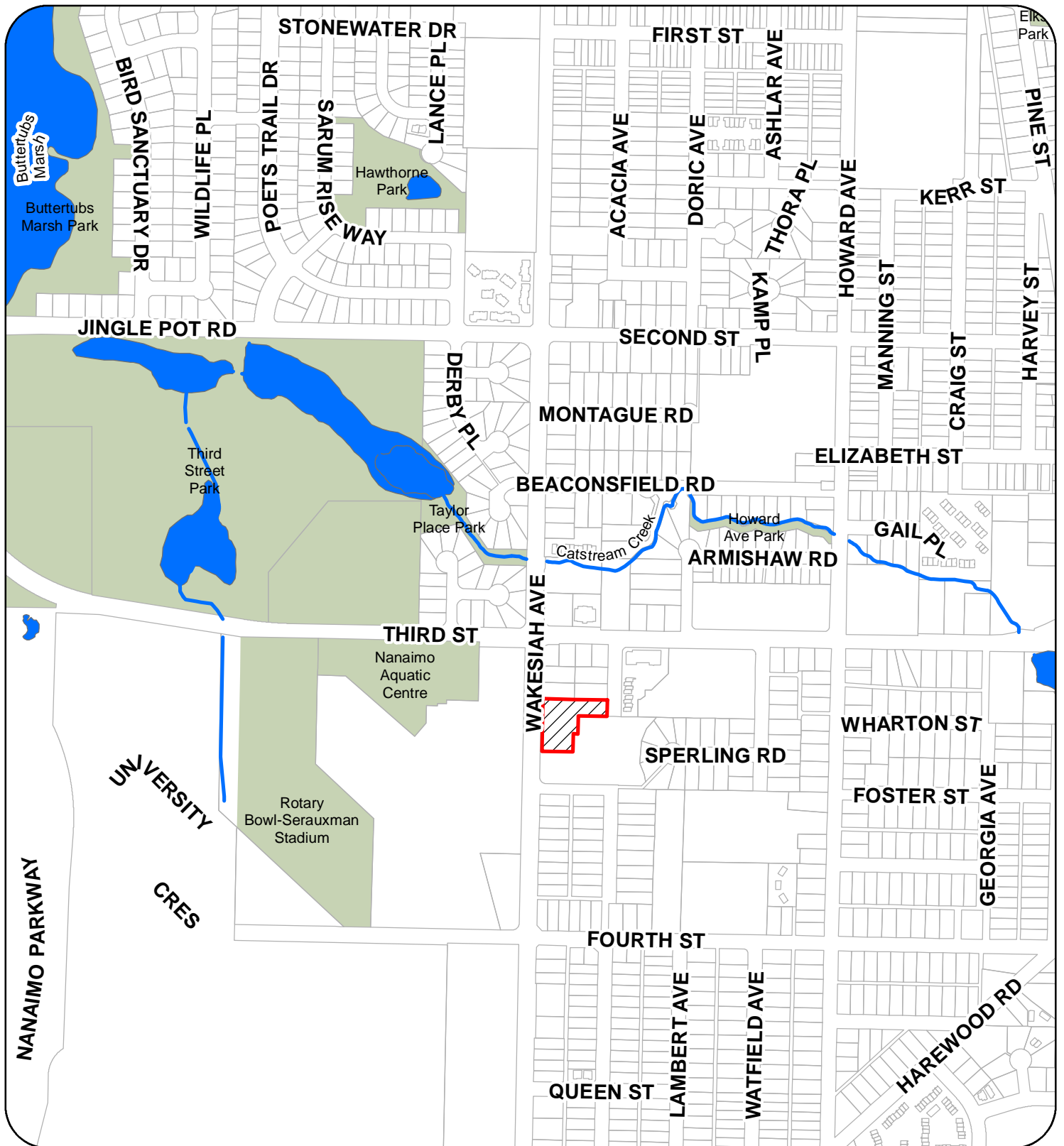
The City of Nanaimo “Off-Street Parking Regulations Bylaw 2018 No. 7266” is varied as follows:

1. *Section 7.2 All Other Uses Parking Table* – to reduce the minimum required parking rate for student housing from 0.4 spaces per bed to 0.3 spaces per bed.

CONDITIONS OF PERMIT

1. The subject property is developed in accordance with the Site and Parking Plans prepared by WA Architects Ltd., dated 2021-MAY-12, as shown on Attachment D.
2. The development is in substantial compliance with the Building Elevations and Details prepared by WA Architects Ltd., dated 2020-APR-07, as shown on Attachment E.
3. The subject property is developed in substantial compliance with the Landscape Plan and Details prepared by Lombard North Group, dated 2020-DEC-16, as shown on Attachment G.
4. The subject property is developed in accordance with the ‘Schedule D – Amenity Requirements for Additional Density’ prepared by WA Architects Ltd., dated 2020-DEC-21, as shown in Attachment H, and is to include the following items:
 - A letter from the coordinating professional submitted prior to Building Permit issuance outlining how the required items for additional density will be achieved; and
 - A letter from the coordinating professional with accompanying evidence submitted prior to building occupancy demonstrating that the required items have been provided.
5. A Section 219 Covenant to be registered on the property title prior to Building Permit issuance to secure the following subsidized transit pass options for a period of ten years for first-time residents, to be provided by the property owner:
 - a. a one-semester pass for all residents who sign a minimum one-year lease; and
 - b. a one-month pass for all residents who sign a minimum semester-length lease.

ATTACHMENT B CONTEXT MAP

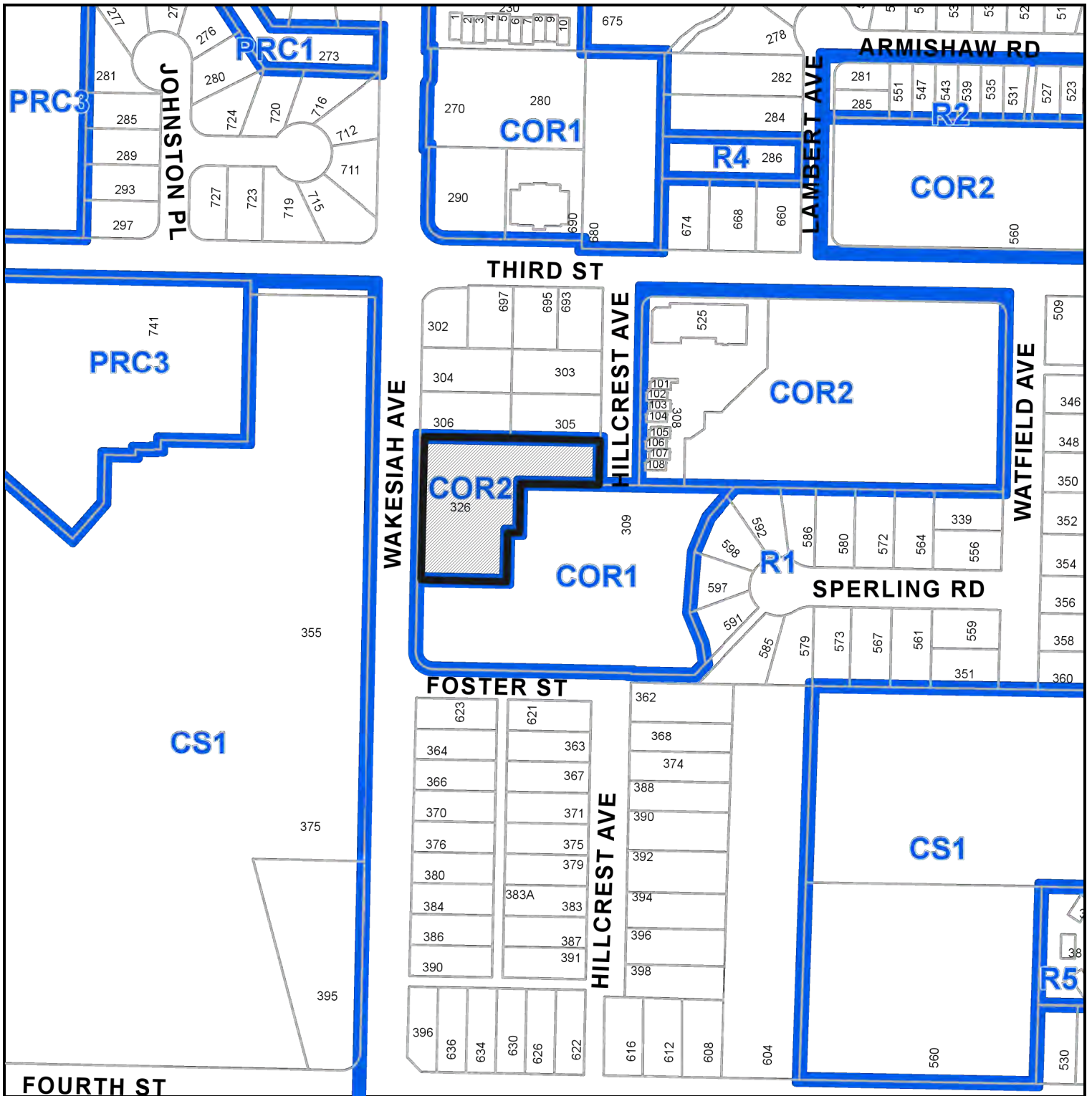


DEVELOPMENT PERMIT APPLICATION NO. DP001191



326 WAKESIAH ROAD

ATTACHMENT C LOCATION PLAN



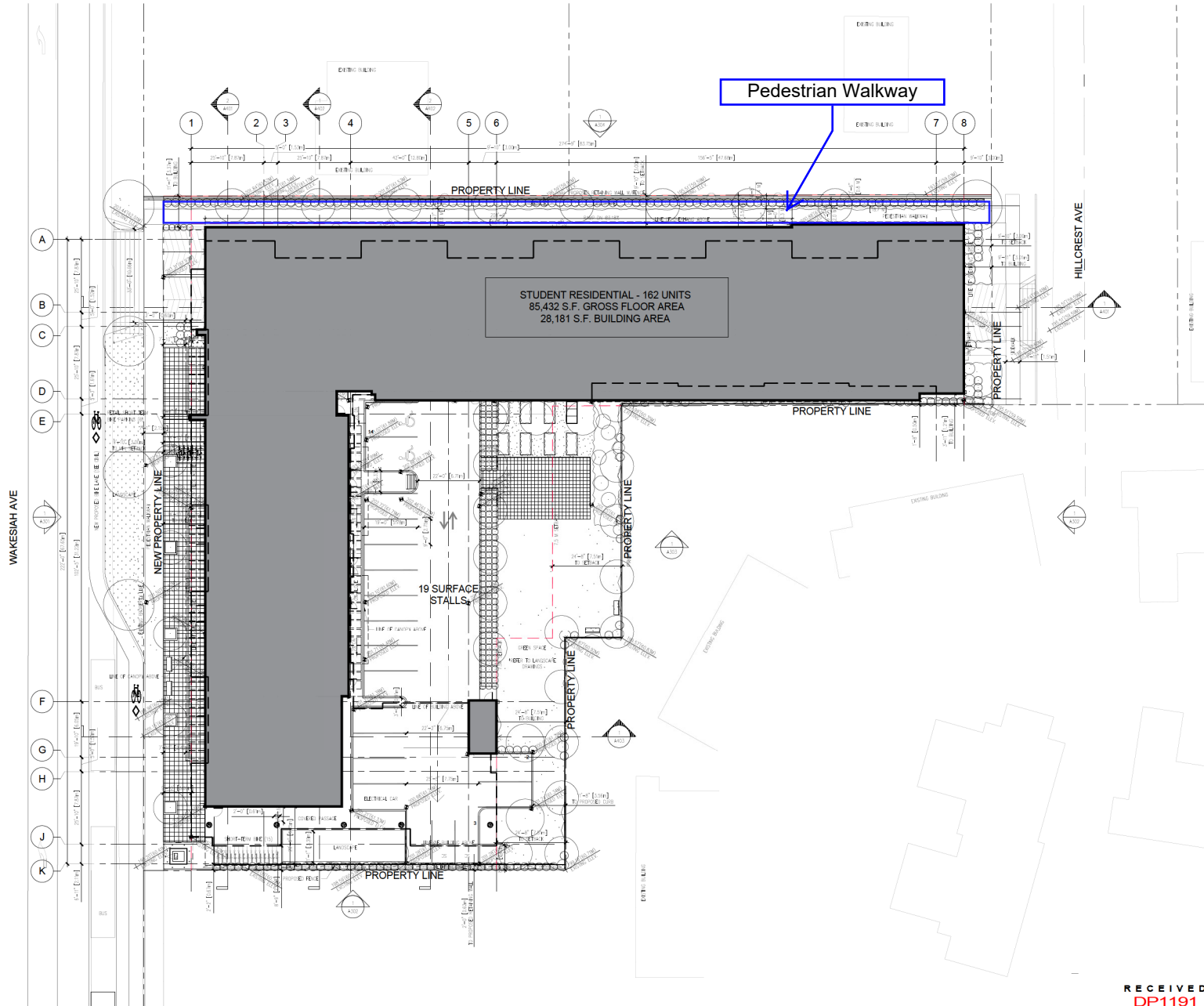
 **Subject Property**

DEVELOPMENT PERMIT APPLICATION NO. DP001191

CIVIC: 326 WAKESIAH AVENUE

LEGAL: LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP94033

ATTACHMENT D SITE and PARKING PLANS



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NORTH ARROW:



OWNER/CLIENT:



GENERAL NOTES:

NO.	ISSUE	DATE
01	ISSUED FOR DEVELOPMENT PERMIT	21/05/21
02	ISSUED FOR DEVELOPMENT PERMIT	20/04/21
03	ISSUED FOR DEVELOPMENT PERMIT	20/03/21
04	ISSUED FOR DEVELOPMENT PERMIT	20/03/21
05	ISSUED FOR DEVELOPMENT PERMIT	20/03/21
06	ISSUED FOR DEVELOPMENT PERMIT	20/03/21
07	ISSUED FOR DEVELOPMENT PERMIT	19/12/20
08	ISSUED FOR DEVELOPMENT PERMIT	19/04/20
09	ISSUE	(Y/M/D)

CONSULTANT:



VAN 301 - 1444 Alberni Street Vancouver, V6B 2Z6
V10 1B4 - 2212 Jackson Road Victoria, V8B 2A5
604.680.3529 | office@iwa-arch.ca | wa-arch.ca

PROJECT NAME:
WAKESIAH RESIDENTIAL

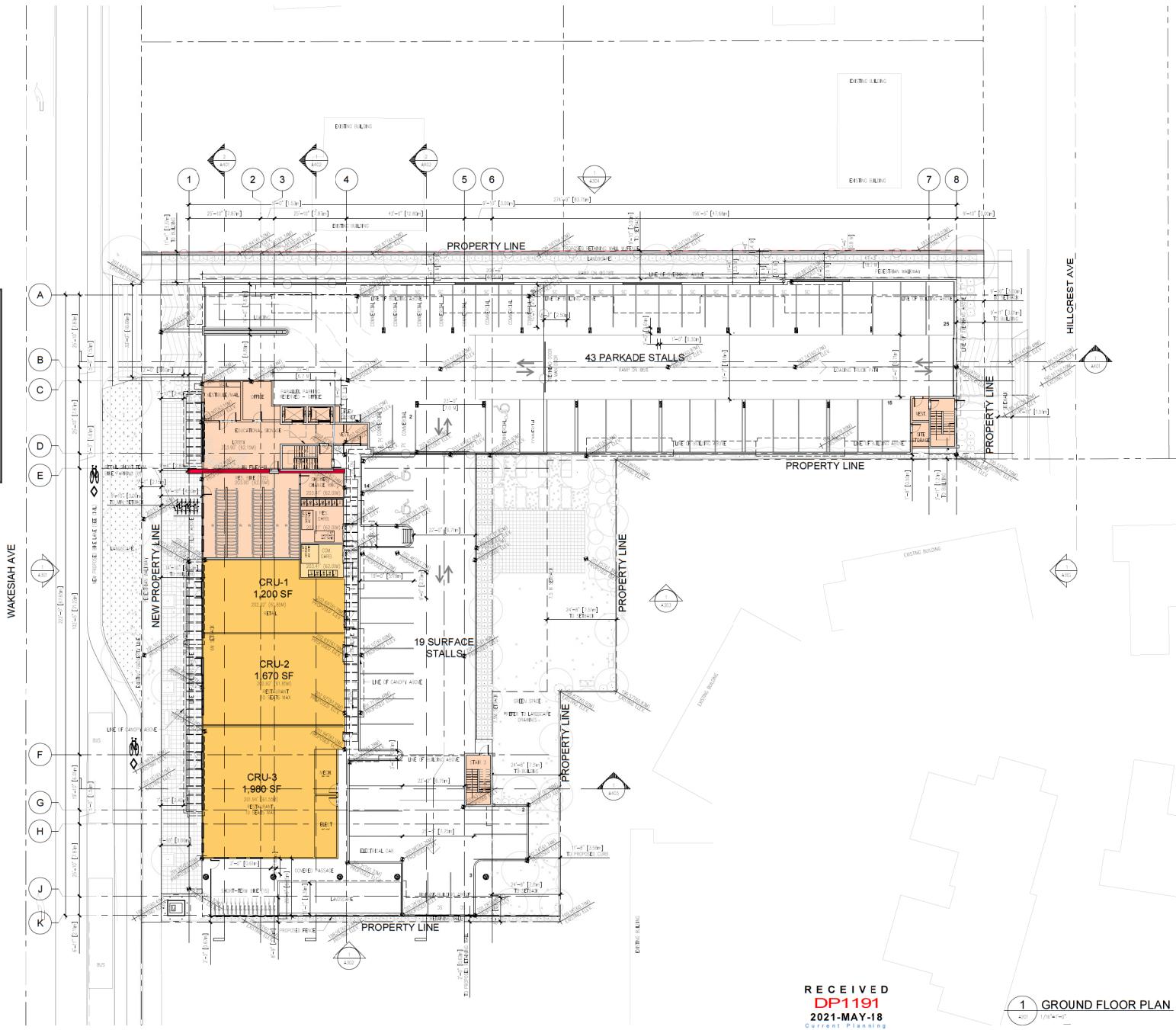
PROJECT ADDRESS:
**307 HILLCREST AVE, 308 & 326 WAKESIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:
SITE PLAN

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2021-MAY-19
CITY OF NANAIMO

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DWG NO: **A1.02**

NOTE:
Off-site frontage layout to be determined through detailed design review at Building Permit stage.



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GENERAL NOTES:

01	ISSUE	ISSUED FOR RE-CONING	18/03/25	Y.M.D.
02		ISSUED FOR COORDINATION	19/03/24	
03		ISSUED FOR COORDINATION	20/03/24	
04		ISSUED FOR DEVELOPMENT PERMIT	20/04/23	
05		RE-ISSUED FOR DEVELOPMENT PERMIT	20/03/22	
06		RE-ISSUED FOR DEVELOPMENT PERMIT	21/05/21	

SEAL:

CONSULTANT:



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110 104 - 3212 Jaxxon Road Victoria, V8B 0A9
604 680.3529 | office@iwa-arch.ca | iwa-arch.com

PROJECT NAME:
WAKESIAH RESIDENTIAL

PROJECT ADDRESS:
307 HILLCREST AVE, 301 & 326 WAKESIAH AVE
NANAIMO, B.C.

DRAWING TITLE:
SITE PLAN & GROUND LEVEL

PROJECT NO: 17018 DRAWN BY: BB
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DP1191
2021-MAY-18
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1 GROUND FLOOR PLAN
1/16"=1'-0"

ATTACHMENT E BUILDING ELEVATIONS AND DETAILS



1 WEST ELEVATION
3/32" = 1'-0"

LEGEND OF FINISHES

- 1 ACROUS STUCCO - BRIDE WHITE
- 2 CONCRETE MATE - CHARCOAL
- 3 WOODGRAN PATTERN PANEL - WALNUT
- 4 BARKIE PANEL - REDDIE BOARD & BATTER - LIGHT GRAY
- 5 BARKIE PANEL - BRUSH - IRON GRAY
- 6 VINYL WINDOW - WHITE FRAMES
- 7 VINYL SLIDING DOOR - WHITE FRAMES
- 8 VINYL SLIDING DOOR - WHITE FRAMES
- 9 METAL FRAMING - BLACK
- 10 PRIORITY SCREENING
- 11 METAL SCREEN
- 12 METAL OVERHEAD DOOR - TO MATCH ADJACENT
- 13 METAL SCREEN - COORDINATE TO MATCH ADJACENT
- 14 CONCRETE - SAGE RUBBED
- 15 CONCRETE CIRCULAR COLUMN
- 16 METAL FRAMING - CHARCOAL
- 17 STONE FRONT CLADDING
- 18 METAL FRAME CANOPY W/ CLEAR GLAZING
- 19 METAL MASONRY WHITE SQUARE TILE COMPLY WITH NANAIMO SQUARE TILEAW 1987 No. 2850.
- 20 FIRM - CHARCOAL
- 21 ACROUS STUCCO - HERBANT GRAY
- 22 CONCRETE PLANTED

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NORTH ARROW



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04	ISSUED FOR DEVELOPMENT PERMIT	26/04/20
03	ISSUED FOR COORDINATION	20/03/20
02	ISSUED FOR COORDINATION	19/12/24
01	ISSUED FOR RE-ZONING	18/08/20

SEAL:

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DP1191
2020-APR-08
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CONSULTANT:



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604 688 3529 | 3212 Jackson Road Victoria, V8B 0A9
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PROJECT NAME:
WAKESHIAH RESIDENTIAL

PROJECT ADDRESS:
**307 HILLCREST AVE, 304 & 328 WAKESHIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:
ELEVATIONS

PROJECT NO: 17018 DRAWN BY: XV
SCALE: 3/32" = 1'-0" REVIEW BY: DM
DWG NO: **A3.01**



2 WEST PERSPECTIVE

NOTE: ALL PROJECT SIGNAGE TO COMPLY WITH NANAIMO SIGNAGE BYLAW 1987 No. 2850.



1 SOUTH ELEVATION 1
1/8"=1'-0"



2 SOUTH PERSPECTIVE
NTS



3 SOUTH-WEST PERSPECTIVE
NTS

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GENERAL NOTES:

04	ISSUED FOR DEVELOPMENT PERMIT	26/04/22
03	ISSUED FOR COORDINATION	20/03/22
02	ISSUED FOR COORDINATION	19/12/24
01	ISSUED FOR RE-ZONING	18/08/25

NO. ISSUE Y/M/D
SEAL:

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DP-191
2020-APR-08
Current Planning

CONSULTANT:

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810 104 - 3212 Justice Road Victoria, V8B 2J8
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PROJECT NAME:
WAKESIAH RESIDENTIAL

PROJECT ADDRESS:
307 HILLCREST AVE, 304 & 326 WAKESIAH AVE
NANAIMO, B.C.

DRAWING TITLE:
ELEVATIONS

PROJECT NO.: 17018 DRAWN BY: XV
SCALE: 3/32"=1'-0" REVIEW BY: DM
DWG NO.: **A3.02**



1 SOUTH ELEVATION 2
1/16" = 1'-0"



2 SOUTH-EAST PERSPECTIVE
NTS

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OWNER/CLIENT:



GENERAL NOTES:

NO.	ISSUE	DATE

04	ISSUED FOR DEVELOPMENT PERMIT	26/04/22
03	ISSUED FOR COORDINATION	20/03/22
02	ISSUED FOR COORDINATION	19/12/21
01	ISSUED FOR RE-ZONING	18/08/21

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DP1191
2022-APR-08
CONSULT ENGINEERING

CONSULTANT:



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604 885 3529 | office@iwa-arch.ca | iwa-arch.com

PROJECT NAME:

WAKESIAH RESIDENTIAL

PROJECT ADDRESS:

**307 HILLCREST AVE, 304 & 328 WAKESIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:

ELEVATIONS

PROJECT NO: 17018

DRAWN BY: XV

SCALE: 3/32" = 1'-0"

REVIEW BY: DM

DWG NO:

A3.03

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NORTH ARROW

OWNER/CLIENT:



GENERAL NOTES:

04	ISSUED FOR DEVELOPMENT PERMIT	26/04/20
03	ISSUED FOR COORDINATION	20/03/20
02	ISSUED FOR COORDINATION	19/12/24
01	ISSUED FOR RE-ZONING	18/06/20

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604 885 3529 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:
WAKESIAH RESIDENTIAL

PROJECT ADDRESS:
**307 HILLCREST AVE, 304 & 328 WAKESIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:
ELEVATIONS

PROJECT NO.: 17018 DRAWN BY: XV
SCALE: 3/32"=1'-0" REVIEW BY: DM
DWG NO.: **A3.04**



1 EAST ELEVATION

N.T.S.

LEGEND OF FINISHES

- 1 ACRYLIC STUCCO - ALCOE WHITE
- 2 CORRUGATED METE - CHARCOAL
- 3 WOODGRAIN PATTERN PANEL - WALNUT
- 4 BRICK PANEL - RED/COBALT BOARD & BATTEN - LIGHT GRAY
- 5 BRICK PANEL - SECTION - IRON GRAY
- 6 VINYL WINDOW - WHITE FRAMES
- 7 VINYL SLIDING DOOR - WHITE FRAMES
- 8 VINYL SLIDING DOOR - WHITE FRAMES
- 9 METAL FINISH - BLACK
- 10 PERFORATED SCREENING
- 11 METAL SCREEN
- 12 METAL OVERHEAD DOOR - TO MATCH ADJACENT
- 13 METAL DOOR - TO MATCH ADJACENT
- 14 CONCRETE - SAND RUBBED
- 15 CONCRETE CIRCULAR COLUMN
- 16 METAL FINISHING - CHARCOAL
- 17 STONE FRONT CLADDING
- 18 METAL FRAME GLASSY W/ CLEAR GLAZING
- 19 METAL NUMBER WHITE SIGNAGE TO COMPLY WITH NANAIMO SQUARE TILAM 1997 NO. 2500.
- 20 FIN - CHARCOAL
- 21 ACRYLIC STUCCO - HERBERT GRAY
- 22 CONCRETE PLANTER



2 NORTH-EAST PERSPECTIVE

N.T.S.



3 EAST PERSPECTIVE

N.T.S.

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OWNER/CLIENT:



GENERAL NOTES:

04	ISSUED FOR DEVELOPMENT PERMIT	26/04/22
03	ISSUED FOR COORDINATION	20/03/22
02	ISSUED FOR COORDINATION	19/12/21
01	ISSUED FOR RECORDING	18/09/21

NO. ISSUE I/M/O

SEAL:

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DP 1191
2020-APR-08
Current Planning

CONSULTANT:



VAN 301 - 1446 Albatross Street Vancouver, V6G 2Z4
910 104 - 2212 Joseph Road Victoria, V8B 3L5
604 888 3329 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:
WAKESIAH RESIDENTIAL

PROJECT ADDRESS:
**307 HILLCREST AVE, 304 & 328 WAKESIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:
ELEVATIONS

PROJECT NO: 17018 DRAWN BY: XV
SCALE: 3/32"=1'-0" REVIEWED BY: DM
DWG NO: **A3.05**



1 NORTH ELEVATION 1
3/32"=1'-0"



2 NORTH PERSPECTIVE
N/A

LEGEND OF FINISHES

- 1 ACROBYL CEILING - ANTI-OX WHITE
- 2 CORRUGATED METAL - CHARCOAL
- 3 WOODGRAIN PATTER PANEL - WALNUT
- 4 BATHING PANEL - REVERSE BOARD & BATTEN - LIGHT GRAY
- 5 BATHING PANEL - SHOWN - BRN GRAY
- 6 VINYL WINDOW - WHITE FRAMES
- 7 VINYL SLIDING DOOR - WHITE FRAMES
- 8 VINYL SLIDING DOOR - WHITE FRAMES
- 9 METAL PANELING - BLACK
- 10 PRIVACY SCREENING
- 11 METAL TOILET
- 12 METAL BATHING DOOR - TO MATCH ADJACENT
- 13 METAL BATHING DOOR - TO MATCH ADJACENT
- 14 CONCRETE - DARK RAINBOW
- 15 CONCRETE BRICKLE COLUMN
- 16 METAL FLOORING - CHARCOAL
- 17 STONE FRONT GLAZING
- 18 METAL FRAME CARRY W/CLEAR GLAZING
- 19 METAL ALUMINUM WIRE MESH TO COMPLY WITH WAKESIAH SPANISH TOWER T51 NO. 2022
- 20 TRIM - CHARCOAL
- 21 ACROBYL CEILING - VIBRANT ORANGE
- 22 CONCRETE PLANKED

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NORTH ARROW

OWNER/CLIENT



GENERAL NOTES:

03	ISSUED FOR DEVELOPMENT PERMIT	20/04/22
02	ISSUED FOR COORDINATION	16/12/21
01	ISSUED FOR RE-ZONING	16/08/20
NO.	ISSUE	TYM/D

SEAL:

RECEIVED
DP 1191
2020-APR-08
Professional Planning

CONSULTANT:



IWA 301 - 1444 Alberni Street Vancouver, V6B 2Z4
310.104 - 3212 Josselyn Road Victoria, V8B 2J5
604.685.3520 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:

WAKESIAH RESIDENTIAL

PROJECT ADDRESS:

**307 HILL CREST AVE, 308 & 326 WAKESIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:

MATERIAL BOARD

PROJECT NO: 17018 DRAWN BY: BB

SCALE: NTS REVIEW BY: DM

DWG NO: **A7.01**



WAKESIAH-NORTHWEST CORNER OF BUILDING

COLOUR SCHEDULE

1)	STUCCO FINISH SMOOTH	ACRLYIC - HORIZON - OC-53
2)	VERTICAL CORRUGATED METAL	SQUARE FLUTED - CHARCOAL
3)	WOODGRAIN PATTERN HORIZONTAL SIDING	WESTFORM PROBOARD - SADDLE
4)	HARDIE REVERSE BOARD & BATTEN	COLOUR PLUS - PEARL GRAY
5)	HARDIE PANEL SMOOTH	COLOUR PLUS - NIGHT GRAY
6)	STUCCO FINISH SMOOTH	VIBRANT ORANGE
7)	VINYL WINDOWS & DOORS	WHITE FRAMES WITH CLEAR GLAZING
8)	PICKET GUARD RAIL	PRE-FINISHED FRAME-BLACK
9)	DELETED	
10)	PERFORATED SCREEN	COLOUR TO BE DETERMINED
11)	DELETED	
12)	CONCRETE COLUMNS	NATURAL SACK RUBBED
13)	PRE-FINISHED METAL FLASHINGS	CHARCOAL
14)	STOREFRONT	BLACK FRAMES W/CLEAR GLAZING
15)	CANOPY	PRE-FINISHED FRAME-ORANGE WITH CLEAR GLAZING
16)	METAL ADDRESS NUMBERS	PRE-FINISHED-ORANGE
17)	CONCRETE	NATURAL SACKED RUBBED WITH PUBLIC ART DISPLAY (REFER TO PRECEDENTS ON A7.01)



VINYL WINDOWS & DOORS
PRE-FNISHED - WHITE



STOREFRONT FRAMING SYSTEM
PRE-FINISHED - BLACK



STEEL CANOPY
PRE-FINISHED VIBRANT ORANGE



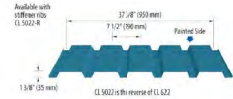
SMOOTH STUCCO WALL FINISH,
FASCIA & SOFFIT
COLOUR - HORIZON OC-53



WOODGRAIN HORIZONTAL SIDING
COLOUR - SADDLE



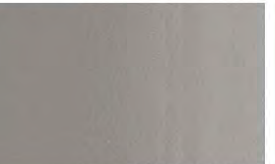
SMOOTH STUCCO WALL FINISH
& SOFFIT
VIBRANT ORANGE



VERTICAL CORRUGATED METAL
SQUARE FLUTED
COLOUR - CHARCOAL



HARDIE PANEL
SMOOTH - COLOUR PLUS IRON GRAY



HARDIE PANEL
REVERSE BOARD & BATTEN
SMOOTH - PEARL GRAY



CONCRETE - NATURAL
SACK RUBBED

ATTACHMENT F BUILDING RENDERINGS



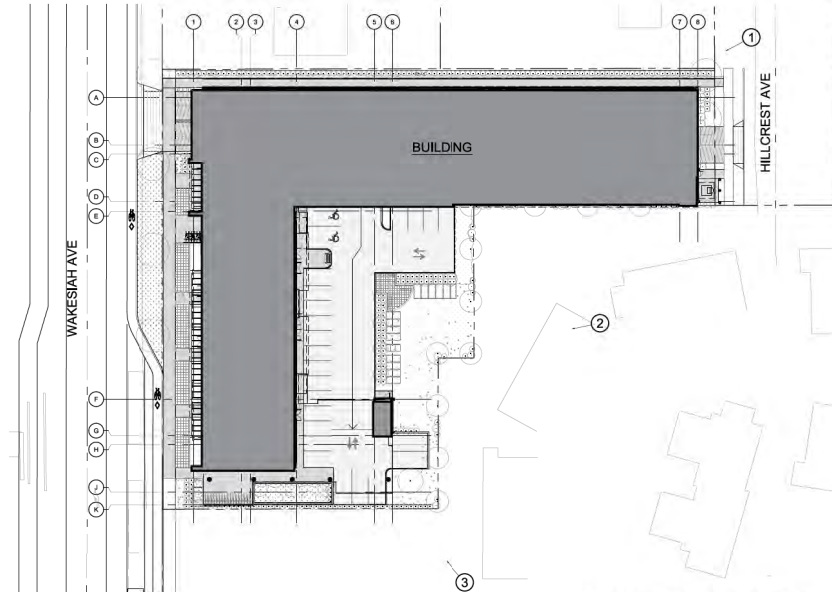
1 NORTHEAST VIEW
AS BUILT NTS



2 COURTYARD
AS BUILT NTS



3 SOUTH VIEW
AS BUILT NTS



RENDERING VIEW KEYPLAN
AS BUILT 1/32" = 1'-0"

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NORTH ARROW

OWNER/CLIENT:



GENERAL NOTES:

03	ISSUED FOR DEVELOPMENT PERMIT	26/04/20
02	ISSUED FOR COORDINATION	19/12/21
01	ISSUED FOR RE-ZONING	18/09/20
NO.	ISSUE	Y/M/D

SEAL:

RECEIVED
DP191
2020 APR-08
CITY OF NANAIMO

CONSULTANT:



VAN 301 - 1444 Alberni Street Vancouver, V6B 2Z6
SID 104 - 3212 Josselyn Road Victoria, V8B 2Z6
604 685-3520 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:

WAKESIAH RESIDENTIAL

PROJECT ADDRESS:

**307 HILL CREST AVE, 308 & 326 WAKESIAH AVE
NANAIMO, B.C.**

DRAWING TITLE:

RENDERINGS

PROJECT NO: 17018 DRAWN BY: XV

SCALE: NTS REVIEW BY: DM

DWG NO: **A5.01**

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NORTH ARROW

OWNER/CLIENT:



GENERAL NOTES:

03	ISSUED FOR DEVELOPMENT PERMIT	26/04/22
02	ISSUED FOR COORDINATION	19/12/21
01	ISSUED FOR RE-ZONING	18/09/20
NO.	ISSUE	Y/M/D

SEAL:

RECEIVED
 DP 1191
 2020-APR-08
 Current Planning

CONSULTANT:



VAN 301 - 1444 Alberni Street Vancouver, V6B 2Z4
 VIC 210 - 3212 Jansville Road Victoria, V8B 2L6
 804.685.3520 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:

WAKESIAH RESIDENTIAL

PROJECT ADDRESS:

307 HILLCREST AVE, 308 & 326 WAKESIAH AVE
 NANAIMO, B.C.

DRAWING TITLE:

RENDERINGS

PROJECT NO: 17018 DRAWN BY: XV

SCALE: NTS REVIEW BY: DM

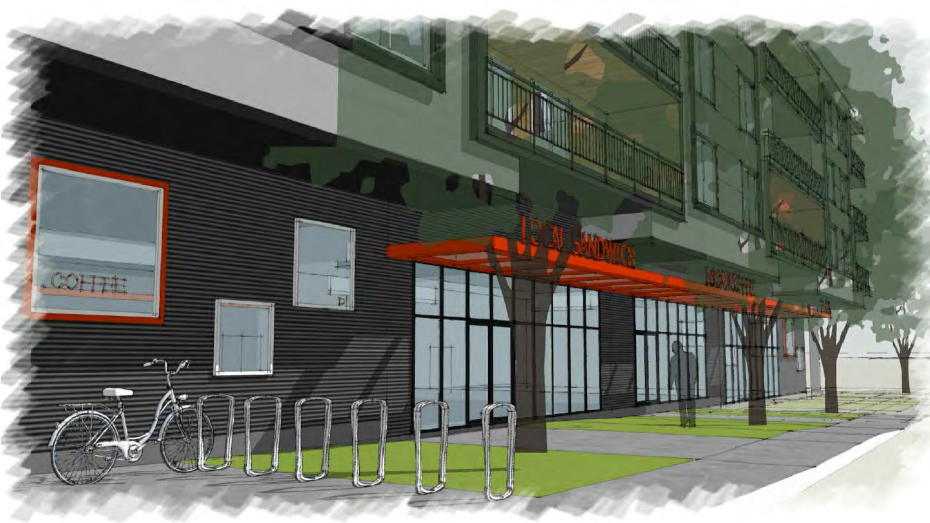
DWG NO: A5.02



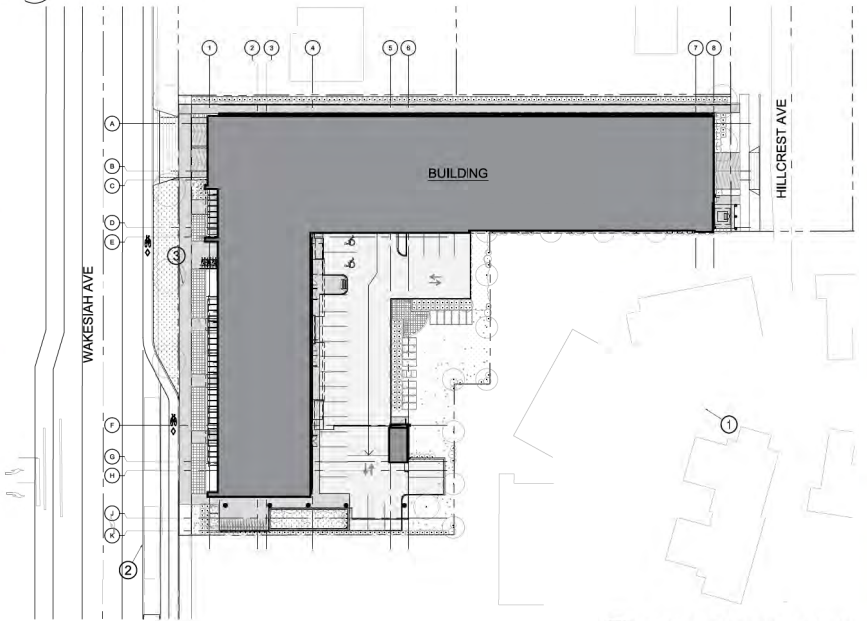
1 COURTYARD
45/02 NTS



2 SOUTHWEST VIEW
46/02 NTS

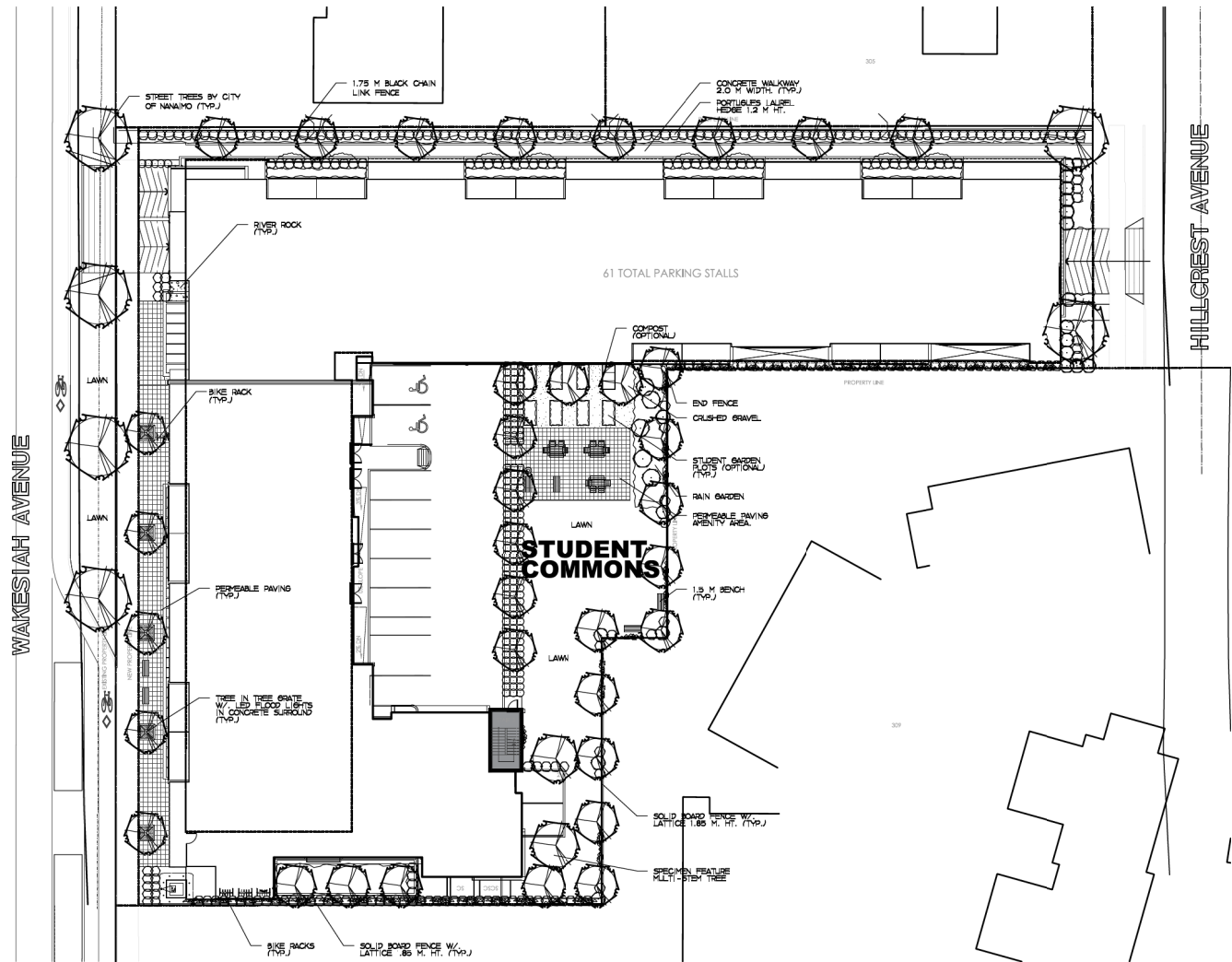


3 COMMERCIAL ENTRANCE VIEW
46/02 NTS



RENDERING VIEW KEYPLAN
46/02 1/32" = 1'-0"

ATTACHMENT G LANDSCAPE PLAN AND DETAILS

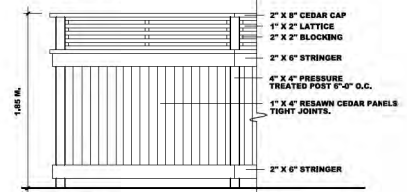


LEGEND

- MEDIUM DECIDUOUS TREE TO BE A SELECTION OF: RED MAPLE (DEC), TREMULING ASPEN, LIQUIDAMBAR HEDGE TREES. SIZE: 6.0 CM CAL., 4.5-5.5 M HT., APPROXIMATE NO. - 06
- ORNAMENTAL DECIDUOUS TREE TO BE A SELECTION OF: FLOWERING DOGWOOD, FLOWERING CHERRY, BLOWN GLOBE GARDEN HAWTHORNE. APPROXIMATE NO. - 01
- COLUMNAR DECIDUOUS TREE TO BE A SELECTION OF: COLUMNAR RED MAPLE, COLUMNAR RED MAPLE. SIZE: 6.0 CM CAL., 4.5-5.5 M HT., APPROXIMATE NO. - 11
- MULTI-STEM TO BE A SELECTION OF: STAR MAGNOLIA (DEC), STAGHORN SUMAC (DEC). SIZE: 1.5 M. HT., APPROXIMATE NO. - 12
- SPECIMEN SHRUB TO BE A SELECTION OF: SPIREA DOUGLASSI (BU), SIZE: 27 CM POT, APPROXIMATE NO. - 05
- LARGE SHRUB TO BE A SELECTION OF: GLOSSY HIBISCUS (BU), SPIREA (BU), RHODODENDRON (BU), MEXICAN ORANGE (BU), DECIDUOUS AZALEA (DEC), GARDEN SPIDER LILY (DEC), LAUREL (BU), SIZE: 27 CM POT, APPROXIMATE NO. - 16
- MEDIUM SHRUB TO BE A SELECTION OF: HARDY HICK (DEC), NORTON ROSE (DEC), RHODODENDRON (BU), OREGON GRAPE (BU), SIZE: 21 CM POT, APPROXIMATE NO. - 360
- SMALL SHRUB TO BE A SELECTION OF: SALAL (BU), LONG-LEAF MANONIA (BU), SWAMPBURN (BU), ROCK SPARBLE (BU), DEER PRUN (BU), WALLEN HILL PRUN (DEC), SIZE: 15 CM POT, APPROXIMATE NO. - 5
- GROUNDCOVER TO BE A SELECTION OF: KNUKUNUKA (BU), WATERBERRY (BU), WOOLLY THIME (BU), SORESE, SIZE: 15 CM PLANT 45 CM O.C.
- VINES TO BE A SELECTION OF: BLUE HAWK (DEC), CLEMATIS (DEC), SIZE: 21 CM POT, APPROXIMATE NO. - 44

NOTES

- LANDSCAPE AREAS ARE TO BE IRRIGATED WITH A FULLY AUTOMATIC UNDERGROUND WATER EFFICIENT IRRIGATION SYSTEM.
- THIS DRAWING IS CONCEPTUAL ONLY AND NOT INTENDED FOR CONSTRUCTION PURPOSES.
- THIS DRAWING IS FOR SOFT LANDSCAPE ONLY.



