



MINUTES
REGULAR COUNCIL MEETING

Monday, April 8, 2024, 4:30 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Members: Mayor L. Krog, Chair
Councillor S. Armstrong
Councillor H. Eastmure
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly
Councillor J. Perrino
Councillor I. Thorpe

Absent: Councillor T. Brown

Staff: D. Lindsay, Chief Administrative Officer
L. Mercer, General Manager, Corporate Services
B. Sims, General Manager, Engineering and Public Works
B. Corsan, Director, Corporate and Business Development
S. Gurrie, Director, Legislative Services
J. Holm, Director, Planning and Development
A. Breen, Manager, Culture and Special Events
D. Burgos, Manager, Corporate Communications and
Community Relation Communications
D. Thompson, Manager, Roads, and Traffic Services
N. Sponaule, Communications Advisor*
J. Vanderhoef, Recording Secretary*

1. CALL THE MEETING TO ORDER:

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

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

2. PROCEDURAL MOTION:

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

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

- (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;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or other employee relations;
- (d) the security of property of the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (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;
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting; and,

Community Charter Section 90(2):

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

The motion carried unanimously.

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

Council moved out of In Camera at 6:10 p.m.

Council recessed the Open Meeting at 6:10 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(b) Donna Hais re: Hospital Advocacy - Add PowerPoint presentation titled "Fair Healthcare for All Vancouver Island".
- (b) Agenda Item 8(c) Vicky Trill, Reaching Home Manager, United Way BC, Julie Rushton, Community Impact Manager, United Way BC, and Andrew Thornton, Canadian Mental Health Association Mid-Island, re: Homeless Point-in-Time Count Report – Add PowerPoint presentation re: Homeless Point-in-Time Count.
- (c) Agenda Item 12(e) Council Resolutions Update – Add Report titled "Council Resolutions 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 following Minutes be adopted as circulated:

- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2024-MAR-18, at 4:30 p.m.
- Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2024-MAR-21, at 7:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- On 1874-DEC-24 Nanaimo became the sixth municipality to be incorporated in British Columbia making 2024 the 150th anniversary of incorporation. The 150th anniversary is being marked by a new corporate logo and street banners designed by local artist Amy Pye
- Appointment of Diana Johnstone as President and Mary Smith as Vice-President of the 2025 British Columbia 55+ Games
- April is Water to Earth Month 2024 and the City is celebrating Water to Earth Month with the community and partners through in person and virtual events between 2024-MAR-22 until 2024-APR-22
- Recognition of Ethan Katzberg, of Nanaimo, who set a Canadian record in the men's hammer throw at the World Athletics Championships in Budapest, Hungary, in 2023, and has qualified for the 2025 Paris Olympic Games

7. RISE AND REPORT:

The Mayor advised that during the In Camera portion of the 2024-FEB-26 meeting, Council made the following appointments for the 2025 British Columbia 55+ Games:

- Diana Johnstone as President for the 2025 British Columbia 55+ Games
- Mary Smith as Vice-President for the 2025 British Columbia 55+ Games

Council also passed a motion to approve the use of 2450 Northfield Road as a Games Headquarters for the planning and implementation of the 55+ Games.

8. PRESENTATIONS:

a. Poetry Reading from Paige Pierce, City of Nanaimo Youth Poet Laureate

Paige Pierce, City of Nanaimo Youth Poet Laureate, provided a summary of how she became the Youth Poet Laureate and provided two poetry readings.

b. Donna Hais re: Hospital Advocacy

- Speaking on behalf of the Fair Care Alliance, a community advocacy group for health care North of the Malahat
- The website "weneedhealthcare.ca" has gone live and billboards are going up around the island

- Mission to ensure that all people North of the Malahat have access to culturally appropriate and comprehensive, tertiary healthcare in Nanaimo on the traditional territory of the Snuneymuxw First Nation (SFN)
 - Vision is that Nanaimo Regional General Hospital (NRGH) is expanded to become a comprehensive, tertiary hospital with an integrated approach to care and wellness that benefits all people North of the Malahat
 - Provided statistics regarding population demographics and anticipated growth
 - NRGH has the busiest emergency room on Vancouver Island and it is becoming normal for the hospital to be over capacity every day
 - NRGH infrastructure was considered to be failing in 2010
 - NRGH is not meeting the appropriate standard of care for cardiac care in Nanaimo and has the largest population in Canada without a catheterization lab
 - Compared levels of services provided North of the Malahat versus South Vancouver Island
 - Listed many of the services that should be provided in Nanaimo as a tertiary hospital but are not or are incomplete
 - NRGH needs a new Patient Tower, an additional 600 beds, and the necessary tertiary programs to serve as a diagnostic and treatment centre
 - Working to educate the entire community and raising the issue through hosting public rallies, newspaper, radio and billboard ads
 - Provided ways that people can get involved and encouraged people to vote during the upcoming provincial election this Fall
 - This is not an Island Health problem this is a provincial problem
- c. Vicky Trill, Reaching Home Manager, United Way BC, Julie Rushton, Community Impact Manager, United Way BC, and Andrew Thornton, Canadian Mental Health Association Mid-Island, re: Homeless Point-in-Time Count Report
- United Way is the community entity responsible for administering Reaching Home Funding and are required to provide a Point-in-Time (PiT) count
 - The Reaching Home Community Advisory Board sets strategic goals for ending homelessness and allocates funding from the Reaching Home Funds in line with those strategic goals

- The goal of the PiT count is to identify gaps in service and demand and analyze trends
- The PiT count is conducted every two years as an estimate and is considered an undercount representing approximately 60% of the homeless population
- Estimate an 18.9% increase in homelessness in Nanaimo between 2016-2023
- The largest issue being faced in Nanaimo is the lack of shelters resulting in larger society and health impacts
- Chronic homelessness is increasing, meaning people are on the street for longer
- 35% of people surveyed said they lost their housing due to an eviction
- The top five barriers to housing were: low income, rents being too high, addiction/substance use, family breakdowns, and discrimination
- Noted a correlation between the age the individuals become homeless and experience in the foster care system

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, 2024-JAN-10, at 4:00 p.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2024-FEB-21, at 9:00 a.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2024-MAR-20, at 9:00 a.m.
- Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2024-MAR-25, at 12:59 p.m.

10. CONSENT ITEMS:

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

- a. Finance and Audit Committee Meeting 2024-MAR-20

1. Hosting the 2025 AVICC Conference

That Council:

1. Accept the invitation to host the AVICC conference at the Vancouver Island Conference Centre (VICC) in 2025 (April 11-13).
2. Approve adding a project to 2025 for \$48,000 for hosting the event, to be funded within existing project funding.
3. Extend an invite to co-host and cost share 50% of the AVICC Conference to the Regional District of Nanaimo (RDN) reducing the overall cost to the City to \$24,000.
4. Consider hosting the AVICC conference bi-yearly at the VICC and budget accordingly.

2. 580 Fitzwilliam: Renovation Project

That Council direct Staff to increase the 2024 budget for the 580 Fitzwilliam Renovation Project by \$150,000 funded from the RCMP Contract Reserve.

3. 2024 Property Tax and Penalty Due Dates

That Council:

1. Keep the property tax due date as the first business day in July each year.
2. Set the first property tax penalty rate at 2%; applied after the property tax due date each year.
3. Set the second property tax penalty rate at 8%; applied after the last business day of August each year.

4. Capacity Funding for Housing Initiatives

That Council endorse the allocation of \$619,936 in capacity funding provided by the Province to support the City of Nanaimo in meeting the legislative requirements in housing Bills 44, 46, and 47, as outlined in the Staff Report titled "Capacity Funding for Housing Initiatives", dated 2024-MAR-20.

5. 2024 Local Government Development Approvals Program

That Council support Staff's submission of the grant application to the Local Government Development Approvals Program for the Development Approvals Business Analysis and Process Improvements project, and direct Staff to provide overall grant management.

6. Parks and Open Spaces Fees and Charges Amendments

That Council:

1. Support the changes to the user rates for Parks and Open Spaces, fee implementation dates, and the field classification changes as outlined; and
2. Direct staff to bring forward an amendment to the "Fees and Charges Bylaw 2021 No. 7336" to incorporate the new Parks and Open Spaces fees, fee implementation dates, and field classification changes.

7. Other Grant Request from Nanaimo Science & Sustainability Society

That Council direct Staff to award an 'In-Kind' facility rental 'Other Grant' to the Nanaimo Science & Sustainability Society to cover the costs of up to 105 hours for the use of outdoor City Park spaces.

8. 2024 Cultural Grant Funding Reallocation Recommendation

That Council approve the reallocation of available 2024 Culture & Event Project Grant funds as follows:

- **Applicant Name:** 8758999 Canada Society dba Artists' Collective Theatre (ACT Theatre)
- **Recommended:** \$6,000

b. Governance and Priorities Committee Meeting 2024-MAR-25

1. Upcoming Topics and Initiatives

That Council direct Staff to add the Geotechnical Guidelines Review topic to the 2024-MAY-13 Governance and Priorities Committee Agenda.

2. Transit-Oriented Areas

That Council direct Staff to prepare a Transit-Oriented Areas designation bylaw and amendments to the "Off-Street Parking

Regulations Bylaw 2018 No. 7266” as outlined in the Staff report titled “Transit-Oriented Areas”, dated 2024-MAR-25.

3. Development Approval Process Review

That Council:

1. support the recommendations as outlined in the 2024-MAR-25 report by Neilson Strategies Inc. titled “Development Approval Process Review” and;
2. direct Staff to work with the consultants to finalize the report and return to Council with a final draft of the report.

4. Council Procedure Bylaw Amendments (Part One)

That Council direct Staff to add the following provisions to Council’s Procedure Bylaw:

1. Section 9.1 – Order of Proceedings and Business
To add a “Correspondence” section to Section 9.1 - Order of Proceedings and Business.
2. Section 19.4(c) - Delegations Pertaining to Council Agenda Items
To add the words “been acted upon by Council or” in section 19.4(c).
3. Section 19.9 (b) – Delegations Pertaining to Council Agenda Items
To retain the status quo of five minutes for delegations in Section 19.9 of Council’s Procedure Bylaw.
4. Section 19.14 - Delegations Unrelated to Agenda Items
To retain the status quo of five minutes for delegations in Section 19.9 and that Section 19.10 removed.
5. Section 19.15(k) – Delegations Unrelated to Agenda Items
To add a Section 19.15(k) which states: “if the Delegation has already spoken to Council on the same matter and no new significant information is provided.”
6. Section 19.17 (c)- Delegations Unrelated to Agenda Items
To add a Section 19.17(c) which states: “not act on a request from a delegation following the presentation unless consent by a two-thirds vote of Council present is given.”

7. Section 23.1 – Question Period
To retain question period in 23.1 at five minutes.
8. Section 50.4 and 50.5
To make the necessary housekeeping amendments to Section 50.4 and 50.5 of Council's Procedure Bylaw as outlined in Attachment 2 to the 2024-MAR-18 staff report by the Deputy Corporate Officer.
9. Section 51.9, 51.10, and 51.11
To add the following Sections 51.9, 51.10, and 51.11:

Motion to Amend Minutes

51.9 A Council member may make a motion requesting that the minutes be amended to correct an inaccuracy or omission, however, the Corporate Officer should be advised of the challenge to the minutes at least one hour before the Council meeting at which the minutes are to be officially confirmed, to allow the Corporate Officer to review the recording of that meeting.

Meeting Recording to Determine Accuracy of Minutes

51.10 If a Council member questions the accuracy of a portion of the minutes of a Council meeting, Committee meeting, Court of Revision or Special Council meeting, the recording of that meeting, if available, shall be used to decide the question.

Adoption of Minutes

51.11 If there are no errors or omissions, Council must adopt the minutes as circulated.

5. Council Procedure Bylaw Amendments (Part Two)
 10. Section 19.4(d) – Delegations Pertaining to Council Agenda Items

That Council select the following provision as Section 19.4(d) to Council's Procedure Bylaw:

"Refuse to place a Delegation on the agenda if the matter relates to a bylaw in respect of which a public or statutory hearing has already been held or where third reading has been given".
6. Council Procedure Bylaw Amendments (Part Three)
 11. Section 19.15 (a) – Delegations unrelated to Agenda Items

That Council direct Staff to add the following provision as Section 19.15(a) to Council's Procedure Bylaw:

"If the matter relates to a bylaw in respect of which a public or statutory hearing has already been held or where third reading has been given."

7. Council Procedure Bylaw Amendments (Part Four)

12. Section 55.5 – Public Hearings

That Council direct Staff to delete sections 55.3, 55.4, and 55.5 of Council's Procedure Bylaw.

8. Council Procedure Bylaw Amendments (Part Five)

13. Section 23.2– Question Period

That Council direct Staff to make the necessary amendments to Section 23.2 to clarify that questions during Question Period must pertain to business that is being considered by Council at that particular meeting.

The motion carried unanimously.

11. DELEGATIONS:

- a. Alan Clarke spoke regarding concerns over vetting of residents and operation of the BC Housing transitional housing planned at 1300 Island Highway. He noted a lack of consultation with the community before proceeding with the proposed location and requested that Council work to make this a drug free facility.
- b. Dan Brady spoke regarding the Municipal and Regional District Tax (MRDT) contract not being renewed between the City and the Nanaimo Hospitality Association as of 2025-MAR-31, and noted concerns regarding a lack of communication.
- c. Dan Hula provided a PowerPoint presentation and spoke regarding climate change and policy making.
- d. Nicole McPherson was not in attendance.

Council recessed the Open Meeting at 8:58 p.m.
Council reconvened the Open Meeting at 9:10 p.m.

12. REPORTS:

a. Vancouver Island Military Museum Update

Introduced by Adrienne Breen, Manager, Culture and Special Events.

Presentation:

1. Roger Bird, President, Vancouver Island Military Museum, and Brian McFadden, Vice-President, Vancouver Island Military Museum provided a presentation. Highlights included:

- The Vancouver Island Military Museum (the Museum) moved to its current location in the Centennial Building in Piper Park 10 years ago
- The Museum was incorporated in 1986 as a non-profit society
- The Museum is financially independent and pay rent to the City of Nanaimo
- Have contributed over \$30,000 towards upgrades to the current location
- The Veterans' Wall of Honour commemorates those who have served
- In 2017 the Museum presented the 40mm Bofors Gun to the City
- The Museum does not charge for tours for schools or youth groups, and charges \$4 for adults, \$2 for seniors. Children 12 and under are free and no serving members or RCMP members are charged for admission
- 80% of all artifacts are donated by local people
- Currently working on a co-management agreement between the City and the Museum

b. Lease to BC Housing - 1435 Cranberry Avenue

Introduced by Bill Corsan, Director, Corporate and Business Development.

It was moved and seconded that Council approve the disposition of a 60-year lease of City-owned land located at 1435 Cranberry Avenue to the Provincial Rental Housing Corporation. The motion carried unanimously.

c. Development Variance Permit Application No. DVP459 - 4894 Blue Jay Trail

Introduced by Jeremy Holm, Director, Planning and Development.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP No.459 - 4894 Blue Jay Trail.

No one in attendance wished to speak with respect to DVP No.459 - 4894 Blue Jay Trail.

It was moved and seconded that Council issue Development Variance Permit No. DVP459 for a residential addition at 4894 Blue Jay Trail with a variance as outlined in the “Proposed Variances” section of the staff report titled “Development Variance Permit Application No. DVP459 - 4894 Blue Jay Trail” dated 2024-APR-08. The motion carried unanimously.

d. Consent - RDN Separate Waste Container Requirement Service Establishment Bylaw No. 1908

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

David Thompson, Manager, Roads, and Traffic Services, provided background information regarding the Regional District of Nanaimo’s request for support.

It was moved and seconded that Council consent on behalf of the electors to the adoption of “Regional District of Nanaimo Separate Waste Container Requirement Service Establishment Bylaw No. 1908, 2024” and further, that the Regional District of Nanaimo be notified accordingly. The motion carried unanimously.

e. Council Resolutions Update

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council rescind the following motions:

1. “That Council direct Staff to develop a permitted use for shipping containers also known as Sea Cans. To include requirements of zoning use and fee structure on a temporary and permanent basis for the now non-conforming shipping containers on industrial and commercial properties in the City of Nanaimo and further to look to update the residential permitted use.”
2. “That Council direct Staff to prepare a report regarding implications of correspondence from the Office of the Mayor, City of Burnaby, dated 2019-MAY-02, regarding “Expanding Investment Opportunities.”
3. “That Council direct Staff to report back to Council on options for Nanaimo to participate in a potential Ministry of Transportation and Infrastructure pilot project limiting residential speed limits.”
4. “That Council direct Staff to develop the 100,000 Voices Campaign concept and report back to Council with the marketing and communications plan, including a budget.”

5. "That Council refer the decision to direct Staff to include an annual 0.50% property tax increase to support new positions effective 2025 to a future Governance and Priorities meeting in early 2024."

The motion carried unanimously.

It was moved and seconded that Council direct Staff to include background information and a decision point in the 2025 Council Remuneration discussion related to the reimbursement of dependent care costs for members to attend official City of Nanaimo meetings. The motion carried unanimously.

It was moved and seconded that Council direct Staff to bring a report to the Advisory Committee on Accessibility and Inclusion exploring options for reimbursement for dependent expenses incurred by City of Nanaimo appointed committee members to attend scheduled committee meetings. The motion carried unanimously.

13. BYLAWS:

- a. "Housing Legacy Reserve Fund Establishing Bylaw Amendment Bylaw 2024 No. 7299.01"

It was moved and seconded that "Housing Legacy Reserve Fund Establishing Bylaw Amendment Bylaw 2024 No. 7299.01" (to clarify the purpose for which the fund was established) be adopted. The motion carried unanimously.

- b. "Online Accommodation Platform Reserve Fund Bylaw 2024 No. 7374"

It was moved and seconded that "Online Accommodation Platform Reserve Fund Bylaw 2024 No. 7374" (to establish an Online Accommodation Platform Reserve Fund) be adopted. The motion carried unanimously.

14. OTHER BUSINESS:

- a. Nanaimo Francophone Association Request for Letter of Support re: Application for Welcoming Francophone Community Status

It was moved and seconded that that the Mayor, on behalf of Council, provide a letter of support to Nanaimo Francophone Association, for their application to Immigration Refugees and Citizenship Canada. The motion carried unanimously.

15. QUESTION PERIOD:

Council received one question from the public regarding agenda items.

16. ADJOURNMENT:

It was moved and seconded at 9:48 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER