

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2021-APR-19, AT 4:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown (arrived 4:28 p.m.)
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley (arrived 4:07 p.m.)

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
Supt. L. Fletcher, A/OIC, Nanaimo Detachment RCMP
B. Corsan, Director, Community Development
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance
L. Bhopalsingh, Manager, Community Planning
F. Farrokhi, Manager, Communications
T. Loewen, Communications and Marketing Specialist
M. Desrochers, Client Support Specialist
S. Gurrie, Director, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

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

2. PROCEDURAL MOTION TO PROCEED IN CAMERA:

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

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

Community Charter Section 90(2):

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

The motion carried unanimously.

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

Council moved out of In Camera at 6:39 p.m.

Council recessed the Open Meeting 6:39 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 10 – Consent Items - Add Special Finance and Audit Committee Meeting 2021-APR-14 Recommendations.
- (b) Agenda Item 12(a) – Transitional Emergency Housing – Cowichan Model – Add report titled “Transitional Emergency Housing – Cowichan Model”.
- (c) Remove Agenda Item 11(a) – Holden Southward re: Heat Pumps.
- (d) Councillor Maartman advised that she would be bringing forward an item under Other Business regarding recreational vehicle accommodations.

It was moved and seconded that Council add Agenda Item 15(b) – Councillor Maartman re: Permanent Recreational Vehicle Accommodation. The motion carried.

Opposed: Mayor Krog, Councillors Armstrong, Thorpe and Turley

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 in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-MAR-29, at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- The annual catch basin cleaning program began today, 2021-APR-19. City of Nanaimo (the City) Public Works Staff and contractors clean out all storm water catch basins. The program will be complete by August of 2021
- The City is seeking feedback from residents and property owners regarding the proposed bylaw changes for use of homes as short-term rentals. As well, the City is providing opportunities for renters and landlords to share their experience finding and maintaining homes for rent. Surveys are available online through the City's public engagement website, Get Involved Nanaimo until May 10th, 2021
- On March 29, 2021, City Council passed a new Energy Step Code Rezoning Policy. The policy, which will come into effect on June 29, 2021, supports greenhouse gas emissions reduction in alignment with Council's Climate Change Emergency declaration
- The City is calling for applications for a City representative on the Nanaimo Port Authority board. The term is 3 years with the option to extend twice for a total of nine years. The deadline to submit an application is 4:00 p.m. on Friday, April 30, 2021. Applications can be submitted in person at the Legislative Services Office, 455 Wallace Street or via email at legislative.servicesoffice@nanaimo.ca
- The City is seeking members for the Art in Public Spaces Working Group. The working group will consist of five members to serve a two-year term helping to advance the City's public art program. The deadline for applications is 2021-MAY-10 and for more information go to www.nanaimo.ca/goto/artworkinggroup
- The CleanBC Better Homes New Construction Program is providing rebates of up to \$10,000 for construction of the high performance electric homes. Builders interested in connecting with a BC Hydro representative can attend the April 20th "ask an expert" breakfast series beginning at 7:30 a.m. To register contact the Canadian Homebuilders Association at www.chbavi.com. All City building permits issued on or after April 1, 2020 are eligible
- The passing of His Royal Highness Prince Phillip
- Vimy Ridge Day on April 9th to honour and remember the battle of 1917 and the struggles of the generations that lived through WW1 and WW2
- COVID-19 restrictions and to please be kind and patient

7. PRESENTATIONS:

- (a) Vancouver Island University Memorandum of Understanding

Introduced by Jake Rudolph, Chief Administrative Officer.

Mayor Krog advised that this is a very important agreement to ensure cooperation between the City and Vancouver Island University (VIU).

Dr. Deborah Saucier, President and Vice-Chancellor, Vancouver Island University, spoke regarding the Memorandum of Understanding and provided Council with an update of the new strategic plan titled “People, Place and Potential”, COVID-19 effects and implications, work VIU does in the community, and the importance of community partnerships.

(b) Jenn Houtby-Ferguson, Interim Executive Manager, Tourism Nanaimo - Tourism Sector Update

Jenn Houtby-Ferguson, Interim Executive Manager, Tourism Nanaimo, provided Council with an update regarding the tourism sector and Tourism Nanaimo initiatives. Highlights included:

- Review of the current tourism situation and the enhanced COVID-19 travel restrictions announced today
- Once travel restrictions are lifted Tourism Nanaimo will encourage people to travel within BC or within Canada which will assist in the recovery of the hospitality and tourism industry
- Currently Tourism Nanaimo is encouraging local travel using marketing plans for initiatives such as best places to hike, local restaurants and outdoor activities within our area
- Post pandemic recovery marketing plans are underway

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- 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-MAR-08, at 1:00 p.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, 2021-MAR-22, at 1:00 p.m.

9. CONSENT ITEMS:

Councillor Brown requested that Agenda Item 10(a)(6) be removed to be voted on under Separately Address Consent Items.

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

- (a) Special Finance and Audit Committee Meeting Recommendations 2021-APR-14

1. Records and Information Specialist Position

That Council add a Records and Information Specialist position to the 2021-2025 Financial Plan effective July 1, 2021 funded from general revenue.

2. Development Service Recommendations - Staffing

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.

3. Development Service Recommendations - Software

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.

4. Development Service Recommendations – Implementation

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.

5. South End Recreation Centre Feasibility Study

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.

6. Haliburton Street Sidewalk

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.

7. Health and Housing Task Force

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.

8. 2020 Annual Financial Statements

That Council accept the 2020 Annual Financial Statements for the City of Nanaimo.

9. Property Tax Due Date

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%

10. Serauxmen Stadium Outfield Fencing Project Update

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.

11. Asset Management Planning Program

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.

12. Local Government Development Approvals Program

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.

13. Canada Healthy Communities Initiative - Second Intake

That Council direct Staff to submit an application to the Canada Healthy Communities Initiative for the Maffeo Sutton Playground Phase 2.

14. Vancouver Island Economic Alliance - 2021 Conference Sponsorship

That Council sponsor the 2021 Vancouver Island Economic Alliance Summit as a platinum sponsor with a \$10,000 financial contribution.

The motion carried unanimously.

(b) Separately Addressed Consent Items

1. Downtown Security

It was moved and seconded:

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.

That Council direct Staff to allocate \$50,000 from the Special Initiatives Reserve to complete a comprehensive Public Safety Action Plan.

It was moved and seconded that Council defer the following motion to a future Regular Council Meeting subject to further discussions regarding temporary housing alternatives:

“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; and,

That Council direct Staff to allocate \$50,000 from the Special Initiatives Reserve to complete a comprehensive Public Safety Action Plan.”

The motion was defeated.

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

The vote was taken on the main motion as follows:

It was moved and seconded:

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; and,

That Council direct Staff to allocate \$50,000 from the Special Initiatives Reserve to complete a comprehensive Public Safety Action Plan.

The motion carried.

Opposed: *Councillors Bonner, Brown and Geselbracht*

10. REPORTS:

(a) Transitional Emergency Housing – Cowichan Model

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that a Request for Proposal be developed for the management and operation of two temporary emergency shelter sites, provided by the City based on the Cowichan shelter Model, to shelter up to 24 people who are awaiting placement in BC Housing dwelling units, that a report be prepared for Council that identifies City properties available to accommodate the two emergency shelter sites on a temporary basis and that the initiative and associated costs be funded for one year from the Housing Legacy Reserve.

It was moved and seconded that the motion be amended to change the wording from Request for Proposals to Request for an Expression of Interest.

The motion carried.

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

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

It was moved and seconded that a Request for Expression of Interest be developed for the management and operation of two temporary emergency shelter sites, provided by the City based on the Cowichan shelter Model, to shelter up to 24 people who are awaiting placement in BC Housing dwelling units, that a report be prepared for Council that identifies City properties available to accommodate the two emergency shelter sites on a temporary basis and that the initiative and associated costs be funded for one year from the Housing Legacy Reserve. The motion carried.

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

(b) Parks and Trails Parcel Tax Bylaws

Introduced by Shelley Legin, General Manager, Corporate Services.

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

It was moved and seconded that “Regional Parks and Trails Parcel Tax Bylaw 2021 No. 7324” pass second reading. The motion carried unanimously.

It was moved and seconded that “Regional Parks and Trails Parcel Tax Bylaw 2021 No. 7324” pass third reading. The motion carried unanimously.

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) pass first reading. The motion carried unanimously.

It was moved and seconded that “Parcel Tax Roll Preparation Bylaw 2021 No. 7323” pass second reading. The motion carried unanimously.

It was moved and seconded that “Parcel Tax Roll Preparation Bylaw 2021 No. 7323” pass third reading. The motion carried unanimously.

(c) Mayor’s Leaders’ Table – Terms of Reference

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that Council approve the Mayor’s Leaders’ Table Terms of Reference. The motion carried unanimously.

The Regular Council meeting recessed at 9:02 p.m.
The Regular Council Meeting reconvened at 9:12 p.m.

(d) Municipal Security Issuing Resolution - Fire Station No. 1

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that Council:

1. Approve borrowing eleven million one hundred and sixty thousand (\$11,160,000) from the Municipal Finance Authority of British Columbia, as part of the 2021 fall Borrowing Session and as authorized through “Fire Station #1 Borrowing Bylaw 2018 No. 7257”; and,
2. That the Regional District of Nanaimo be requested to consent to the City of Nanaimo borrowing the eleven million one hundred and sixty thousand (\$11,160,000) over a 20-year term and include the borrowing in a Security Issuing Bylaw.