FENCE DETAIL
SCALE: N.T.S.

RESUBMITTED FOR DEVELOPMENT PERMIT DECEMBER 17, 2020
SUBMITTED FOR DEVELOPMENT PERMIT APRIL 03, 2020

NO.	DATE	BY	REVISION
1	02/14/20	S.P.	PARKING
2	12/07/20	S.P.	STRENGTH BONUS
3	12/16/20	S.P.	COMMENTS

S.P.
 JUN 26, 2018
 WSH-PIRIR.DWG
 357 18 02

Lombard North Group
 4100 WEST 10TH STREET, SUITE 101
 VANCOUVER, BC V6P 3M9
 TEL: (604) 276-1122
 FAX: (604) 276-1123
 WWW.LNORTHGROUP.COM

WAKESIAH STUDENT HOUSING

NANAIMO, B.C.

LANDSCAPE PLAN | P1

ATTACHMENT H

SCHEDULE D - AMENITY REQUIREMENTS FOR ADDITIONAL DENSITY

Wakesiah I Student Residence

1 of 7

Project # 17018

December 21, 2020

Proposed Amenity Requirements for Additional Density - Tier 1 & 2

Category 1: Site Selection (10 points required)

AMENITY		Points Available	Points Attained
A	The proposed development is located on a brownfield site.	5	-
B	The proposed development is located on an existing street where the location does not require any new infrastructure such as storms drains, curbs or sidewalks.	3	-
C	The proposed development is located within 200m of a park or trail network.	1	1
D	The proposed development is located within 400m of any of the following: <ul style="list-style-type: none"> • retail store; • daycare facility • Nanaimo Regional District transit bus stop; • any PRC (Parks, Recreation and Culture) Zoned property; and / or • a CS-1 (Community Service One) zoned property. 	1 point each	4
E	The proposed development will add any of the following amenities on the site, or immediately adjacent to the site, as part of the proposed development: <ul style="list-style-type: none"> • retail store or public market; • daycare facility; • Nanaimo Regional District transit bus stop; • any PRC (Parks, Recreation and Culture) Zoned property; • a CS-1 (Community Service One) zoned property; and / or • public art 	1 point each	3
Total Points		20	8

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DP1191
2020-DEC-22
Current Planning

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

AMENITY		Points Available	Points Attained
A	The proposed development includes an Environmentally Sensitive Area (ESA), as identified on Map 2 of the City's Official Community Plan and includes at least a 15m natural area buffer around the ESA.	2	-
B	The property includes the retention of natural vegetation, trees, shrubs, and under storey for a contiguous area that is equal to or greater than 15% of the property area, exclusive of the required watercourse leave strip or environmentally-sensitive area buffer.	3	-
C	The proposed development includes at least 50% retention of natural soils.	1	-
D	The subject property includes at least one significant tree and the proposed development will not result in the loss of any trees included on the list of significant trees within the City of Nanaimo's Management and Protection of Trees Bylaw.	2	-
E	The proposed development includes street trees.	1	1
F	After re-planting, the proposed development does not result in a net loss of trees with a caliper greater than 6cm	1	1
G	Post development, the total amount of trees on the property, or adjacent road right-of-way or public space is at least 20% more than the number of trees on the property before development.	2	2
H	Restore a minimum of 50% of the site area (excluding the building footprint) by maintaining pervious surfaces.	3	3
I	The development includes permanent educational signage or display(s) regarding the protected or planted plants, trees, animal habitat or other natural features on the site.	1	1
Total Points		16	8

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

AMENITY		Points Available	Points Attained
A	Long term protected bicycle storage is provided and shower and change room facilities are provided to accommodate building employees where applicable.	3	3
B	At least one parking space is clearly marked and designated for the exclusive use of a vehicle belonging to a car share or car co-op.	1	-
C	The developer purchases a new car and gifts the car to a recognized car share provider for the inclusion of a car share space on the subject property.	4	-
D	The parking area within the proposed development includes at least one electric vehicle charging station.	1	1
E	A minimum of 80% of the total parking area is located underground or in a parking structure incorporated into the design of the building.	4	4
F	The proposed development includes covered and designated parking spaces for a motorized scooter or plug-in for an electronic bicycle or electric scooter, or a designated motorcycle parking space to accommodate the following number of spaces: <ul style="list-style-type: none"> a) multiple family residential developments: 1 motorized scooter or motorcycle space per 15 dwelling units; and b) non-residential uses: 1 motorized scooter or motorcycle space per 600m² of Gross Floor Area for the first 5000m² plus one space per 1500m² of additional Gross Floor Area.; and c) a minimum of one electronic plug-in is provided to accommodate at least one electric scooter or electronic bicycle. 	2	2
G	A pedestrian network is included in the proposed development that connects the buildings on the site with the public road right-of-way and, the pedestrian network from the adjacent site to which there is access by perpetual easement or right-of- way, provided the City agrees to accept the right-of-way.	2	2
H	Parking does not exceed minimum parking requirements within the City's Development Parking Regulations Bylaw.	2	2
I	The development includes signage or display(s) regarding sustainable transportation alternatives available on site or within the immediate area.	1	1
Total Points		20	15

Category 4: Building Materials (8 points required)

AMENITY		Points Available	Points Attained
A	Wood is the primary building material.	1	1
B	The proposed development uses salvaged, refurbished or reused materials; the sum of which constitutes at least 10% of the total value of materials on the project.	2	-
C	At least 50% of all wood products used in construction are certified by the Forest Stewardship Council (FSC) Canada. <i>This wording has been amended by city to read: Be advised that in order to meet "Category 4 – C", 'Schedule D' has been amended to now accept construction certified to the Canadian Standards Association –Sustainable Forest Management (CSA-SFM) standard, or recognized equivalent</i>	3	3
D	The proposed development uses materials with recycled content such that the sum of the postconsumer recycled material constitutes at least 25%, based on costs, of the total value of the materials in the project.	2	-
E	The project developer has submitted a construction and waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted onsite or comingled.	2	2
F	At least 75% of the materials used in construction are renewable resources.	2	-
G	The property includes an existing building and at least 75% of existing building structure or shell is retained.	3	-
H	The development includes permanent educational signage or display(s) regarding the sustainable use of building materials used during construction of the project.	1	1
Total Points		16	7

Category 5: Energy Management (11 points required)

AMENITY		Points Available	Points Attained
A	The proposed development meets at least the requirements of Step 2 of the BC Energy Step Code and exceeds the requirement specified in the Building Bylaw by one step.*	10	-
B	The proposed development meets at least the requirements of Step 3 of the BC Energy Step Code and exceeds the requirement specified in the Building Bylaw by two steps.*	15	15
C	The proposed development is considered a Part 3 within the British Columbia Building Code (BCBC) and the building meets the minimum requirements of Step 4 (Net Zero Ready) within the BC Energy Step Code; or The proposed development is considered a Part 9 within the British Columbia Building Code (BCBC) and the building meets the minimum requirements of Step 4 or 5 within the BC Energy Step Code.*	30	-
D	The development includes permanent education signage or display(s) regarding sustainable energy management practices used onsite.	1	1
Total Points		56	16

* Points will be awarded for only one of A, B, or C.

Category 6: Water Management (8 points required)

AMENITY		Points Available	Points Attained
A	At least 50% of the property is covered with a permeable surface area which may include a green roof.	2	-

B	The proposed buildings on the property include plumbing features which will use 35% less water than the BC Building Code standard.	2	2
C	A green roof is installed to a minimum 30% of the roof area.	3	-
D	A living wall is installed to cover at least 10% of the total available wall area for the proposed project.	2	-
E	A non-potable irrigation system is installed and used for all on-site irrigation.	3	-
F	A water efficient irrigation system (such as drip) is installed.	1	1
G	The proposed development includes a rain garden, cistern, bioswale or storm water retention pond on the property.	2	2
H	The development site includes permanent educational signage or a display(s) regarding sustainable water management practices used on site.	1	1
Total Points		16	6

Category 7: Social and Cultural Sustainability (10 points required)

AMENITY		Points Available	Points Attained
A	At least 10% of the residential dwelling units within a building are no greater than 29m ² in area.	1	1
B	At least 10% of the residential dwelling units meet all the accessibility requirements within the <i>British Columbia Building Code 2012 (BCBC)</i> or any subsequent Act or Acts which may be enacted in substitution therefore.	3	-
C	The developer agrees to enter into a Housing Agreement with the City of Nanaimo to ensure that at least 50% of all residential units shall not be stratified or sold independently for at least ten years after the building receives final occupancy.	3	-
D	The developer enters into a Housing Agreement with the City of Nanaimo to ensure that at least 10% of residential units sold will be sold for at least 20% less than the medium sell price for condos (apartment), as provided by the Vancouver Island Real Estate Board for the current year, and cannot be sold for greater than the original sale price for a period of ten years. The Gross Floor Area of the units provided for within the Housing Agreement must be greater than 29m ² in area.	4	-
E	The developer enters into a Housing Agreement with the City of Nanaimo to ensure that where the residential units are subdivided under the <i>Strata Property Act</i> or otherwise sold separately, the strata corporation will not place restrictions which prevent the rental of individual residential units.	2	-
F	A permanent public art feature is included on the site in accordance with the City's Community Plan for Public Art.	2	2
G	A children's play area is provided.	1	-
H	A dedicated garden space is provided to building residents and/or members of the community in which users are given the opportunity to garden.	1	1
I	The development site includes permanent heritage interpretive signage or heritage building elements where relevant.	1	1
J	The development protects and rehabilitates heritage buildings or structures, archaeological resources and cultural landscapes considered to have historical value by the City.	3	-
Total Points		21	5

***OVERALL TOTAL PROPOSED – 65**
TOTAL REQUIRED FOR TIER 2 – 65

ATTACHMENT I STUDENT HOUSING PARKING AREAS

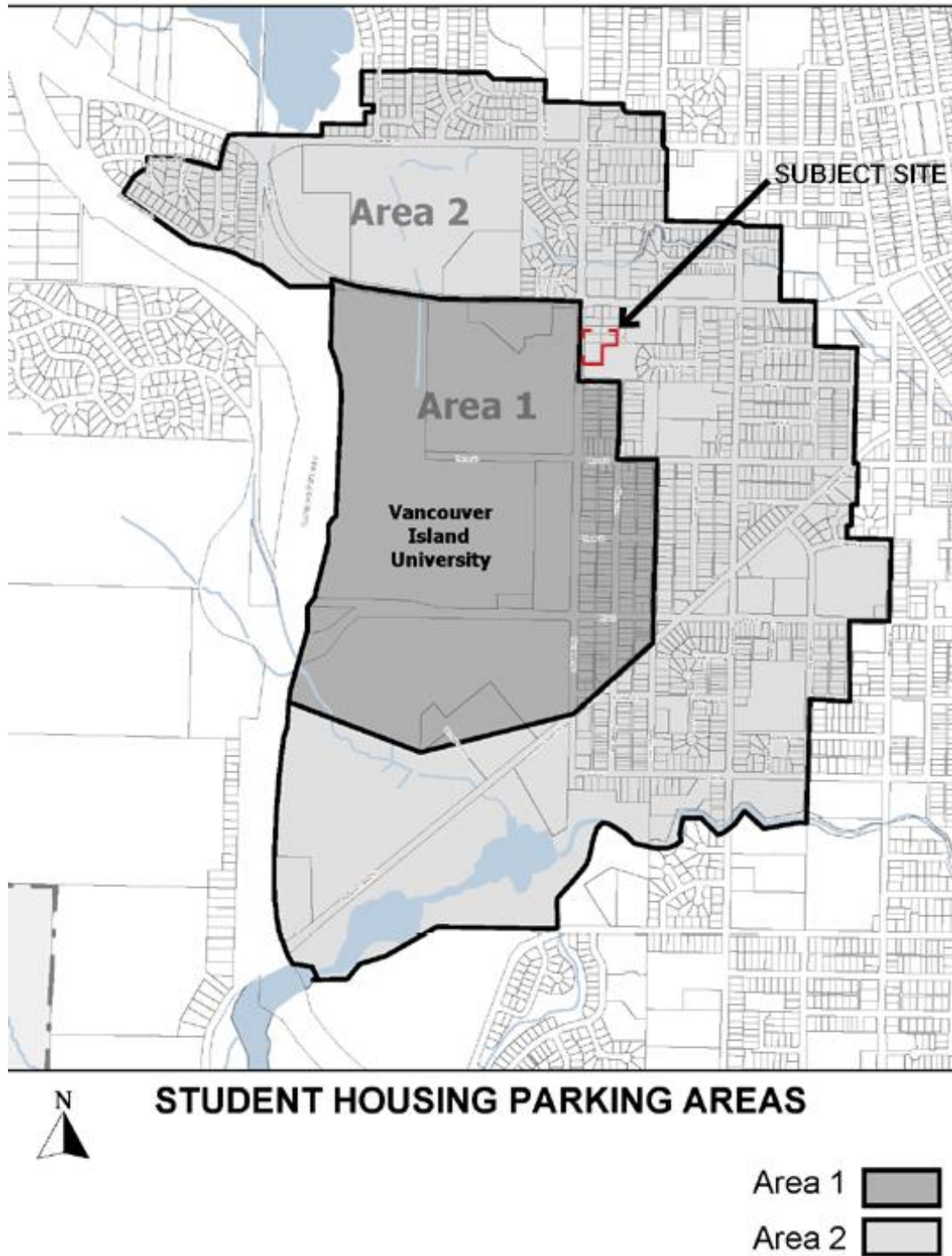
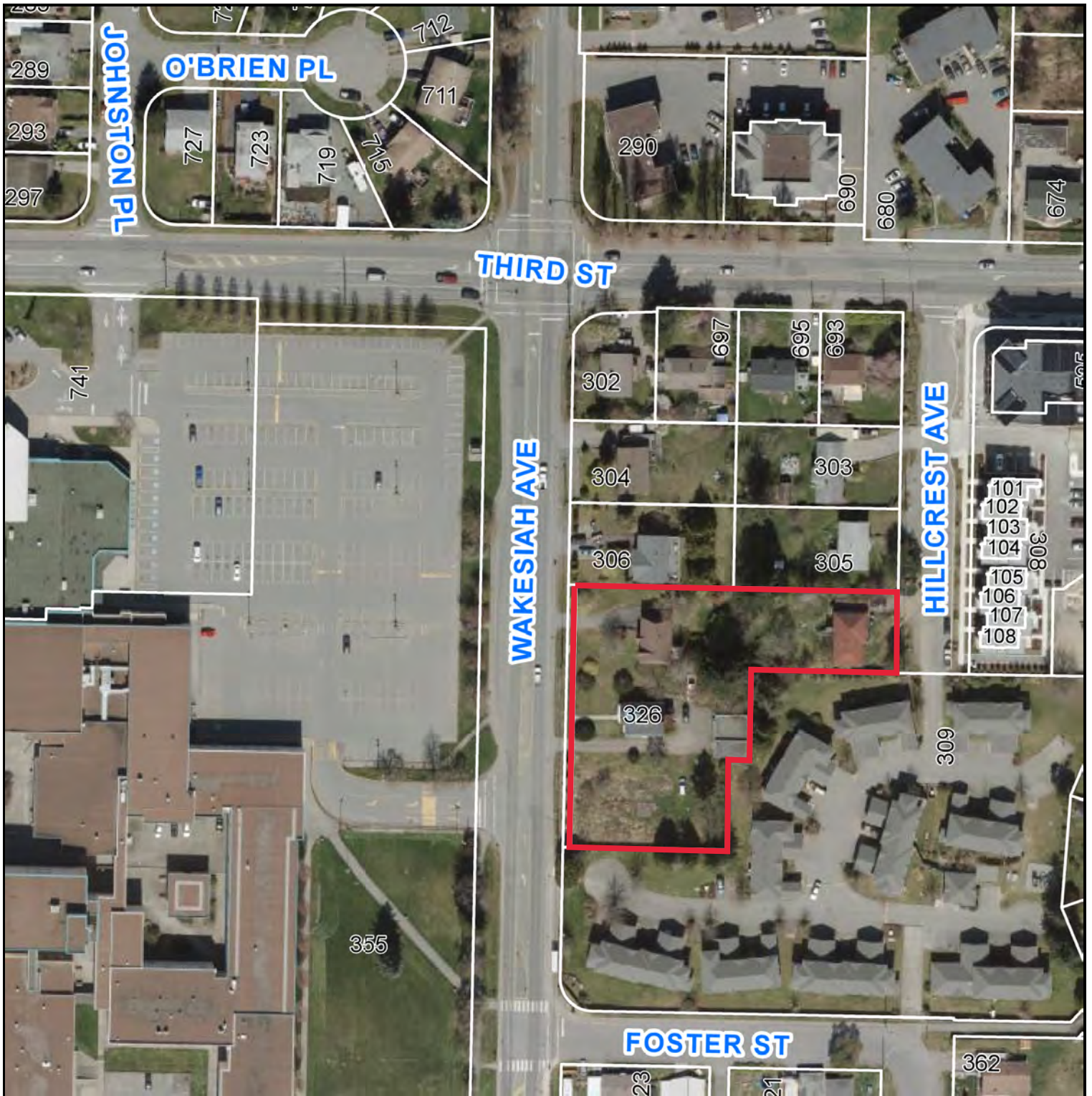


Figure 1. Subject Site Location Relative to Area 1¹

¹ Map adapted from the City of Nanaimo's 'Schedule B' Student Housing Parking Map, available online at: <https://www.nanaimo.ca/docs/default-document-library/student-housing-parking-areas-2.pdf>

NOTE:
Excerpt from Wakesiah Student Housing Parking Variance Support, prepared by Watt Consulting Group, dated May 3, 2021.

ATTACHMENT J
AERIAL PHOTO



DEVELOPMENT PERMIT APPLICATION NO. DP1191



Subject Property

CIVIC: 326 WAKESIAH AVENUE

LEGAL: LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP94033

Delegation Request

Delegation's Information:

Patrick Brandreth, Island West Coast Development, Tim Shah, Watt Engineering, and David McGrath, WD Architects, have requested an appearance before Council.

City: Nanaimo

Province: BC

Delegation Details:

The requested date is June 7, 2021.

The requested meeting is:
Council

Bringing a presentation: No

Details of the Presentation:

Development team will be participating to answer questions, will not be making a formal presentation.

DATE OF MEETING | June 7, 2021 |

AUTHORED BY | SADIE ROBINSON, PLANNING ASSISTANT, CURRENT PLANNING |

**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP422
– 1875 AND 1885 BOXWOOD ROAD |**

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to allow facia signs and a freestanding sign within the Nanaimo Parkway Buffer at 1875 and 1885 Boxwood Road. |

Recommendation

That Council issue Development Variance Permit No. DVP422 at 1875 and 1885 Boxwood Road with the following variance to:

- allow 13 facia signs and 1 freestanding sign within the Parkway Buffer that face the Nanaimo Parkway;
- Increase the maximum permitted facia sign area from 5m² to 6.48m². |

BACKGROUND

A development variance permit application, DVP422, was received from Andre’s Electronic Experts on behalf of Nanaimo Industrial Space Ltd., to vary the provisions of the City of Nanaimo “Sign Bylaw 1987 No. 2850” (the “Sign Bylaw”) to allow facia signs and a monument (freestanding) sign within the Nanaimo Parkway Buffer at 1875 and 1885 Boxwood Road. The property contains two multi-tenant light industrial buildings, approved 2019-FEB-14 (DP1087). One of the two buildings has been completed, and the second building is nearing completion. The surrounding neighbourhood consists primarily of light industrial buildings within the Green Rock Industrial Business Park. The rear of the property is well screened with existing vegetation and trees, and is elevated approximately 6m above the grade of the adjacent Nanaimo Parkway.

Subject Property and Site Context

<i>Zoning</i>	I2 – Light Industrial
<i>Location</i>	The subject property is located on the west side of Boxwood Road, adjacent to its intersection with Dufferin Crescent.
<i>Total Lot Area</i>	0.87ha
<i>Official Community Plan (OCP) Future Land Use Designation</i>	Light Industrial
<i>Design Guidelines</i>	Nanaimo Parkway Design Guidelines – Rural Parkway

Statutory Notification has taken place prior to Council’s consideration of the variance. |

DISCUSSION

Proposed Development

The subject property contains two buildings facing an internal surface parking lot that is accessed from Boxwood Road. The applicant is proposing fascia signage on both buildings to identify individual businesses, and one multi-tenant freestanding monument sign identifying the site as Garry Oak Park. A maximum of 13 signs (1 per business) are anticipated, with 8 on the north elevation of Building B, and 5 on the south elevation of Building A. It is possible the total number of signs installed will be fewer, as the buildings are designed as flex spaces to provide opportunities for tenants to consolidate units.

Facia Signs

Signs are proposed to be uniformly placed on entry canopies above each unit at a pedestrian scale, approximately 3.5m above the ground. The signs will range in size, with the largest being 1.2m by 5.4m, allowing a maximum possible size of 6.48m². Facia signs will be fastened to existing wooden canopies with raised channel lettering. The facia signs will not be backlit, but will be illuminated by an overhead light bar directed downward toward the sign, and all facia signs are fitted with an aluminum shield to further screen any potential light exposure from the parkway.

Freestanding Sign

Additionally, the applicant is proposing to install a freestanding monument sign at the site entrance, approximately 1.4m at the nearest point from the property line facing Boxwood Road. The freestanding sign will be ground-oriented with the total height not exceeding 1.52m and a total sign area of 5.95m². The multi-tenant sign will identify Garry Oak Park and the businesses on-site.

Proposed Variances

Parkway Signage

The Sign Bylaw prohibits signage within the Parkway Buffer that “faces” the Nanaimo Parkway. The Sign Bylaw defines a sign as “facing/faces” the Nanaimo Parkway when a straight line of 200m or less can be drawn from the sign to any point of the Nanaimo Parkway right-of-way without crossing any portion of the building to which the sign is affixed and without crossing any other public road. The entire property is within the Nanaimo Parkway Buffer (See Attachment F – Parkway Buffer) and the proposed signs will be between 30m and 115m away from the Nanaimo Parkway right-of-way; therefore, a variance is required for the proposed signage placement. The applicant considered a comprehensive and consistent signage program for this development that respects the intent of the Nanaimo Parkway guidelines to limit visibility of signage while still providing adequate wayfinding and business signage onsite.

Facia Signs

The Sign Bylaw limits the size of facia signs on lands designated Rural Parkway to a maximum of 5m² (53.8 ft²) in area or 15% of the wall surface to which it is affixed, whichever is less. The proposed facia signs range in size with a maximum size of 6.48m²; equivalent to approximately 8% of the wall surface of each unit façade to which the signs will be affixed. If the signs were not in the Parkway Buffer, they could be approved without a variance. Sign placement and scale is well-integrated with the building aesthetic and favours the pedestrian scale.

Freestanding Sign

The Sign Bylaw prohibits freestanding signs within the Parkway Buffer on lands designated Rural Parkway. While the proposed sign location falls within the Rural Parkway buffer, the proposed freestanding sign will be approximately 115m from the Parkway right-of-way.

Although determined to face the Nanaimo Parkway as per the Sign Bylaw, the proposed signage will not be oriented towards the Parkway and is not expected to be visible from the Parkway given the existing landscape buffer, and the limited height of the proposed signage above the ground.

Collectively, the signage proposal is consistent with the intent of the Nanaimo Parkway design guidelines, as follows:

- Facia signage is uniformly integrated into existing low-level canopies located immediately above pedestrian doors;
- Use of overhead light bars which direct light downward onto the sign face, avoiding use of any backlit signage;
- Installation of metal shields to further screen potential light exposure from the Parkway;
- The freestanding sign will be ground oriented; and
- Signage will be well-screened by existing trees and vegetation from the Parkway.

The proposed signage will also ensure a cohesive sign program for the two multi-tenant buildings. No negative impacts are anticipated and Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit Application No. DVP422 proposes to allow 13 facia signs with a maximum size of 6.48m², and 1 freestanding sign within the Parkway Buffer which face the Nanaimo Parkway.
- The proposed signage will be well screened from the Nanaimo Parkway.
- No negative impacts are anticipated and Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Site Context Plan
ATTACHMENT E: Sign Locations and Details
ATTACHMENT F: Parkway Buffer
ATTACHMENT G: “Sign Bylaw 1987 No. 2850” Schedule F – Parkway Buffer
ATTACHMENT H: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

The City of Nanaimo "SIGN BYLAW 1987 NO. 2850" is varied as follows:

1. *Section 3(26) Parkway Signage* – to allow a maximum of 13 facia signs and 1 freestanding sign, as proposed, within the Parkway Buffer which face the Nanaimo Parkway.
2. *Section 5(4)(B) Facia Signs* – to increase the maximum permitted size of a facia from 5m² to 6.48m², within the Parkway Buffer on lands designated Rural Parkway.
3. *Section 5(5)(E) Freestanding Signs* – to allow one freestanding sign, as proposed, within the Parkway Buffer on lands designated Rural Parkway.

CONDITIONS OF PERMIT

1. The proposed signage shall be developed in accordance with the proposed Sign Locations and Details received 2021-MAY-03 as shown in Attachment E.
2. The proposed signage shall not be backlit or illuminated by any artificial light source located behind the front face of the sign.
3. The facia signs shall be fitted with an aluminum shield, as proposed, to screen light exposure from the Nanaimo Parkway.

ATTACHMENT B CONTEXT MAP

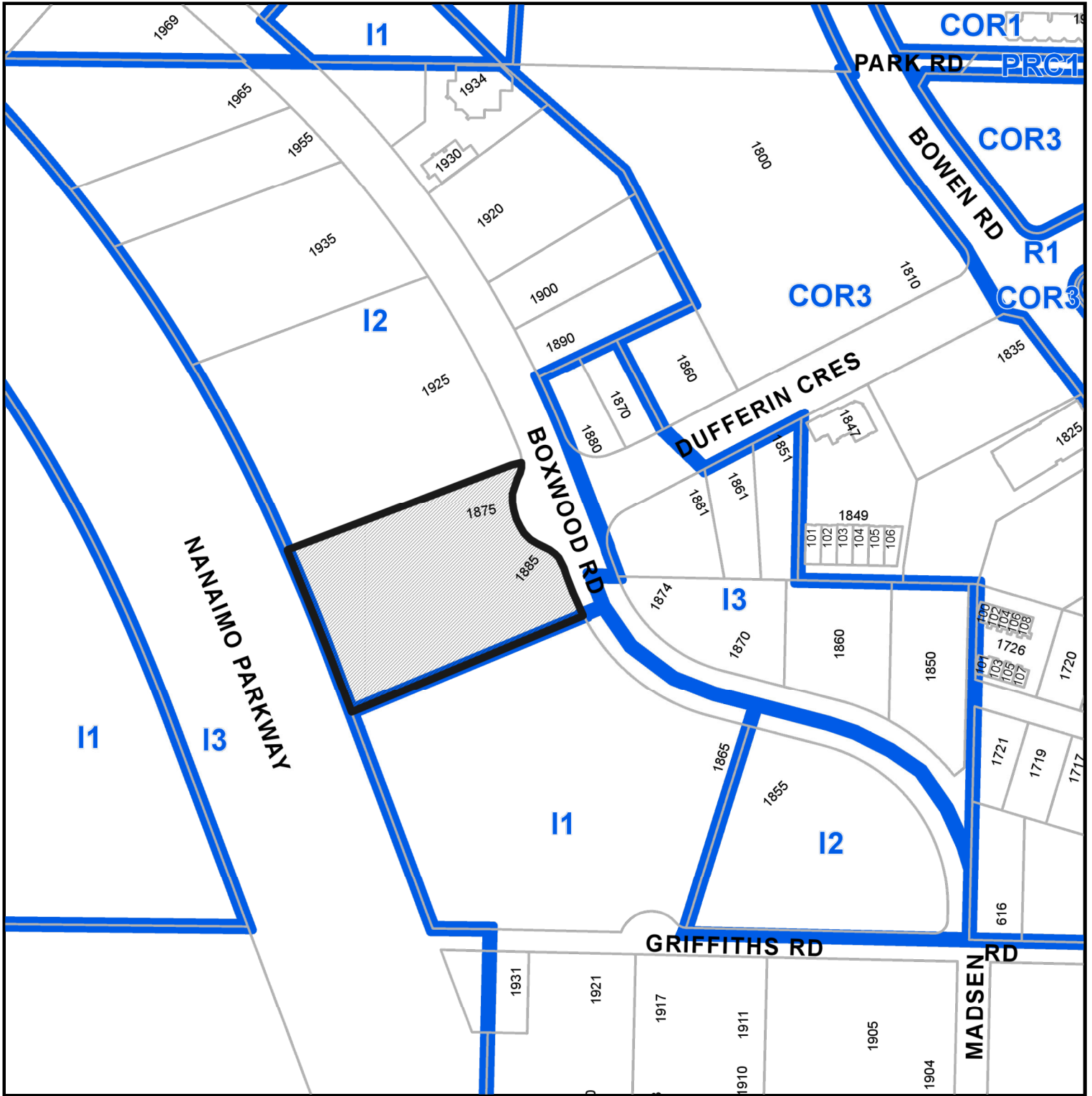


DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00422



1875 and 1885 BOXWOOD ROAD

**ATTACHMENT C
LOCATION PLAN**



DEVELOPMENT VARIANCE APPLICATION NO. DVP00422

CIVIC: 1875 and 1885 BOXWOOD ROAD

LEGAL: LOT 2, SECTION 15, RANGES 7 AND 8, MOUNTAIN DISTRICT, PLANS EPP70084



ATTACHMENT D SITE CONTEXT PLAN

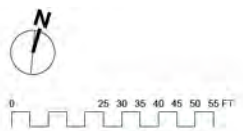


ATTACHMENT E SIGN LOCATIONS AND DETAILS



See Next Page for Freestanding Sign Detail

— = Proposed Sign Locations



NBS WAREHOUSES (GARRY OAK PARK) 1885/1875 Boxwood Road, Nanaimo, B.C.

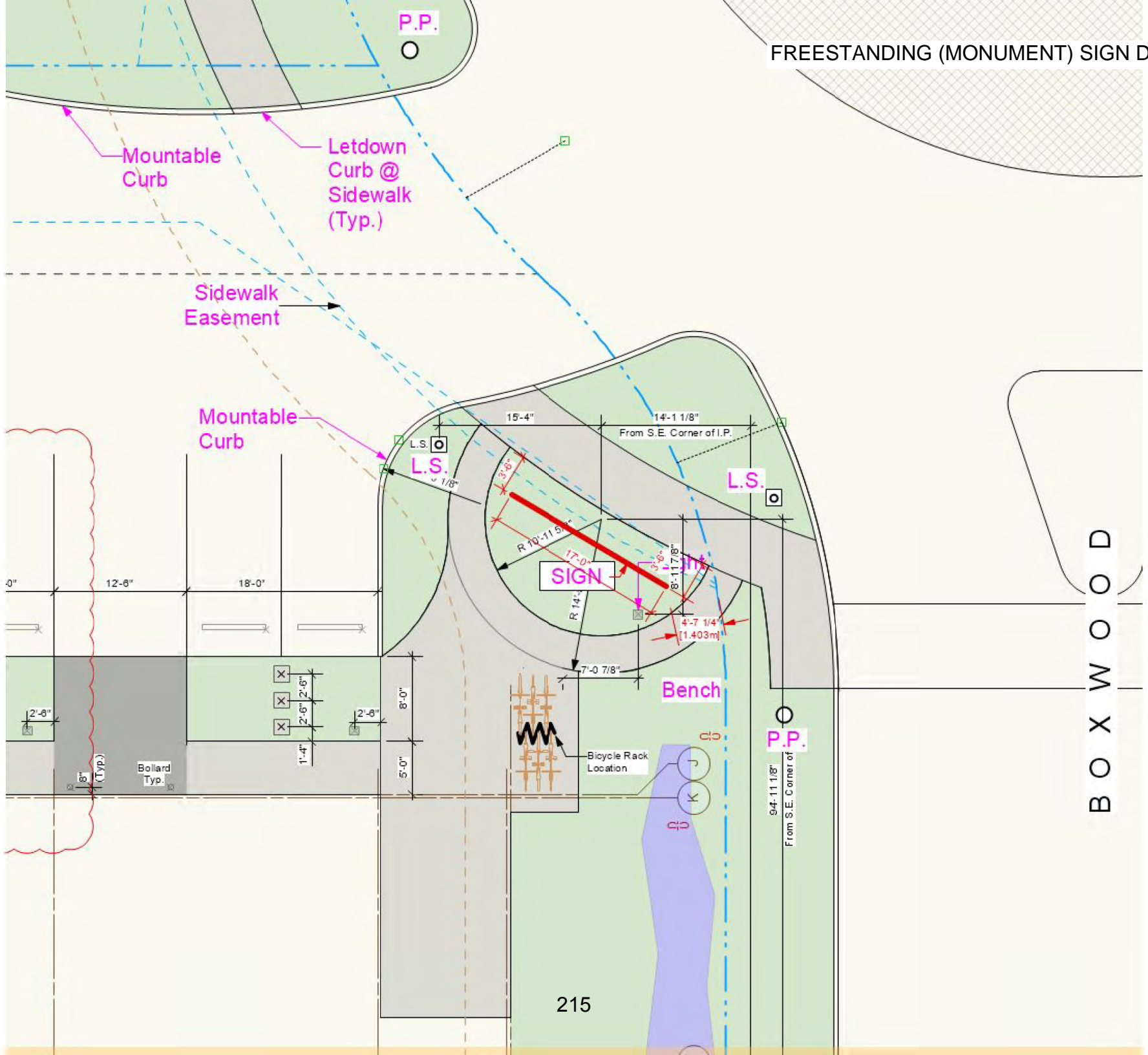
Site Plan

December 21, 2017

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DVP-422
2021-MAY-03

A1.2

FREESTANDING (MONUMENT) SIGN DETAIL





2 SOUTH ELEVATION - BLDG A
Scale: 3/32" = 1'-0"

BUILDING A



1 NORTH ELEVATION - BLDG B
Scale: 3/32" = 1'-0"

BUILDING B

MIRIAM LEUNG



A

B

C

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Andre's
 Nanaimo
 Building Signage
 Jan 19, 2021
 Andre's/building signage nanaimo

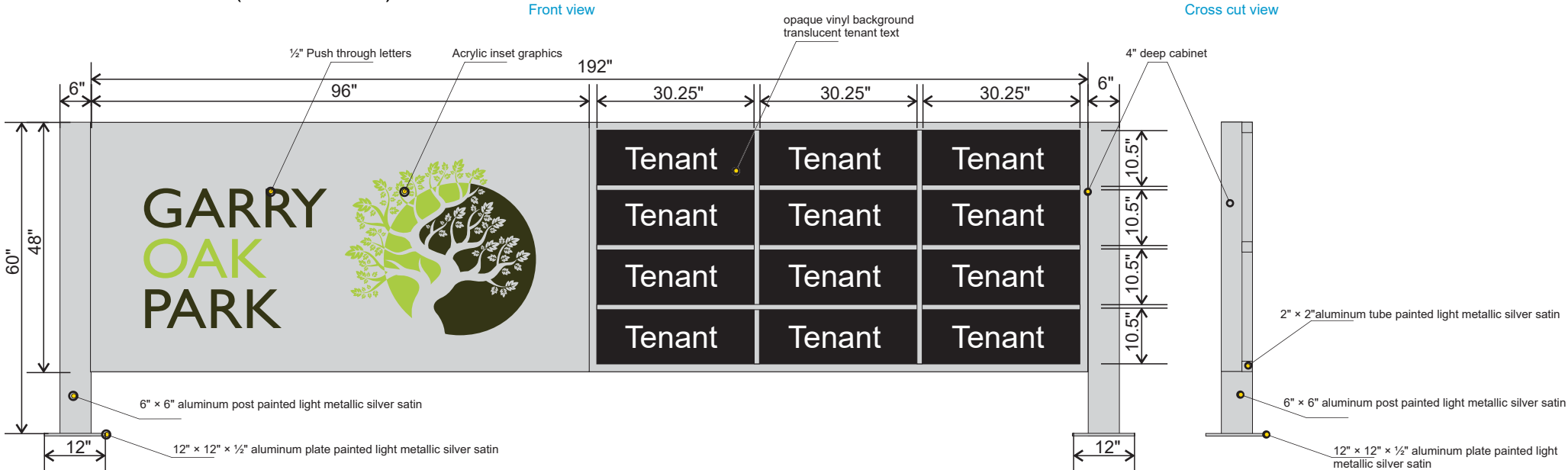
Artwork Setup - Dots = 15mins each

 Production Setup

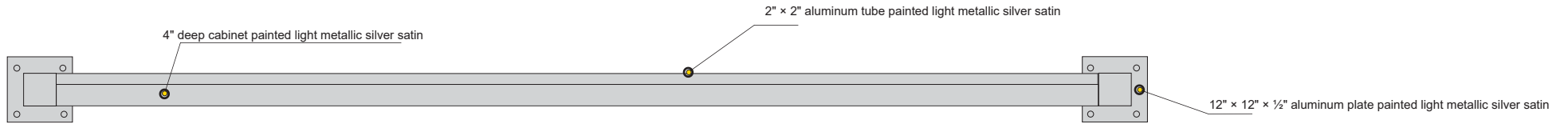
 Designer: KC Salesperson: JF

WO#	WO#0474	INSTALL DATE:	Date
PRODUCTION APPROVAL: Signature here _____			

FREESTANDING (MONUMENT) SIGN



Top view



Total pylon size 4" by 16"
Each Tenant insert is 30.25" by 10.5"

- C39, M2, Y94, K0
- C64, M56, Y92, K63
- Light metallic silver satin

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Gary Oak Park

Pylon Sign
March 09, 2021
Gary oak pylon

218

Artwork Setup - Dots = 15mins each
 ●●●●●○○○○○○○○○○○○○○○○○○
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 Designer: JR Salesperson: JF

WO# 0507

INSTALL DATE: TBD

PRODUCTION APPROVAL: _____
Signature here

ANDRE'S FASCIA SIGN "A" - FACING BOXWOOD RD



QUANTITY: X1




SIDE VIEW



VINYL

-  VINYL COLOUR TBD
-  VINYL COLOUR TBD


PAINT

-  PAINT COLOUR TBD

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Building Signage
Jan 19, 2021
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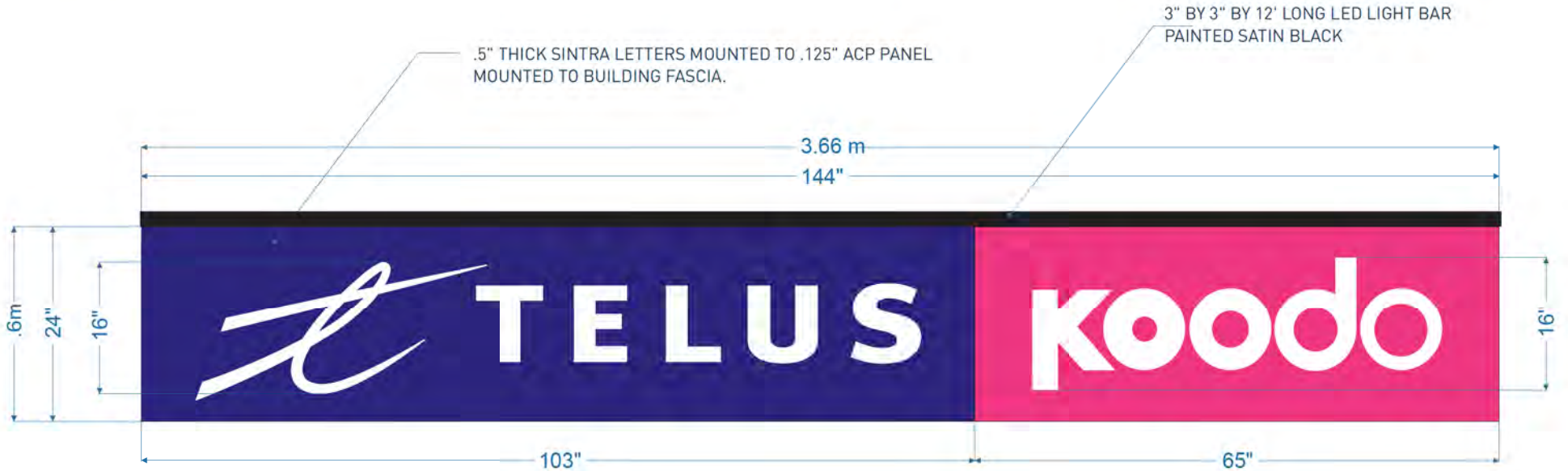
219

Artwork Setup - Dots = 15mins each
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Production Setup
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Designer: KC Salesperson: JF

WO#	WO#0474	INSTALL DATE:	Date
PRODUCTION APPROVAL: Signature here _____			

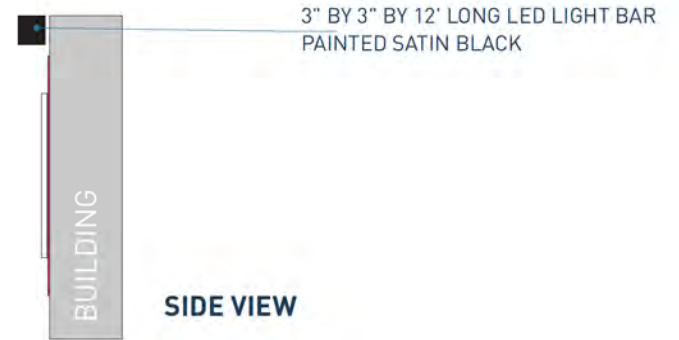
ANDRE'S FASCIA SIGN "B" - FACING PARKING LOT

QUANTITY: X1



VINYL

-  PANTONE 2745 C
-  PINK PANTONE 213 C




SIDE VIEW



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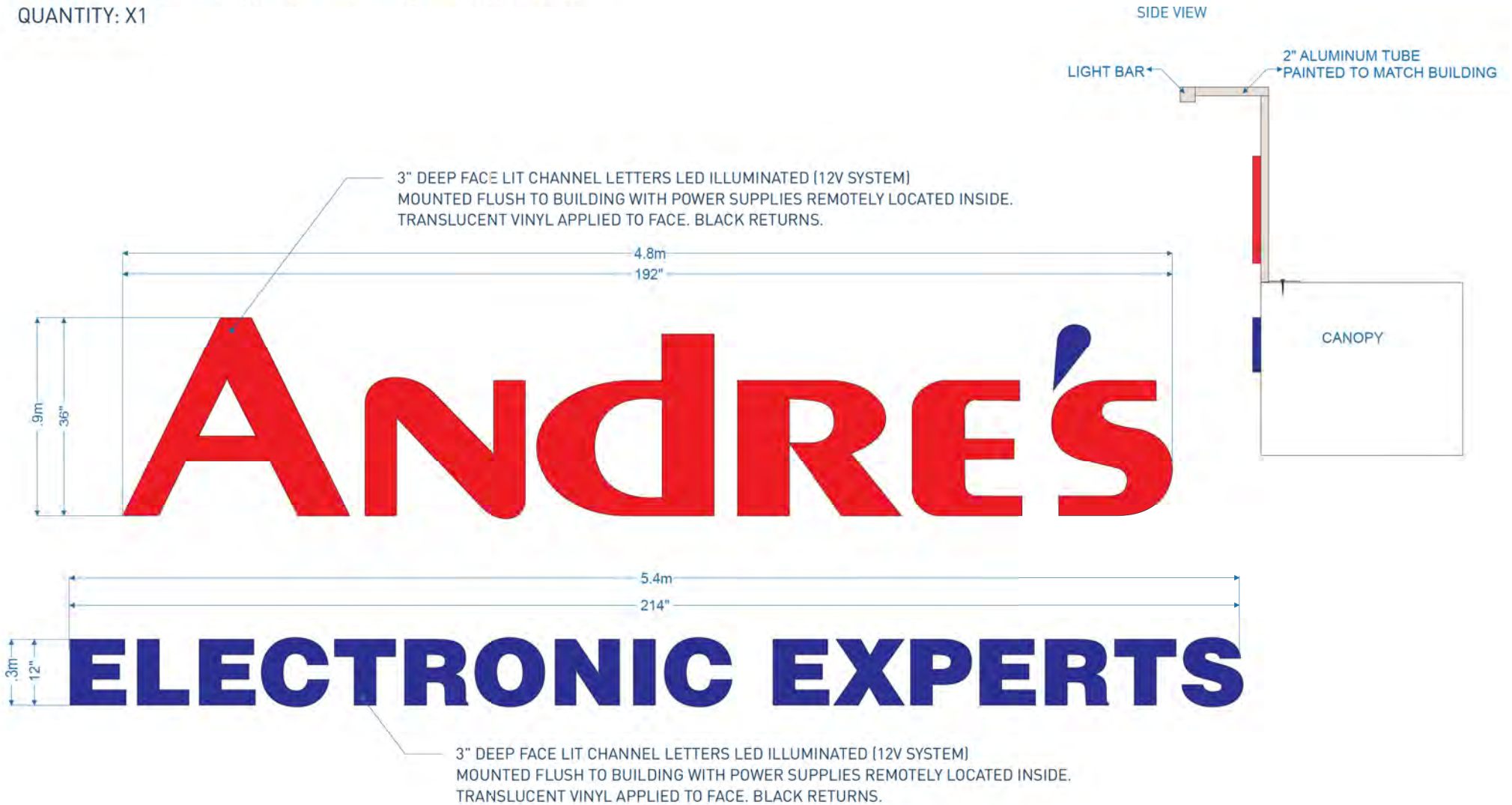
Andre's
 Nanaimo
 Building Signage
 Jan 19, 2021
 Andre's/building signage nanaimo 220

Artwork Setup - Dots = 15mins each

 Production Setup

 Designer: KC Salesperson: JF

WO#	WO#0474	INSTALL DATE:	Date
PRODUCTION APPROVAL: Signature here _____			

ANDRE'S FASCIA SIGN "C" - FACING PARKING LOT

QUANTITY: X1



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 Building Signage
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 Andre's/building signage nanaimo **221**

Artwork Setup - Dots = 15mins each

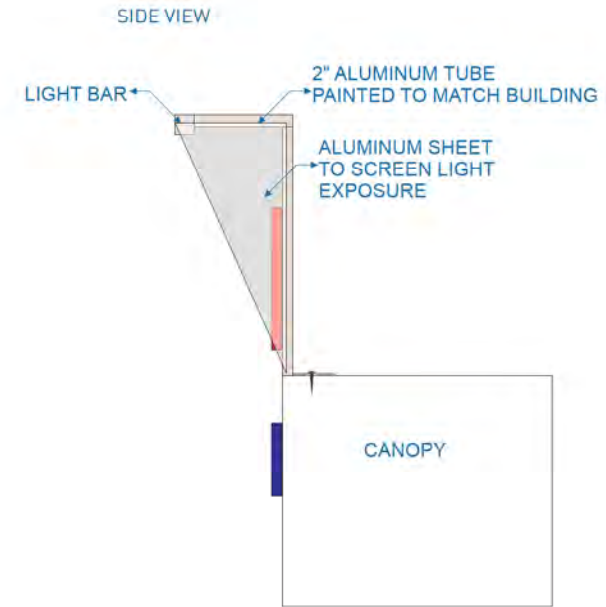
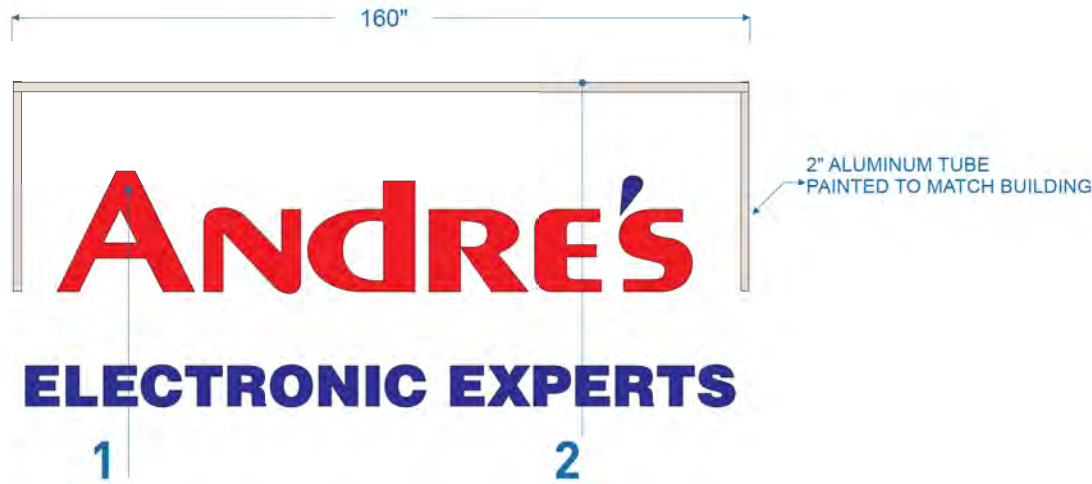
 Production Setup

 Designer: KC Salesperson: JF

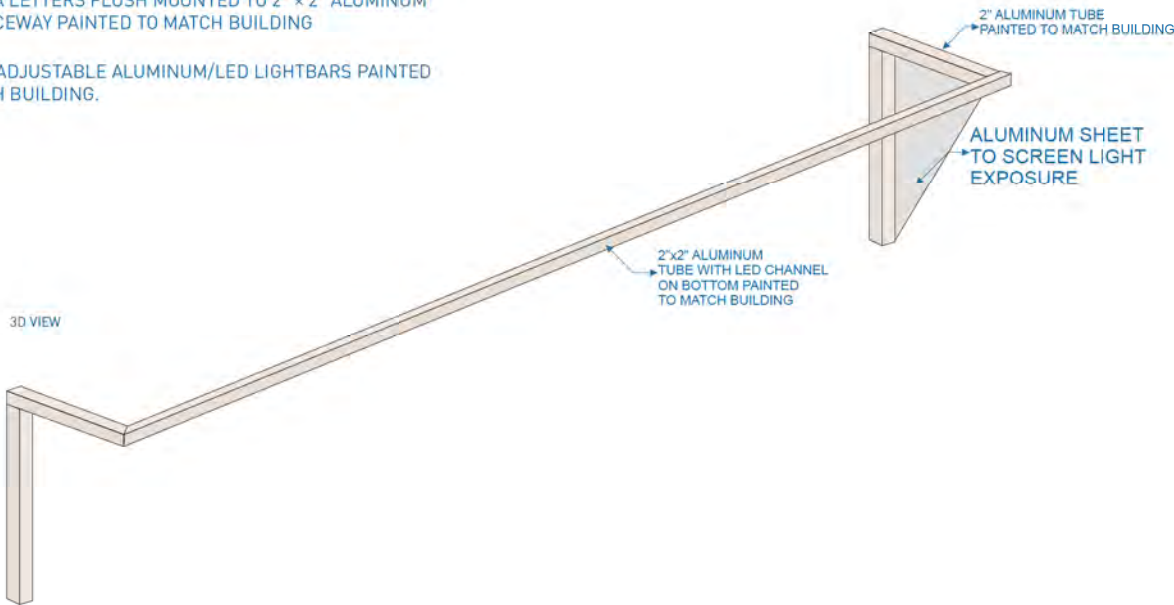
WO#	WO#0474	INSTALL DATE:	Date
PRODUCTION APPROVAL:			
Signature here _____			

ANDRE'S FASCIA SIGN C

QUANTITY: X1




- ① 1" SINTRA LETTERS FLUSH MOUNTED TO 2" x 2" ALUMINUM TUBE RACEWAY PAINTED TO MATCH BUILDING
- ② CUSTOM ADJUSTABLE ALUMINUM/LED LIGHTBARS PAINTED TO MATCH BUILDING.





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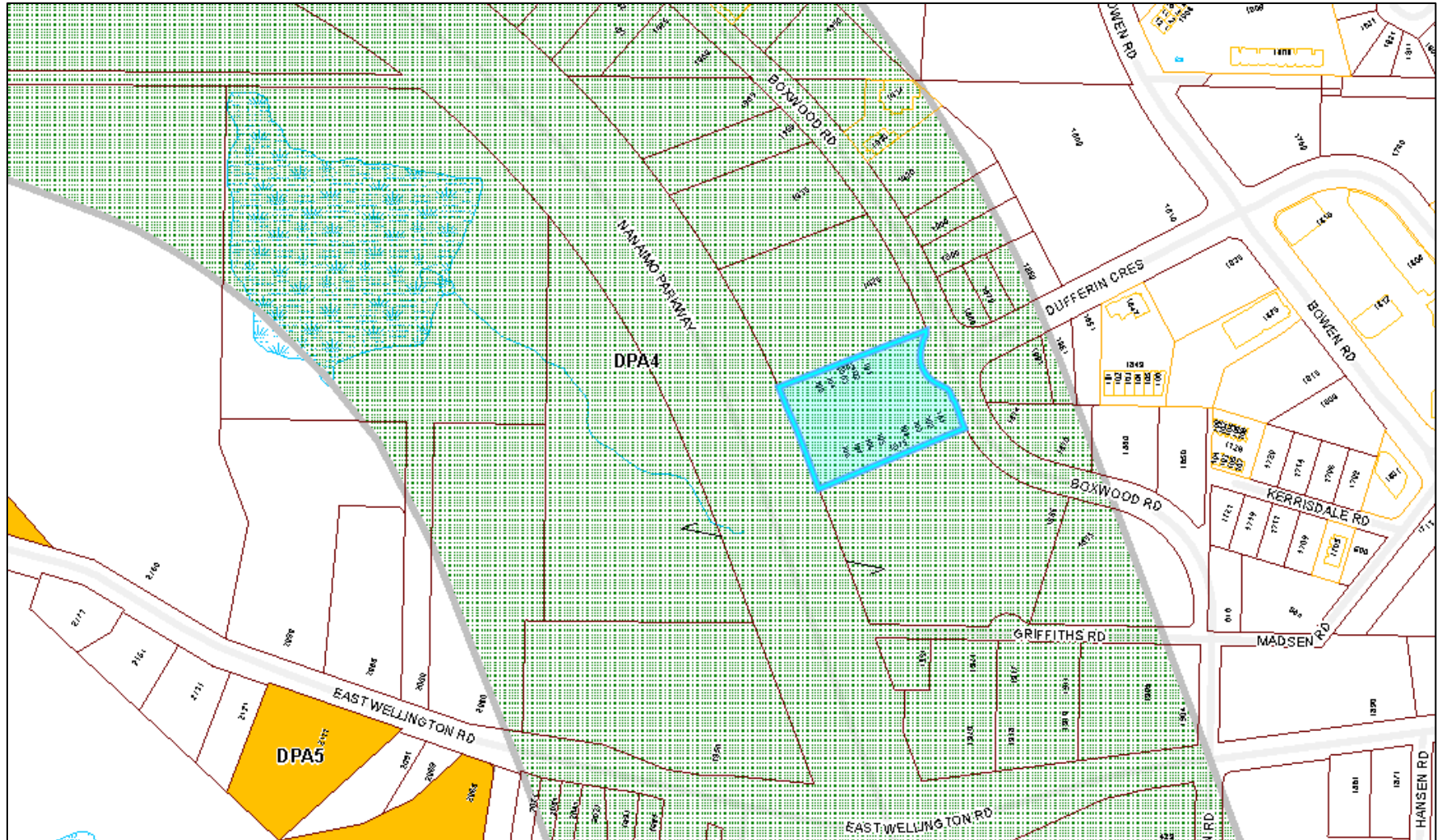
Andre's
 Nanaimo
 Building Signage
 Jan 19, 2021
 Andre's/building signage nanaimo 222

Artwork Setup - Dots = 15mins each

 Production Setup

 Designer- KC. Salesperson- JF

WO#	WO#0474	INSTALL DATE:	Date
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PRODUCTION APPROVAL: _____
Signature here

ATTACHMENT F PARKWAY BUFFER



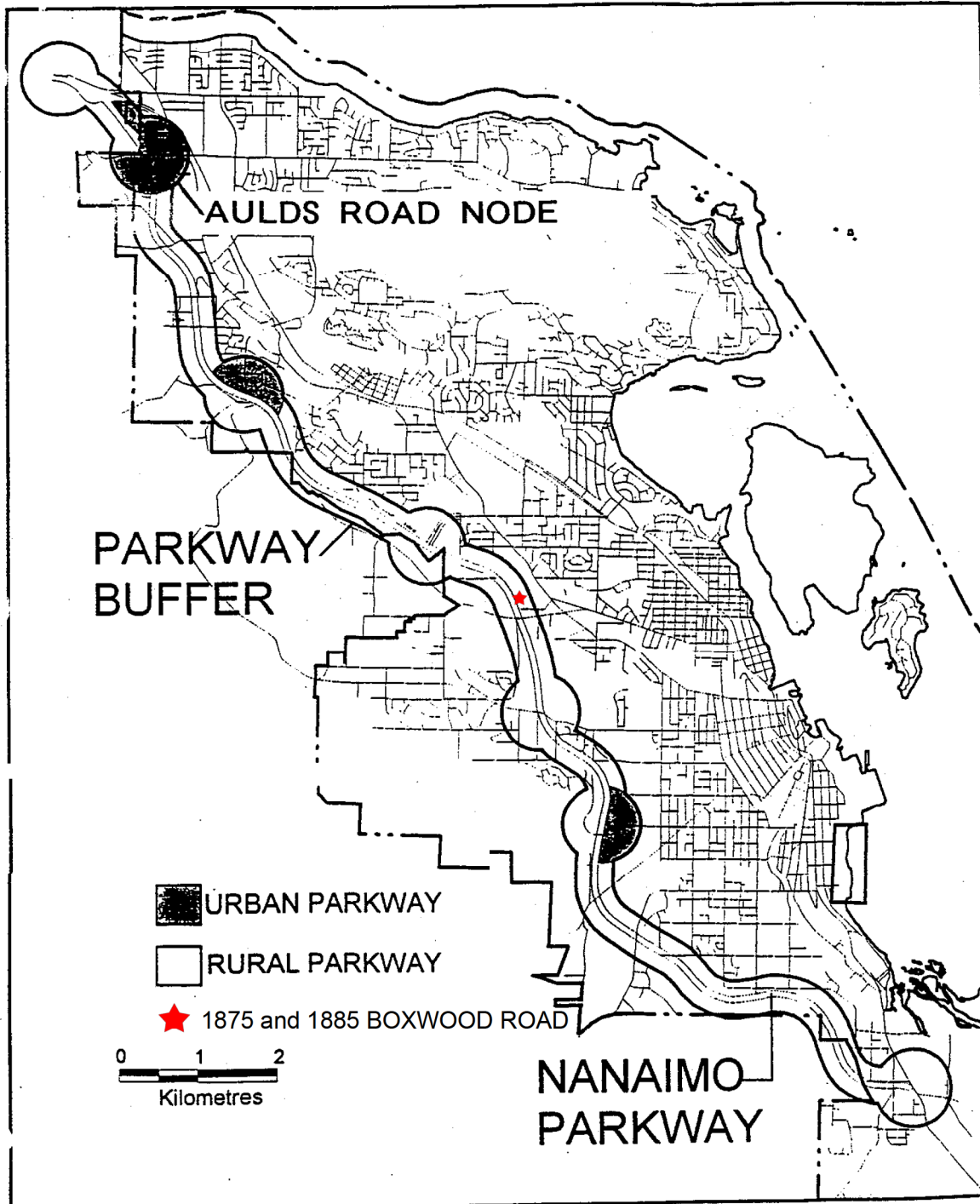
ATTACHMENT G

"SIGN BYLAW 1987 NO. 2850" SCHEDULE F - PARKWAY BUFFER

Bylaw 2850 - Consolidated
(Bylaw 5241, 5398)

Schedule F

BYLAW 5398



ATTACHMENT H LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00422



1875 and 1885 BOXWOOD ROAD

DATE OF MEETING June 7, 2021
AUTHORED BY ROB LAWRENCE, ENVIRONMENTAL PLANNER
SUBJECT **CHRONOLOG PHOTOPOINT MONITORING**

OVERVIEW

Purpose of Report:

To provide Council with information on Chronolog Photopoint Monitoring of park restoration sites to engage the public around environmental restoration work in the city.

BACKGROUND

The City of Nanaimo currently works with a number of community volunteer and stewardship groups on restoration projects within the City Park system under the Partners in Parks Program (PIP). The restoration projects have focused on removal and control of invasive species, instream habitat enhancement for salmonids, and the replanting and establishment of native trees on City parkland.

In an effort to educate and engage interest about stream and habitat restoration in parks, Staff have begun to set up a series of “Chronolog” photo-monitoring stations. Chronolog is an environmental photo-monitoring service based in the United States that supports public environmental education by creating an online platform highlighting dozens of environmental restoration projects in North America and the United Kingdom. Chronolog provides hardware and signage to set up a monitoring station, and produces time-lapse videos from publicly-generated images from each monitoring station (see Attachment A).

Chronolog’s mission statement is to engage the public in an interactive way and to keep a record of ecological change for scientific use. Changes in the environment are difficult to see and understand because they happen gradually. Time-lapse images reveal the dynamic change of these habitats in a more interactive way. Using the Chronolog service provides the opportunity to connect residents and visitors of our neighbourhood parks by inviting them to help monitor the restoration and habitat enhancement of these spaces. This engages park users to learn about environmental restoration efforts in a new interactive way by creating crowd-sourced time-lapse videos of park restoration sites. The time-lapse images also preserve a record of ecological changes for project managers to monitor restoration success.

Staff completed a Privacy Impact Assessment (PIA) as part of the research into using this service. The PIA was approved in March 2021. To comply with the PIA, stations are located along major trails and access points that provide exposure and convenience for users while orienting the stations to minimize photographing park users without their knowledge.

DISCUSSION

The City of Nanaimo works with Snuneymuxw First Nation and a number of community participants and stewardship groups on environmental restoration within the City park system. Through the PIP program, the City has worked with 129 participant volunteers in 2019-2020, and 728 in 2021.

Participants followed Park COVID protocols, and were registered for contact tracing. Participants came from schools wanting outdoor environmental education opportunities, service clubs, neighbourhood associations, and stream-keeper groups who volunteered to help with park environmental restoration work. The work involved garbage cleanups, invasive plant removal, and tree and shrub planting work. In-stream and riparian restoration work that did occur was done under professional oversight and with applicable permits from the Province of British Columbia and the Department of Fisheries and Oceans.

Ten monitoring stations were set up for a one-year trial. The Chronolog service for the ten sites is \$1,000 US per year. Because Nanaimo is the first community in Canada to sign up for the service, a 50% discount was included and the service can be cancelled at any time. The City will monitor the level of engagement and reassess the use of the service at the end of the current term, April 2022.

Each monitoring station is made up of a post with a mounted frame oriented to a position from which a cell phone can take a photo of a restoration site, as well as an instruction sign explaining how to submit an image to the Chronolog service. Each monitoring station has a short write-up on each project and a time-lapse series of images that can be viewed on the City's webpage (see Attachment A).

The photo-monitoring stations have been installed in eight park locations. Two of the monitoring stations are located in parks where future work is anticipated. Six stations are located within existing restoration sites:

Station Number	Chronolog Location	Monitoring Focus
NAN-101	Chase River (John Barsby School)	Riparian restoration along the Chase River.
NAN-102	Linley Point Gyro	Reforestation of the setback area adjacent to an engineered wetland.
NAN-103	Departure Creek (Bay Street)	Re-alignment of a creek bed and re-establishment of riparian habitat.
NAN-105	Cat Stream (Third Street Park)	Phased removal of invasive English Hawthorn and replanting with a mix of native deciduous and conifer trees adjacent to wetlands that are the source of the Cat Stream.
NAN-107	Departure Creek (Woodstream Park)	In-stream and riparian restoration by SFN and Departure Bay Stream keepers to improve fish habitat and minimize stream bank erosion.
NAN-109	Chase River (Harewood Centennial)	Riparian restoration along the Chase River.

Monitoring station installed in anticipation of future restoration		
NAN-106	Millstone River (East Wellington Park)	A 12.7ha park within the Agricultural Land Reserve and adjacent to the Millstone River. The draft park plan proposes re-establishing the 30m riparian setback as well as opening the park to agricultural activity.
NAN-110	Cat Stream (Robyn's Park)	Future riparian and wetland restoration area adjacent to a neighbourhood ball field in the Harewood Neighbourhood.

CONCLUSION

Changes in the environment are difficult to see and understand because they happen gradually. By engaging the public to help monitor this change in an interactive way, the chronolog photo-monitoring stations will help build connection between residents and their neighbourhood parks, and provide greater opportunity to learn more about the volunteer groups involved in the restoration work that will help build a more resilient and ecologically diverse park system for the future.

SUMMARY POINTS

- Chronolog is an environmental photo monitoring project based in the United States that supports public environmental education by creating an online platform showcasing dozens of environmental restoration projects and producing time lapse videos from publicly-generated images of each restoration project.
- The monitoring station consist of a post with a mounted frame oriented to a position from which a cell phone can take a photo of a restoration site, as well as an instruction sign explaining how to submit an image to the Chronolog service. Each monitoring station has a short write-up on each project and a time-lapse series of images that can be viewed on the City's webpage.
- The use of the Chronolog service for the ten sites is \$1,000 US per year. Because Nanaimo is the first community in Canada to sign up for the service, a 50% discount was included and the service can be cancelled at any time. The City will monitor the level of engagement and reassess the use of the service at the end of the current term, April 2022.

ATTACHMENTS

ATTACHMENT A: Links to Chronolog and City websites

Submitted by:

Dean Mousseau,
Manager, Engineering & Environment

Concurrence by:

Charlotte Davis
Manager, Parks Operations

Jeremy Holm
Director, Development Approvals

Richard Harding
General Manager, Parks, Recreation &
Culture

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

Link to Chronolog website

<https://www.chronolog.io/about>

Link to City of Nanaimo Restoration Monitoring Sites

<https://www.nanaimo.ca/green-initiatives/protecting-our-natural-spaces/restoration-monitoring>

DATE OF MEETING June 7, 2021

AUTHORED BY KARIN KRONSTAL, SOCIAL PLANNER

SUBJECT UBCM HOUSING NEEDS REPORT GRANT APPLICATION

OVERVIEW

Purpose of Report

To obtain Council support for a grant application for \$50,000 from the Union of British Columbia Municipalities' Housing Needs Report program for the purpose of updating Nanaimo's housing needs assessment with 2021 Census information. |

Recommendation

That Council pass a resolution of support for the proposed funding application to the Union of British Columbia Municipalities to update Nanaimo's Housing Needs Report.

BACKGROUND

In April 2019, the Province of British Columbia's Ministry of Municipal and Community Affairs introduced a requirement that local governments develop a Housing Needs Report at least once every five years. The report must include approximately 50 distinct data sets, including current and projected population, household income, significant economic sectors, and currently available and anticipated housing units.

In June 2020, the Regional District of Nanaimo (RDN) completed a region-wide report on housing needs and conditions. The majority of the statistical data is presented up to the year 2018 for the region, along with community housing highlights for the seven unincorporated Electoral Areas and four partner municipalities (Nanaimo, Lantzville, Parksville, and Qualicum Beach). This report (Attachment A) has been received by the RDN Board of Directors and fulfills the City's requirement to submit a housing needs report until 2025.

Since 2019, the Union of British Columbia Municipalities (UBCM) has offered a bi-annual funding program that supports local governments in undertaking housing needs reports in order to meet the Provincial requirements. The amount of money that each municipality is eligible to apply for is linked to population. Because the regional housing needs project was already underway when the funding was announced, the RDN funded the Regional Housing Needs Assessment and did not apply to UBCM. As such, the City is still eligible to apply for \$50,000 to create or update our housing needs report.

Staff are seeking a Council resolution to support the application as this is an application requirement. Note that the City may not be successful in applying as the existing Housing Needs Assessment is relatively recent; however, as this is the last time this funding will be offered and new Census data will be available in 2022, it is advisable to apply at this time. |

DISCUSSION

Housing needs reports are a means to better understand communities' current and projected housing requirements. These reports can help to identify existing and future gaps in the housing supply by collecting and analyzing quantitative and qualitative information about local demographics, economics, housing stock, and other factors. The Regional Housing Needs Assessment draws on a number of datasets, including Statistics Canada Census information, to discuss overall housing needs and trends across the region.

The 2021 Statistics Canada census is currently underway. If the 2021 Census Program release schedule follows a similar timeline to previous census years, the Population and Dwelling count data will be released during Q1 2022, and housing by Q3 2022. Updating the housing needs report with the most recent data would allow the City to more accurately understand the housing situation in Nanaimo, and better understand the impact of COVID-19 on our housing needs. An updated Housing Needs Report would be able to build on the analysis accomplished through the REIMAGINE process. Also, by submitting an updated report to the Province in 2022-2023, the City would not be expected to submit again until 2027-2028. The current round of the UBCM program is the final in-take and is not likely to be offered again in the near future.

If successful, the \$50,000 grant would cover consultant costs to update the Housing Needs Report, using existing and new publicly-available data. The consulting contract would also include engagement with partners. This project is not currently budgeted for, so if the grant is not awarded, the City would not be undertaking this update until the next housing needs assessment is due to the Province in 2025.

The program agreement does state the project is expected to be complete within one year following the grant award (Fall 2022), with the potential for an extension of up to one year subject to the discretion of the program officer. It is anticipated that if successful, the City would apply for an extension in order to make full use of the 2021 Census product. This would also allow Staff to complete the REIMAGINE NANAIMO project prior to commencing the Housing Needs Report update. It would be the City's intent to work with Snuneymuxw First Nation and other government partners as well as the non-profit sector to complete an updated Housing Needs Report.

OPTIONS

1. That Council pass a resolution of support for the proposed funding application to the Union of British Columbia Municipalities to update Nanaimo's Housing Needs Report.
 - Advantages: If successful in obtaining the grant, Nanaimo would be able to update our housing needs report with the latest data at no cost to the City, and delay the need to produce the next housing needs report until 2027-2028. This would also allow for better understanding of the COVID-19 pandemic on housing needs and the City's ability to adjust policy approaches and implementation of plans as needed.
 - Disadvantages: The grant application may be unsuccessful. Even if the City is successful in obtaining the funds, Staff time would still be required to manage the consultant contract to update the housing needs report, which may delay other projects. Also, the UBCM program manager may be unwilling to grant the extension,

- which would mean the update would only be able to make partial use of the new census data.
- Financial Implications: If successful in obtaining the UBCM grant, no additional financial resources would be required to update the Nanaimo Housing Needs Report.
2. That Council deny support for the proposed funding application to the Union of British Columbia Municipalities to update Nanaimo's Housing Needs Report.
- Advantages: Requires no additional Staff resources to implement.
 - Disadvantages: If no application is made this year, the City will miss the opportunity to apply to this fund, which will not be offered again next year.
 - Financial Implications: None identified.
3. That Council provide alternative direction.

SUMMARY POINTS

- The City met its requirement to provide the Province with a Housing Needs Report by participating in the 2020 Regional Housing Needs Report project with the Regional District of Nanaimo.
- The Union of British Columbia Municipalities offers a grant program to local governments to create or update housing needs reports, to which the City of Nanaimo is eligible to apply for up to \$50,000 to update its housing needs assessment.
- The current round of the UBCM program is the final in-take and is not likely to be offered again in the near future.

ATTACHMENTS:

ATTACHMENT A: Regional Housing Needs Report – Regional District of Nanaimo (June 2020)

Submitted by:

Lisa Bhopalsingh
Manager, Community Planning

Concurrence by:

Laura Mercer
Director, Finance

Bill Corsan
Director, Community Development

Dale Lindsay
General Manager, Development Services



REGIONAL HOUSING NEEDS REPORT

Regional District of Nanaimo

June 2020



This report was prepared for the Regional District of Nanaimo by CitySpaces Consulting Ltd. Within the report, the regional populations and housing projections have been prepared by Van Struth Consulting Group.

Sections of the report were co-authored by RDN Staff and input has been provided by the regional partners.

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Executive Summary

This report is a descriptive analysis of the current housing needs and conditions across the region that will inform the update of the Regional District of Nanaimo's (RDN) Regional Growth Strategy, *Shaping Our Future to 2041*. The majority of the statistical data is presented, up to the year 2018, for the region along with community housing highlights for the seven unincorporated Electoral Areas (Areas A, B, C, E, F, G, H) and four partner municipalities (Nanaimo, Lantzville, Parksville, Qualicum Beach).

Purpose

Housing needs reports are a way for communities to better understand their current and future housing needs. These reports can help identify existing and projected gaps in housing supply by collecting and analyzing quantitative and qualitative information about local demographics, economics, housing stock, and other factors. A housing needs report is critical to developing a housing strategy or action plan.

Data Collection

The Province requires local governments to collect approximately 50 distinct kinds of data through a Housing Needs Report, including current and projected population, household income, significant economic sectors, and currently available and anticipated units. These findings align with the requirements and are a product of regional consultation, analysis of relevant housing information, and ongoing input from the RDN and regional partners.

Data Reporting

Housing Needs Reports are required to report on the following data:

- housing units required currently and over the next five years,
- number of households in core housing need, and
- statements about key areas of local need.

The Housing Needs Report includes a Summary Form, as required by the provincial government, figures and tables of the collected data as well as identifies key consideration for policy development.

Engagement

While the regulations on Housing Needs Reports do not provide direction on the type of community and stakeholder engagement that must be completed, the RDN recognizes the importance of stakeholder input to validate data and to assist in providing additional context not captured by statistical data. To address this 3 stakeholder workshops with representatives from social service organizations, developers, non-profit housing providers and local government were held in 2019.

Regional Highlights

Since 2006¹, it has been documented that the RDN has experienced an increasing shortage of affordable rental and owned housing for those in low to moderate income brackets. The shortage of affordable housing has been attributed to the widening gap between the cost of housing relative to incomes and a shortage of adequate and suitable rental stock. This report's findings indicate that this trend generally persists today; except for the City of Nanaimo (Nanaimo) and the City of Parksville (Parksville), which show a recent positive shift in the number of purpose-built rental units. Despite this progress, the region like many areas of British Columbia (BC), continues to experience housing affordability challenges with the greatest impacts felt in households with low and moderate incomes, especially seniors, single parent families and youth.

Population

- i. The region is maintaining a slow, steady rate of growth. The number of people living in the region has increased by 6.2% since 2011, from 146,574 to 155,698 residents in 2016. The region is projected to maintain a steady rate of growth, 0.7%² annually, over the next 20 years. At this rate of growth it is estimated that there will be 179,283 persons by 2026 and 193,649 persons by 2041. This is an average annual change of 1,284 people.
- ii. The RDN has a significantly older age profile than the rest of BC. The 2016 Census recorded a median age of 51 years in the RDN compared to 43 years in BC. Of the total 2016 Census population in the RDN, 25% are 65 years and older. The portion of the ageing population, 65 years and older, is anticipated to increase to 33% of the total population in five years and 35% of the total population in the RDN by 2041.

Housing

- i. 2016 Census recorded 68,905 occupied dwellings in the region, which represents an increase of 6.9% since 2011, when there were 64,465 occupied dwellings. The projected housing unit demand is 83,599 units by 2041, with an average annual change of 600 units.
- ii. In 2016, the percentage of households in the region that rent their homes (26%) is less than the percentage of households that rent in British Columbia (32%).
- iii. Between 2012 and 2018, the number of purpose-built rental units increased by 524 units in Nanaimo, Parksville, and Town of Qualicum Beach (Qualicum Beach) areas. 2018, marked the most significant increase, notably Nanaimo (181 units), Parksville (52 units) and Qualicum Beach (1 unit) to bring the overall total of 4,665 purpose-built rental units in the urban centres.
- iv. A balanced rental market is considered to be one where the vacancy rate is at 3%. In 2009, the region's purpose-built rental market was healthy with an average of 3.1%. 2011 experienced an

¹ Regional District of Nanaimo, State of Sustainability Report, 2006

² Projects account for undercoverage in Statistics Canada Census data. Baseline Growth Scenario of 0.7% average annual growth rate (AAGR) is representative of the region and comparable to the provincial projections from 2019 to 2041 for the Vancouver Island/Coast Development Region.

increase to 4.3%, followed by a period of significant decline resulting in a low of 1% or less by 2017. In 2018, the rental vacancy rate returned to rate in two of the three urban centres; Nanaimo increased to a healthy 2.4%, and Parksville increased slightly to 0.2%. Qualicum Beach remains at 0%.

- v. Between 2009 and 2018, the average rent for all units in Nanaimo, Parksville and Qualicum Beach increased from \$651 to \$938³.
- vi. The number of non-market housing units in the region has increased by 267 units from 2013 to 2018 for a total of 1,860 units. It's worth noting, an additional 122 non-market units were added in 2019, bringing the total of units to 1,982 units. The majority (1,690) are located in Nanaimo.

Affordability

- i. Median household income levels in the RDN increased by 16.7%, from \$60,382 to \$70,483 from 2011 to 2015⁴.
- ii. The number of individuals and families receiving subsidies through BC Housing's Rental Assistance Program (RAP) and Shelter Aid for Elderly Renters (SAFER) has increased by 308 recipients from 2013 to 2018. A further 19 recipients were added between 2018 and 2019.
- iii. The number of people reported experiencing homelessness increased, particularly in Nanaimo, based on Point-in-Time (PiT) Count data. In 2018, 335 people were identified as experiencing absolute homelessness compared to 174 people in the last PiT Count in 2016.
- iv. The average resale price for single-detached homes in Nanaimo has risen by 69% between 2013 and 2018, from \$325,600 to \$550,200, and by 64% in Parksville/Qualicum Beach, from \$349,200 to \$571,500.
- v. The average resale price for townhouses in Nanaimo has risen by 65% between 2013 and 2018, from \$209,900 to \$347,200, and by 67% in Parksville/Qualicum Beach, from \$302,200 to \$505,800.
- vi. The average resale price for apartments in Nanaimo has risen by 73% between 2013 and 2018, from \$187,300 to \$323,500; and by 71% in Parksville/Qualicum Beach, from \$203,400 to \$347,300.
- vii. Generally, single person households earning the median income (\$28,699), and below median income, cannot afford the average rental price (\$938) in their communities at 30% of their gross incomes. This is particularly the case in Coombs and Errington, where households would be required to spend more than 50% of their respective incomes on rent.
- viii. Couple households earning the median income (\$76,780), can purchase a home for \$312, 277, with 10% down payment. However, the benchmark sales price is \$335,400, means couples earning the median income cannot afford to purchase within 30% of their gross income.

³ The maximum allowable rent increase that landlords are permitted to apply is established by the Province annually. From 2005 to 2018 the allowable increase trended upwards, ranging between 2 to 4% annually.

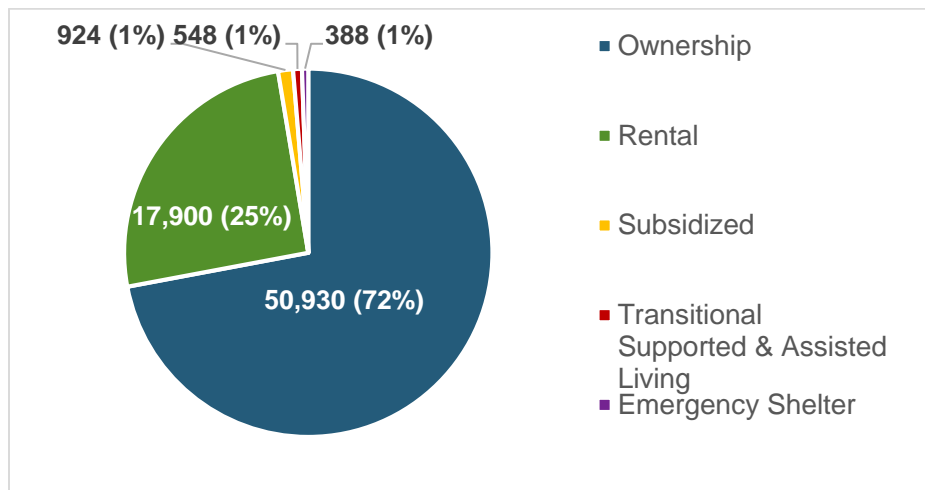
⁴ Income data is prepared by Statistics Canada based on the year preceding a census year. The most recent release of Tax-filer data is for the year 2015, which has been incorporated into this report.

- ix. The median income earnings for lone-parent (\$37,864) and single-persons (\$28,699) are lower than a couple household (\$76,780), placing homeownership out of reach for most lone-parent and single-parent households. Consequently, these households may remain in rental housing, contributing to the demand for a range of rental market units to accommodate different household sizes and life stages.

Housing Supply

The region’s estimated current housing supply is a total of 70,690 units. The majority comprised of market housing, with ownership housing representing 72% (50,930 units), and rental housing representing 25% (17,900 units). The remaining 3% (1,860 units) is a mix form of non-market housing. The predominant market housing typology is single-detached homes and other ground oriented units, which compose 82% of the current housing mix. The 2016 Census indicates the majority (94%) of the housing stock only requires minor repairs and regular maintenance. While the housing stock is generally in good condition, units may need to be modified to accommodate changes in life stages to better support ageing- in-place and inter-generational living.

Percentage of Market and Non-Market Housing Supply, RDN, 2016, 2018



Source: Statistics Canada, Census (2016), BC Housing (2018)

The ageing demographic profile and persistent housing affordability challenges support further efforts to diversify the housing stock. Currently, 82% of the housing stock is single-detached (69%) and ground-oriented (13%) units. Over the next 20 years, it is anticipated that the population will grow to 193,649 people, 34% of which will be 65 years and older. To accommodate this growth, an estimated additional 9,363 housing units is needed. Single-detached and ground-orientated units are still anticipated to compose 80% of the housing mix, with an expected slight increase in ground-orientated (16%) and a decrease in single-detached (64%) units. The number of apartment buildings more than five storeys, are also anticipated to increase from 0.2 % to 2.3% of the housing mix (Table 5). The majority of future growth is intended to be accommodated inside the Urban and Rural Growth Containment Boundaries.

Housing Needs

According to the projected population and housing projections (on pages 31 and 32 of this report), the number of units needed to address projected population over the next 5-years, between 2021 and 2026, under the Base Growth Scenario, is summarized in the below:

Estimated Number of Housing Units Needed Over Next 5-years, RDN

	Current (2021)	2026
Single-Detached	50,161	51,921
Other Ground-Oriented	9,988	10,964
Apartment < 5 storeys	9,602	9,933
Apartment > 5 storeys	1,538	1,634
Movable	2,947	3,273
Total Housing Unit Demand	74,236	77,725

Core Housing Needs is a key indicator in understanding gaps/issues in the community housing system. It is defined as household whose housing does not meet the minimum requirements of at least one of the adequacy, affordability, or suitability indicators, and is spending 30% or more of its total before-tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards).

As shown in the Tables below, there is a higher proportion of renters in core and extreme core housing need than owners and that the proportion of households in core housing need has increased since 2006.

Households in Core Housing Need, RDN

	2006		2011		2016	
	Households	%	Households	%	Households	%
All households	59,875	100	64,465	100	68,900	100
Of which are in core housing need	3,220	5.4	3,485	5.4	2,545	5.6
Of which are owner households	1,335	2.2	1,380	2.1	1,320	1.9
Of which are renter households	1,885	3.1	2,110	3.3	2,550	3.7

Source: Statistics Canada, Census 2016, 2011, 2006–Custom Information for BC Ministry of Municipal Affairs and Housing

Those in Extreme Core Housing Need meet the definition of Core Housing Need and spend 50% or more of their income on housing.

Households in Extreme Core Housing Needs, RDN

	2006		2011		2016	
	Households	%	Households	%	Households	%
All households	59,875	100	64,465	100	68,900	100
Of which are in <i>extreme</i> core housing need	3,220	5.4	3,485	5.4	3,865	5.6
Of which are owner households	1,335	2.2	1,380	2.1	1,320	1.9
Of which are renter households	1,885	3.1	2,110	3.3	2,550	3.7

Source: Statistics Canada, Census 2016, 2011, 2006–Custom Information for BC Ministry of Municipal Affairs and Housing

The following groups have been identified through the analysis and verified with stakeholders as the priority groups representing those experiencing the greatest challenges in the region’s housing markets:

- Low-income households, including low-income families, single parents, single people and seniors,
- Moderate-income households, or workforce housing, including households trying to enter the homeownership market,
- Persons with physical and mental disabilities,
- Persons at risk of becoming homeless or experiencing homelessness, and
- Youth and young adults.

Housing Gaps

The housing continuum (on page 19 of this report) represents the full spectrum of market and non-market housing. Using this framework, the following housing gaps have been identified for the region:

- Accessible and adaptable housing
- Non-market rental housing
- Market rental housing
- Affordable home ownership options
- Transitional and low-barrier rental housing

Next Steps

By developing strategic directions and considering housing needs in comprehensive planning processes, the region can create an environment that works to address its housing challenges. Some next steps could include:

- Sharing the findings of this Housing Needs Report with the regional partners and the general public;
- Formulating regional policy options to address current and future housing needs, and incorporate these policies into the Regional Growth Strategy and through future updates of Official Community Plans;
- Consider the preparation of a Regional Housing Strategy that outlines policies, housing targets and tools to address housing needs and gaps in the region;
- Facilitating community housing needs discussions within the broader context of future planning, including transportation planning, and other relevant planning documents and bylaws;
- When development applications present themselves, implementing policies that facilitate development of affordable housing to address the growing needs of the community over time.

Housing Needs Report

Summary Form

Housing Needs Reports – Summary Form

MUNICIPALITY/ELECTORAL AREA/LOCAL TRUST AREA: _____

REGIONAL DISTRICT: Regional District of Nanaimo

DATE OF REPORT COMPLETION: June 2020 (MONTH/YYYY)

PART 1: KEY INDICATORS & INFORMATION

Instructions: please complete the fields below with the most recent data, as available.

LOCATION	Neighbouring municipalities and electoral areas:
	Nanaimo, Parksville, Lantzville, Qualicum Beach and Electoral Areas A,B,C,E,F,G and H
	Neighbouring First Nations:
	Snuneymuxm, Snaw-Naw-As and Qualicum First Nations

POPULATION	Population: 161,549 (2016 adjusted)		Change since 2019 :	(since 2006) 12 %		
	Projected population in 5 years: 179,283 (2026)		Projected change:	11 %		
	Number of households: 68,900 (2016 Census)		Change since 2019 :	(since 2006) 15 %		
	Projected number of households in 5 years: 75,252		Projected change:	9.2 %		
	Average household size: 2.2					
	Projected average household size in 5 years: 2.2					
	Median age (local):		Median age (RD): 51	Median age (BC): 43		
	Projected median age in 5 years: 51					
	Seniors 65+ (local):	25 %	Seniors 65+ (RD):	25 %	Seniors 65+ (BC):	19.2 %
	Projected seniors 65+ in 5 years:				33 %	
	Owner households:		72 %	Renter households:		25 %
	Renter households in subsidized housing:				1 %	

	Median household income	Local	Regional District	BC
INCOME	All households (2016)	\$	\$ 62,488	\$ 69,979
	Renter households (2016)	\$	\$ 37,502	\$ 45,848
	Owner households (2016)	\$	\$ 73,338	\$ 84,333

ECONOMY	Participation rate: (2016) 55.2 %	Unemployment rate: (2016) 7.7 %
	Major local industries: 2016 - Retail Trade 10,150 people/ 14.2%; Health Care & Social Assistance 9,955 people/14.0%; Construction 6,925 people/9.7%	

HOUSING	Median assessed housing values: \$ 538,133 (avg. 2018)	Median housing sale price: \$ 553,877 (avg. 2018)
	Median monthly rent: \$ 938 (2018)	Rental vacancy rate: (across region, 2018) 0.2 to 2.4 %
	Housing units - total: 68,905 (2018)	Housing units – subsidized: 1,852 (2018)
	Annual registered new homes - total: 1,199 (2018)	Annual registered new homes - rental: 572 (2018)
	Households below <i>affordability</i> standards (spending 30%+ of income on shelter):	(2016) 21.9 %
	Households below <i>adequacy</i> standards (in dwellings requiring major repairs):	(2016) 5.7 %
	Households below <i>suitability</i> standards (in overcrowded dwellings):	(2016) 0.1 %

Briefly summarize the following:

1. Housing policies in local official community plans and regional growth strategies (if applicable):

RGS Goals 3, 4 and 6, as shown on pages 16-17 of report.

Electoral Area and member municipalities OCPs include a variety of policies applicable to supporting housing affordability within the local community context in which the OCP applies.

2. Any community consultation undertaken during development of the housing needs report:

Consultation with key stakeholders and other relevant community members was undertaken. A summary of the consultation and a list of the participants is included in Appendix A of the Regional Housing Needs Report. (HNR)

3. Any consultation undertaken with persons, organizations and authorities (e.g. local governments, health authorities, and the provincial and federal governments and their agencies).

Stakeholder consultation was a key component of the development of the HNR. Representatives from social services organizations, developers, non-profit housing providers, local governments and other relevant community members took part in various engagement activities including, one of two focus groups or first-person interviews and applicable local government staff attended a staff work shop. A summary of the consultation and a list of the participants is included in Appendix A of the HNR.

4. Any consultation undertaken with First Nations:

Representatives from the local FN communities and representatives of housing organizations that support Indigenous People, such as Nanaimo Aboriginal Centre were invited to participate in the engagement activities.

PART 2: KEY FINDINGS

Table 1: Estimated number of units needed, by type (# of bedrooms)

	Currently	Anticipated (5 years)
0 bedrooms (bachelor)	no data	no data
1 bedroom	no data	no data
2 bedrooms	no data	no data
3+ bedrooms	no data	no data
Total	74,236 (2021)	77,725 (2026)

Comments:

Housing projections categorized appear by building typology in report: and are presented by unit as follows: Single-Dwelling 51,921; Ground Orientated 10,964; Apartments <5 9,933; Apartments >5 1,634 and Movable 3,273.

Table 2: Households in Core Housing Need

	2006		2011		2016	
	#	%	#	%	#	%
<i>All households in planning area</i>	59875	100	64465	100	68900	100
Of which are in core housing need	7330	12.2	7395	11.5	7980	11.6
Of which are owner households	3175	5.3	3000	4.6	2710	3.9
Of which are renter households	4155	6.9	4395	6.8	5265	7.6

Comments:

Source: Statistics Canada, Census data 2006, 2011, 2016

Table 3: Households in Extreme Core Housing Need

	2006		2011		2016	
	#	%	#	%	#	%
<i>All households in planning area</i>	59875	100	64465	100	68900	100
Of which are in extreme core housing need	3220	5.4	3485	5.4	3,865	5.6
Of which are owner households	1335	2.2	1380	2.1	1320	1.9
Of which are renter households	1885	3.1	2110	3.3	2550	3.7

Comments:

Source: Statistics Canada, Census data 2006, 2011, 2016

Briefly summarize current and anticipated needs for each of the following:

1. Affordable housing:

Housing affordability remains a challenge in the RDN and several housing gaps have been identified, including: market & non-market rental; accessible and adaptable housing; transitional and low barrier rental and affordable home ownership options as shown on Page 6 of the HNR

2. Rental housing:

Rental rates fluctuate. 2011, experienced a significant increase of 4.3%, followed by a period of significant decline resulting in a low of 1% or less by 2017. 2018, shows a positive shift in two of the three urban centres; Nanaimo's increased to a healthy 2.4%, and Parksville's increased slightly to 0.2%. Qualicum Beach remains at 0%.

3. Special needs housing:

In 2018, there were 133 Special Needs Units available and 136 people on the wait list for accessible and adaptable housing in the region. Projections for housing do not distinguish between market and non-market housing. The RDN and its regional partners will continue to engage local housing service providers to monitor special needs housing.

4. Housing for seniors:

In 2018, there were 879 non-market units dedicated to seniors. Of those on the wait list, the majority are seniors (220). Seniors are the fastest growing portion of the population and are projected to increase to 33% of the population over the next 5 years. Additional, non-market housing is needed to meet current and future needs.

5. Housing for families:

In 2018, there were 128 family households on the non-market housing waiting list and 442 units for low income families. Note: non-market housing has increased from 1,854 units in 2018 to 1,986 units in 2019; a change of 7%.

6. Shelters for people experiencing homelessness and housing for people at risk of homelessness:

Data on people experiencing homelessness is limited to Nanaimo, Parksville/Qualicum areas. In 2018, there were 335 people identified as experiencing absolute homelessness within the study area.

7. Any other population groups with specific housing needs identified in the report:

Stakeholder identified other groups of the population, including post secondary students, LGBTQ2S+ community, people with physical disabilities, persons with pets, women experiencing violence.

Were there any other key issues identified through the process of developing your housing needs report?

Urban & rural development pattern: concentration of amenities and services in urban areas. Rural areas may be less diverse with respect to housing form and tenure. Growth of the Rural Village Centres into complete communities is hindered by the lack of community water and sewer servicing.

Housing & transportation: Stakeholders expressed concerns that low-income households are limited in their housing choices, and can only afford housing in areas with limited transit service. In order to support all households (market and non-market housing) a shift towards transit-orientated development that creates opportunities for both rural and urban areas is needed.

Part 1: Regional Housing Indicators

Introduction

Project Overview

In December 2018, CitySpaces was engaged by the RDN to undertake a housing study to provide staff and the Regional Board with a better understanding of local housing issues. The findings are intended to be used to guide policy formulation for Regional Growth Strategy (RGS) and the proposed development of the Regional Housing Strategy.

Report Organization + Methodology

The report is composed of three parts:

1. Part 1 – Regional Housing Indicators: This section provides baseline information with regard to housing data, including the current housing mix, housing tenure, rental prices, housing sales prices, household income, and housing vacancy rates. An affordability analysis of what households can afford was also produced as part of this section;
2. Part 2 – Regional Housing Needs and Gaps Assessment: This section reflects on the data research and community input received, and identifies the housing issues and gaps in the region. It also outlines preliminary directions for future planning initiatives;
3. Appendix A: Consultation Summary Report: Insights, perspectives, and comments from the community are summarized in this report. A series of workshops and key informant interviews were implemented to obtain qualitative information from key stakeholders on their housing concerns.

The methodology for undertaking this research was as follows:

- Determining the need and demand for housing is framed by BC Housing's *Housing Need and Demand Study Template*, and the legislative requirements outlined in the *Local Government Act* (mainly Part 14) and Housing Needs Reports Regulation, which focuses on obtaining statistical information to offer comprehensive insight into local housing needs. Quantitative sources are presented in Part 1 of this report, and the qualitative information is summarized in Appendix A. Part 2 of this report reflects the quantitative and qualitative information in order to identify housing needs and gaps within the RDN.
- The quantitative data highlighted in this report has been obtained from a variety of sources, where available. Research sources include the 2006, 2011, and 2016 Census of Canada, the Canada Mortgage and Housing Corporation (CMHC), BC Stats, BC Housing, and the Vancouver Island Real Estate Board and the 2018 Point-in-Time (PiT) Count for Nanaimo and Parksville/Qualicum.

- Further to the data research, in Spring 2019, there were several opportunities for community members to provide their insights and comments on housing in the RDN. Stakeholder consultation was completed with representatives from social service organizations, developers, non-profit housing providers, local government and other relevant community members. Consultation activities included focus groups, key stakeholder interviews, and a staff workshop. A full summary of consultation activities can be found in Appendix B.

Part 1 of this report presents the housing situation in the region starting with demographic characteristics, including population growth and projected change in age distribution, and housing mix. The report then describes the current supply of market housing: the number of housing units by structure type, rental and ownership characteristics, housing conditions, and the type and availability of the rental housing supply. A housing affordability analysis is also presented, demonstrating how much local residents can afford to rent or buy given median income levels and average rental prices and housing sales prices.

Part 1 of this report has a dedicated section to the non-market housing supply in the RDN, documenting the number of rent supplements, emergency and temporary beds for individuals experiencing homelessness, supported housing, and independent social housing in the region. Highlights from the recent Nanaimo Homelessness Count, and the 2018 Report on Homeless Counts in B.C., are also included.

Data Limitations

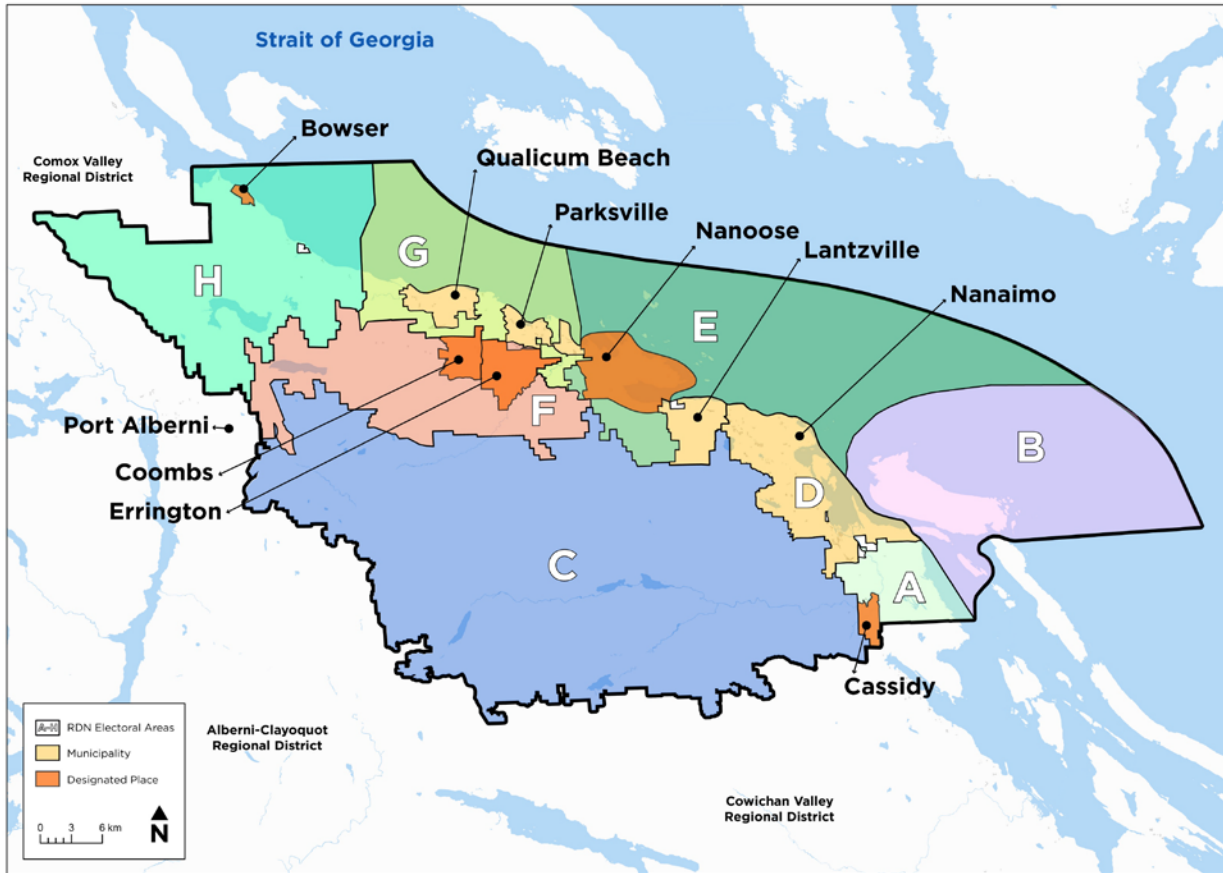
This report refers to many sources of information, such as Statistics Canada, BC Statistics, Canada Mortgage and Housing Corporation, BC Housing, BC Assessment and others. Reasonable effort has been made to use comparable data with consistent geographies and to identify trends. Where data is not available or is insufficient (i.e., less than 5 units) an attempt to supplement this data has been made with observational or local knowledge. Where there is no data or data has been suppressed to protect the confidentiality of individuals, this has been noted within the document.

The Region + Its Communities

Indicators have been provided and analyzed at the regional level, and, where reliable data is available, for Electoral Areas A-C, and E-H, as well as Nanaimo, Lantzville, Parksville, and Qualicum Beach.

For small communities or settlement area that do not meet Statistics Canada criteria to be a census subdivision (an area with municipal status) or population centre, the category Designated Place are created by the province, in cooperation with Statistics Canada, to provide data for sub-municipal areas, such as Errington and Coombs. Figure 1 provides a map of the study area.

Figure 1: Study Area Map - Regional District of Nanaimo



Regional Context in Housing

The following studies, plans and strategies are examples of activities that have been completed, or are in progress, and provide context for the Regional Housing Needs report.

REGIONAL GROWTH STRATEGY

In 2011, the RDN Board and regional partners adopted the Regional Growth Strategy (RGS), *Shaping Our Future* to provide a more sustainable approach to growth in the region. The Strategy is based on the belief that all decision-making and actions undertaken must be founded on sustainability principles to create economically, environmentally and socially healthy growth that is sustainable over its 20-year time frame. The Strategy's 11 goals and supporting policies are grounded in this vision and provide a general framework for directing growth and land use activities in the region. The detailed policies and regulations that are designed to align with the RGS are found in the electoral area and municipalities' respective Official Community Plans and zoning bylaws.

With respect to housing, the relevant sections of the RGS include:

- **Goal 3** - Ensure land use patterns and mobility networks are mutually supportive and work together to reduce automobile dependency and provide for efficient goods movement.
- **Goal 4** - Establish distinctive activity centres and corridors within growth containment boundaries that provide ready access to places to live, work, play and learn
- **Goal 6** - Support and facilitate the provision of appropriate, adequate, attainable, affordable and adaptable housing.

The goals and policies associated with housing affordability are under review as noted in the scope of work for the update of the RGS.

RDN HOUSING ACTION PLAN

Informed by the results of the *2009 Regional Housing Affordable Study*, the *2009 Housing Action Plan* sets out clear actions that the RDN could take to work towards the RGS goals. A review of the Action Plan, in 2019, shows that the majority of the actions have been enacted since its adoption. Highlights of these activities include the adoption of the a secondary suite bylaw in the RDN; updating OCPs and zoning to support affordable housing; the development and distribution of housing resources (i.e., RDN webpage and brochures/posters) and to encourage collaboration and partnerships where possible.

It is anticipated that the current Housing Action Plan will be updated or replaced by the proposed development of a Regional Housing Strategy. As part of this process, the regional partners will have the opportunity to explore options for gradually becoming more active, such as through establishing a regional service to develop a combination of policy, regulatory and financial measures.

CITY OF NANAIMO AFFORDABLE HOUSING STRATEGIEY

In April 2018, the City of Nanaimo completed an Affordable Housing Discussion Paper that describes the policy context, key housing data and key issues and opportunities as identified through an engagement process. This work was then used to inform the development of the City's Affordable Housing Strategy, which was completed August 2018. This Strategy is the framework for the City to work in partnership with other levels of government, the private sector and non-profit organizations to facilitate the development of affordable housing in Nanaimo.

TOWN OF QUALICUM BEACH

Qualicum Beach completed an Affordable Housing Assessment in 2009 and has recently updated this information through the implementation of the Housing Needs Assessment Survey completed in 2019. It is anticipated this information will inform housing policy options and future capital projects in Qualicum Beach.

NANAIMO, PARKSVILLE AND QUALICUM HOMELESSNESS COUNT

The Nanaimo Homelessness Coalition and the Oceanside Task Force on Homelessness completed Point-In-Time Counts for sheltered and unsheltered people in their respective communities in 2018. The counts provide an understanding of the number of people experiencing homelessness as collected by in-person interview over a 24-hour period; and are therefore typically undercounted.

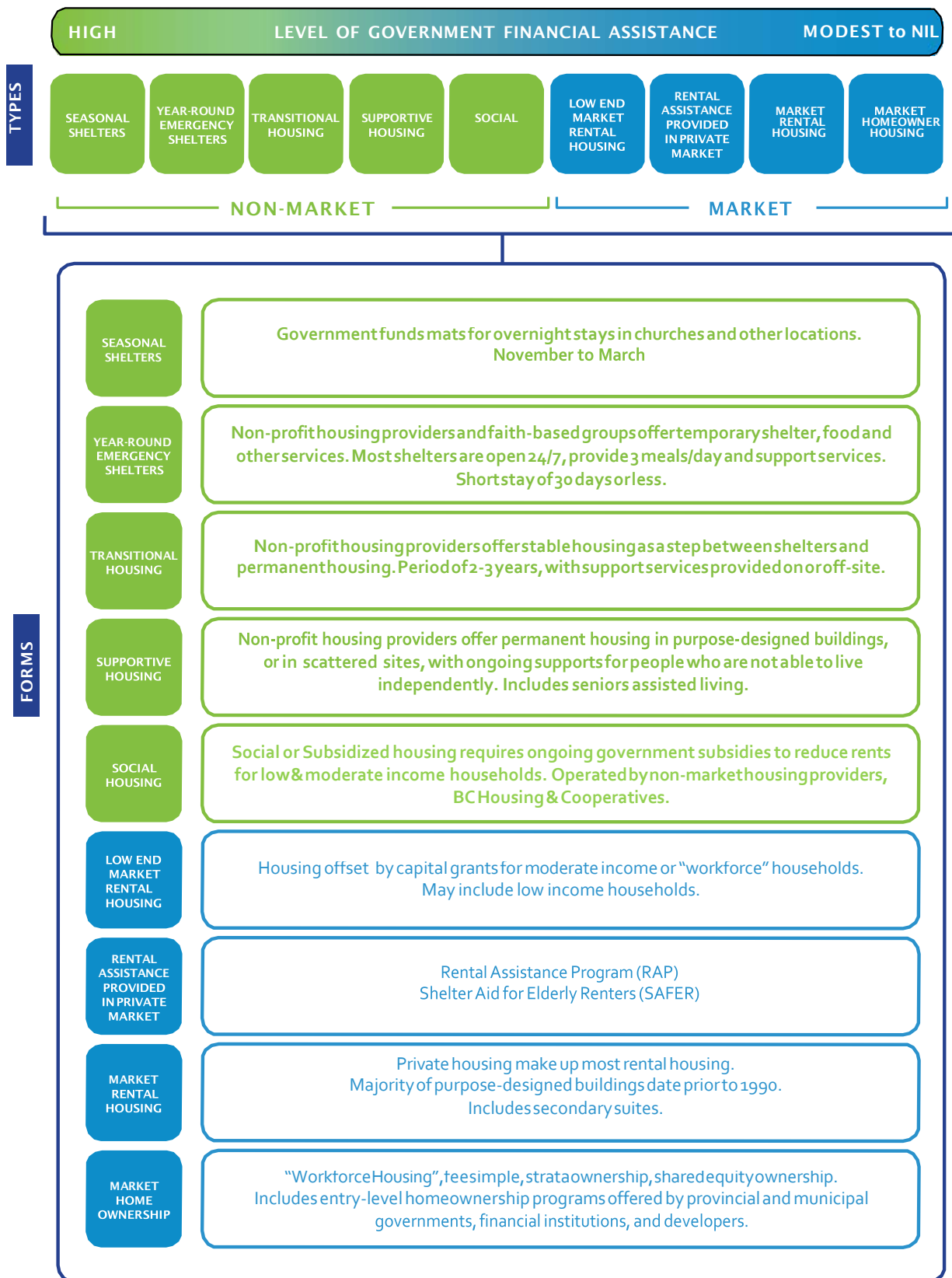
The Housing Continuum

The Housing Continuum (Figure 2) is commonly used in British Columbia and Canada as a visual concept to discuss the spectrum of housing types and housing affordability options that receive a level of government financial assistance, from seasonal shelters to homeownership. This illustration has two purposes—to provide readers with an “at a glance” look at what housing planners use as a basis for analysis, and as a tool to identify gaps in the housing market. The non-market side of the continuum, the left side, represents a range of temporary and less stable housing situations. On this end of the continuum, the housing forms typically include the greatest level of support services and often require the most public funding.

In the middle, there is independent social housing for low income households. While this type of housing is still government subsidized, there is no additional support required for households to be able to live independently and often less subsidy is needed to maintain these units.

On the right side of the continuum, rent supplements form a bridge across the non-market and market sides, with government assistance provided to individuals who are renting in the private market. The remaining tenures include rental and ownership housing forms that are available through the private market without any subsidy required.

Figure 2: Housing Continuum



Current Climate

Among Canada's different levels of government, the federal government played the most significant role in social housing from the 1940s through to the early 1990s. Since then, its role has varied considerably in step with changing perspectives and the priorities of different administrations. In 2018, the federal government recommitted and increased Canada's involvement in housing through the National Housing Strategy, along with \$40 billion in funding over 10 years. The intended outcomes are to create 100,000 new units, and repair 300,000 existing units.

By contrast, the Province of British Columbia's role in housing expanded in the 1990s. BC Housing, first established in 1967, became the agency to fulfill the province's continuing commitment to developing and managing subsidized housing. BC also took steps to engage local governments in meeting local needs, beginning with an amendment to the Local Government Act, which makes it mandatory to include policies for affordable, rental, and special needs housing in Official Community Plans.

While both provincial and federal funding commitments have been more plentiful in the last few years, funding in all cases is predicated on partnerships with local governments or other funders to support development, and non-profits are typically expected to contribute land and/or make significant equity contributions to ensure project viability.

Legislative Framework

Local governments have an increasingly important role to play in facilitating the creation of affordable market and non-market housing through policy, zoning, partnerships, financial incentives, and staff capacity and resources. Their authority comes from Provincial legislation – the *Community Charter*, the *Local Government Act*, the *Strata Property Act*, and the *Local Government Statutes (Housing Needs Reports) Amendment Act*.

COMMUNITY CHARTER

This statute provides a municipality with:

- The use of "natural person powers", which gives municipalities the flexibility to identify and provide any service that Council considers necessary or desirable;
- The ability to waive/reduce fees and charges when property is owned or held by a charitable, philanthropic, or other non-profit corporation; and,
- The authority to establish a tax exemption program for an area designated as a "revitalization area". The program can stipulate the kinds of property eligible, the term of the exemption, and other conditions.

LOCAL GOVERNMENT ACT

This statute gives municipalities and regional districts specific provisions related to housing:

- Requires an Official Community Plan to include housing policies with respect to affordable housing, rental housing, and special needs housing;
- Provides flexibility to allow higher density in return for the provision of community amenities, including affordable and special needs housing;
- Enables a local government to enter into a housing agreement that is registered on the land's title, setting out specific conditions;
- Provides authority to waive or reduce Development Cost Charges for not-for-profit rental housing, as well as for-profit affordable housing.

STRATA PROPERTY ACT

The *Strata Property Act* provides limited provisions related to housing⁵:

- Provides authority for a Council or Board to decide on applications to convert an existing rental building into strata lots.

RESIDENTIAL RENTAL TENURE ZONING

May 31, 2018, the Province enacted a new authority that empowers local government (municipalities and regional districts) to apply residential rental tenure zoning to protect rental units in existing and future apartment buildings. The new authority can only be used where multi-family residential use is a permitted use. Within these areas local governments can:

- set different rules in relation to restricting the form of tenure of housing units for different zones and locations within a zone; and
- require that a certain number, portion or percentage of housing units in a building be rental.

The intent of these changes is to give local government greater ability to preserve and increase the overall supply of rental housing in their communities, and increase housing choice and affordability.

LOCAL GOVERNMENT STATUTES (HOUSING NEEDS REPORTS) AMENDMENT ACT

This statute requires local governments, at least every five years, to:

- Collect information necessary to identify current and projected housing needs;

⁵ Individuals who own strata property where a covenant or a strata bylaw prevents the property from being rented out are exempt from the Speculation and Vacancy Tax for the 2018 and 2019 tax years only. This applies if the rental restriction was in place on or before October 16, 2019 and the owner purchased the property before that date.

- Use that information to prepare and publish a report, known as a *housing needs report*, showing current and projected housing needs for at least the next five years;
- Consider the most recently collected information and housing needs report when amending community and regional plans.

Effective April 16, 2019, provincial regulations require local governments to complete housing needs reports for their communities by April 2022 and every five years thereafter. As a basis for determining current and projected housing needs, local governments are required to collect approximately 50 kinds of data about:

- Current and projected population;
- Household income;
- Significant economic sectors; and
- Currently available and anticipated housing units.

All housing needs reports are required to contain the following content, based on the analysis of the information collected:

- The number of housing units required to meet current housing and anticipated housing needs for at least the next five years, by housing type;
- Statements about key areas of local need;
- The number and percentage of households in core housing need and extreme core housing need; and
- A standardized summary form.

The legislation includes transitional provisions to accommodate local governments who are already working on, or who have recently completed a housing needs report, so that they will be considered to have met the legislated requirement for this first report. The five-year update to this report will address any gaps that may result due to the timing of the reporting and change in legislation.

Regional Housing Indicators

Growth Projections

Population and housing projections are based on a cohort component model that considers current demographics and historic patterns of migration into and out of the region. A technical memo that explains the methodology and assumptions behind the projections can be found in Appendix A.

Two growth scenarios have been prepared, based on alternative assumptions about the level of future net migration into the region. The **Baseline Scenario** assumes that future net migration to the region is the same as the period from 2006 to 2016 (with a few minor adjustments). The **High-Growth Scenario** assumes that the future net migration is higher, such that the region continues to match provincial growth rates.

The baseline scenario has the RDN averaging 0.73% population growth per year from 2016 to 2041. This is lower than historic growth in the region and shows that simply maintaining current levels of net migration are insufficient to compensate for rising mortality in the region related to the significantly higher share of older residents.

The high-growth scenario has the RDN averaging 1.16% annual growth through 2041, which is nearly identical to the region's growth in Census population from 2006 to 2016, and is often relative to other regions as well. This could occur through some combination of development policy, successful community branding and marketing to attract residents, enhancing local livability, boosting employment opportunities through economic development, relocation incentives, and many other possible factors.

These two scenarios provide a contrast between a possible future if communities continue on their current path (the baseline scenario) and a possible future if communities are able to successfully attract more new residents in the future (the high-growth scenario).

RECENT GROWTH

Population growth in the RDN averaged 1.2% per year from 2006 to 2016⁶, as measured by the national Census. This rate of growth represents a population increase of about 1,700 people per year. Growth was slightly faster from 2011 to 2016 (averaging 1.2% and 1,825 people per year) compared to 2006 to 2011 (averaging 1.1% and just under 1,600 people per year), as seen in Table 1.

⁶ The total population and housing units does not include First Nations Reserves, as those lands are outside of the RDN's jurisdiction.

Table 1: National Census Data, Historic Population Growth, RDN, 2006-2016

Community	2006	2011	2016	Average Growth Rate, 2006 to 2016	Average Change, 2006 to 2016
Nanaimo	78,692	83,810	90,504	1.4%	1,024
Lantzville	3,661	3,601	3,605	-0.2%	-12
Parksville	10,993	11,977	12,514	1.3%	152
Qualicum Beach	8,502	8,687	8,943	0.5%	44
Electoral Area A	6,751	6,908	7,058	0.4%	31
Electoral Area B	4,050	4,045	4,033	0.0%	-2
Electoral Area C	2,508	2,834	2,808	1.1%	30
Electoral Area E	5,462	5,674	6,125	1.2%	66
Electoral Area F	6,680	7,422	7,724	1.5%	104
Electoral Area G	7,023	7,158	7,465	0.6%	44
Electoral Area H	3,474	3,509	3,884	1.1%	41
RDN	138,631	146,574	155,698	1.2%	1,707

Source: Statistics Canada, Census (2006-2016)

Provincial (BC Stats) population estimate's for this same period, indicate a slightly higher average growth rate of 1.4% per year and about 2,275 people per year in the last two years. This difference is attributed to undercoverage, which BC Stats accounts in their estimations. Undercoverage is the percentage of the population that is missed by the Census (balanced against those who are double-counted). The BC Stats estimated rate of growth (1.4%) is also consistent with an upward trend in housing starts and permitted residential units in the region over the 2016 to 2018 period.

AGE PROFILE

The RDN has a significantly older age profile than the rest of BC, with a 2016 median age of 51 compared to the BC median age of 43. The City of Nanaimo is the youngest part of the RDN with a median age of 45.5 while Parksville, Qualicum Beach and Gabriola Island (Electoral Area B) all have a median age above 60, see Table 2.

Table 2: Historic Median Age, RDN, 2016

Community	Median Age
Nanaimo	45.5
Lantzville	51.1
Parksville	60.9
Qualicum Beach	65.9
Electoral Area A	49.1
Electoral Area B	61.3
Electoral Area C	47.6
Electoral Area E	59.4
Electoral Area F	48.1
Electoral Area G	58.5
Electoral Area H	58.8
RDN	51.1

Source: Statistics Canada, Census (2006-2016)

POPULATION GROWTH FACTORS

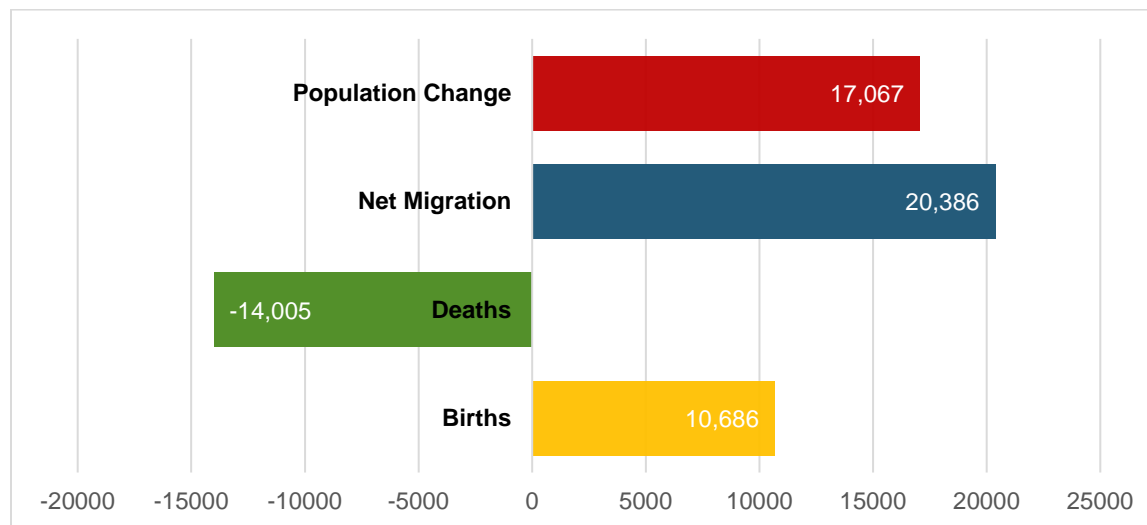
Population projections are based on three factors:

1. The **number of births**, which are estimated based on fertility data for the Nanaimo and the Qualicum Local Health Areas and reported by the BC Stats Vital Statistics Division. This data set measures the number of births to women at various ages and can be used to estimate future births based on the age profile of the female population.
2. The **number of deaths**, which are estimated based on mortality data for BC.⁷ This data set reports the probability of passing away for BC residents depending on their age and can be used to estimate future deaths based on the local age and sex profile. Taken together, births minus deaths is equal to the “**natural increase**” of the population.
3. The level of **net migration**, which is the difference between the number of people who move into the region/community and those who move away. Net migration is the most important factor in determining the level of future growth and the most uncertain.

⁷ Statistics Canada Data Table: 13-10-0114-01

The sum total of these three factors for the 2006 to 2016 period is shown in Figure 3. Natural increase was negative in the RDN by about 3,300 people, meaning that each year there were 330 more deaths than births, on average. The regional population grew because net migration averaged more than 2,000 people per year.⁸

Figure 3: Estimated Components of RDN Population Change, 2006 to 2016



Source: Statistics Canada, Census 2016; Consultant Projections

The rates of natural increase and net migration vary significantly across the RDN’s member communities. Some communities currently have a natural increase that is slightly positive or near zero while others are already negative. Table 2 shows the median age of communities, the communities with the oldest median age (such as Qualicum Beach, Parksville and Area B) experience the most negative natural increase.

Under the Baseline Scenario, the population group that is projected to grow at the highest rate between 2016 and 2041 is the 75 to 84 age group at 2.8% per year, followed by the 85+ age group at 3.8% per year, as seen in Table 5.

Housing Projections

The likelihood of forming and maintaining a separate household and the preferred type of housing both change over the course of a person’s life. These patterns can be used to project the number and type of housing units in the RDN based on the population projections.

⁸ The net migration in Figure 3 is estimated from the projection model after removing estimated births and deaths from the observed population change. It is slightly higher than the BC Stats figures for net migration, which are based on administrative records but also include the net change in the stock of non-permanent foreign residents, which are not included in the permanent population estimates. This small difference has no meaningful effect on the analysis and projection results.

Table 3 shows “household maintainer” rates for the RDN in 2016. Looking at the top row of the table, the 2016 rate shows that only 3.8% of the population between the age of 15 and 24 maintained a single-detached home, and 11.5% of these young adults maintain a separate household of any type. The other 88.5% are living in a household where someone else is the primary maintainer (such as parents, spouses or roommates).

Looking down the table, total maintainer rates increase as the population ages before finally declining for the 85+ age range. The maintainer rate for single-detached homes drops substantially for the oldest age group, while apartment rates increase.

Table 3: Household Maintainer Rates, RDN, 2016 (Using Undercount-Adjusted Population)

Age of Household Maintainer in Years	Single-Detached Units	Other Ground-Oriented Units	Apartment < 5 Storeys	Apartment 5+ Storeys	Mobile / Manufactured	All Structure Types
15 to 24	3.8%	2.4%	4.6%	0.6%	0.2%	11.5%
25 to 34	23.5%	7.6%	7.4%	1.0%	0.8%	40.3%
35 to 44	36.7%	6.6%	5.8%	0.5%	1.1%	50.7%
45 to 54	40.3%	5.7%	5.3%	0.9%	1.9%	54.1%
55 to 64	40.9%	5.2%	6.1%	0.9%	2.2%	55.2%
65 to 74	41.6%	6.9%	5.8%	1.0%	2.6%	58.0%
75 to 84	40.1%	9.0%	7.6%	1.4%	3.6%	61.7%
85+	27.6%	8.6%	9.3%	2.1%	2.3%	49.8%
All Ages	29.3%	5.4%	5.4%	0.8%	1.6%	42.5%

Source: BC Stats Population Estimates (2016), Statistics Canada Census Table 98-400-X2016227

This overall pattern is projected to stay largely the same going forward, with some evolution in dwelling unit types. Projected maintainer rates for 2041 are based on a continuation of the observed change in maintainer rates from 2006 to 2016, but at a slower rate. The changes from 2006 to 2016 are in Table 4.

It may seem odd that the total maintainer rate for single-detached homes increases slightly even though the maintainer rate at each 25+ age group declines. The reason is that the population has become more concentrated at the age ranges with the highest single-detached maintainer rates (from 45 to 84), even though any given person of that age is less likely to maintain a single-detached home.

Table 4: Trend in RDN Household Maintainer Rates by Age and Structure Type, 2006 to 2016

Age of Household Maintainer in Years	Single-Detached Units	Other Ground-Oriented Units	Apartment < 5 Storeys	Apartment 5+ Storeys	Mobile / Manufactured	All Structure Types
15 to 24	0.2%	0.2%	-0.9%	0.2%	0.0%	-0.4%
25 to 34	-2.9%	2.0%	-1.4%	0.6%	-0.5%	-2.2%
35 to 44	-1.2%	1.6%	-0.4%	-0.2%	-0.1%	-0.3%
45 to 54	-1.6%	1.4%	-0.2%	0.3%	0.6%	0.5%
55 to 64	-1.8%	0.3%	0.9%	0.2%	0.4%	-0.1%
65+	-1.1%	0.3%	-0.9%	-0.3%	-0.1%	-2.1%
All Ages	0.1%	0.9%	-0.2%	0.1%	0.2%	1.1%

Source: Statistics Canada Census Tables 98-400-X2016227 and 98-401-X2016055 (from 2016) and equivalent tables from 2006 Census

As seen in Table 4, overall, the rate of household formation declines for all age ranges under age 45, which is consistent with higher housing prices requiring young adults to share accommodations with others, including parents.

It is recognized that maintainer rates by structure type are influenced by both the preferred unit type for people of that age as well as the supply of units. It is reasonable to assume, for example, that some portion of the maintainer rate for single-detached units could be absorbed by other ground-oriented units or even large apartments if that is what is made available in the marketplace.

Population and Housing Projections Results

The population projections have been prepared using a cohort component model, which is a standard approach to population projections. This model uses current population by age and sex as the starting point and for each subsequent year, advances each person to the next age and takes into account the population growth factors identified in this report (birth, death and net migration).

Projections over a 20-year time horizon are uncertain, and may be influenced by a range of factors, both inside and outside the region. To offset this, the projections are presented in five year internals and two growth scenarios have been prepared for comparison.

1. **Baseline Scenario** - assumes that future net migration is based on the estimated net migration over the 2006 to 2016 period (with some modest assumption for future population growth in the areas that typically export residents to the RDN).

This scenario suggests that RDN growth from 2016 to 2041 will average 0.73% per year, which is slower than past growth and also slightly slower than projected growth both nationally and provincially (1.2%). The main reason for lower growth under this scenario is that maintaining the same level of net migration is insufficient to compensate for rising mortality in the region related to the significantly higher share of older residents.

2. **High-Growth Scenario** - assumes that future net migration is higher than in the 2006 to 2016 period such that future RDN growth matches a moderate-high projection for BC of 1.16% growth per year.

Net migration assumptions for individual communities in the RDN are also adjusted in this scenario to match their current share of population, rather than their share of recent net migration. There is an implicit assumption under this scenario that communities with the oldest populations, and hence higher future mortality rates, experience a greater inflow of future residents to “replace” their older populations.

Population and housing projections, showing a demographic breakdown and a breakdown by housing structure type, are shown in Table 5 for the Baseline Scenario and Table 6 for the High Growth Scenario. The projections use 2016 as a base year, as it is the most recent Census year and has been adjusted to account for “net Census undercoverage.”

The components of population growth under the High-Growth Scenario are illustrated in Figure 4 and Figure 5.

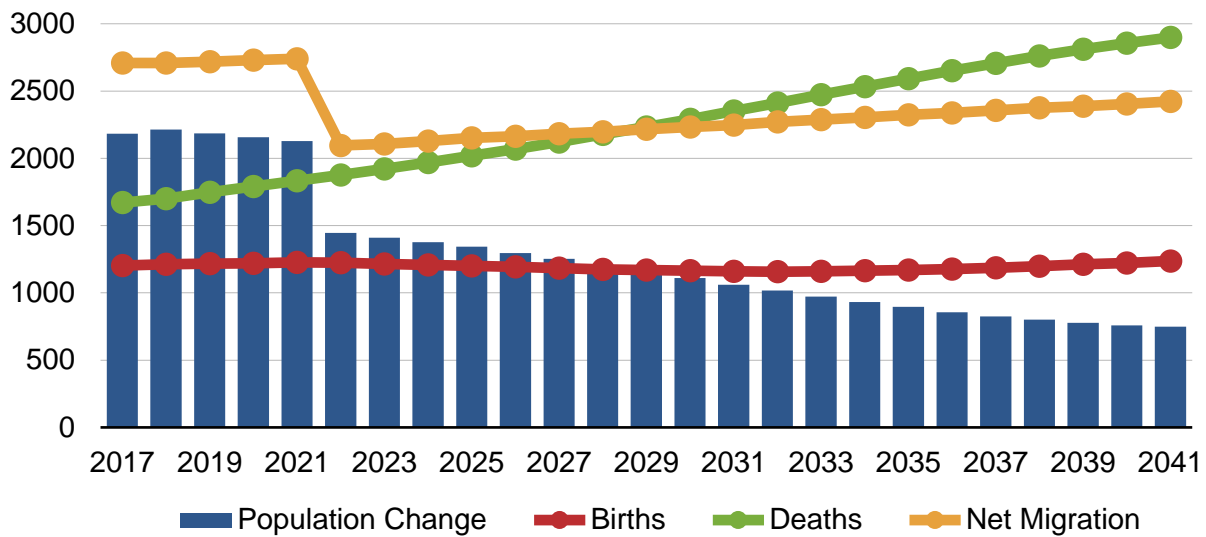
In BC, the average annual growth is estimated to be 1.2%⁹ from 2019 to 2041. It is expected that the population in B.C. will grow at an annual rate of 1.2% during the early period then the growth rate will begin to decline (from 2025) to end the period at about 0.7%. BC’s population is expected to increase from 5,050,481 persons in 2019 to 6,334,378 in 2041.

As shown in Table 5, the RDN is projected to grow by 0.7% per year under the **Baseline Scenario**, which is comparable to the BC Stats estimates projected for the Vancouver Island/Coast Development Region of 0.8%⁹, but significantly below the RDN’s historic average annual rate of growth of 1.2%. The Baseline Scenario projects the regions population will increase from 161,549 persons in 2016 to 179,283 in 2026, and an estimated 193,649 persons by 2041.

Table 6, presents the **High Growth Scenario**, which assumes a higher rate of net migration. Under this scenario the RDN is projected to grow by 1.4% per year, thus maintaining a faster growth rate than the Vancouver Island/Coast Development Region (0.8%), provincial and historic average of 1.2%. Under the High Growth Scenario the regions population is estimated to significantly increase from 161,549 persons in 2016 to 186,864 in 2026, and to an estimated 215,612 persons by 2041.

⁹ BC Stats PEOPLE 2019: BC Sub-Provincial Population Projections.

Figure 4: Projected Components of RDN Population Change, *Baseline Scenario*, 2016 to 2041



Source: Consultant Projections

Population and housing projections under the High-Growth Scenario, which assumes a higher level of net migration into the region (and all other assumptions held constant) are shown in Table 6 on the following page.

Figure 5: Projected Components of RDN Population Change, *High-Growth Scenario*, 2016 to 2041

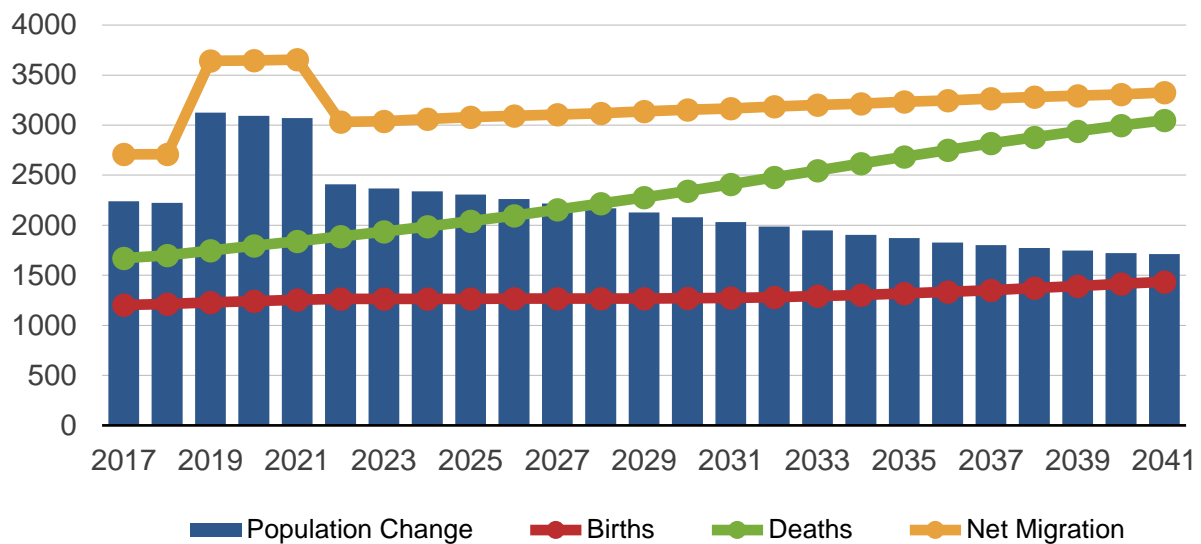


Table 5: Projected Population and Housing Demand, RDN Baseline Scenario, 2016-2041

	2016	2021	2026	2041	Growth, 2016- 2041	Average Annual Change, 2016- 2041	Average Annual Growth Rate
Population	161,549	172,414	179,283	193,649	32,100	1,284	0.7%
Age 0 to 14	20,258	22,199	22,406	22,218	1,961	78	0.4%
Age 15 to 24	16,042	15,259	16,000	17,975	1,933	77	0.5%
Age 25 to 34	16,990	17,089	16,029	17,322	332	13	0.1%
Age 35 to 44	16,543	19,158	20,790	18,782	2,239	90	0.5%
Age 45 to 54	20,840	19,761	20,098	24,067	3,227	129	0.6%
Age 55 to 64	27,730	27,193	25,033	26,568	-1,162	-46	-0.2%
Age 65 to 74	24,819	29,756	31,004	27,447	2,627	105	0.4%
Age 75 to 84	12,852	16,063	21,110	25,430	12,579	503	2.8%
Age 85+	5,477	5,937	6,814	13,840	8,363	335	3.8%
Housing Unit Demand	68,600	74,236	77,725	83,599	14,999	600	0.7%
Single-Detached	47,335	50,161	51,921	53,859	6,524	261	0.5%
Other Ground- Oriented	8,715	9,988	10,964	13,413	4,698	188	1.7%
Apartment < 5 storeys	8,655	9,602	9,933	10,487	1,832	73	0.8%
Apartment > 5 storeys	1,315	1,538	1,634	1,934	619	25	1.6%
Movable	2,580	2,947	3,273	3,908	1,328	53	1.7%

Source: Consultant Projections

Table 6: Projected Population and Housing Demand, RDN High-Growth Scenario, 2016-2041

	2016	2021	2026	2041	Growth, 2016-2041	Average Annual Change, 2016-2041	Average Annual Growth Rate
Population	161,549	175,193	186,864	215,612	54,063	2,163	1.2%
Age 0 to 14	20,258	22,735	23,787	25,618	5,360	214	0.9%
Age 15 to 24	16,042	15,620	16,966	20,673	4,631	185	1.0%
Age 25 to 34	16,990	17,451	16,991	19,998	3,008	120	0.7%
Age 35 to 44	16,543	19,522	21,772	21,525	4,982	199	1.1%
Age 45 to 54	20,840	20,124	21,077	26,869	6,029	241	1.0%
Age 55 to 64	27,730	27,555	26,002	29,315	1,585	63	0.2%
Age 65 to 74	24,819	30,115	31,952	30,064	5,244	210	0.8%
Age 75 to 84	12,852	16,134	21,504	27,225	14,374	575	3.0%
Age 85+	5,477	5,937	6,814	14,326	8,849	354	3.9%
Housing Unit Demand	68,600	75,252	80,558	92,116	23,516	941	1.2%
Single-Detached	47,335	50,852	53,828	59,436	12,101	484	0.9%
Other Ground-Oriented	8,715	10,124	11,358	14,748	6,033	241	2.1%
Apartment < 5 storeys	8,655	9,736	10,297	11,515	2,860	114	1.1%
Apartment > 5 storeys	1,315	1,558	1,694	2,131	816	33	2.0%
Movable	2,580	2,982	3,381	4,286	1,706	68	2.1%

Source: Consultant Projections

Housing Indicators

The housing indicators in this section were compiled from a variety of data sources. Where possible, the information is presented for specific geographic areas that encompass the RDN. Data at this level of geography is available as consistent as possible; however, there are certain instances where data has been suppressed to prevent direct or residual disclosure of identifiable data. Where it is relevant, the province of B.C. as a whole is used as a benchmark or comparison.

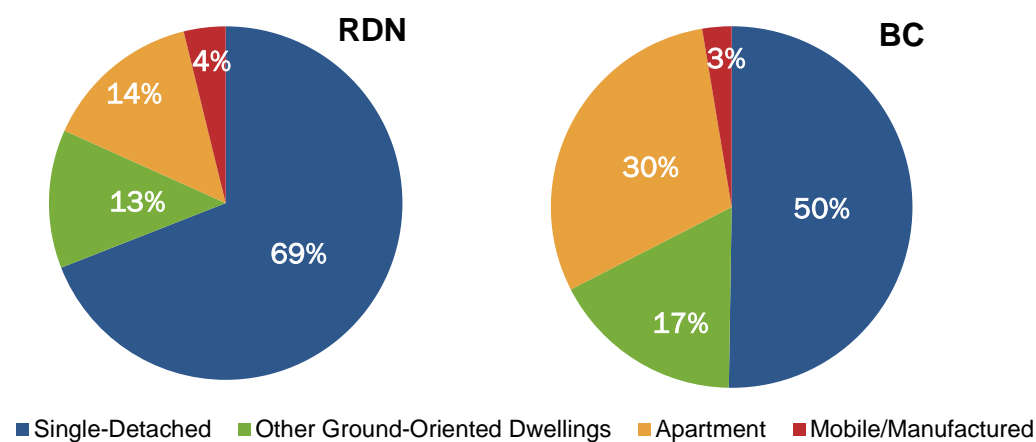
MARKET HOUSING

According to the 2016 Census, there were 68,905 private households occupied by usual residents¹⁰ in the RDN, which represents an increase of 4,440 dwellings, or 6.4%, since 2011, when there were 64,465 private households in the region. This rate of increase is less than the previous five years of growth of 4,595 dwellings, or 7.7% between 2006 and 2011, when there was 59,870 dwellings occupied by usual residents. In addition to the private dwellings occupied by usual residents, in 2016, there are 620 private dwellings occupied by foreign/temporary residents, and 4,100 unoccupied private dwellings.¹¹

Single-detached homes¹² are the predominant form of housing in the region, comprising about 47,578, or 69%, of the total number of occupied dwellings in the community, as seen in Figure 6. Other ground-oriented dwellings, including duplexes, townhouses, secondary suites, and other single-attached homes, total 8,737, or 13% of the total number of occupied dwellings in the community, as demonstrated in Figure 6. The remainder of the RDN's housing stock is comprised of apartment dwellings (9,960, or 14%), and mobile/manufactured homes (2,635, or 4%). In mixed-use developments, residential units attached to commercial units, or other non-residential spaces (i.e. live-work units) would be classified as "apartment in a building that has fewer than five storeys", or "other single-attached house".

Census data indicates that there were 2,985 dwellings that were duplexes, 2,940 townhouses, 2,667 secondary suites, 8,640 apartments in a building with fewer than five storeys, 1,320 apartments in a building that has five or more storeys, 145 other single-attached houses, and 2,635 mobile/manufactured dwellings in 2016. Housing composition in the RDN is distinct from BC on a whole, with a greater proportion of residents residing in single-detached homes than in BC.

Figure 6: Housing Mix by Structure Type, RDN & BC, 2016



Source: Statistics Canada, Census (2016)

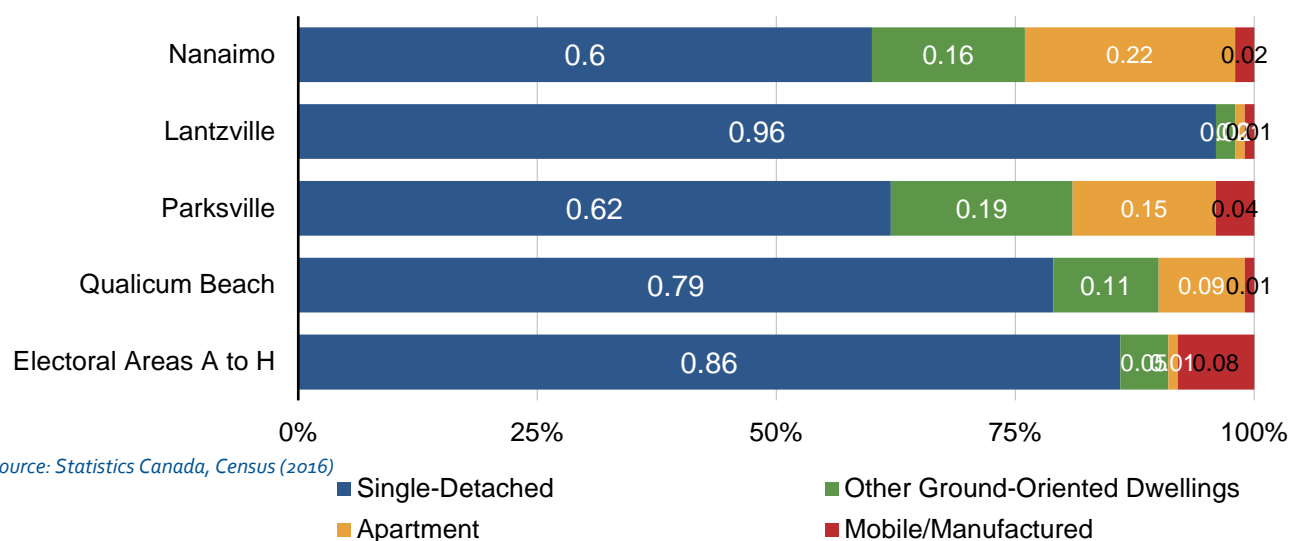
¹⁰ Statistics Canada defines "private dwelling occupied by usual residents" as a dwelling in which a person or a group of persons is permanently residing. It excludes collective dwellings, which include, for example, seniors homes and complex care facilities.

¹¹ Private dwellings occupied solely by temporary/foreign residents (TRFR) and unoccupied private dwellings together account for a very small percentage of total dwellings. These categories are smaller and much less stable than that of private dwellings occupied by usual residents. The two numbers tend to fluctuate and comparisons between census results are generally not recommended. There is also likely to be cross over in the classification for the two categories.

¹² This measurement includes half of the units defined as "apartment or flat in a duplex" by Statistics Canada, as those units generally correspond to single-detached dwellings, with secondary suites.

The housing stock in the RDN Electoral Areas (Electoral Areas A, B, C, E, F, G, H) is almost entirely ground-oriented, with 91% being single-detached homes and other ground-oriented dwellings, 8% classified as mobile/manufactured homes, and 1% as apartment buildings. This pattern is replicated in Lantzville, where 97% of the housing stock is comprised of single-detached homes, and other ground-oriented dwellings. By comparison, Nanaimo, Parksville, and Qualicum Beach experience greater diversity in housing mix, with a larger percentage of other ground-oriented dwellings, and apartment buildings. Housing stock in Nanaimo is particularly diverse, with 22% being apartment dwellings.

Figure 7: Housing Mix by Structure Type, RDN Sub-Areas, 2016

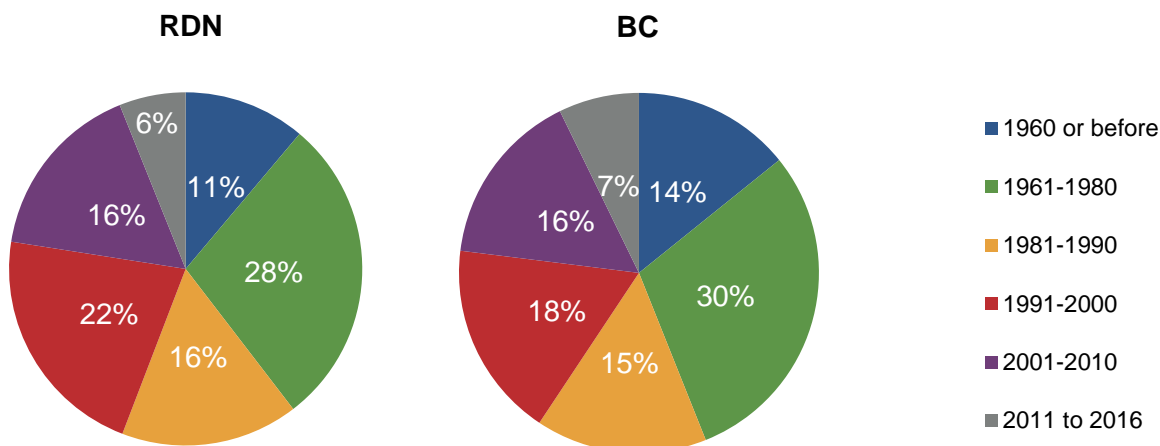


Source: Statistics Canada, Census (2016)

AGE OF HOUSING

Based on the 2016 Census, 11% of privately occupied dwellings in the RDN were built before 1960, and 39% were built prior to 1981. Throughout B.C., 44% of privately occupied dwellings were built before 1981, as seen in Figure 8. The RDN has a slightly newer housing stock when compared to B.C. overall; 44% of privately occupied dwellings were built between 1991 and 2016, as compared to 41% across B.C.

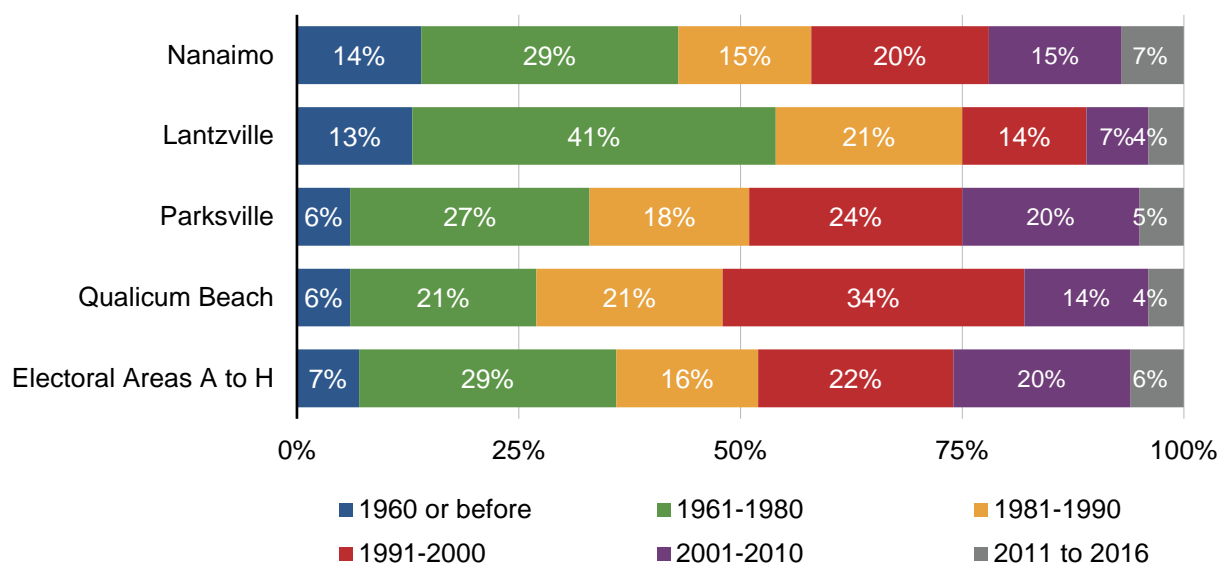
Figure 8: Age of Housing Stock, RDN & B.C., 2016



Source: Statistics Canada, Census (2016)

When analyzing the age of buildings in the RDN’s Electoral Areas, 36% of privately occupied dwellings were built before 1981, as compared to 41% of privately occupied dwellings that were constructed before 1981 in the region’s four municipalities. Based on this data, the Electoral Areas appear to have a newer housing stock, which is reinforced by the percentage of dwellings constructed since 2001. Of the housing stock in the Electoral Areas, 26% of privately occupied dwellings were constructed since 2001, compared to 21% of privately occupied dwellings built since 2001 in the region’s four municipalities. While the age of buildings is not necessarily a reflection of the quality or condition of the housing stock, it is another characteristic that helps with the overall understanding of the stock.

Figure 9: Age of Housing Stock, RDN Sub-Areas, 2016

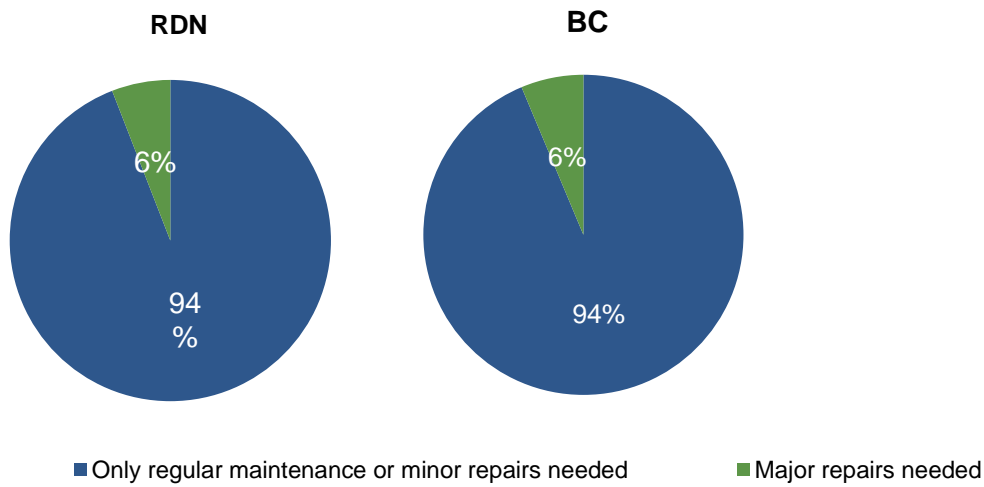


Source: Statistics Canada, Census (2016)

CONDITION OF HOUSING

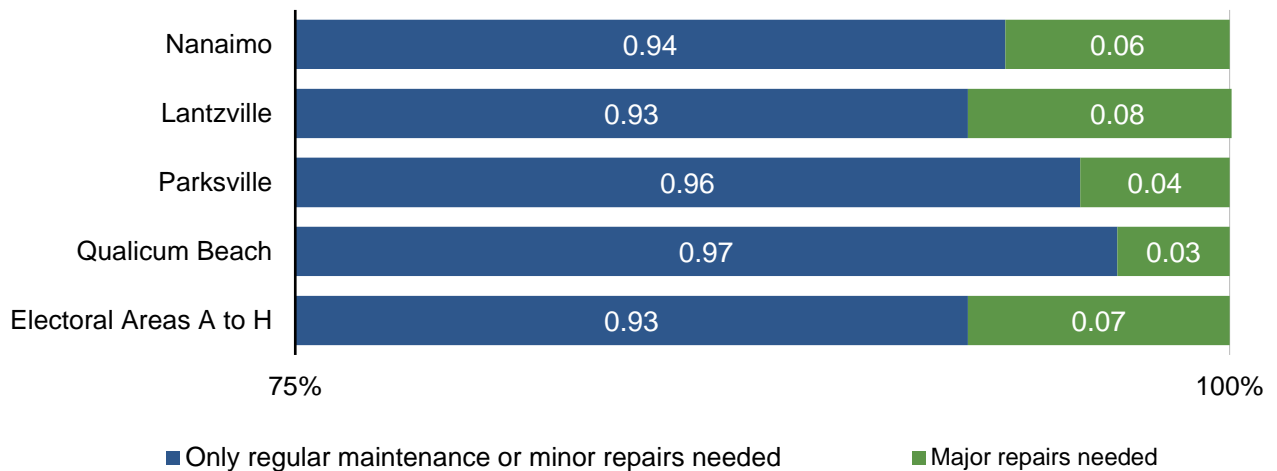
The 2016 Census indicates the RDN has the same percentage of occupied dwellings in poor condition compared to the province of B.C. as a whole. Examples of “major repairs” include problems that compromise the dwelling structure (such as structural problems with the walls, floors, or ceilings) or the major systems of the dwelling (such as heating, plumbing, and electrical). While the RDN’s housing stock is generally in good condition, units may need to be modified to accommodate changes in life stages and accessibility needs.

Figure 10: Housing Conditions, RDN & B.C., 2016



Source: Statistics Canada, Census (2016)

Figure 11: Housing Conditions, RDN Sub-Areas, 2016



Source: Statistics Canada, Census (2016)

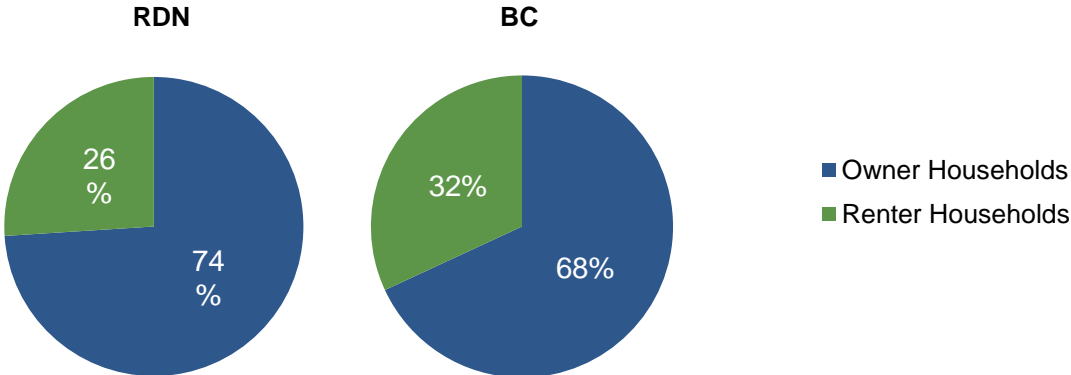
When considering dwelling conditions of the RDN’s sub-communities, there was little variation noted across the municipalities. Lantzville had the highest number of dwellings in need of major repairs (8%), and Qualicum Beach had the lowest number of dwellings in need of major repairs (3%). Across the Electoral Areas, 7% of all dwellings were in need of major repair (~1235 dwelling units), which is slightly above the regional average. Two Electoral Areas deviate somewhat from this average, with 9% of dwellings in need of major repairs in Electoral Area A and B.

HOUSING TENURE

According to 2016 Census data, the percentage of households in the RDN that rent their homes (26%) is less than the percentage of households that rent their homes across B.C. (32%). The 2006 Census and

2011 National Housing Survey indicate that between 22-23% of households rented their homes in the RDN, which shows an increasing number of rented dwellings in the region. While the RDN exhibits diversity in housing form, this is not replicated to the same extent for housing tenure, as owner households represent a sizeable majority.

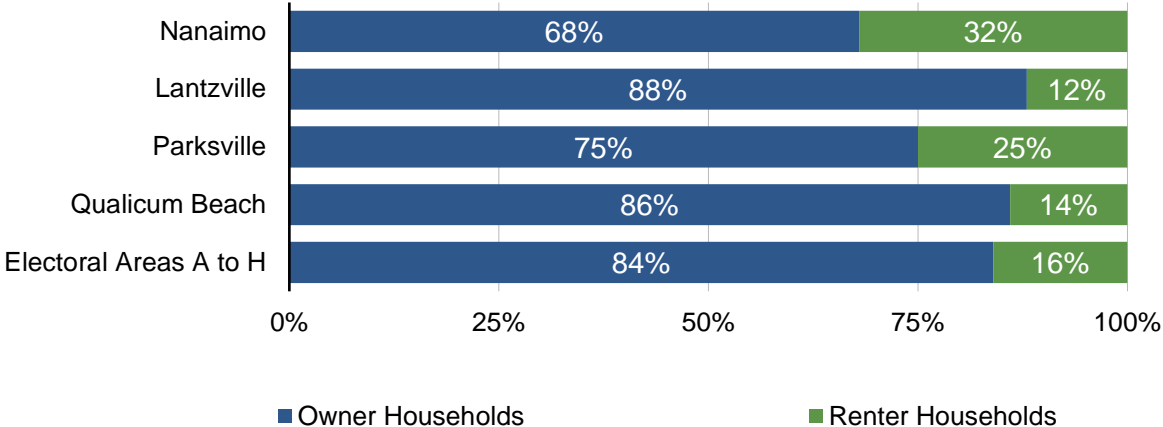
Figure 12: Housing Tenure, RDN & BC, 2016



Source: Statistics Canada, Census (2016)

The communities of Qualicum Beach and Lantzville had very high proportions of owner occupancy, ranging from 86 to 88%. Nanaimo was the main outlier, with the smallest share of owner households at 68%, and a large share of renter households at 32%. In general, the Electoral Areas had a smaller share of renter households (16%), and a larger share of owner households. Of note, however, is the share of renter households in Electoral Area F (27%), and Electoral Area E (10%). Renter households in the remaining Electoral Areas made up between 11% and 19% of all households.

Figure 13: Housing Tenure, RDN Sub-Areas, 2016



Source: Statistics Canada, Census (2016)

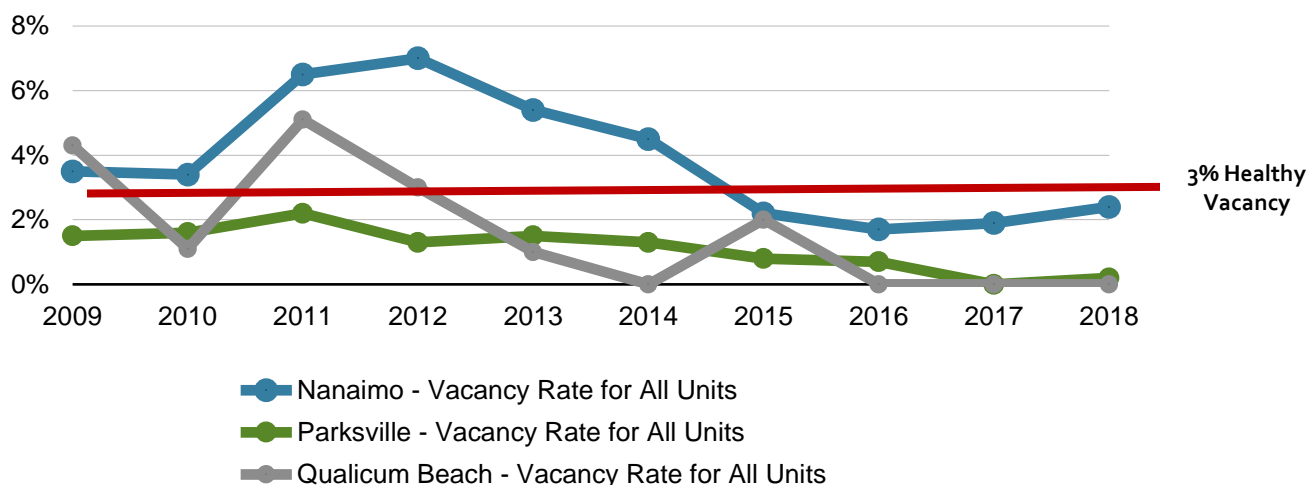
RENTAL VACANCY RATE

Typically, the rental market experiences pressure when vacancy rates are less than 1%, and over-supply when vacancy rates are greater than 3%. For several of the smaller RDN communities, CMHC rental information is unavailable. In an attempt to supplement this data, a scan of rental listings in various online sources was undertaken over a two-week period in January 2019. This review yielded insufficient data, as rental listings in several of the smaller communities were extremely limited (i.e. less than 5 units).

In 2009, vacancy rates for apartments and row houses were 3.5% in Nanaimo, which is indicative of an over-supplied rental market. This was particularly the case for row houses, which had a 4.6% rental vacancy rate in 2009, compared to 3.4% for apartments. In Parksville, vacancy rates for all unit types were lower, at 1.5%, which is indicative of a healthy rental market, and in Qualicum Beach, the rental vacancy rate was 4.3% for all unit types, which is indicative of an over-supplied rental market.

Since 2009, the vacancy rate for apartments and row houses has fluctuated. From 2012 there was a notable downwards trend dropping to 2.0% in Nanaimo in 2016. Since 2016, Nanaimo has been gradually rebounding and is currently resting at 2.4% for all unit types in Nanaimo, which is indicative of a healthy rental market. Row houses in Nanaimo exhibited a 1.0% vacancy rate, while apartments had higher vacancies of 2.5%. Since 2009, in Parksville and Qualicum Beach, rental vacancy rates dropped significantly, from 1.5% to 0.2% in Parksville, and from 4.3% to 0% in Qualicum Beach. The rental market Parkville appears to be gradually recovering, while in Qualicum Beach the market remains highly stressed (0%), with limited vacancies.

Figure 14: Vacancy Trends for All Units, Nanaimo, Parksville & Qualicum Beach, 2009-2018



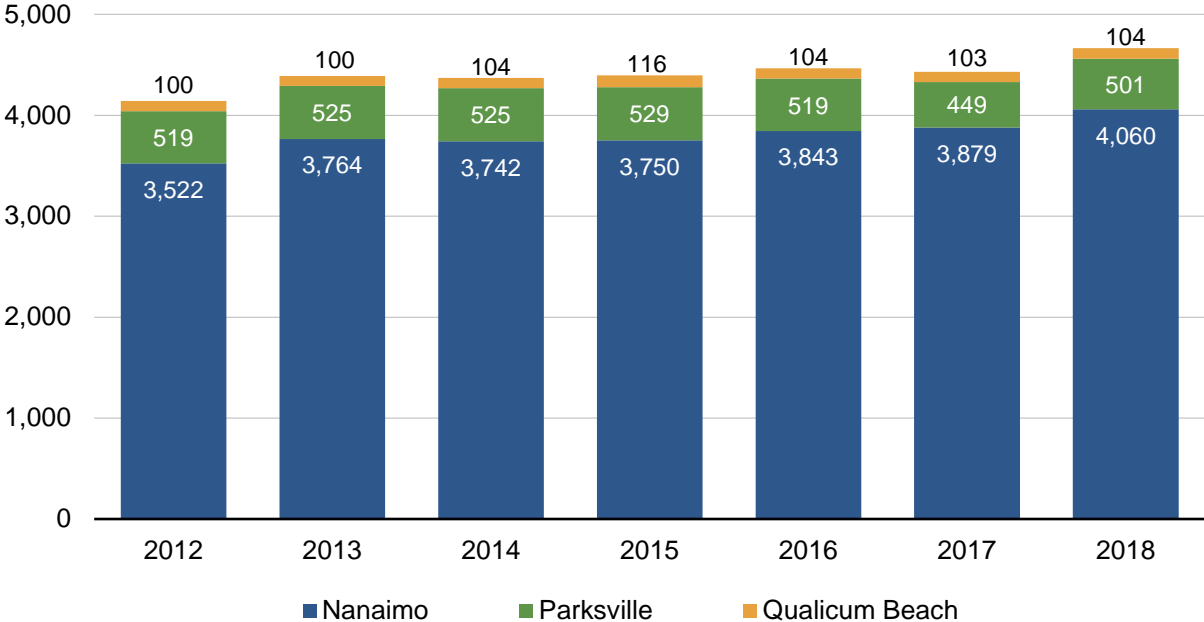
Source: CMHC, Market Rental Reports, 2009-2018

Rental vacancy rates are also by bedroom type, which provides an additional illustration of market demand. In 2009, the vacancy rate for one-bedroom units was 2.9% in Nanaimo, compared to 5.9% for 3+ bedroom units. Since 2009, the vacancy rates have fluctuated, and are currently resting at 2.3% for one-bedroom units, and 2.6% for 3+ bedroom units.

The *Seniors Housing Report (2018)* produced by CMHC indicates the vacancy rate for independent living spaces in the Nanaimo Census Area is 3%, which represents an increase from 2017, when the vacancy rate was 1.7%. Currently, this rate is healthy, and indicative of some vacancies. This measurement will be important to monitor as the population continues to age.

The *Nanaimo Affordable Housing Strategy (AHS)*, completed in August 2018, prioritizes an increase in the supply of rental housing to address limited vacancies and incremental increases in the purpose-built rental stock. This is an important policy direction reflected in the CMHC data that shows the rental vacancy rates in Nanaimo have increased from 1.7% in 2016 to 2.4% in 2018. From a supply perspective, the AHS specifies the purpose-built rental housing stock in Nanaimo experienced a 0.9% increase from 2016-2017, which grew to 4.5% between 2017 and 2018, when 181 units were added to the Nanaimo rental market.

Figure 15: Total Number of Purpose-Built Rental Units, Nanaimo, Parksville & Qualicum Beach, 2012-2018



Source: CMHC, *Market Rental Reports, 2012-2018*

Figure 15 illustrates the total number of rental housing units in Nanaimo, Parksville and Qualicum Beach from 2012-2018. The purpose-built rental stock⁷ has remained relatively consistent over the past 6 years ranging between 4,141 and 4,665 units, with a notable increase in 2018. Since 2017, there has been an overall increase of 234 units, the majority of units in Nanaimo (181) followed by Parksville (52) and Qualicum Beach(1). With some new construction of purpose-built rental housing, and low rental vacancy rates in Parksville and Qualicum Beach, the rental market is improving. This is consistent with observational and building permit data showing a significant increase in the construction of residential apartment buildings since 2016 (Figure 19). However, population and unit projections indicate the RDN will continue to grow at a slow, steady rate, and additional purpose-built rental housing will be needed

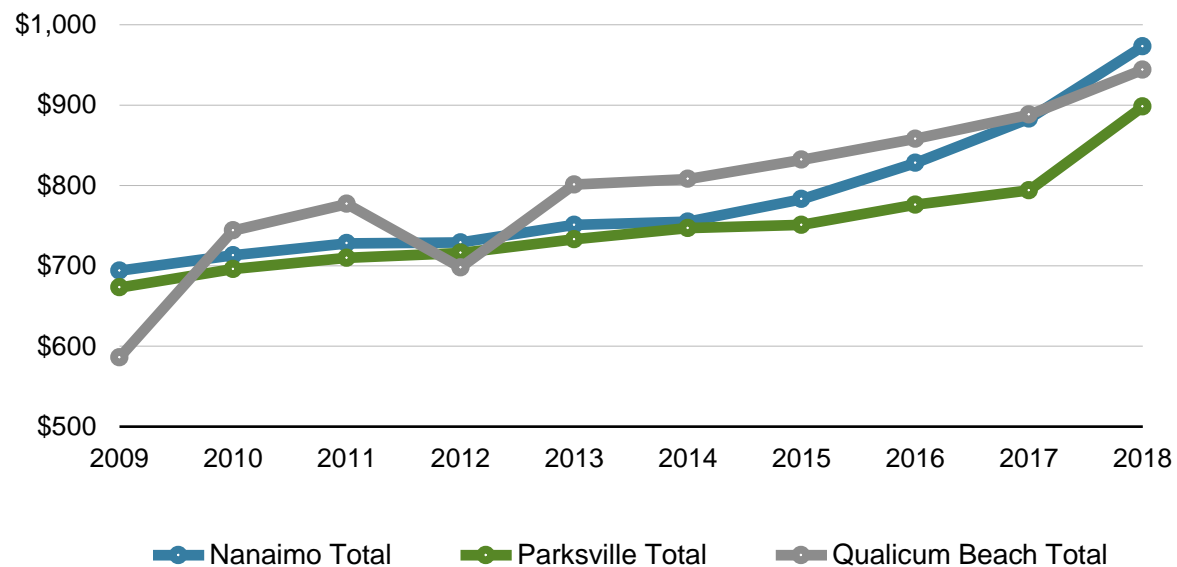
⁷ CMHC rental housing data does not take into account the secondary rental market, which includes secondary suites, and condominium rentals.

to accommodate future residents. Thus, it will be important to continue to monitor the absorption rate of new units.

COST OF RENT

In Nanaimo, Parksville, and Qualicum Beach, the average rent for all units in 2018 is \$938. This represents a substantial increase since 2009, when average rental prices for all units was \$651. Generally, average rents in these municipalities reflect a trend evident across BC; the cost of rent has risen gradually over the last ten years, and beginning in 2016, has increased significantly. It's worth noting that the maximum allowable rate increase that landlords are permitted influences this increase along with inflation. The maximum rate of rental increase is set by the provincial government annually and ranged from 2% to 4% between 2009 and 2018. Recently, in 2019, the rate has been significantly reduced from 4% in 2018 to 2% in 2019 to help stabilize the rental market.

Figure 16: Average Rental Prices for All Units, Nanaimo, Parksville & Qualicum Beach, 2009-2018



Source: CMHC, Market Rental Reports, 2009-2018

SHORT-TERM RENTAL HOUSING

To supplement this rental housing data, a scan of Airbnb was undertaken over a two-week period in January 2019. Table 7 presents a snapshot of the cost of short-term rental housing, and provides an indication of the cost and number of units that might be available in the region.

Table 7: Rent Levels in Short-Term Rentals Listings Snapshot, RDN & Sub-Areas, January 2019

Community	Average Nightly Price	Total # of Listings	Average Monthly Revenue (@ 50% Occupancy)
Nanaimo	\$133	300+	\$1,995
Lantzville	\$112	120	\$1,680
Parksville	\$134	183	\$2,010
Qualicum Beach	\$129	162	\$1,935
Cassidy	\$96	26	\$1,440
Gabriola	\$128	33	\$1,920
Nanoose Bay	\$123	215	\$1,845
Coombs	\$111	83	\$1,665
Errington	\$134	205	\$2,010
Bowser	\$147	24	\$2,205
RDN	\$125	1,351	

Source: Airbnb, 2019

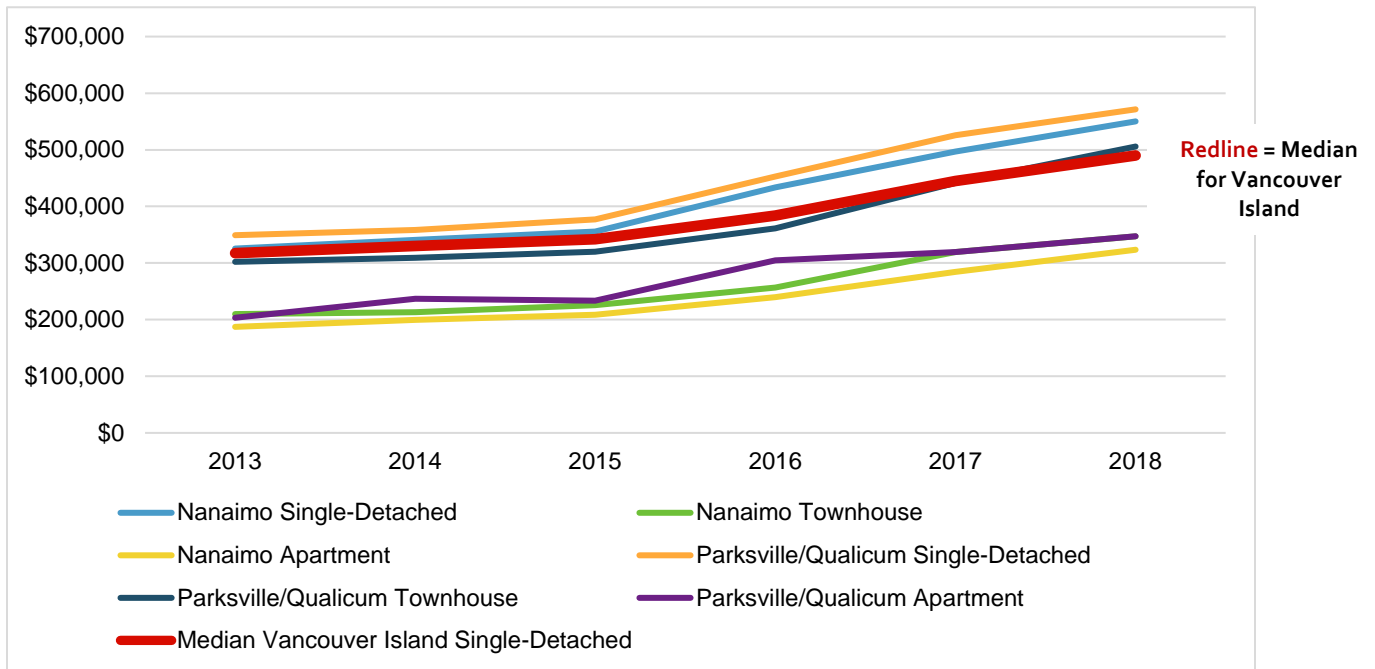
While it appears there are over 1,300 homes available for short-term rental accommodation in the RDN, the Airbnb location search function is not specific to municipal boundaries, and the listings above likely represent some duplication. In the RDN, the highest average nightly price is in Bowser (\$147), closely followed by Errington & Parksville (\$134). The lowest average nightly price is in Cassidy (\$96), where there are limited available units (26). When compared, the potential average monthly revenue from AirBnB exceeds the average monthly rental revenue of \$938. Although the actual impact of short-term vacation is difficult to quantify, an increase will invariably reduce the availability of rental units for residential tenancy.

COST OF HOMEOWNERSHIP

With regard to homeownership prices, the Vancouver Island Real Estate Board (VREB) provides historical resale data for single-detached homes, townhouses, and apartments on Vancouver Island. Information is available for specific “zones”, which include Nanaimo, and Parksville/Qualicum. This data demonstrates that the cost of homeownership has increased in the last five years. For single-detached homes in both zones, prices increased by an average of 66% between 2013 and 2018 from \$337,400 to \$560,850. For townhouses in both zones, prices increased by an average of 67% between 2013 and 2018, from \$256,050 to \$426,500, and for apartments in both zones, prices increased by an average of 72% between 2013 and 2018, from \$195,350 to \$335,400. Generally, average resale prices in the RDN reflect a trend evident across Vancouver Island; the cost of homeownership has risen significantly over the last five years, and particularly since 2015.

The Affordability section (Part 2) will provide an analysis of these prices in comparison to average incomes to understand rental and homeownership affordability.

Figure 17: Average Resale Prices by Housing Type, Nanaimo & Parksville/Qualicum Beach, 2013-2018



Source: Vancouver Island Real Estate Board, 2013-2018

Average resale prices provide an illustration of homeownership costs, and assessed values help to further demonstrate market trends. The average assessed value of single-detached homes in Central Vancouver Island¹³ have increased since 2013, and the average assessed value of strata residential properties in Nanaimo¹⁴ have also increased by 15%, from \$268,000 to \$309,000. Generally, the average assessed values are less than the average resale prices listed above; however, this data is indicative of housing demand, as prices continue to rise on a yearly basis.¹⁵ Based on the information provided by BC Assessment, the average assessed value of a single-detached home in the RDN¹⁶ has increased by 13%, from \$465,820 in 2018, to \$522,420 in 2019.

¹³ BC Assessment data is divided into geographic areas, and the Central Island includes many RDN communities.

¹⁴ BC Assessment data regarding strata residential properties is unavailable for other municipalities and Electoral Areas within the RDN.

¹⁵ Average assessed values are determined by BC Assessment, and reflect the property value as of July 1 of the previous year. Market value is determined by what a buyer is willing to pay for a home, and what the seller is willing to accept.

¹⁶ BC Assessment data for the RDN is available for Rural Nanaimo, Nanaimo, Lantzville, Parksville, and Qualicum Beach. Rural Nanaimo encompasses large portions of the Region's Electoral Areas.

Table 8: Average Assessed Value for Single-Detached Residential Properties, RDN & Sub-Areas, 2018

Community	2018 Average Assessed Value	2019 Average Assessed Value	% Change
Nanaimo	\$434,000	\$490,000	12%
Lantzville	\$538,000	\$624,000	16%
Parksville	\$433,000	\$448,100	11%
Qualicum Beach	\$542,000	\$615,000	13%
Nanaimo Rural	\$382,100	\$435,000	13%
RDN	\$465,820	\$522,420	13%

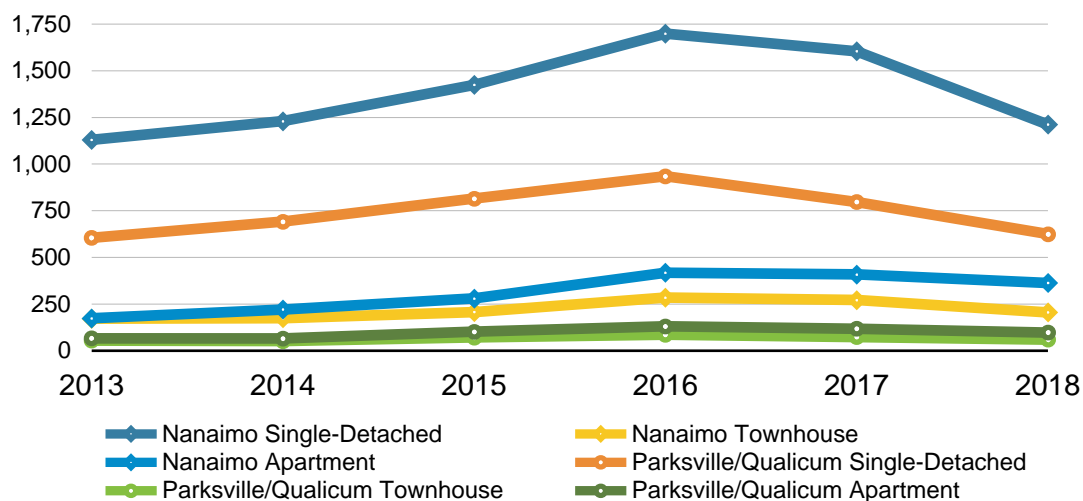
Source: BC Assessment, 2019

REAL ESTATE SALES

The Vancouver Island Real Estate Board provides real estate sales data by dwelling type for different geographic zones on the Island, including Nanaimo, and Parksville/Qualicum Beach. Historical sales data is summarized for single-detached homes, townhouses and apartments in Figure 17. From 2013 to 2016, there was an increase in sales for all dwelling types in both regions. Following 2016, there has been a decrease in sales for all dwelling types in both regions. In Nanaimo, the number of single-detached homes and townhouses sold in 2018 represents a 28% decrease since 2016. In Parksville/Qualicum Beach, this downward trend is more significant, with a 33% reduction in the number of single-detached homes sold between 2016 and 2018, a 30% decrease in the number of townhouses sold between 2016-2018, and a 25% reduction in the number of apartments sold between 2016-2018.

This data indicates the housing markets in Nanaimo and Parksville/Qualicum Beach moderated to some degree from 2016-2018. Despite lower demand, however, assessed values continued to rise.

Figure 17: Real Estate Sales by Housing Type, Nanaimo & Parksville/Qualicum Beach, 2013-2018

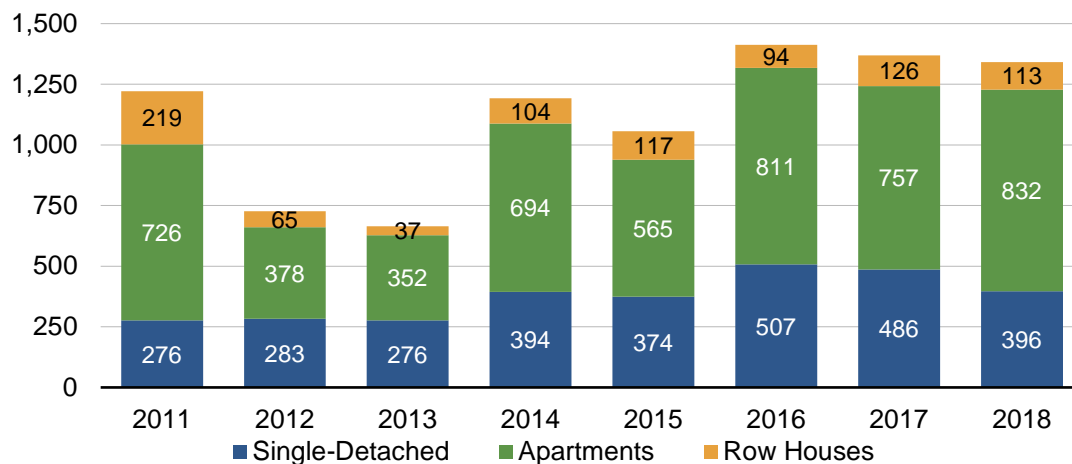


Source: Vancouver Island Real Estate Board, 2013-2018

NEW HOUSING CONSTRUCTION

As demonstrated in Figure 19, the majority of building permits issued in the RDN between 2011 and 2018 were for apartments, totalling approximately 5,115 units.¹⁷ Single-detached dwellings and townhouse permits totalled 2,992 units, and 875 units, respectively. The highest year for apartment building permits was 2018 when 832 permits were issued by municipalities in the RDN. Since 2012, the rate of issue for all residential building permits has increased, and while apartment dwellings represent the majority of issued building permits, the number of single-detached dwelling building permits has increased since 2012. While the number of townhouse permits decreased from 2017 to 2018, townhouse permits have experienced a general upward trend. Combined with the growing number of apartment building permits, and the decrease of single-detached dwelling building permits from 2016-2018, there is increasing variety in the RDN’s housing stock.

Figure 19: Residential Building Permits, RDN, 2011-2018



Source: BC Statistics, Building Permits by Community, 2011-2018

¹⁷ BC Stats data includes building permits issued for additions, and renovations.

The RDN's Building Permit data provides a detailed annual break-down of residential permitting activity for Electoral Areas in the RDN, which illustrates increases and decreases in particular housing forms.

In the Electoral Areas, the majority of building permits issued between 2011 and 2018 were for single-detached dwellings, totalling approximately 1,415 units. Secondary suite and moved on building (factory and non-factory) permits totalled 96 units, and 187 units, respectively. Since the bylaw to allow secondary suites in the electoral areas was adopted in 2014*, the rate of issue for secondary suite permits has increased from 0 in 2011-13, to 32 in 2018 per year, as seen in Table 9.

Table 9 Number of Secondary Suite Building Permits in Electoral Areas, 2011 - 2018

Electoral Area	2011	2012	2013	2014*	2015	2016	2017	2018
A	0	0	0	1	2	2	4	5
B	0	0	0	0	0	0	0	1
C	0	0	0	3	3	3	1	7
E	0	0	0	1	3	7	4	10
F	0	0	0	1	4	2	2	2
G	0	0	0	4	2	2	8	4
H	0	0	0	0	0	2	3	3
Total	0	0	0	10	14	18	22	32

Building permit data from the RDN's municipalities illustrate the distinctions that emerge in more urban settings. While building permit data from Lantzville and Parksville demonstrates a similar pattern to that of the Region's Electoral Areas, Qualicum Beach and Nanaimo exhibit slightly greater variety in homeownership form.

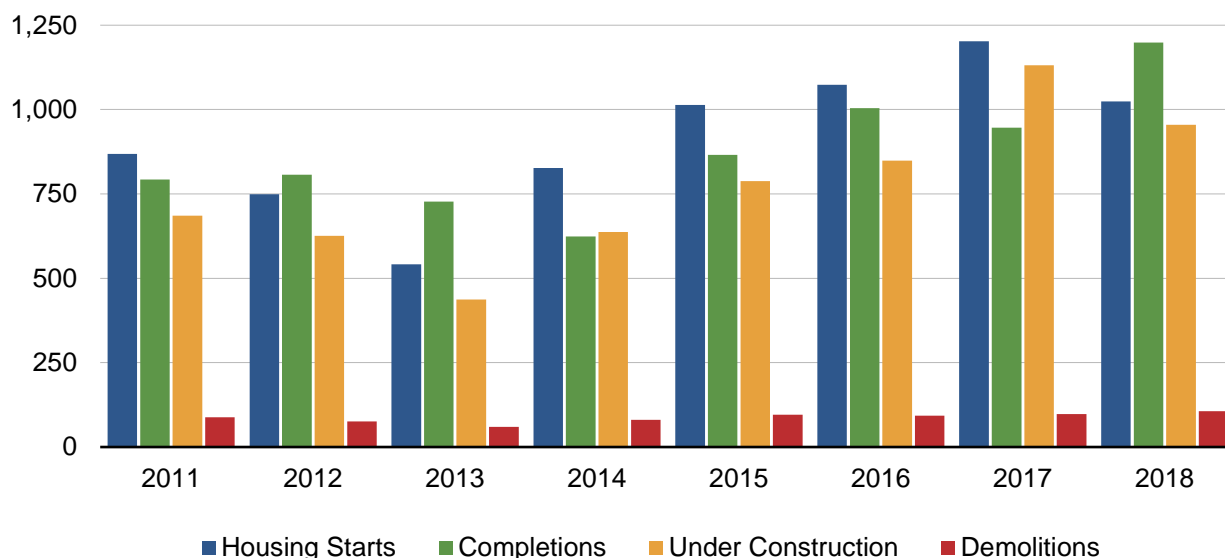
- In Qualicum Beach, the majority of building permits issued between 2011 and 2018 were for single-detached houses, totalling approximately 232 units. Secondary suite and multi-unit dwelling permits totalled 40 units, and 198 units¹⁸, respectively.
- In Nanaimo, the majority of building permits issued between 2011 and 2018 were for single-detached houses, totalling approximately 3,227 units. Secondary suites and multi-unit dwelling permits totalled 790 units, and 2,315 units, respectively.

Housing construction in the RDN is further summarized in Figure 20 which uses CMHC data and information from local municipalities on demolitions to provide an illustration of housing starts, completions, units under construction, and demolitions from 2011 to 2018. In 2018, the majority of the RDN's new housing construction was concentrated in Nanaimo, as 77% of the RDN's housing starts, and 79% of the RDN's housing completions, were located within the RDN's largest municipality. Figure 20 illustrates the pattern of development that has occurred in the RDN since 2011; housing starts,

¹⁸ All the multi-unit permits correspond to buildings of 5 units or less, and 3 stories or less, with the exception of a 94-unit seniors retirement facility constructed in 2017.

completions, and units under construction have increased in the last seven years, reaching a high of 1,202 housing starts in 2017, and 1,199 completions in 2018.

Figure 20: New Housing Construction & Demolitions, RDN, 2011-2018



Source: CMHC, *New Housing Construction, 2011-2018*

Emergency and Non-Market Housing

Affordable, non-market housing refers to housing below market rents or prices, ranging from emergency shelters through various forms of supportive to rent-g geared-to-income (RGI) rentals and housing co-operatives (see Figure 2). The lower rents are maintained as a result of ongoing government subsidy, or created through collection of rents and donations on a non-for-profit business model.

NON-MARKET HOUSING SUPPLY

BC Housing is the central Provincial agency that supports and funds efforts to meet the housing needs of BC’s most vulnerable residents through the provision of affordable housing. The statistics in this section were collected on March 31, 2018, and summarize waitlists, and the number of units for emergency, supportive and independent housing in communities across the RDN. Between 2013 and 2018, the number of non-market housing units in the region has increased by 275 units, and the number of rent supplements has increased by 308 recipients.

At the time of this study, the BC Housing statistics outlined in Table 10 demonstrate that Nanaimo had the highest number and greatest proportion of non-market housing in the region, with a total of 1,539 non-market units, or 83% of the total non-market housing inventory in the region. Parksville followed at 11% of the total inventory (211 units). Qualicum Beach captured 4.5% of the inventory at 84 units. There were very few non-market housing units found in Lantzville, and the Electoral Areas.

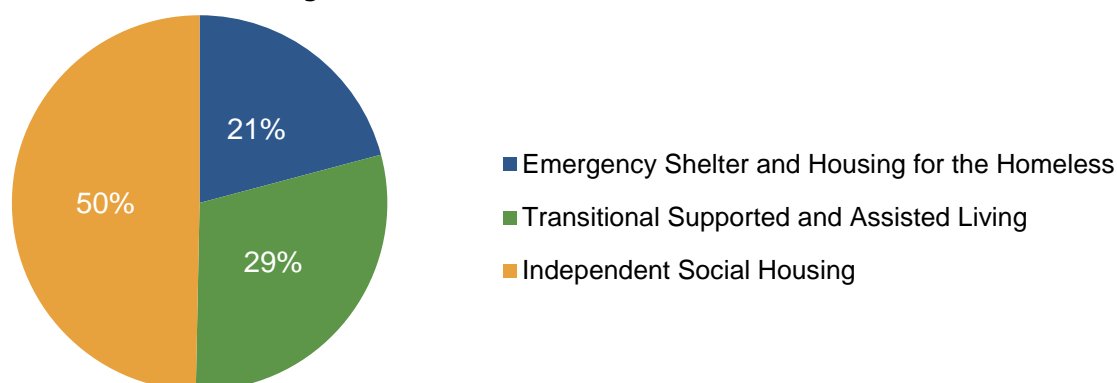
Table 10: Total Number of Non-Market Housing Units, RDN & Sub-Areas, 2018

Community	Emergency Shelter and Housing for the Homeless			Transitional Supported and Assisted Living			Independent Social Housing		Total
	Homeless Housed	Homeless Rent Supplements	Homeless Shelter Beds	Frail Seniors	Special Needs	Women and Children Fleeing Violence	Low Income Families	Low Income Seniors	
Nanaimo	253	75	37	337	122	17	410	288	1,539
Parksville	-	15	8	30	8	-	20	130	211
Qualicum Beach	-	-	-	30	-	-	10	44	84
Electoral Area H	-	-	-	-	-	-	-	20	20
RDN	253	90	45	397	133	18	442	482	1,860*

Source: BC Housing, 2018²⁰

*Note: March 2019, BC Housing data shows an increase between 2018 and 2019 of 122 non-market units; a change of 7% bringing the adjusted regional total of non-market housing units to 1,982.

Figure 21: Non-Market Housing Units, RDN, 2018



Source: BC Housing, 2018

The rent supplements found in Table 11 include individuals and families receiving subsidies through BC Housing’s Rental Assistance Program (RAP) and the Shelter Aid for Elderly Renters (SAFER). The RAP program is a housing subsidy provided to eligible low-income, working families with cash assistance to help with monthly rent payments in the private market. The SAFER program is a housing subsidy for seniors with low to moderate incomes to help make private market rents affordable.

²⁰ Tables 10, 11, 12 and Figure 21, reflect only units where BC Housing has a financial relationship. There may be other subsidized housing units in the community.

Table 11: Total Number of RAP & SAFER Recipients, RDN & Sub-Areas, 2018

Community	Shelter Aid for Elderly Residents	Rental Assistance Program	Total
Nanaimo	720	290	1010
Lantzville	10	4	14
Parksville	164	27	191
Qualicum Beach	92	28	120
Electoral Areas	115	61	176
RDN	1101	410	1511

Source: BC Housing, 2018

Based on the BC Housing data outlined in Table 11, approximately 73% of rental assistance recipients in the RDN access a subsidy through the SAFER program. To be eligible for SAFER, recipients must be over the age of 60, and paying more than 30% of their gross income towards shelter costs. This represents 1.9% of the seniors' population in the RDN (60+) that is receiving rental assistance through the SAFER program.

BC Housing also maintains statistics on waitlists for non-market housing. In 2018, the majority (44%) of waitlist applicants are seeking seniors housing, the remainder, 25% of the waitlist applicants are seeking family housing, and 27% are on the waitlist for a unit for persons with disabilities and/or require wheelchair modified units in the RDN, as seen in Table 12. Between 2013 and 2018, the number of applicants on waitlists for non-market housing has increased significantly, from 227 applicants to 485 applicants. The number of families on the waitlist has remained consistent, while there are substantially more people with disabilities, seniors, and those seeking wheelchair modified units in 2018 than there were in 2013.

Table 12: Applicants on Waitlists for Non-Market Housing, RDN & Sub-Areas, 2018

Community	Types of Units					Total
	Family	People with Disabilities	Seniors	Wheelchair Modified	Singles	
Nanaimo	106	76	147	26	16	371
Lantzville	1	3	2	-	-	6
Parksville	9	10	43	5	-	67
Qualicum Beach	3	7	19	1	1	31
RDN	119	96	221	32	17	485

Source: BC Housing, 2018

Further, BC Housing has a standard Housing Income Limits (HILs - previously known as the Core Need Income Thresholds, or CNITs), which outline the income required for households to pay the average market rent by size of unit in the private market. These limits are outlined in Table 13 on the following page. Residents in the RDN who earn less than the HILs chart may be eligible for non-market housing provided by BC Housing.

Table 13: Housing Income Limits, RDN & Sub-Areas, 2018

Community	Types of Units				
	Bachelor	1 Bdrm	2 Bdrm	3 Bdrm	4+ Bdrm
Nanaimo	\$29,600	\$34,400	\$41,200	\$52,300	\$64,300
Lantzville	\$42,400	\$48,500	\$56,500	\$61,500	\$66,000
Parksville	\$25,600	\$34,300	\$37,900	\$47,100	\$57,900
Qualicum Beach	\$25,600	\$34,300	\$37,900	\$47,100	\$57,900
RDN Electoral Areas	\$42,400	\$48,500	\$56,500	\$61,500	\$66,000

Source: BC Housing, 2018

HOMELESSNESS

Data on homelessness is not available for the entirety of the RDN; yet, there is recent data available from the City of Nanaimo’s Point-in-Time (PiT) Count, and from the provincial PiT Count that was completed in several communities, including Parksville/Qualicum. The Nanaimo Homelessness Coalition conducted the seventh PiT Count in Nanaimo on April 18, 2018. The PiT Count completed in Parksville/Qualicum was coordinated by the Homelessness Services Association of BC, Urban Matters, and the BC Non-Profit Housing Association, and was completed in Spring 2018. These counts used different methodologies, which are explained in further detail below. It is important to note PiT Counts likely undercount those experiencing homelessness in different communities and provide limited information on precariously housed individuals - those that are living in unstable or insecure housing.

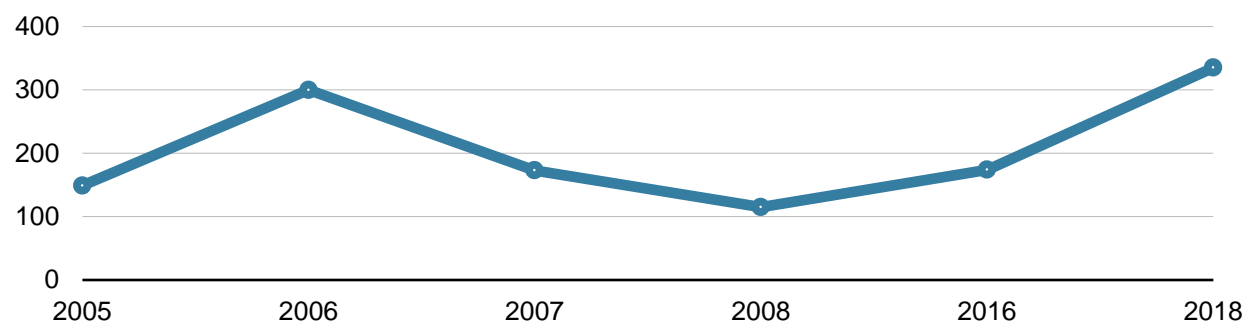
In total, 335 people²¹ were identified as experiencing absolute homelessness²² in Nanaimo, which is a significant increase from 174 people reported in the last PiT Count in the winter of 2016. Of this total, 278 people were unsheltered, and 57 people were sheltered. The PiT Count Report specifies that although this figure is substantially higher than the previous PiT Count in 2016, it is entirely consistent with recent observations of Nanaimo social service agency workers and the local RCMP. Figure 21 demonstrates the increase in the number of persons experiencing absolute homelessness in Nanaimo

²¹ This number is a minimum estimate, and is likely an undercount of those experiencing homelessness in Nanaimo.
²² Absolute homelessness is defined as those individuals living in public spaces, emergency shelters or transitional shelters with no stable residence to return to. Individuals experiencing ‘hidden homelessness,’ categorized as those in temporary or precarious housing, or corrections and medical health facilities, were not included in this count.

since 2005²³, and while 300 people were counted experiencing absolute homelessness in 2006, the PiT Count that year was conducted in the summer, when a greater number of people are typically visibly experiencing absolute homelessness.

According to the 2018 Report on Homeless Counts in B.C., there were 42 people identified as experiencing homelessness, of which 3 people were sheltered and 39 people were unsheltered, in Parksville/Qualicum Beach. The approach used in this count differs from the Nanaimo PiT Count in that the B.C. PiT Count does include people who were couch surfing, if they were identified during the count.

Figure 22: Persons Experiencing Absolute Homelessness, Nanaimo, 2005-2018



Source: Nanaimo Point-in-Time Counts, 2005-2018

DEMOGRAPHIC CHARACTERISTICS

The survey portion of the Nanaimo PiT Count provides self-identified demographic characteristics of the people surveyed, as well as qualitative information regarding their situations - why they became homeless, and what would help them obtain and maintain affordable, suitable housing.

- The minimum number of individuals experiencing absolute homelessness in Nanaimo on April 18, 2018 was 335 people.
- Respondents were able to identify more than one response to what caused them to lose their housing most recently, and of the reasons given, 31% of respondents identified addictions or substance use, 21% indicated inability to pay rent, 14% specified unsafe housing conditions, and 14% referenced conflict with a partner.
- Increasingly high rents and low income were the most frequently cited barriers to finding housing, and 75% of respondents indicated access to affordable housing would help them.
- Those experiencing absolute homelessness in Nanaimo were primarily men over the age of 35, with 18% of the absolute homeless identified as having very poor or poor physical health, and 26% identified as having very poor or poor mental health.

²³ PiT count data is only available from 2005-2008, 2016, and 2018.

- Almost one-third (31%) of those surveyed identified as First Nations, Metis or having Indigenous Ancestry, which is somewhat higher from the 2016 survey figure of 24%.
- In Parksville/Qualicum, those experiencing homelessness were primarily adult men, with 58% of the homeless population identified as having 2 or more health conditions, and 8% of the homeless population identified as Indigenous.
- In both Nanaimo and Parksville/Qualicum Beach, Indigenous people are over-represented when compared to the total population experiencing homelessness, which reflects a provincial trend. According to the 2018 Report on Homeless Counts in B.C., a total of 1,904 survey respondents identified as Indigenous, representation 38% of all respondents. Census data indicates Indigenous People accounted for six percent of B.C.'s total population. Indigenous people face additional barriers in securing safe and affordable housing for a multitude of factors, including poverty and income inequality, health, low income, prejudice, racism, discrimination, justice, and displacement from their home communities²⁴.

HISTORY OF HOMELESSNESS

The majority of Nanaimo respondents (53%) reported that they had been experiencing homelessness for 12 months or more, with 19% experiencing homelessness for 6 months or more in the previous 12 months. In Parksville/Qualicum, 58% of respondents reported that they had been homeless for 1 year or more. These individuals would be considered chronically homeless:

*Individuals, often with disabling conditions (e.g. chronic physical or mental illness, substance use issues), who are currently experiencing homelessness and have been experiencing homelessness for six months or more in the past year (i.e. have spent more than 180 cumulative nights in a shelter or place not fit for human habitation).*²⁵

By differentiating the population experiencing homelessness in terms of length and severity of experience, policy makers and service providers are able to design interventions strategically. Individuals who are chronically and episodically experiencing homelessness account for less than 15% of the homeless population; however, their personal struggles - mental and physical health issues, addictions, legal and justice issues, discrimination - tend to be much more severe.²⁶

While they represent a small fraction of all persons experiencing homelessness, these individuals account for more than half the resources in the homelessness system, including emergency shelter beds and day programs.²⁷ For these reasons, research demonstrates persons experiencing chronic and

²⁴ Indigenous Housing: Policy and Engagement, Final Report to Indigenous Services Canada, April 30, 2019

²⁵ Employment and Social Development Canada, Homelessness Partnering Strategy Directives 2014-2019. Retrieved from: www.esdc.gc.ca/eng/communities/homelessness/funding/directives.shtml

²⁶ Homeless Hub, Addressing Chronic Homelessness, 2014. Retrieved from: www.homelesshub.ca/solutions/prevention/addressing-chronic-homelessness

²⁷ Ibid.

episodic homelessness should be prioritized, and assessment programs can be used to ensure each individual receives the most appropriate intervention.

INDIGENOUS POPULATION AND HOUSING

The Snuneymuxw, Snaw-Naw-As and Qualicum First Nation Reserve Lands are located within the boundaries of the RDN. In 2016, there was 1,035 persons living on Indian Reserve Lands within the region. According to the Census, growth has been accelerated since 2006, averaging 2.2% per year and about 20 people per year over the last two Census years. The population is relatively young with a median age of 33.5 years, compared to the median age of 51 years in the remainder of the region.

Estimates for on reserve population and housing projections for Indian Reserve Lands was outside of the scope of this study. Future years reporting could include a parallel process to consult with First Nation community representatives to better understand the relationship between on reserve and off reserve housing for Indigenous peoples in the region.

Table 14: Historic Population Growth, Indian Reserve Lands in the RDN, 2006 - 2016

Community	2006	2011	2016	Average Growth Rate 2006 to 2016	Average Change, 2006 to 2016	Number of On Reserve Dwellings, 2016
Indian Reserves						
Nanaimo Town 1	279	377	360	2.6%	8.1	115
Nanaimo 2	21	26	20	-0.5%	-0.1	100
Nanaimo 3	50	81	92	6.3%	4.2	
Nanaimo 4	208	180	259	2.2%	5.1	
Nanoose	191	204	230	1.9%	3.9	85
Qualicum	86	81	74	-1.5%	-1.2	30
Total	835	949	1035	2.2%	20	330

Source: Statistics Canada, Census (2016 – 2016)²⁸

The Indigenous communities have on reserve housing programs and there are several housing organizations that serve Indigenous people living in Nanaimo. Currently, there is an estimated 330 on reserve private dwellings (Census 2016, Table 14) and 225 units and 18 beds off reserve housing in Nanaimo (Table 15) provided by several housing organizations as follows:

²⁸ On reserve housing data is from Statistics Canada Census Profile information, which is based on 25% sample data.

Table 15: Off Reserve Housing organizations and Units/Beds, 2018

Organization	Number of Units/Beds
Tillicum Lelum Aboriginal Friendship Centre	Total 20 units and 8 shelter beds
Salish Lelum Youth & Elder Housing	18 independent living units
Friendship Lelum	8 beds
Nanaimo Aboriginal Centre Nanaimo Aboriginal House	25 unit apartment complex
Sanala	35 affordable townhouse units
M'akola Housing Society	127 affordable housing units
Total	225 units/ 18 beds

Source: City of Nanaimo Affordable Housing Discussion Paper, April 2018

It's worth noting that the Snuneymuxw First Nation recently (2019) entered into a Memorandum of Understanding that sets out the terms and understanding between Snuneymuxw First Nation, Nanaimo School District No. 68, the City of Nanaimo, and BC Housing – collectively known as the “Knowledge Partners – for the Te'tuxwtun Project.” The purpose of this project is to jointly develop a site in Harewood that includes complementary mixed uses, such as new affordable housing, learning centre and health and child care services. Snuneymuxw First Nation will lead the development of the project, which is still in the preliminary stages.

Affordability Analysis

Affordability is the relationship between household median income and the estimated income available for either purchasing or renting a home.

The relative affordability of housing in a community is determined by the relationship between average shelter costs (rent or monthly mortgage) and household income. Using CMHC's standards, housing is considered unaffordable if a household spends 30% or more of its gross income on shelter costs. A household is considered to be in “core housing need” if its housing falls below at least one of the adequacy, affordability or suitability standards, and would have to spend 30% or more of its gross income to pay the median rent of alternative local housing that is acceptable (i.e. meets the three housing standards of adequacy, affordability and suitability).

RENTAL AFFORDABILITY ANALYSIS

For rental affordability, median income levels were obtained through Statistics Canada, using a custom tabulation of tax-filer income data.²⁹

Median income means that half of the population is earning more than the median income, and half of the population is earning below the median income. Table 13 illustrates couple household median income levels by selected communities, and the amount of rent they can afford at 30% of their gross incomes, and another scenario at 50% of their gross incomes.

What are shelter costs?

- For renters, shelter costs include rent and utilities.
- For owners, shelter costs include mortgage payments (principal and interest), property taxes, condominium/strata fees (if any), and any payments for electricity, water, and other municipal services.

Housing is one factor in the overall cost of living for individuals and families; other factors include the cost of groceries, transportation, and childcare.

Table 13: Rental Affordability for Couple Households, RDN & Sub-Areas, 2015

Community	Median Annual Income	Median Monthly Income	Available for Rent (30% of income)	Available for Rent (50% of income)	Avg. Rent for All Housing Types			
					Bachelor	1 Bed	2 Bedr	ALL
Nanaimo	\$83,060	\$6,922	\$2,077	\$3,461	\$792	\$885	\$1,085	\$973
Lantzville	\$93,490	\$7,791	\$2,337	\$3,895	-	-	-	\$973
Parksville	\$74,553	\$6,213	\$1,864	\$3,106	\$583	\$755	\$933	\$898
Qualicum Beach	\$74,860	\$6,238	\$1,872	\$3,119	-	\$847	\$1,001	\$944
Cassidy	\$69,720	\$5,810	\$1,743	\$2,905	-	-	-	\$973
Gabriola	\$66,834	\$5,570	\$1,671	\$2,785	-	-	-	\$973
Nanoose Bay	\$89,527	\$7,461	\$2,238	\$3,730	-	-	-	\$973
Coombs/ Errington	\$71,220	\$5,935	\$1,781	\$2,968	-	-	-	\$973
Bowser	\$67,760	\$5,647	\$1,694	\$2,823	-	-	-	\$973
RDN	\$76,780	\$6,398	\$1,920	\$3,199				\$961

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

For several of the smaller RDN communities, CMHC rental information is unavailable. In an attempt to supplement this data, a scan of rental listings in various online sources was undertaken over a two-week

²⁹ Tax-filer data is not available for the RDN Electoral Areas. Data is available at the community-level, and communities located in Electoral Areas have been included where data is available.

period in January 2019. This review yielded insufficient data, as rental listings in several of the smaller communities were extremely limited (i.e. less than 5 units). For the purposes of analysis, average rent levels from the Nanaimo CA (\$973) have been assumed in several of the smaller communities located within the Regional Electoral Areas.

Analyzing Table 13 broadly, it appears that couple households earning the median household income, or more can afford the average rental prices within 30% of their gross incomes, in every community. For several of the smaller RDN communities, CMHC rental information is unavailable. In an attempt to supplement this data, a scan of rental listings in various online sources was undertaken over a two-week period in January 2019. This review yielded insufficient data, as rental listings in several of the smaller communities were extremely limited (i.e. less than 5 units). For the purposes of analysis, average rent levels from the Nanaimo CA (\$973) have been assumed in several of the smaller communities located within the Regional Electoral Areas.

That said, the rental prices vary depending on condition and number of bedrooms, and could be more or less affordable than the average listed price.

Table 14 illustrates the rental affordability for lone parent households, based on their median income levels, and compared to average rental rates. Generally, it appears that lone-parent households earning the median household income, or more can afford the average rental prices within 30% of their gross incomes across the RDN, with the exception of Gabriola, Bowser, and Coombs/Errington. In these communities, lone-parent households would need to spend more than 30% of their incomes on rent. The red highlighted boxes in the following tables demonstrate instances where housing is not affordable for median-income earning households. For instance, in Table 14, the red boxes indicate the households in Gabriola, Coombs/Errington and Bowser would not be able to afford the average rent when spending 30% of their income. As per the CMHC definition of affordability, housing would be unaffordable for these households, as they would need to spend more than 30% of their income toward rent.

Table 14: Rental Affordability for Lone-Parent Households, RDN & Sub-Areas, 2015³⁰

Community	Median Annual Income	Median Monthly Income	Available for Rent (30% of income)	Available for Rent (50% of income)	Avg. Rent for All Housing Types			
					Bachelor	1 Bed	2 Bed	ALL
Nanaimo	\$40,704	\$3,392	\$1,018	\$1,696	\$792	\$885	\$1,085	\$973
Lantzville	\$44,200	\$3,683	\$1,105	\$1,842	-	-	-	\$973
Parksville	\$38,767	\$3,231	\$969	\$1,615	\$583	\$755	\$933	\$898
Qualicum Beach	\$43,507	\$3,626	\$1,088	\$1,813	-	\$847	\$1,001	\$944
Cassidy	<i>Data Suppressed</i>				-	-	-	
Gabriola	\$28,992	\$2,416	\$725	\$1,208	-	-	-	\$973
Nanoose Bay	\$42,397	\$3,533	\$1,060	\$1,767	-	-	-	\$973
Coombs/Errington	\$33,125	\$2,760	\$828	\$1,380	-	-	-	\$973
Bowser	\$31,220	\$2,602	\$781	\$1,301	-	-	-	\$973
RDN	\$37,864	\$3,155	\$947	\$1,578	-	-	-	\$961

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

Table 15 illustrates rental affordability for single-person households, based on median income levels, and compared to average rental rates. Within the RDN, single people have the lowest median income compared to other household groups, and have the least amount of choice in the rental market. At 30% of their incomes, single people earning the median income in the RDN could afford \$717 towards rent, or \$1,196 towards rent if they spent 50% of their gross income on housing. Median household income for single people is the lowest in Coombs/Errington. In the communities where CMHC rental data is available (Nanaimo, Parksville, Qualicum Beach), average rents, and incomes, in Parksville are the lowest. While this is an interesting dynamic, market rental rates are a result of numerous factors, and are not necessarily related to median household income.

Generally, single person households earning the median income, and below median income, cannot afford the average rental prices in their communities at 30% of their gross incomes. This is particularly the case in Coombs and Errington, where households would be required to spend more than 50% of their respective incomes on rent. As specified in the Housing Tenure section, the share of renter households in Electoral Area F (where Coombs and Errington are located) is substantial, at 27%.

³⁰ Tax-filer data for lone-parent households in Cassidy has been suppressed due to privacy reasons, as there are a limited (<20) number of households of lone-parent households in this Census Designated Place.

Table 15: Rental Affordability for Single Person Households, RDN & Sub-Areas, 2015

Community	Median Annual Income	Median Monthly Income	Available for Rent (30% of income)	Available for Rent (50% of income)	Avg. Rent for All Housing Types			
					Bachelor	1 Bed	2 Bed	ALL
Nanaimo	\$28,689	\$2,391	\$717	\$1,195	\$792	\$885	\$1,085	\$973
Lantzville	\$31,470	\$2,623	\$787	\$1,311	-	-	-	\$973
Parksville	\$28,467	\$2,372	\$712	\$1,186	\$583	\$755	\$933	\$898
Qualicum Beach	\$30,400	\$2,533	\$760	\$1,267	-	\$847	\$1,001	\$944
Cassidy	\$29,660	\$2,472	\$742	\$1,236	-	-	-	\$973
Gabriola	\$24,166	\$2,014	\$604	\$1,007	-	-	-	\$973
NanOOSE Bay	\$33,130	\$2,761	\$828	\$1,380	-	-	-	\$973
Coombs/ Errington	\$22,770	\$1,898	\$569	\$949	-	-	-	\$973
Bowser	\$29,540	\$2,462	\$739	\$1,231	-	-	-	\$973
RDN	\$28,699	\$2,392	\$717	\$1,196	-	-	-	\$961

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

Table 16 provides a summary of rental affordability for all RDN households by age, comparing the ability to afford rent between couple households, lone parent households, and single person households. The data indicates that median rental housing prices should be affordable for most couple households in the RDN. There is a significant decrease in the ability of single-person households to afford average rent prices compared to couple households and lone-parent households. Most single-person households would need to spend between 30% and 50% of their monthly income to afford average rental prices in the RDN. Rental affordability is particularly challenging for younger households, as lone-parent families, and single persons under the age of 25 do not appear to be able to afford average rental prices with 50% of median gross incomes.

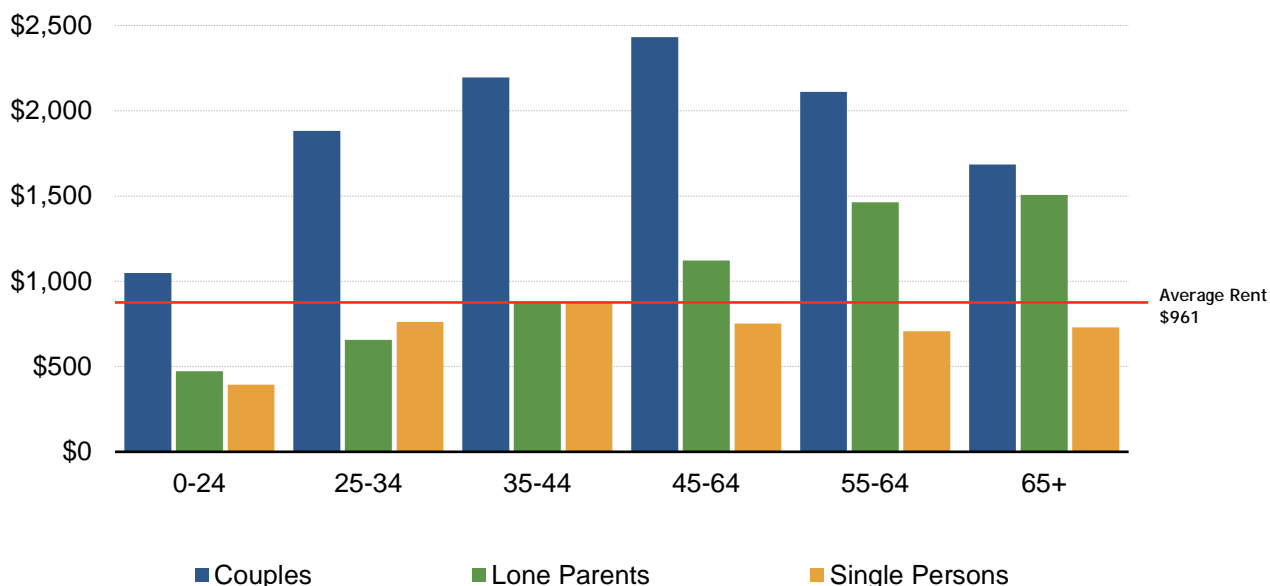
Table 16: Rental Affordability for RDN Households by Age, 2015

Age Group	Available for Rent (30% of income)			Available for Rent (50% of income)			Average Monthly Rent
	Couple Households	Lone Parent Households	Single Person Households	Couple Households	Lone Parent Households	Single Person Households	All Units
0 to 24	\$1,049	\$472	\$393	\$1,749	\$787	\$655	\$961
25 to 34	\$1,881	\$657	\$762	\$3,136	\$1,096	\$1,270	\$961
35 to 44	\$2,196	\$872	\$874	\$3,660	\$1,453	\$1,457	\$961
45 to 54	\$2,431	\$1,121	\$753	\$4,052	\$1,868	\$1,256	\$961
55 to 64	\$2,110	\$1,463	\$708	\$3,517	\$2,438	\$1,180	\$961
65+	\$1,684	\$1,506	\$730	\$2,806	\$2,510	\$1,217	\$961
ALL	\$1,894	\$946	\$692	\$3,157	\$1,576	\$1,154	\$961

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

While couple households and lone-parent households over the age of 65 should be able to afford rents within 30% of median gross incomes, lower incomes mean they are more challenged than other age groups with housing affordability. Many seniors in this category may have limited incomes and rely on income from federal government programs, such as Old Age Security (OAS) and Canadian Pension Plan (CPP), and may lack savings and other sources of financial support. At the same time, some seniors may have assets, may have paid off their mortgages, or have other wealth accumulation that is not accounted for. Or, conversely, some seniors may have inherited debt. These are all additional factors that influence households' ability to afford rent. Furthermore, when considering average monthly shelter costs, rental prices vary depending on condition and number of bedrooms and could be more or less affordable than the typical listed price.

Figure 23: Summary of Rental Affordability for RDN Households by Age + Median Income Levels, 2015



Source: Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

HOMEOWNERSHIP AFFORDABILITY ANALYSIS

Households pursuing homeownership rather than rental will require a mortgage and must be qualified by a banking institution or a mortgage broker to obtain one. Basic home purchasing assumptions are made in order to determine the maximum purchase price and the maximum amount that households can borrow. For this report, assumptions were based on typical expenses and 2019 mortgage rates, including:

- Gross Debt Service (GDS) Ratio at 35% (entire monthly debt, such as car loans and credit card payments, including the potential monthly mortgage payment, should be no more than 35% of gross monthly income);
- Bank of Canada Reported 5-Year Fixed Rate (semi-annual) at 5.34%;
- Amortization Period of 25 years; and,
- Monthly maintenance fees at \$200, property taxes at \$250, and utilities/heating at \$100.

It is important to note that this analysis does not consider household debt, or savings, as that information is not publicly-available. Furthermore, this analysis does not incorporate the new mortgage rules introduced in 2018, which require all federally regulated financial institutions to vet borrowers' applications using a minimum qualifying rate equal to the greater of the Bank of Canada's five-year benchmark rate, or their contractual rate, plus two percentage points. This mortgage stress test is designed to ensure that borrowers can afford their mortgage payments even if interest rates increase. Ultimately, this stress test promotes affordability, and results in households qualifying for smaller mortgages.

Homeownership affordability can be estimated based on the assumptions made about a household's ability to obtain a mortgage, and using the median household income from Statistics Canada (tax-filer income data)³¹. For the RDN, using the 2018 combined benchmark price³² of single-detached homes, townhouses, and apartments (\$440,917)³³, most lone-parent and single-person households would not be able to afford a home within 30% of their gross incomes with a 10% down payment. As this analysis is based on median income levels, those households earning greater than the median income can afford more, as well as households that have saved large down-payments. Single-detached homes (SDH) are substantially more expensive than apartments (APT) in the RDN, thus the tables below assess homeownership affordability using average apartment prices.

Table 17 demonstrates the maximum purchase price that a couple household earning the median income can afford with a 10%, and 5% down payment. In the RDN, couple households earning the median income can purchase a home for \$312,277, with a 10% down payment. Given the benchmark sales price for an apartment is \$335,400 in the RDN, some couple households earning the median income cannot afford to purchase a home within 30% of their gross incomes. For households in Cassidy, Gabriola, Coombs/Errington, Bowser, Parksville, and Qualicum Beach, homeownership is more challenging, and couple households in these communities are more likely to afford rent than qualify for a mortgage.

Based on residential building permit data, there has been significant new apartment construction in the last ten years, which indicates there should likely be sufficient supply to accommodate couple households who would like to purchase an apartment unit. Table 20 indicates the ability to purchase a home varies with age, with the highest purchasing power falling in the 45 to 54 age group earning the median income, who can afford a home worth up to \$422,679. Couples under the age of 35, and over the age of 65, earning the median income are priced out of the homeownership market.

³¹ Tax-filer data is not available for the RDN Electoral Areas. Data is available at the community-level, and communities located in Electoral Areas have been included where data is available.

³² Estimated sale price of a benchmark property. Benchmarks represent a typical property in each market, and tend to be slightly lower than corresponding medians and averages.

³³ The Vancouver Island Real Estate Board provides benchmark price data for six sub-regions on Vancouver Island, including Nanaimo, and Parksville/Qualicum Beach. For smaller communities without VIREB data, sub-regional benchmark prices are used for analysis.

Table 17: Homeownership Affordability for Couple Households, RDN & Sub-Areas, 2015

Community	Median Annual Income	Maximum Mortgage	Purchase with 10% Down	Purchase with 5% Down	Average Sale Price		
					SDH	TH	APT
Nanaimo	\$83,060	\$311,521	\$346,134	\$327,917	\$550,200	\$347,200	\$323,500
Lantzville	\$93,490	\$362,129	\$402,365	\$381,188	\$550,200	\$347,200	\$323,500
Parksville	\$74,553	\$270,244	\$300,271	\$284,467	\$571,500	\$505,800	\$347,300
Qualicum Beach	\$74,860	\$271,733	\$301,926	\$286,035	\$571,500	\$505,800	\$347,300
Cassidy	\$69,720	\$246,793	\$274,215	\$259,782	\$550,200	\$347,200	\$323,500
Gabriola	\$66,834	\$232,790	\$258,656	\$245,042	\$550,200	\$347,200	\$323,500
Nanoose Bay	\$89,527	\$342,900	\$381,000	\$360,947	\$571,500	\$505,800	\$347,300
Coombs/Errington	\$71,220	\$254,072	\$282,302	\$267,444	\$571,500	\$505,800	\$347,300
Bowser	\$67,760	\$237,283	\$263,648	\$249,772	\$571,500	\$505,800	\$347,300
RDN	\$76,780	\$281,049	\$312,277	\$295,842	\$560,850	\$426,500	\$335,400

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

As seen in Table 18, median income earning lone-parent households are challenged to afford the benchmark prices of housing in the RDN, and would be more likely to rent than own their homes. Table 18 indicates homeownership is slightly more attainable for lone-parent households above the age of 65, as those households could be able to afford a home worth up to \$223,116. Similar to the couple household analysis, lone-parent households in Gabriola, Coombs/Errington, and Bowser, have lower household incomes than the RDN average, and are particularly challenged to afford the benchmark price of housing in the RDN.

Table 18: Homeownership Affordability for Lone Parent Households, RDN & Sub-Areas, 2015

Community	Median Annual Income	Maximum Mortgage	Purchase with 10% Down	Purchase with 5% Down	Average Sale Price		
					SDH	TH	APT
Nanaimo	\$40,704	\$106,004	\$117,782	\$111,583	\$550,200	\$347,200	\$323,500
Lantzville	\$44,200	\$122,967	\$136,630	\$129,439	\$550,200	\$347,200	\$323,500
Parksville	\$38,767	\$96,605	\$107,339	\$101,690	\$571,500	\$505,800	\$347,300
Qualicum Beach	\$43,507	\$119,604	\$132,894	\$125,899	\$571,500	\$505,800	\$347,300
Cassidy	<i>Data Suppressed</i>						
Gabriola	\$28,992	\$49,176	\$54,640	\$51,764	\$550,200	\$347,200	\$323,500
Nanoose Bay	\$42,397	\$114,219	\$126,909	\$120,230	\$571,500	\$505,800	\$347,300
Coombs/Errington	\$33,125	\$69,230	\$76,922	\$72,873	\$571,500	\$505,800	\$347,300
Bowser	\$31,220	\$59,986	\$66,651	\$63,143	\$571,500	\$505,800	\$347,300
RDN	\$37,864	\$92,025	\$102,250	\$96,868	\$560,850	\$426,500	\$335,400

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

Table 19 demonstrates single individuals are priced out of the homeownership market. There may be occurrences where singles in these age groups earn more than the median income and, with substantial savings, could possibly find a way to buy. For single person households, there is limited variation among RDN communities, as singles across the region are unable to afford homeownership.

Table 19: Homeownership Affordability for Single Person Households, RDN & Sub-Areas, 2015

Community	Median Annual Income	Maximum Mortgage	Purchase with 10% Down	Purchase with 5% Down	Average Sale Price		
					SDH	TH	APT
Nanaimo	\$28,689	\$47,705	\$53,006	\$50,216	\$550,200	\$347,200	\$323,500
Lantzville	\$31,470	\$61,199	\$67,999	\$64,420	\$550,200	\$347,200	\$323,500
Parksville	\$28,467	\$46,628	\$51,809	\$49,082	\$571,500	\$505,800	\$347,300
Qualicum Beach	\$30,400	\$56,007	\$62,231	\$58,955	\$571,500	\$505,800	\$347,300
Cassidy	\$29,660	\$52,417	\$58,241	\$55,176	\$550,200	\$347,200	\$323,500
Gabriola	\$24,166	\$25,759	\$28,621	\$27,115	\$550,200	\$347,200	\$323,500
Nanoose Bay	\$33,130	\$69,254	\$76,949	\$72,899	\$571,500	\$505,800	\$347,300
Coombs/ Errington	\$22,770	\$18,986	\$21,095	\$19,985	\$571,500	\$505,800	\$347,300
Bowser	\$29,540	\$51,835	\$57,594	\$54,563	\$571,500	\$505,800	\$347,300
RDN	\$28,699	\$42,829	\$47,588	\$45,083	\$560,850	\$426,500	\$335,400

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

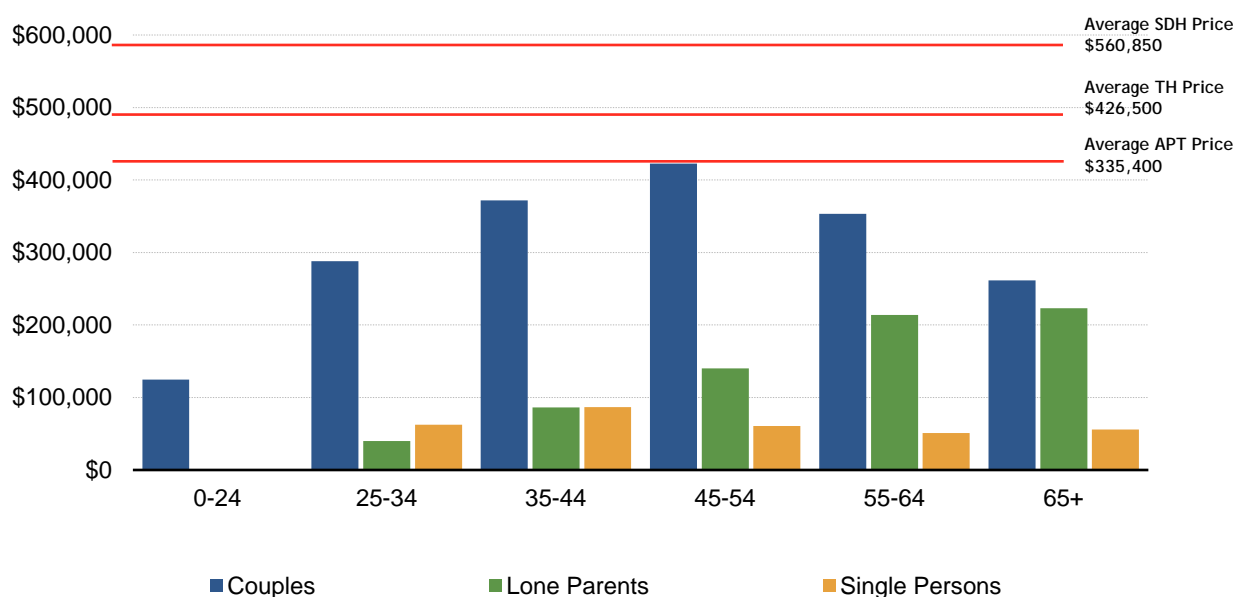
Table 20 summarizes homeownership affordability for all RDN households by age, which illustrates the majority of lone-parent and single person households are priced out of the homeownership market, and would be required to rent their homes. While the affordability analysis indicates older households may not be able to afford to purchase homes in the RDN, older households may have paid off their mortgages, or have accumulated savings sufficient to cover shelter costs. Simultaneously, this measurement applies to households who have already entered the homeownership market and does not reflect challenges new households may experience trying to enter the homeownership market.

Table 20: Homeownership Affordability for RDN Households by Age, 2015

Age Group	Purchase Price with 10% Down			Purchase Price with 5% Down			Average Sale Price		
	Couple	Lone Parent	Single Person	Couple	Lone Parent	Single Person	SDH	TH	APT
0 to 24	\$124,586	Unable to afford mortgage	Unable to afford mortgage	\$118,029	Unable to afford mortgage	Unable to afford mortgage	\$560,850	\$426,500	\$335,400
25 to 34	\$287,887	\$40,110	\$62,667	\$272,735	\$37,999	\$59,369	\$560,850	\$426,500	\$335,400
35 to 44	\$371,867	\$86,383	\$86,825	\$352,295	\$81,837	\$82,256	\$560,850	\$426,500	\$335,400
45 to 54	\$422,679	\$139,994	\$60,791	\$400,433	\$132,626	\$57,592	\$560,850	\$426,500	\$335,400
55 to 64	\$353,348	\$213,746	\$50,990	\$334,751	\$202,497	\$48,306	\$560,850	\$426,500	\$335,400
65+	\$261,389	\$223,116	\$55,863	\$247,632	\$211,374	\$52,923	\$560,850	\$426,500	\$335,400
ALL	\$306,843	\$117,246	\$50,043	\$290,693	\$111,075	\$47,409	\$560,850	\$426,500	\$335,400

Source: CMHC Rental Market Report 2017; Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

Figure 24: Summary of Homeownership Affordability for RDN Households by Age + Median Income Levels, 2015



Source: Statistics Canada, Income Statistics, Tax-filer Data, Annual Estimates for Census Families and Individuals, 2015

Based on median income data, it would appear market homeownership is out-of-reach for many lone-parent and single-person households. Consequently, these households may remain in rental housing, meaning individuals on fixed incomes or social assistance may face greater challenges in securing rental units. Affordability limitations mean that households “stuck” in rental housing create pressure on the rental housing stock, which contributes to the limited rental vacancy rates in Parksville and Qualicum Beach. With rising rental and homeownership prices in many Regional District communities, local municipalities will likely continue to encounter affordability challenges.

Key Conclusions from the Housing Indicators

This section demonstrates housing affordability in the RDN is challenging, as lone-parent households and single-person households are priced out of the homeownership market, and households under the age of 25 are likely to spend more than 30% of their gross income on housing. While the average rental housing prices should be affordable for most RDN couple households, the analysis indicates that a potentially sizeable minority of lone-parent and single person households are having difficulty finding and affording suitable housing in the RDN. While there has been a positive shift in the rental market in Nanaimo and Parksville, limited rental vacancies remain in Lantzville and Qualicum Beach. This demonstrates a need to continue to monitor the overall rental market absorption rate and suggests a need for additional purpose-built rental housing in areas where the majority of growth is intended, including the Urban Centres and the Rural Village Centres.

Demographic data indicates the RDN is aging; projected deaths are anticipated to increase at a much faster rate than either projected births or projected net migration, leading to a slowdown in population growth. With existing waitlists for seniors housing across the RDN, it will be important to provide accessible housing in proximity to services and amenities for older residents. In rural areas, this challenge is compounded by transit limitations, as many older residents are living in remote locations, far from social supports, and healthcare services.

Specific housing needs and gaps are assessed, and addressed more thoroughly in Part 2 of this report. Engaging with community stakeholders and local associations facilitated a greater understanding of the unique challenges facing specific population groups across the region. Qualitative data, summarized in Appendix B, coupled with the relevant quantitative housing data contained in this report, has helped to highlight recommendations and possible opportunities for improving housing affordability in the RDN.

Part 2: Regional Housing Needs + Gap Analysis

Introduction

Part 2: Regional Housing Needs + Gap Analysis applies the housing indicators information and affordability analysis presented in *Part 1: Regional Housing Indicators* of this report to assess the housing gaps and needs across the region, and provides key insights on individual communities. This section also offers strategic direction regarding policy recommendations, and/or regulatory tools that can be further explored by the RDN and member municipalities as part of future planning initiatives. Where data is referenced from *Part 1: Regional Housing Indicators*, it is noted for completeness and the reader's convenience.

Regional Themes

Based on the housing indicators data, and stakeholder input received, there are broad themes to consider when examining regional housing capacity and gaps. These trends are summarized below:

- **Ageing Demographics:** When considering the population projections for the RDN, the most significant trend will be an aging of the region's population as baby boomers age. Projected deaths in the RDN are projected to increase at a much faster rate than either projected births or projected net migration, leading to a slowdown in population growth based on historic trends reflected in the Baseline Growth Scenario. With existing waitlists for seniors housing, and limited age-friendly options in more rural areas, it will be important to focus efforts on creating more seniors-oriented housing.
- **Managing Growth:** The majority of the projected population growth is forecast to occur in the City of Nanaimo, which aligns with the Regional Growth Strategy as Nanaimo is identified as the Regional Urban Centre within the Growth Containment Boundary. It will be important to provide affordable rental options, and supportive housing for vulnerable populations within the City, particularly given recent Point-in-Time (PiT) Count data indicates the number of people experiencing absolute homelessness in Nanaimo has increased since 2016.
- **Transportation and Housing:** The cost of transportation is typically the second highest expense for households after the cost of housing. Currently, the level of transit service varies across the region and a few Electoral Areas (Area A and F) have opted out of expanding transit services. Thus, it's important to prioritize transit-orientated development to promote a more fulsome picture of household affordability as well as encourage transit ridership and active transportation options.
- **Trailers and RVs:** With limited rental vacancies, and rising rental prices, households have turned to short-term accommodation for long-term housing. Stakeholders expressed concern for vulnerable residents residing in Recreational Vehicles (RVs) or living in their vehicles year-round. Safety issues and health concerns have been observed.

- **Regional Focus:** The findings in this report help to establish a baseline for future years reporting³⁴ that demonstrates the current housing situation and anticipated housing needs. It can be used to inform subsequent planning processes, such as through the update to the Regional Growth Strategy and the proposed development of a Regional Housing Strategy.

Community Characteristics

CITY OF NANAIMO

Nanaimo Housing Highlights

- Nanaimo is a relatively affordable community for couple households with median incomes (\$83,060), who are looking to rent or purchase a home.
- Those with the least choice in the Nanaimo housing market include youth, lone-parent households, low-income families, low-income individuals, and single person households.
- Based on BC Housing waitlist data, there is a need for additional non-market housing in Nanaimo, particularly affordable family-oriented rental housing (3+ bedroom units), and seniors housing.
- There is a demonstrated need for supportive housing for individuals who are experiencing homelessness and are currently living on the street or in shelters.
- Rental vacancy rates are currently healthy, having increased from 1.7% in 2016 to 2.4% in 2018. With additional purpose-built rental housing constructed, it will be important to monitor vacancy rates, and understand the rate at which absorption is occurring.

Nanaimo is located on the southeastern coast of the RDN, and is one of the most urban areas in the region. With the most diverse housing stock in the RDN, Nanaimo has 22% apartment and 78% ground-oriented housing. It also has the highest proportion of renters in the region (32%), and the largest number of short-term rental listings. Nanaimo has more renters, and more purpose-built rental stock, than anywhere else in the RDN.

On the whole, Nanaimo can be considered to be a relatively affordable community in which to live for the average working couple and family, with a median income or more. However, single parents and single people living on their own earn much less than couples (which is consistently true for all singles living in the RDN). Single persons earning the median income (\$28,689), and below median income, cannot afford the average rental prices in Nanaimo at 30% of their gross incomes. Because of these affordability challenges, these households are likely to experience less choice in the rental housing market and may, at times, acquire rental units in poor condition, and ill-suited to their needs, in order to afford a home within their budgets. Although the housing supply in Nanaimo is reported as being in

³⁴ Under the *Local Government Act*, local governments are required to produce a Housing Needs Report every five years.

relatively good condition (6% in need of major repair), the rental housing stock likely accounts for those units in the greatest need of repair, especially older apartments. This assumption is further supported by observations from community-based organizations.

The distribution of non-market housing units in the region is proportionately highest in Nanaimo, with a total of 1,539 units (37 of which are temporary / emergency beds). This accounts for 83% of the non-market housing inventory in the RDN as a whole. As per Table 10, Nanaimo also has the highest number of rental subsidy recipients: 720 SAFER (low-income seniors' subsidy) and 290 RAP (low-income families subsidy). This accounts for 67% of the rental subsidies offered in the region.

The amount of non-market housing in Nanaimo is not over-supplied, or disproportionate for the region. The demand for non-market housing is the greatest in Nanaimo: 371 applicants are on the wait list for affordable non-market housing, 147 of which are for affordable seniors housing. The wait list for non-market housing in Nanaimo accounts for 74% of the applications in the region. Within the RDN, the majority of people experiencing homelessness are located in Nanaimo, estimated at 335 homeless individuals (2018).³⁶ Given the challenges of locating and interviewing homeless individuals, the count is believed to be an undercount.

DISTRICT OF LANTZVILLE

Lantzville Housing Highlights

- Lantzville is a relatively affordable community for couple households that have median incomes, and who are looking to rent or purchase a home.
- Those with the least choice in the Lantzville housing market include singles, low-income families, and low-income individuals.
- Given the proximity of Lantzville to Nanaimo, it is likely there is a need for additional non-market housing for families and seniors. Improving access to rent supplements may be a viable option.

The coastal community of Lantzville was incorporated in 2003, and is located approximately 13.5 kilometres north of the City of Nanaimo. Stakeholder emphasized that while the data indicates growth pressures and demand for non-market housing are concentrated in Nanaimo, the District of Lantzville is likely going to experience similar challenges due to its proximity to the City.

The housing stock in Lantzville almost entirely comprises single-detached homes (99%). While these units are in relatively good condition (8% require major repairs), the majority of the stock was constructed before 1991 (75%). While the age of buildings is not necessarily a reflection of the quality or

³⁶ Nanaimo Point-in-Time Count Report, 2018

condition of the housing stock, it is another characteristic that helps with the overall understanding of the stock.

Lantzville has a very high proportion of owner occupancy, with 88% owner household. Incomes are above average in Lantzville compared to the region, yet rental affordability is still challenging for single person households, who would be required to spend more than 30% of their monthly incomes on shelter costs. Couples earning the median income or more (with or without children) can afford to purchase the average townhouse or apartment unit. Singles living on their own have the greatest challenge affording rent, and are unlikely to afford purchasing a home of their own.

Lantzville has no units of non-market housing³⁵. There are 14 rent supplement recipients, 10 of which are dedicated to seniors (SAFER program). Lantzville has 6 applicants on the waitlist for non-market housing, divided between all housing category types: 1 for family, 2 for seniors and 3 for persons with disabilities.

CITY OF PARKSVILLE

Parksville Housing Highlights

- Couple households, earning the median income or more, can afford the average rental prices in Parksville. Yet, unlike Nanaimo and Lantzville, couple households are not as easily able to afford the purchase price of the average townhouse or apartment unit.
- Those with the least choice in the housing market are low-income singles and low-income families, especially single parents.
- There is a demonstrated need for affordable home ownership and purpose-built rental housing in Parksville.

The City of Parksville is located 37 kilometres north of Nanaimo along the eastern coast of Vancouver Island. The municipality has a moderately diverse housing stock, with 38% apartments, mobile dwellings, and other ground-oriented units, such as townhouses. The stock is in relatively good condition (4% require major repairs, and 25% of residents are renters).

Parksville is characterized as having proportionately more households earning low incomes compared to Nanaimo, Lantzville and Qualicum Beach. Average rental prices in Parksville are among the lowest in the region, and while single individuals would be challenged to afford rents for 1 bedroom units, bachelor units would be affordable and within 30% of their monthly income. Rental vacancy rates in

³⁵ This data reflects only units where BC Housing has a financial relationship. There may be other subsidized housing units in the community.

Parksville are among the lowest in the region at 0.2%, and the number of purpose-built rental housing units in the community has decreased from 2012 to 2018.

Couples, lone-parent families, and single individuals in Parksville cannot afford the average priced apartment or townhouse. There are likely instances of homeowners in Parksville struggling to pay their mortgages and other expenses associated with the cost of living, especially transportation. Community stakeholders stressed the importance of concentrating affordable housing in areas with amenities and transit service. Transportation costs can be significant and it is important to prioritize the development of affordable housing in areas with access to transit.

The non-market housing supply in Parksville is reflective of the community needs with respect to income and housing disparities. Parksville has the second highest number of non-market housing units in the region at 211, accounting for 11% of the region's non-market housing stock. It also has the second highest number of rent supplement recipients at 191 (13% of rent supplements in the region). This is further reflected in waitlist data – Parksville has the second highest number of applicants on the non-market housing waitlist (67, or 13% of all waitlist applicants in the region). The majority of applicants are seeking seniors housing (43 applicants), with 9 for family, 10 for persons with disabilities, and 5 for accessible units.

TOWN OF QUALICUM BEACH

Qualicum Beach Housing Highlights

- Couple households, earning the median income or more, can afford the average rental prices in Qualicum Beach. However, given low vacancy rates and limited purpose-built rental stock, there is a need for additional rental housing in Qualicum Beach. As is the case in Parksville, these couple households are not as easily able to afford the purchase price of the average townhouse or apartment unit.
- There is a demonstrated need for affordable housing in Qualicum Beach, especially seniors housing to reflect the current age demographics.

Of the region's four member municipalities, Qualicum Beach has the oldest population, with the highest median age of 65.9. When conducting an affordability analysis in a municipality where the majority of residents are seniors, it is important to recognize the distinctions that may emerge based on median income levels. Many seniors may have limited incomes and rely on income from federal government programs, such as Old Age Security (OAS) and Canadian Pension Plan (CPP), and may lack savings and other sources of financial support. At the same time, some seniors may have assets, may have paid off their mortgages, or have other wealth accumulation that is not accounted for. These are all additional factors that influence households' ability to afford rent.

Given the difficulty in calculating household debt, or savings, tax-filer income data provides a cursory understanding of households that are experiencing affordability challenges. Couple households should be able to afford rent within 30% of their gross incomes, however these households would be challenged to afford the average price of a townhouse or apartment. Lone-parent households and single-person households have lower incomes and would be challenged to afford the benchmark price of housing in Qualicum Beach.

The Town of Qualicum Beach demonstrates a typical housing mix for a community of its size and location with 79% single-detached homes, with some apartments and other ground-oriented housing. The housing stock is in very good condition, with only 3% of units requiring major repairs. As for tenure, the ratio is comparable to Lantzville with 14% of households being renters. Qualicum Beach has the lowest vacancy rate in the region (0%), and very limited purpose-built rental stock. The cost of rental housing has increased substantially in the last ten years – from \$586 in 2009, to \$984 in 2018. With increasing rental prices, limited purpose-built rental stock, and a 0% vacancy rate, there is demand for additional rental housing in Qualicum Beach.

There are 84 units of non-market housing in Qualicum Beach, which is 4.5% of the region's stock. There are 120 rent supplement recipients, 92 of which are dedicated to seniors (SAFER program). Qualicum Beach has 31 applicants on the non-market housing waitlist, divided between all housing category types: 3 for family, 19 for seniors, 7 for persons with disabilities, 1 for an accessible units, and 1 for singles.

Housing Highlights for Rural Areas

Rural Housing Highlights

- An estimated 25% of the region's population (2016 Census) live in rural, unincorporated areas of the RDN.
- A sizeable percentage (36%) of housing was constructed between 1961 and 1980. The majority (84%) of households are owner-occupied.
- A slightly higher proportion (7%) of homes in rural areas are in need or major repairs. Electoral A and B are the highest with 9%.
- Typical of rural areas, the predominant housing form is single-detached (86%). At 8%, the rural areas have the highest proportion of the mobile/manufactured housing stock in the region.
- Lack of multi-residential development limits market and non-market housing options in rural areas, posing a challenge to low income families, individuals and people on a fixed income (e.g., seniors on pension and people with disabilities.)
- Seniors living in rural areas are challenged to find adequate and suitable housing to enable them to age-in-place.
- Low population density may contribute to limited public transportation options.

Housing issues in rural areas are quite diverse and are heavily influenced by a region's proximity to major urban areas; whether it has been designated as a potential resort or retirement community; and whether there has been population decline or growth in recent years. In addition to these external factors, expansion of transit service may be slower to develop in some areas due to low population density. The RDN shares many of these same rural characteristics and is also attributed with a lack of rental housing and general high market appeal that serves to maintain high property values. Consequently, the RDN has developed select policies and regulations in support of affordable housing, such as permitting secondary suites across the Electoral Areas. With the change in regulations in 2014 to support secondary suites, the number of secondary suites has gradually increased with an average of 19 new units per year between 2014 and 2018. 2018 shows the highest increase in a given year with 32 units. It's also worth noting that a few rural areas (Area A and H) are scheduled for an expansion of RDN transit service in 2020.

Tax-filer data was only available for select areas within four of the Electoral Areas, those being: Cassidy (Area A), Gabriola Island (Area B), Coombs/Errington (Area F) and Bowser (Area H). Of these areas, median income levels are among the lowest in the region. Low income households would be challenged to afford a rental unit within 30% of their monthly income, and home ownership is out-of-reach for the majority of the households, including couples families.

Additionally, stakeholders expressed concern for rural residents using recreational trailers for long-term housing. This is a growing trend, and concerns regarding living in conditions (i.e., health, sanitation and safety) were expressed.

Regional Housing Needs

PRIORITY GROUPS

Based on an analysis of data in the Housing Indicators Report and feedback from stakeholder workshops and key informant interviews, the following priority groups have been identified:

- **Low-Income Seniors:** Population projections and demographic data indicate the RDN is experiencing population aging. This is related to national trends across Canada, as baby-boomers age. Currently, several communities in the RDN have older age profiles than the rest of B.C., and are aging more quickly. There is a net positive inflow for those above the age of 65, and while many of these retirees may be relatively affluent, many long-time resident seniors have very limited incomes. This is particularly true for single-person senior households.

The number of seniors on the BC Housing Registry has increased substantially from 2013 to 2018, from 49 households to 220 households. Simultaneously, the number of independent social housing units for low-income seniors has grown considerably, from 251 units in 2013, to 337 units in 2018. Although an increase in supply is a positive trend, 220 seniors households remain on the BC Housing Registry, and coupled with rising rental and homeownership costs, low-income seniors have few rental, non-market housing, semi-supportive, and supportive housing options in the RDN that are accessible, suitable, and affordable.

- **Low-Income Households:** Based on the affordability analysis, low-income households are challenged to find suitable and affordable housing. Lone-parent households have median incomes slightly below the provincial median, and most would not be able to buy a house in the regional housing market. Younger lone-parent households are particularly challenged to afford rental housing, as most would be required to spend more than 30% of their monthly income on shelter costs. Most single-person households would need to spend between 30% – 50% of their monthly income to afford average rental prices in the RDN, and single persons and lone parent households under the age of 25 do not appear to be able to afford average rental prices with 50% of median gross incomes.

Stakeholders emphasized that young people, with entry level jobs, cannot find rental housing that they can afford, which has additional consequences on community livability. Based on feedback received during stakeholder consultation, businesses are struggling to retain staff who can afford to live in the RDN when making close to minimum wage. Stakeholders expressed retail vacancies are increasing, and there are concerns young people will leave the RDN because of housing affordability.

- **Moderate-Income Households:** In a stressed rental market, with limited purpose-built rental housing stock, moderate income families are close to being able to afford homeownership, but remain priced out of the housing market, particularly for single-detached homes. Based on these factors, there is a need to develop additional market homeownership options in the RDN, including ground-oriented, multi-unit housing (i.e. townhouses, duplexes), and 3+ bedroom units, to meet the needs of families.
- **Persons Experiencing Homelessness or At-Risk of Homelessness:** There is limited data on homelessness for the entirety of the RDN; yet, there is recent data available from the City of Nanaimo's Point-in-Time (PiT) Count, and from the provincial PiT Count that was completed in several communities, including Parksville / Qualicum. The number of people experiencing homelessness in Nanaimo has almost doubled since 2016, which is consistent with recent observations of Nanaimo social service agency workers and the local RCMP. Recent homeless encampments in Nanaimo, and in other RDN communities, indicate there is likely a need for more supplements and housing supports for individuals experiencing or at-risk of experiencing homelessness in the Regional District. This need could be much greater than is immediately apparent as it is hard to account-for and reach hidden homeless populations.
- **Persons with Disabilities:** The number of affordable housing units dedicated to persons with disabilities has increased marginally since 2013, and the number of individuals on the BC Housing Registry for persons with disabilities, and wheelchair modified units has increased substantially from 40 to 103, and 5 to 33, respectively. While an increase in units is a positive trend, numerous applicants remain on the waitlist, which demonstrates there is a need to develop new accessible living facilities to accommodate persons with disabilities in the community.

HOUSING GAPS

This section summarizes the top housing gaps within the RDN, as identified by the background research and consultation activities, and is meant to demonstrate the housing gaps holistically in the regional context. The following housing gaps have been identified:

- **Non-Market Rental Housing:** Based on the analysis of median incomes, the majority of non-senior lone-parent and single-person households cannot afford to buy housing at a price within 30% of their gross incomes. Younger lone-parent and single-person households also encounter challenges securing affordable and suitable rental housing, and would need to spend more than 30% of monthly income on shelter costs. Non-market rental housing is needed in a variety of forms, particularly units appropriate for families, given the number of families on the BC Housing Registry.
- **Market Rental Housing:** Evidence-based information, and feedback from stakeholders, demonstrates there is limited availability of market rental housing, and many households are likely struggling to secure affordable and suitable rental accommodation. This may be associated with escalating rental prices, as lone-parent and single-person households have much lower incomes than couple households and, consequently, have far fewer choices in the rental housing market. The affordability analysis demonstrates there is a gap between what younger lone-parent and single-person households can afford, when compared to average rents and the suitability of available units.
- **Transitional and Low-Barrier Rental Housing:** Due to the low rental vacancy rates, individuals in need of temporary accommodation often have limited housing options in the RDN. This can impact those in vulnerable situations, such as women fleeing violence, low-income individuals experiencing mental health or substance use issues, and persons experiencing homelessness. Such an affordable housing option may be time-limited and could offer additional supports to residents. Transitional and low-barrier rental housing can help prevent experiences of relative homelessness for vulnerable households in the area, and prevent other vulnerable households from relocating to other communities.
- **Affordable Homeownership Opportunities:** Based on the analysis of incomes in the area, a number of moderate income households are close to being able to afford homeownership, but remain priced out of the housing market. Affordable homeownership opportunities could help these households purchase their own homes. Smaller and more compact homes, such as townhouses, duplex or multi-unit housing, could present an affordable homeownership option for some moderate income households. Manufactured or modular housing may also lower housing costs, and present a viable alternative for further exploration.
- **Accessible Housing:** Based on BC Housing waitlist data, there is a need for more accessible housing to enable independent living for seniors and persons with disabilities. With consistent new housing construction, the RDN's housing stock may be more suitable for seniors, but affordability challenges may limit the ability of households to secure new, accessible units. Given the RDN's aging demographics, there is a need for more dwellings with doorways and hallways that are wide-

enough to adequately fit walkers and wheelchairs. In some cases, existing housing can be modified to meet accessibility needs. Promoting housing accessibility can help seniors age-in-place, and stay in the same home and community they have lived in for years.

Additional Housing Challenges

Urban + Rural Development Patterns

The RDN contains both distinctively urban and rural communities within its regional boundaries. Urban communities, like Nanaimo, Parksville and Qualicum Beach, contain the most diversified housing stock, tenure mix and market/non-market housing mix. Concentrations of services, amenities, institutions, and businesses are also located in urban areas. Rural communities tend to be less diverse with respect to housing form and tenure, as is the case for Lantzville and the Electoral Areas in the RDN.

To support this anticipated growth to the RDN, additional development will be required. Urban development patterns concentrate density, roads, and infrastructure – making growth more efficient from a land use and municipal financing perspective. Concentrations of people and activities can also build capacity to further support development, businesses, and social services. These density thresholds can trigger enhanced transit services, and community amenity development that cannot be achieved in areas of low-density populations. With additional density, alternative forms of transportation become viable. Including RDN Transit Services, as a stakeholder, early on in the development process helps to prioritize transit-orientated design throughout the planning process.

Stakeholders expressed concerns about servicing limitations in rural areas. Although there is a role and need to maintain rural character and communities, there are also sustainability trade-offs associated with rural residential development. For regions, balancing the development and servicing to both rural and urban communities is challenging, and will require further analysis as part of the upcoming RGS review.

Housing + Transportation

Transportation is inherently linked to housing in many ways. More affordable rental and homeownership options are typically located away from urban areas, as is the case in the RDN. While the cost of housing may seem more affordable in these suburban, or rural locations, the residents of these households may end up with significant commutes, with consequences to household budgets and the ability to afford housing.

Stakeholders expressed concerns that low-income households are limited in their housing choices, and can only afford housing in areas with limited transit service. In order to support all households (market and non-market housing) a shift towards transit-orientated development that creates opportunities for both rural and urban areas is needed. Consider opportunities for creating transit nodes within the overall regional transportation system, to encourage areas of higher density within close proximity to housing, services, education, employment and recreation.

Housing + Healthcare

With the region's aging demographics, access to healthcare is especially important for seniors living in rural areas. The population densities in the Region's rural communities are unlikely to support transit service, thus it will be important to understand how seniors can age-in-place with the supports they require. There are existing programs to help facilitate this transition, such as BC Housing's Home Adaptations for Independence (HAFI) Program which provides financial assistance in the form of a grant to eligible low-income households to complete home adaptations for independent living.

Stakeholders also expressed a need for more seniors housing across the RDN, including supportive housing for those residents needed additional care and support. This is further re-enforced by waitlist data; there are currently 220 senior households on the BC Housing waitlist, which demonstrates the extent of need.

Key Considerations

The RDN is currently undergoing a review of the RGS. This study has been designed to help inform and explore policy options as part of the review process. While the RDN will not be able to address all the housing gaps identified in this Housing Capacity and Gap Analysis on its own, targeted efforts to fill gaps, informed by research to maximize impact, could have a significant impact in addressing the housing needs of RDN residents. The RDN has achieved significant progress with the implementation of the current Regional Housing Action Plan (adopted 2010); however, additional tools and a combination of approaches are needed to keep pace with the changing housing needs in the region. In order to create more housing options in the region, the RDN may consider establishing a housing service to provide funding or land to develop affordable housing.

The following table summarizes report findings, and identifies key considerations based on the housing needs and gaps identified through this study. It is important to note that a review of existing policies and initiatives undertaken by the RDN and member municipalities has not been completed as part of this study. In terms of next steps, the RDN may consider developing a Regional Housing Strategy that identifies and prioritizes actions to address regional housing gaps. As part of this process, a policy review exercise to explore tools and vet applicability and viability should be undertaken.

To clarify, housing needs and housing gaps are defined as follows:

- HOUSING NEED refers to households in a community that lack their own housing, or live in inadequate housing for a variety of reasons, and cannot afford the housing they need in the local housing market without some assistance.
- A HOUSING GAP is a housing form, tenure, or program missing from the housing continuum that could address the needs of residents with the least choice in the housing market.

Regional Housing Need	Housing Gap/Issues	Key Considerations
Housing for Low-Income Seniors	Accessible & adaptable housing	<ul style="list-style-type: none"> - Expand on policies to encourage Universal Design Standards of buildings to make them more accessible to all people regardless of age or disability. - Consider floor area exemptions for residential units that incorporate basic universal housing features in new developments - Explore partnerships with non-profit organizations to obtain input into housing needs and design for program clients that require accessibility features
Housing for Low-Income Households	Non-market rental housing	<ul style="list-style-type: none"> - Review policies that secure affordability in perpetuity, such as Housing Agreements - Explore opportunities to use public or local government land for affordable housing - Explore family-friendly housing policies, including requirements for a minimum of 2+ bedroom units - Support organizations to renew aging non-market housing stock - Enhance policies coordinating land use and mobility to encourage affordable and rental housing along key transit corridors.
Housing for Moderate Income Households	Market rental housing	<ul style="list-style-type: none"> - Explore policies to incentivize the construction of market rental units, including waiving fees, parking reductions, and application fast-tracking - Explore infill and intensification opportunities in existing urban neighbourhoods - Explore family-friendly housing policies, including requirements for a minimum of 2+ bedroom units

Regional Housing Need	Housing Gap/Issues	Key Considerations
	Affordable home ownership opportunities	<ul style="list-style-type: none"> - Explore density bonusing policies to accommodate smaller units and increase affordability in urban areas - Consider restrictions on resale for multi-unit developments to ensure units remain affordable for future owners, such as zoning areas for rental only. - Explore partnership opportunities with federal and provincial government to create affordable homeownership initiatives, such as down payment assistance programs
Housing for Persons Experiencing Homelessness or At-Risk of Homelessness	Transitional and low-barrier rental housing	<ul style="list-style-type: none"> - Explore strategies to increase the supply of supportive housing using the Housing First model - Support Island Health Authority partnerships to strengthen mental health and addictions support services
Housing for Persons with Disabilities	Accessible housing	<ul style="list-style-type: none"> - Explore opportunities to support diverse housing forms that offer livability and an alternative to single-detached housing. This could be explored in the RGS review - Consider floor area exemptions for residential units that incorporate basic universal housing features in new developments - Facilitate partnerships with non-profit organizations to obtain input into housing needs and design for program clients that require accessibility features

In addition to policy development and analysis to address the housing gaps in the RDN, there are several tools that the Regional District, member municipalities, and non-profit housing and service providers can draw on from various levels of government to implement housing solutions. These include improving access to rent subsidies offered to low-income seniors and families by BC Housing, establishing land banks and affordable housing trust funds, and incorporating a non-profit housing society to facilitate the development or acquisition of affordable housing.

Exploring Strategies, Policies + Other Recommendations

This Regional Housing Capacity Assessment is an important first step to developing a Regional Affordable Housing Strategy, which identifies specific actions, lead organizations, and a timeline for implementation. This next stage may require additional dialogue with stakeholders and the community to determine priority actions.

Although not an exhaustive list, the region and its' respective communities may explore the following considerations to address the housing needs and gaps identified in this report:

- Consider exploring strategic, policy, regulatory, financial, and program options to address housing needs and gaps in the region – these options can be explored in a Regional Affordable Housing Strategy. Options to address housing challenges should be shared with the community at-large to discuss benefits, trade-offs, and implications to the built environment and social sustainability of the region.
- As a start, specific options that could be explored in urban environments include: alternative forms of construction techniques and forms; manufactured and modular housing; tenant protection strategies, affordable family-friendly homeownership solutions (i.e. pocket neighbourhoods, cluster housing), inclusionary housing policies, and rental-only zoning. In rural areas, specific options that could be explored include: accessible and adaptable housing policies, strategies to renew aging non-market housing stock, consider expansion of the secondary suite policy, continued support for the development of non-market housing, and public education to increase community awareness.
- Consider engaging with community-based organizations, and the Vancouver Island Health Authority to create new supportive housing in the urban areas of the region, such as Nanaimo and Parksville.
- Consider expanding accessible and adaptable housing guidelines in the region.
- Initiate further research into specific vulnerable populations reported through consultation in this study. This may include researching housing and social services needs of people with mental health issues, and further investigation of residents living in trailers and RVs in rural areas. Consider engaging with community-based organizations to identify appropriate housing solutions to meet their specific needs.
- Advocate for and educate the community about available rent supplement programs through BC Housing (Rental Assistance Program – RAP, and Shelter Aid For Elderly Renters – SAFER), as well as services to support eligible households with completing rent supplement applications. Consider partnering with community-based organizations, and BC Housing to investigate specific strategies for advocacy and education.

In Closing

The housing challenges within the Regional District of Nanaimo are similar to those faced by comparable communities across the province. Residents most in need of affordable housing typically include low-income families and seniors, moderate-income households, and vulnerable residents, such as those with special needs and disabilities, people with mental health and addiction issues, and those experiencing homelessness or at-risk of homelessness.

The solutions developed across the province, however, are not one-size-fits-all. Each region, and its member municipalities, is unique, and requires responses that meet the specific needs of their populations, reflective of local culture and aspirations. Preparing this Regional Housing Capacity and Gap Analysis is an important component to a comprehensive, long-range planning process for the

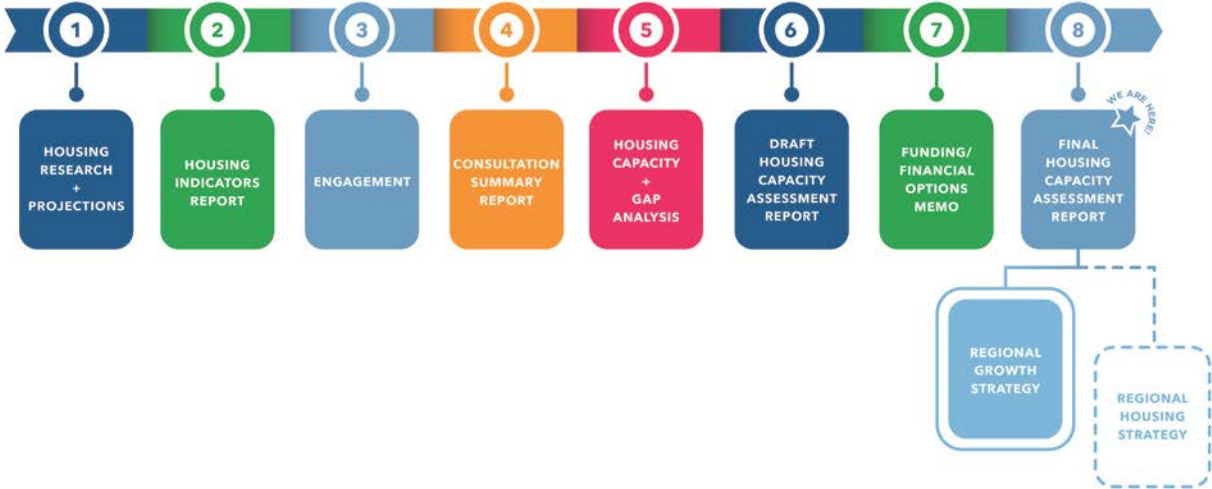
region. It should inform the review of the Regional Growth Strategy, particularly regarding policies to address the characteristic and location of housing needed to support livability throughout the region.

The identified housing needs and gaps from this report can assist with facilitating discussions with potential partners to develop or acquire affordable housing units to meet community need. These partners, such as BC Housing, non-profit housing societies, private market developers, and community groups will have a better understanding of the demand for affordable housing, as well as their potential roles in responding to local housing challenges. Addressing the housing gaps in the Regional District of Nanaimo is a move towards creating a more inclusive and livable region

Appendix A: Consultation Summary Report

Consultation Summary Report Introduction

As part of the development of the Regional HNR report this process, stakeholder consultation was completed with representatives from social service organizations, developers, non-profit housing providers, local government and other relevant community members. These engagement activities produced important qualitative data which was used alongside the information outlined in Part 1 of the report to determine the housing needs and gaps in the region. This illustration provides an overview of the process, showing engagement as a key component early on:



This document summarizes the outcomes of a Spring 2019 community engagement process. The engagement activities included focus groups, key stakeholder interviews, and a staff workshop. A list of stakeholders who participated in the engagement activities is available on pages 89 to 91.

Consultation Activities

COMMUNICATIONS + AWARENESS

The RDN’s website was a primary tool used to inform the community about the Housing Capacity and Gap Analysis and to provide opportunities to engage with the project. Community-based organizations and representatives from the development and building industry were contacted by email, and invited to attend focus groups or engage in one-on-one phone conversations.

FOCUS GROUPS + STAFF WORKSHOP

In total, over 30 representatives from community-based organizations attended two focus groups held in April 2019. The first focus group was held on Wednesday, April 3rd, from 10 AM - 12 PM, at the RDN office. The second focus group was held on Thursday, April 4th, from 10 AM - 12 PM, at the RDN office. The sessions provided an opportunity for the consultants to report back on the preliminary findings of

the regional housing needs assessment, and group discussions identified specific housing needs and issues in the region, from the perspective, and based on the experience, of attendees.

A staff workshop was held on Thursday, April 4th, from 2 - 4 PM, with representatives from regional member municipalities, and RDN staff from different departments related to housing and growth management. A summary of the responses received at these focus groups can be found in the “What We Heard” section of this report.

KEY STAKEHOLDER INTERVIEWS

Eleven one-on-one interviews were completed with individuals from the building and development industry, as well as three interviews with representatives from community-based organizations and member municipalities who were unable to attend the focus groups, or had additional information they wished to provide. These conversations allowed the consultants to discuss particular issues in greater detail, such as rural homelessness, and other issues that were not captured by quantitative data measurements.

What We Heard

FOCUS GROUPS

PRIORITY HOUSING ISSUES:

1. The need for affordable and diverse rental stock.
2. The rezoning and development application process is difficult to navigate, and time-consuming.
3. The use of trailers and RV’s as long-term housing.
4. A need for workforce housing, for low to moderate income households.
5. A need for better coordination between housing and transportation planning.
6. Greater security of rental tenure is needed; evictions associated with renovations or resale are a concern.
7. Housing affordability is a provincial issue, and requires solutions that examine the broader region.
8. There is a concern that particular population groups are struggling to find suitable housing that meets their needs, and the housing that is unavailable is in need of major repair.
9. Capacity limitations in the non-profit housing sector.
10. NIMBY (Not In My Back Yard) opposition to affordable housing projects.
11. Aging populations and limited seniors-oriented housing.

“The BC Housing waitlist is not representative of the extent of need.”

“There is a desperate situation for seniors housing - more supports and services are needed.”

GROUPS THAT FACE THE GREATEST CHALLENGES:

1. **Vulnerable People:** Vulnerable people include those leaving the hospital or incarceration and those with mental health and/or addictions issues who may be experiencing homelessness or at-risk of homelessness. There is diversity within this population, and it will be important to assess acuity and determine appropriate housing solutions based on client needs.
2. **Low-income Households:** Including the working poor, singles, youth, families and those on a fixed income. This group faces the additional challenge of finding housing that is close to transit.
3. **Families:** Families have limited housing options, and experience issues with overcrowding, poor housing quality and difficulty finding suitable housing that meets their needs.
4. **Seniors:** Seniors are especially vulnerable, and this includes single women, those staying in campgrounds, and those living in rural areas with limited access to healthcare and transit.
5. **Disabilities:** Persons with physical disabilities have a hard time finding appropriate housing and affording suitable housing on a fixed income.
6. **Persons with Pets:** There are limited pet-friendly rental buildings, and these populations are at a disadvantage for that reason.
7. **Women Experiencing Violence:** There is limited transitional housing available in the region for women needing a safe and secure place to stay.

STAKEHOLDERS IDENTIFIED THE FOLLOWING POLICIES/TOOLS TO CONSIDER:

1. Implement an inclusionary housing policy which would require developers to provide land or units for affordable housing.
2. Ensure widespread use of Housing Agreements to secure tenure and affordability, and explore opportunities to register secondary suites as affordable rental housing using a Housing Agreement.
3. Consider fast-tracking affordable housing development applications, and streamlining the review process.
4. Create more awareness in the community through education and information campaigns.
5. Establish development standards to ensure housing is maintained, and suitable for residents.
6. Promote innovative housing forms, and support housing co-operatives.
7. Explore tenant protection policies to limit displacement and ensure security of tenure.
8. Engage with the development community and involve industry stakeholders in decision-making processes.
9. Advocate for more assistance from senior levels of government.
10. Evaluate growth management policies; consider the role of rural town centres within the region for housing options.
11. Explore the possibility of rental-only zoning in areas close to services and transit.
12. Consider proactive planning to ensure regional local governments are prepared to leverage available funding from senior levels of government, and BC Housing.

HOUSING TYPES TO CONSIDER:

1. Affordable seniors housing.
2. Safe, shelter-rate units.
3. More 3-4 bedroom units.
4. Housing co-operatives.
5. Intergenerational housing that can support large families.
6. Resilient housing that can adapt and withstand impacts from natural disasters, fires and flooding.
7. Mixed income, mixed tenure projects.
8. Greater diversity of housing form, particularly ground-oriented, low to mid density development.

STAFF WORKSHOP

PRIORITY HOUSING ISSUES:

1. The Board has provided direction to assess the use of trailers and RV's as one option affordable housing option.
2. Impact of short-term rentals on housing availability.
3. Coordination between housing and transportation.
4. Capacity limitations in the non-profit sector. Non-profits looking to develop housing need more expert support and project management help to move projects through the approvals process.

SUPPORT AND EDUCATION:

1. The development application process can be confusing for some applicants. Additional information about application requirements and timelines would be beneficial given the capacity of the housing sector.
2. There is a need to communicate and inform residents about the benefits of rental housing, and the importance of a diverse housing stock.

STAKEHOLDERS IDENTIFIED THE FOLLOWING POLICIES/TOOLS TO CONSIDER:

1. Explore strategies to incentivize innovative housing forms.
2. Investigate the impacts of age-restricted buildings on housing availability.
3. Create more awareness in the community about different housing needs, and associated typologies and tenures, through education and information campaigns.

DEVELOPMENT AND HOUSING TYPES:

1. A need for additional funding to support the development of on-reserve housing and off-reserve housing for urban Indigenous populations.
2. Secondary suites - more detailed data needed to understand availability and suitability.

KEY STAKEHOLDER INTERVIEWS

Key stakeholder interviews were primarily conducted with representatives from the building and development industry. Interviews were also conducted with representatives from community-based organizations who were unable to attend the focus groups, which are summarized in the Focus Group section. The following section focuses on concerns and suggestions raised by the building and development community.

PRIORITY HOUSING ISSUES:

1. The development application process is difficult to navigate, time-consuming and expensive.
2. The use of trailers and RV's as long-term housing.
3. The cost of land, and construction escalations, have made building affordable housing very difficult.
4. Water and servicing limitations in rural areas restrict development potential and it is costly to service new buildings.
5. Building code changes result in additional costs, and the number of changes recently have created uncertainty about development requirements.
6. There is significant demand for mobile home parks, and existing waitlists.
7. Infill development is constrained by zoning limitations and NIMBY (Not In My Back Yard) attitudes.

"The development process is too bureaucratic and there are too many variables."

GROUPS THAT FACE THE GREATEST CHALLENGES:

1. Young families and couples looking to enter the homeownership market.
2. Workforce populations, in need of affordable rental housing.
3. Vulnerable populations, particularly those at-risk of experiencing homelessness.
4. Low-income seniors.

"What are the consequences of limited workforce housing?"

STAKEHOLDERS IDENTIFIED THE FOLLOWING POLICIES/TOOLS TO CONSIDER:

Policy and Local Government Actions

1. Streamline the process for permits and approvals.
2. The RDN should own land/buildings to facilitate the development of affordable housing.
3. Consider fast-tracking affordable housing development applications.
4. Promote innovative housing forms, and support housing co-operatives.

5. Offer incentives to fill needed gaps in housing.
6. Facilitate infill development by introducing new zoning categories.
7. Promote innovative housing forms, and support housing co-operatives.
8. Explore the possibility of rental-only zoning in areas close to services and transit.
9. Waive Development Cost Charges and other fees for affordable housing projects.
10. Review existing zoning categories, and consider allowing mobile home parks in additional areas.
11. Explore growth management policies, and ensure lands designated for agricultural uses are capable of supporting crops and contributing to food production.

“There is a new appetite for infill - zoning must be changed.”

Partnerships

1. Advocate for more assistance from senior levels of government.
2. Consider long-term leases on RDN-owned land to facilitate the development of affordable housing.
3. Facilitate partnerships between local government, BC Housing and Canada Mortgage and Housing Corporation.
4. Initiate discussions with Vancouver Island Health Authority regarding the relationship between housing and healthcare.

“Affordable housing isn’t affordable anymore - building code and BC Housing regulations drive up the price.”

Overall Key Themes

The key themes identified in discussions with stakeholders and focus group attendees are outlined below:

SUMMARY OF TOP ISSUES:

Local Governments Development Process: The development process should be streamlined and expedited. On-going support is beneficial to the development process.

Rental Housing: The cost to rent housing is rising and many people cannot afford market rents.

Trailers and RV's: Households are relying on short-term accommodation for long-term housing, which has resulted in safety issues and health concerns.

Transportation and Housing: Low-income households are able to afford housing in areas with limited transit service. Concentrate affordable rental housing in areas with existing transit service, local amenities and services.

Workforce Housing: The lack of affordable rental housing has impacted community livability. Professionals and the working poor cannot afford housing, which has resulted in retail vacancies, and shortages of local tradespeople.

Diversity of Housing Types: There is demand for alternate forms of ground-oriented housing, such as townhouses, duplexes and carriage houses.

Provincial Issue: Housing affordability is a provincial issue, and requires solutions that examine the broader region.

A Need for Supportive Housing: Landlords are unable to provide supports in independent rental housing projects, and tenants requiring greater assistance have limited alternate options.

Cost of Land and Construction Escalations: Affordable housing is difficult to develop without additional incentives or subsidies.

SUMMARY OF TOP PRIORITIES:

Seniors: Seniors represent many different income groups, but there is a growing consensus that additional supply will be needed to meet the housing demands of an aging population.

Families: Families are being priced out of the housing market and are moving out of the community.

Young People: Young people with entry level jobs cannot find rental housing that they can afford.

Low-income People: Low-income single parents, families and single people are in need of housing. There is not enough affordable and subsidized housing for this population.

Working Poor: Many people are living paycheque to paycheque. For those who are working and earning minimum wage, finding affordable housing is challenging.

Mental Health and/or Addictions: Vulnerable adults and youth who have mental health issues and/or addictions need extra support in securing and keeping housing.

STAKEHOLDERS IDENTIFIED THE FOLLOWING POLICIES/TOOLS TO CONSIDER:

Policy and Local Government Actions:

- Streamline and expedite the development approval process.³⁶
- Waive Development Cost Charges and other fees for affordable housing projects.
- Facilitate the development of infill housing by creating new zoning categories.
- The RDN should own land/buildings to facilitate the development of affordable housing.
- Consider implementing an inclusionary housing policy which would require developers to provide land or units for affordable housing.
- Explore tenant protection policies to limit displacement and ensure security of tenure.
- Consider rental-only zoning in areas close to transit and services.
- Promote innovative housing forms, and support housing co-operatives.

³⁶ The RDN and member municipalities recently completed a review of the development approvals process, and have implemented actions to improve the process and timelines.

- Evaluate the possibility of providing incentives to fill needed gaps in housing.

Partnerships:

- Work with the provincial and federal governments to bring housing funding into the region.
- Consider partnerships with Canada Mortgage and Housing Corporation.
- Support affordable and low-income housing projects with funds, land and guidance to help projects move forward.

Support and Education:

- An emphasis on education and support was made. This included supporting tenants, landlords and the non-profit sector; programs for seniors; community awareness about rental housing, different housing typologies, and the benefits of having inclusive neighbourhoods; and, clarity surrounding the development application process.

List of Stakeholder Consultation + One-to-One Participants

COMMUNITY-BASED ORGANIZATIONS

- BC Housing, Vancouver Island
- Bowser Seniors Housing Society
- Canadian Mental Health Association - Mid Island Branch
- Central Vancouver Island Home Builders Association
- Central Vancouver Island Multicultural Society
- Community Living
- Habitat for Humanity - Mid Vancouver Island
- Haven Society
- John Howard Society, Nanaimo
- Kiwanis Village, Nanaimo
- LOVE Community Response Network
- Manna Homelessness Society
- Nanaimo and Area Resource Services for Families
- Nanaimo Association of Community Living
- Nanaimo Citizen Advocacy Association
- Nanaimo Community Response Network
- Nanaimo Family Life Association
- Oceanside Task Force on Homelessness

- Pacifica Housing
- Parksville Lions Housing Society
- People for a Healthy Community
- Salvation Army - Parksville
- Society of Organized Services - District 69 Housing Society
- United Way Central & North Vancouver Island
- Vancouver Island University
- Woodgrove Senior Citizens Housing Society

BUILDER/DEVELOPMENT SECTOR

- Cottage Lane Development
- Groupe Deux
- Magnolia Enterprises
- Oceanside Development & Construction Association

LOCAL GOVERNMENT - SENIOR PLANNING STAFF

- Regional District of Nanaimo
- City of Nanaimo
- City of Parksville
- Town of Qualicum
- District of Lantzville





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CITY OF NANAIMO

BYLAW NO. 7286

A BYLAW TO PROVIDE FOR HIGHWAY CLOSURE AND DEDICATION REMOVAL

WHEREAS Council has deemed it expedient to stop up, close to traffic, and remove highway dedication of a portion of Eighth Street adjacent to 857 Old Victoria Road for the purpose of consolidating the adjacent land with the adjacent landowner's lands; and

WHEREAS all lands and premises immediately adjoining and in the vicinity of the portion of highway that is stopped up and closed are adequately serviced by well-established highways giving convenient access to all such premises; and

WHEREAS pursuant to Sections 40(3) and (4) and Section 94 of the *Community Charter*, the City of Nanaimo has published notice of its intention to adopt this Bylaw, has delivered notice to the operators of utilities whose transmission or distribution facilities or work Council considers will be affected, and has provided an opportunity for persons who consider they are affected to make representations to Council.

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

1. This Bylaw may be cited for all purposes as "Highway Closure and Dedication Removal Bylaw 2021 No. 7286".
2. A portion of Eighth Street adjacent to 857 Old Victoria Road comprising 0.136ha, more or less, shown as "Road" on plan EPP92399 prepared by Douglas Holmes, B.C.L.S., a reduced copy of which is attached as Schedule A hereto, is hereby closed to all traffic.
3. The highway dedication of a portion of Eighth Street adjacent to 857 Old Victoria Road referred to in Section 2 is hereby removed.

4. His Worship the Mayor and Corporate Officer are hereby authorized to execute all the necessary documents as may be required for the due completion of the aforesaid highway closure and dedication removal.

PASSED FIRST READING: 2021-MAY-17
PASSED SECOND READING: 2021-MAY-17

Notice of intention to proceed with this bylaw was published on the 26th day of May, 2021 and the 2nd day of June, 2021 in the Nanaimo News Bulletin newspaper, circulating in the City of Nanaimo, pursuant to Section 94 of the *Community Charter*.

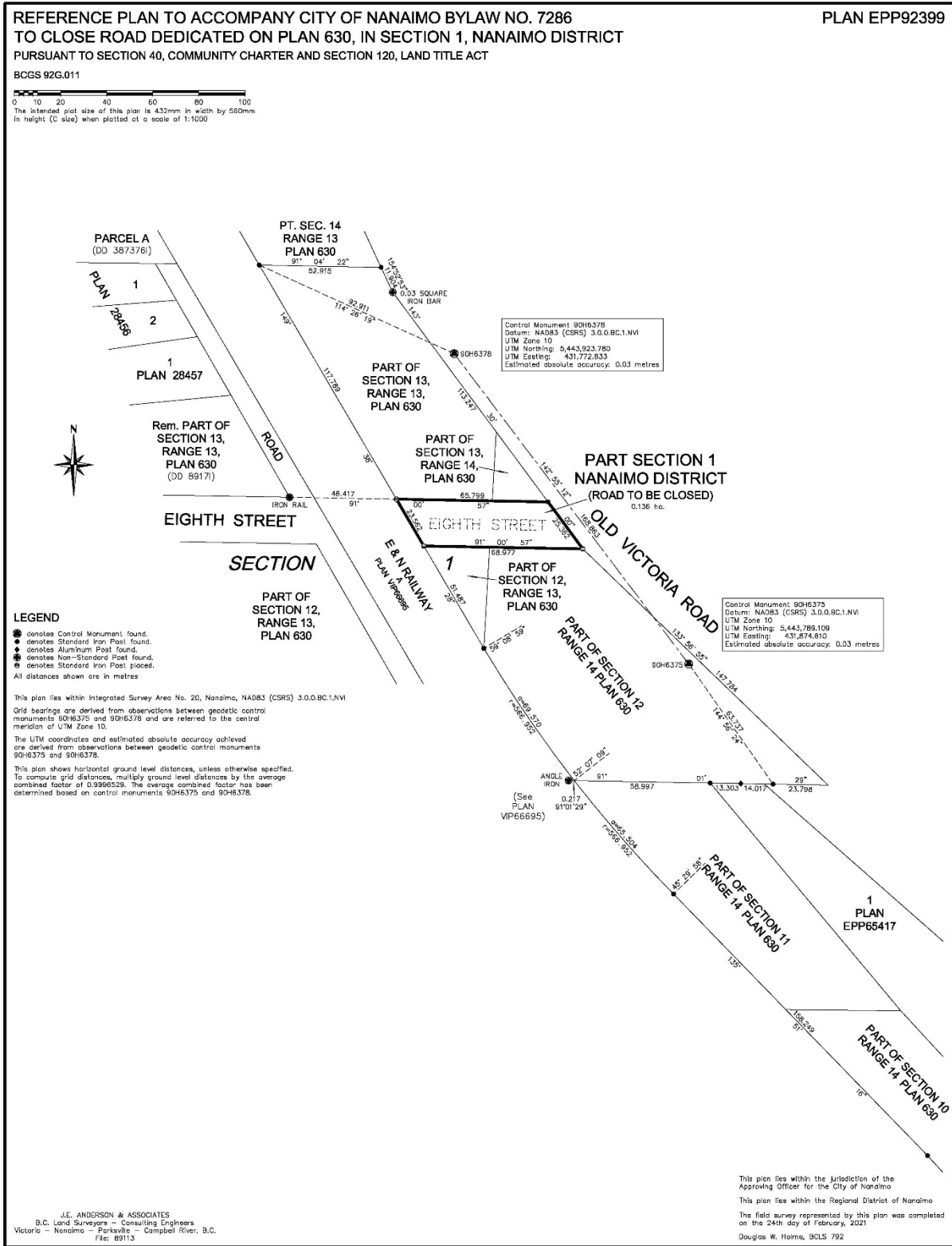
PASSED THIRD READING: _____
APPROVED BY MINISTRY OF TRANSPORTATION: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: LD003575

Schedule A



CITY OF NANAIMO

BYLAW NO. 7288.01

A BYLAW TO AMEND THE CITY OF NANAIMO "MORNINGSIDE DRIVE LOCAL SERVICE
AREA PARCEL TAX BYLAW 2019 No. 7288"

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

1. Title:

This Bylaw may be cited as "Morningside Drive Local Service Area Parcel Tax
Amendment Bylaw 2021 No. 7288.01".

2. Amendments:

"Morningside Drive Local Service Area Parcel Tax Bylaw 2019 No. 7288" is hereby
amended as follows:

2.1 By replacing year 2020 with 2022 in Section #4 for "Years of Application"; and

2.2 By replacing year 2020 with 2021 in Section #8 for "Reduction of Parcel Tax".

PASSED FIRST READING: 2021-MAY-17

PASSED SECOND READING: 2021-MAY-17

PASSED THIRD READING: 2021-MAY-17

ADOPTED: _____

MAYOR

CORPORATE OFFICER