The motion carried unanimously.

(e) Circular Cities and Regions Initiative

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

It was moved and seconded that Council endorse a joint application with the Regional District of Nanaimo to join the Circular Cities and Regions Initiative’s Peer to Peer Network. The motion carried unanimously.

(f) Lease to RCMP - 575 Fitzwilliam Street

Introduced by Bill Corsan, Director, Community Development.

It was moved and seconded that Council:

1. Grant a new five-year lease at 575 Fitzwilliam Street to the federal members of the Royal Canadian Mounted Police; and,
2. Authorize the Mayor and Corporate Officer to execute the lease agreement.

The motion carried unanimously.

(g) Rezoning Application No. RA456 - 5915 Metral Drive

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Mark Johnston did not participate as a delegation.

It was moved and seconded that “Zoning Amendment Bylaw 2021 No. 4500.184” (To rezone the 5915 Metral Drive from Single Dwelling Residential [R1] to Residential Corridor [COR1] to allow for a multi-family residential development) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2021 No. 4500.184” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the community amenity contribution and sanitary sewer right-of-way should Council support the bylaw at third reading. The motion carried unanimously.

(h) Rezoning Application No. RA458 - 1621 Northfield Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Zoning Amendment Bylaw 2021 No. 4500.185” (To rezone 1621 Northfield Road from Single Dwelling Residential [R1] to Residential Corridor [COR1]) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2021 No. 4500.185” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the road dedication, statutory right-of-way, and community contribution prior to the adoption of the bylaw, should Council support the bylaw at third reading. The motion carried unanimously.

(i) Development Variance Permit Application No. DVP412 - 5100 Hammond Bay Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Tyler Hanson, BCLS, Williamson and Associates Professional Surveyors, was available to answer questions via Zoom.

It was moved and seconded that Council issue Development Variance Permit No. DVP412 at 5100 Hammond Bay Road with a variance to reduce the minimum lot frontage requirement as follows:

- from 15m to 13.5m for proposed Lot B;
- from 15m to 12.06m for proposed Lot C; and
- from 15m to 12.04m for proposed Lot D.

The motion carried unanimously.

(j) Appointment of Bylaw Enforcement Officer

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council appoint Walter Ernst as a Bylaw Enforcement Officer for the City of Nanaimo for the purposes of enforcing City of Nanaimo bylaws in accordance with the *Community Charter* and the *Local Government Bylaw Notice Enforcement Act*. The motion carried unanimously.

Councillor Brown vacated the Shaw Auditorium at 9:38 p.m.

(k) Appointment of Bylaw Enforcement Officer

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council appoint Michael Leiding as a Bylaw Enforcement Officer for the City of Nanaimo for the purposes of enforcing City of Nanaimo bylaws in accordance with the *Community Charter* and *Local Government Bylaw Notice Enforcement Act*. The motion carried unanimously.

Councillor Brown returned to the Shaw Auditorium at 9:41 p.m.

(l) Business Improvement Area Bylaw 2021 No. 7317

Introduced by Sheila Gurrie, Director, Legislative Services.

11. BYLAWS:

(a) "Downtown Nanaimo Business Association Business Improvement Area Bylaw 2021 No. 7317"

It was moved and seconded that "Downtown Nanaimo Business Association Business Improvement Area Bylaw 2021 No. 7317" (To establish a Business Improvement Area in the downtown Nanaimo area) be adopted. The motion carried unanimously.

12. OTHER BUSINESS:

(a) Councillor Armstrong Motion re: Support for Call for Public Inquiry: Stronger Sentencing for Prolific Offenders

It was moved and seconded that Council support the Mayor of Williams Lake by sending a letter to the Solicitor General, Attorney General, and the Premier of British Columbia requesting a public inquiry into the justice system in BC, to determine why so many prolific offenders with serious charges are constantly released back into communities with ineffective deterrents to reoffend and to call for action to protect communities. The motion carried unanimously.

(b) Councillor Maartman re: Permanent Recreational Vehicle Accommodation

Councillor Maartman introduced the following motion for consideration:

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

Dale Lindsay, General Manager, Development Services, advised Council that there are areas of Nanaimo where permanent residency of a recreation vehicle is allowed. Mr. Lindsay stated that Staff could prepare more information for the 2021-APR-26 Governance and Priorities Committee Meeting.

It was moved and seconded that Council defer consideration of the following motion to the 2021-APR-26 Governance and Priorities Committee Meeting for further discussion:

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

The motion carried unanimously.

13. ADJOURNMENT:

It was moved and seconded at 10:00 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER